

## **SUPPLEMENTARY INFORMATION**

### **APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION**

**1. Application Number 14/04152/FUL**

**Address Site of Elm Tree Public House, Manor Top**

#### **Representations**

Two additional individual objections and a petition signed by 307 people have been received. The petition has been submitted by the manager of the Mega Filling Station of 580 City Road and is signed by their customers. Some have made individual comments on the scheme the main ones being that there is no need for the petrol station, too much traffic, no employment benefits, too near school

The grounds of objection in the individual objections not already covered in the committee report are as follows.

- The proposal will cause job losses at petrol stations in the surrounding area.
- Dangers of vehicles crossing lanes to enter and leave the site which will also create congestion and tailbacks at peak times when traffic is backed up outside the site. Reference is made to 12,340 difficult and dangerous traffic movements at the site during a week based on Asda's traffic figures.
- Development does not comply with some of the Criteria in the Jamaica guidelines for petrol stations which another objector has referred to.
- On street parking will restrict visibility for vehicles entering and leaving the site and for restrict pedestrian views of vehicles entering the site.

Most of the above issues are covered in the committee report. The Traffic Assessment states that 30% of trips will be new trips i.e. vehicles not already on the network. Whilst it is accepted that the development will result in an increase in traffic on the local network, it is considered that the increase is not of a scale that would justify a refusal on highways grounds and that the network can satisfactorily accommodate this increase.

Conditions are proposed which will ensure adequate pedestrian and vehicular intervisibility is provided.

It is accepted that the development is not likely to deliver any significant long term employment benefits. However there is no evidence that it will lead to a net overall loss of jobs.

Members are reminded that competition between businesses is not a planning consideration and the applicant is not required to demonstrate a need for a proposal.

## **Add additional directive D032 (works within the highway)**

**2. Application Number 14/03473/FUL**

**Address Site of 162 to 170 Devonshire Street**

### **Additional Representations**

Eleven additional representations have been received from objectors to the proposed development, including one from SAVE Britain's Heritage. Most of the grounds for objecting have already been covered in the committee report however, for completeness, SAVE's correspondence is referenced here in full.

- SAVE Britain's Heritage states that these buildings are much loved undesigned heritage assets of demonstrable local importance, that are vital to the character of the Devonshire Green area. A petition calling for their retention has received almost 20,000 signatures. Demolition would not only result in the complete loss of the undesigned heritage assets, but harm would also be caused to the setting of the Grade II Listed Sewer Gas Lamp located at the junction with Westhill Lane, and the handsome Grade II listed Wharnccliffe Fireclay Works with its elaborate terracotta dressings and decoration. The National Planning Policy Framework advises (Para 132) "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

The buildings under threat are, to quote the archaeological assessment and building appraisal by Wessex Archaeology, "some of, if not the, oldest surviving commercial and domestic buildings in the Central Sheffield area." On the matter of the value attached to conserving these buildings, the planning report states that, whilst the existing buildings are undesigned heritage assets of local importance, "Alterations to their facades, layout and interiors have had an impact on their significance and thus, the weight that can be given to their conservation is considered to be limited." In doing so the planning report is at odds with the advice received from Wessex Archaeology, the council's own Conservation Advisory Panel, Sheffield Civic Trust and Hallamshire Historic Buildings. SAVE urges the planning committee to apply a reasoned judgement in this matter, taking notice of the very strong public feeling to this proposal and the advice of local groups and heritage organisations.

Other grounds of objection include:

- DIVISION Street is a massive part of Sheffield's Club and LGBT culture. In the 90s it acted as a locus for clubbers Gay and Straight to meet, shop, socialize. It became an organically forming gay friendly space, promoting diversity and tolerance. This has become a become the cultural norm for all that frequent the

bars, cafes and shops along the street, and has passed to every generation that has followed. This kind of phenomena is what Division Street embodies cannot be rebuilt, once it's gone, it will be gone forever.

**Additional Conditions:**

H18 No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

R049

H19 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

R063

<b>3. Application Number</b>	<b>14/03876/FUL</b>
<b>Address</b>	<b>Land Between 25 And 27 Charnock Hall Road Sheffield S12 3HF</b>

3 additional letters of representation have been received as well as a petition in objection containing 50 signatures.

Any issues raised, that have not already been covered in the original report are summarised as follows:

- Safety issue for people using the footpath as the development will enclose the footpath and remove the sight line.
- There has been a TPO on the site since 2001 and it should not be revoked.
- Three extra heavy standard mountain ash trees are planned on the front of the site positioned less than the recommend 7 metres from the new building and the neighbouring properties.
- The trees on the site frontage will block light from neighbouring properties.
- The proposed trees will cause a safety issue as children using the gennel will not be able to see passing traffic.
- The trees will block the view of vehicles manoeuvring in an out of spaces.
- Closing off the gennel to natural light will make the surface damp and slippery in the autumn and winter months.
- The removal of two trees from the front of the site is welcome.
- The committee report show bias towards the developer as open space policy issues and parking issues.
- The proposed replacement trees will cause overshadowing and block out sun light.

- The extension to the rear of the No.25 is a conservatory which was built to benefit from natural sun light. Therefore the extension projecting beyond the rear elevation and the elevated roof height will negatively impact the rear of No.25.

Response to representations.

In response to concerns raised by neighbouring properties in relation to the number of trees proposed on the site frontage, the plans have been amended to reduce the number of trees from three to one. As a result a total of four replacement trees are now proposed as opposed to the six replacement trees referred to in the 'Landscape and tree issues' section of the committee report.

The reduction in the number of trees addresses concerns with visibility and pedestrian safety issues.

Widening and appropriate surfacing (tarmac) of the gennel are proposed to be secured by condition which will prevent minimise any potential safety issues or slip hazard when using the use of the footpath.

Appropriate root protection can be installed to prevent trees from damaging existing and proposed dwellings. The mountain ash species are considered to be a relatively small species with a light canopy which are appropriate for an urban setting.

The principle of providing replacement trees to the rear of the site is established by the planning consent (05/03323/FUL) for the redevelopment of the neighbouring site. The trees were not provided to an appropriate standard (extra heavy standard) as part of the previous consent and this application regularises the position with regard to tree planting.

As identified in the committee report the relationship between the application site and the neighbouring dwelling is a common residential relationship and is not considered to give rise to any significant overshadowing or overbearing which would warrant the refusal of planning permission.

All other issues are covered in the original committee report.

### **Amended/additional Conditions**

#### **Condition 2**

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

A1\_01 rev H Floor plans and elevations  
AS02 rev B Proposed section drawing  
CHR 03 rev B Weddle's tree protection plan

Reason: In order to define the permission.

#### **Condition 7**

No works shall commence on site unless the retained cherry tree is protected in accordance BS 5837:2012 as shown on Weddles tree protection plan Dwg No: CHR 03 rev B. The tree protection measures shall remain in place throughout the construction process.

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

#### Condition 8

Prior to the commencement of development full details of the tree pits for the extra heavy standard trees shown on the approved plans shall be submitted to an approved in writing by the local planning authority. The replacement extra heavy standard trees shall be planted in accordance with the approved details prior to the first occupation of the development. Thereafter the trees shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any failures within that five year period shall be replaced.

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

- 4. Application Number            14/03493/FUL**
- Address                                Abbey Glen Ltd, 67 Coniston Road**

#### **Additional Conditions**

2 additional conditions are recommended following the receipt of proposals for ground remediation works:

1. All development and associated remediation shall proceed in accordance with the recommendations of the Remediation Strategy set out in the submitted Remediation Implementation Plan (ref: 36867-007, Issue 2, dated 19/3/15). In the event that remediation is unable to proceed in accordance with the said 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

2. 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 or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating 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

### **Amended Conditions**

It is recommended that the following conditions are amended to allow for more flexibility in the timing of submitting details in respect of reconstructing the adjoining footways and providing specifications for generating renewable energy. The reason for Condition 7 is also amended.

7. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority details must be submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

Reason – In the interests of highway safety.

9. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a report must be 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 shall be obtained from decentralised and renewable or low carbon energy.

### **Remove Condition**

Condition 26 erroneously duplicates Condition 7 and is therefore recommended to be deleted.

5. **Application Number**            **14/00133/FUL**
- Address**                                **335 and 337 Ecclesall Road South**

### **Additional Representations**

15 additional objections have been received from residents. One of the representations makes reference to problems arising from the works currently being carried out in the highway by National Grid, in particular the need for site operatives to direct traffic due to 'dumper trucks' parking on both sides of Ecclesall Road South outside Spar and the application site. The objector considers that this demonstrates that the road is too narrow to cater for regular deliveries by articulated vehicles. The representations also include comments on current delivery practices at Tesco Express at Trolley and at Sainsbury Local at Banner Cross where delivery vehicles have been seen waiting in the carriageway whilst others service the stores. The ability to monitor and enforce operation of the recommended conditions is also questioned.

One objector perceives a lack of professionalism in the officer's 'cosy' relationship with the applicant's agent and the extent of information available to view online.

The remaining representations reflect those already referred to in the Committee report.

Matrix (transport consultants acting on behalf of residents) have made further representation against the proposals. They note that the Committee report concludes that car parking, servicing, vehicle access and pedestrian access are considered acceptable on balance but consider that the 'outstanding shortcomings' should be considered as a whole. They say that the residual cumulative impacts of the development 'could be severe' thus justifying refusal. Matrix state that they cannot identify any measures to overcome the highway reason for refusal in the previous scheme.

1 additional representation supporting the scheme has been submitted. Support is on the grounds that local stores are environmentally superior to large supermarkets, many residents will be able to walk or cycle to the store and it will no longer be necessary to 'drive some distance to shop at competitive pricing'.

Officers are aware of a number of representations made direct to Members in addition to those reported here and in the Representations section of the main report.

**6. Application Number 14/03471/ADV.**

**Address Land opposite Burrows Toyota, 260, Penistone Road**

**Application Withdrawn.**

A letter dated 19 March 2015 from the applicant's agent states that the application has been formally withdrawn. However, the application was retrospective, the sign having already been put in place so Members are requested to support the officer recommendation to authorise enforcement action to ensure that the sign is removed.

**Amended Recommendation.**

Members are recommended to authorise officers to take all necessary action including, if necessary, enforcement action to ensure that the sign is removed within 21 days of the date of this decision.

**7. Application Number 13/02131/FUL.**

**Address Land at rear of 2, Slack Fields Lane, Sheffield S35**

**Additional Representations.**

Councillor Richard Crowther has objected to the application on the following grounds:

The modern design is out of character with the area and would look like a ski chalet.

The house would be 3 storeys high and would overwhelm the area.

There would be a loss of privacy that would affect neighbours.

There are mature trees and an attractive wall along the boundary which would be at risk if the development were to proceed. A previous appeal decision made reference to these trees saying the principle of the dwelling was acceptable as long as these trees were preserved.

There would be a detrimental impact on wildlife and the habitat of a protected species lies about 500 metres away.

The site lies within the Green Belt and this scheme would dominate where existing buildings do not.

The site has a long planning history. In 2004, an application was refused due to the size, massing and adverse impact on the Green belt and a later application in 2008 was also refused.

This application would do significant damage to the character of the area.

Four late representations have been received from neighbours and many of the comments reiterate objections that have already been submitted. However, there are some new objections which are set out below.

It was suggested that the Member site visit view the site from different vantage points along Storth Lane and from Glen Howe Park.

The proposal would be imposing and unsympathetic and out of scale and character with the surrounding area.

Protected species inhabit the area around the site.

Loss of trees.

The car park at Glen Howe Park can become busy and single track Storth Lane does not accommodate two way traffic.

The shared entrance into the site is too small.

There are too many gabion blocks in the scheme which would be highly visible.

The drainage arrangements, particularly the soakaways are not acceptable.

There are clear and open views to the north and the site is not surrounded by residential properties as asserted by the applicant.

The reductions in this scheme are minimal compared with the 2008 refusal.

There are concerns about the comparisons made between previous refused schemes.

There is no detailed planning permission for the site so comparisons cannot be made.

Damosel House would not dominate the application site.

The proposed kitchen window would directly face 11, Damosel Close.

The 2003 decision was for refusal, not approval.

There are concerns over the potential loss of the stone boundary wall.

An ecology survey is required.

There is no need for this development when there are larger, more appropriate sites elsewhere.

### **Response to Representations.**

Even though the design is modern, it is considered to be acceptable and appropriate for this location. The north facing elevation is 3 storeys high but the lowest level would be cut into the ground and the house would be significantly lower than Damosel House, which would remain dominant.

The impact on neighbours in terms of privacy is acceptable and satisfies relevant policy criteria.

The impact on trees and the boundary wall has been assessed and the line of mature trees along the boundary would be retained and protected by conditions.

During the Member site visit, the proposal was viewed from various points around the site in line with neighbours' wishes.

A condition is attached requiring an ecological survey to be submitted.

The shared entrance would adequately serve both properties and the extra traffic generated by the proposal can be accommodated on Storth Lane even though it is single track.

Drainage details would be controlled by a condition.

Regarding comparisons with previous schemes, the refused scheme referred to in the report is that from 2008.

It is asserted that there is no detailed planning permission but a Reserved Matters application was approved in 1994.

It is correct that 2003 decision was for refusal.

### **Amended Recommendation.**

The late representations have been assessed but it is considered that the

proposal remains acceptable without amendment. However, it is the case that two windows in the gable wall directly face the site which are shown on the plans to be blocked up. These are outside the site boundary so there is no control over this as part of this application even though they are shown to be blocked on the plans. Also, the two sites are in different ownerships. So that this issue can be resolved, a legal agreement would need to be submitted ensuring that the windows are blocked prior to the occupation of the proposed house.

The amended recommendation would read:

Grant Conditionally subject to a Legal Agreement Requiring Two Windows in The Adjoining Building That face North to be Blocked Up Occupation of the Proposal.