

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 23/02/2016

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

NOTE 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.

Case Number	15/04643/FUL (Formerly PP-04721295)
Application Type	Full Planning Application
Proposal	Temporary installation of a Star Flyer attraction including associated structures and works
Location	Star Flyer Fargate Sheffield S1 2DH
Date Received	23/12/2015
Team	City Centre and East
Applicant/Agent	Linestyle Architecture
Recommendation	Grant Conditionally

Subject to:

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:

Plan reference No:

- (a) (21) 002 rev A00 star flyer layout and elevations
- (b) (10)028 rev A00 site location plan
- (c) (10)029 rev A01 exieisng and proposed site plan

Reason: In order to define the permission

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

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

3. The use shall cease and the Star Flyer and all associated structures and equipment shall be removed on or before the 30th June 2016.

Reason: In the interests of the future development of the area

Other Compliance Conditions

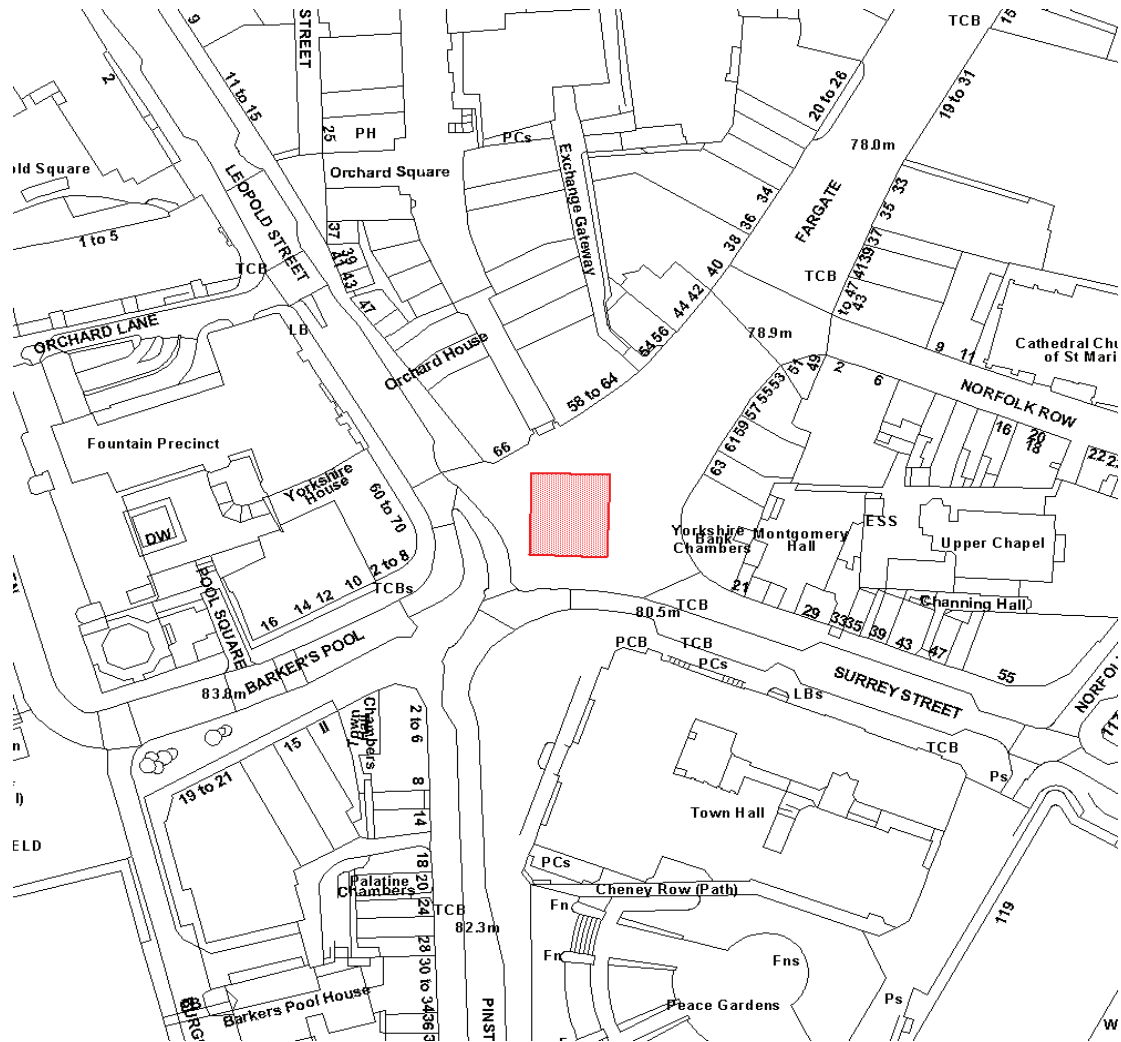
4. The star flyer shall be used only between 1000 hours and 2300 hours on any day.

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

Attention is Drawn to the Following Directives:

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

Site Location



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LOCATION AND PROPOSAL

This application relates to the temporary siting of a 'Star Flyer' carousel visitor attraction for a period of 4 months between March 2016 and the end of June 2016. The Star Flyer is proposed to be located at the southern end of Fargate close to the junction of Barkers Pool and Surrey Street. The site has in the past temporarily accommodated a giant observation wheel for a period of approximately 18 months.

The Star Flyer is approximately 66.8 metres high and the base of the structure inclusive of plant, equipment and designated customer queuing space occupies an area of approximately 25 metres by 22 metres.

The site is located within the City Centre Conservation Area and in close proximity to several listed buildings, including the Grade I Listed Town Hall, which is located approximately 20 metres to the south.

RELEVANT PLANNING HISTORY

09/01571/FUL - Siting of giant observation wheel for temporary period to end of January 2010 (amended layout plan dated 17.06.2009) – Granted Conditionally.

09/03500/FUL - Application to allow siting of giant observation wheel for temporary period to end of January 2011 (Extension of time of previous temporary permission) – Granted Conditionally.

12/03380/RG3 - Temporary siting of log cabins and market stalls for use as Christmas Market (Change of use application under Reg 3 - 1992) – Granted Conditionally.

SUMMARY OF REPRESENTATIONS

No letters of representation have been received from the general Public.

Historic England has no comments on the application.

Yorkshire Water have objected to the proposal on the grounds that the structure will restrict access to underground drainage and water supply infrastructure.

PLANNING ASSESSMENT

Land Use

Policy S3 'Development in the Central Shopping Area' within the Sheffield Unitary Development Plan (UDP) states that leisure and recreation facilities (D2) are acceptable uses within such areas. Furthermore the principle of erecting a city wide leisure attraction is supported by adopted Core Strategy Policy CS 14 'City-wide Distribution of Shopping and Leisure Development' which identifies the City Centre Primary Shopping Area as the main focus for leisure facilities with city-wide and regional catchments, and Policy CS 15 'Locations for Large Leisure and Cultural Developments' which identifies that development of leisure and cultural facilities that serve the city and wider region will be located in, or at the edge of, the City Centre where possible.

The site has accommodated a giant observation wheel in the past and as such the principle of locating a similar large scale visitor attraction is considered acceptable in this location. The Star Flyer has been located in several other cities worldwide and locations nationally including London and Manchester. The presence of this attraction will help to encourage visitors into the city centre contributing to its vitality and viability.

Adopted local policy identifies the City Centre as the preferred location for large scale leisure developments and it is considered that the Star Flyer will attract

visitors and increase footfall in the City Centre benefiting established retail and commercial uses by providing an attraction that will allow Sheffield City Centre to rival other regional shopping destinations.

In light of the above the principle of accommodating the Star Flyer for a temporary period is considered acceptable.

Visual Impact

Policy BE3 'Views and Vistas in the City Centre' within the UDP states that development will not be permitted to damage the traditional City Centre skyline or views and vistas which are important to the centre's character. The policy goes on to identify several views that will be affected by this proposal, including views towards the Town Hall along Division Street and Leopold Street and views down Fargate.

Policy BE11 'Public Spaces' states that development within or adjacent to Fargate will only be permitted where it would respect:

- The character of the space in terms of function, scale, proportions and views, and
- The contribution which surrounding buildings make to the character of the space in terms of scale, massing and proportions.

Policy BE15 'Areas and Buildings of Special Architectural or Historic Interest', Policy BE16 'Development in Conservation Areas'; and Policy BE19 'Development Affecting Listed Buildings' seek to ensure that development preserves and enhances the character of the area and special architectural or historic interest of buildings which are an important part of Sheffield's heritage

Policy S10 'Conditions on Development in Shopping Areas' within the UDP states that new development should be well designed and of a scale and nature appropriate to the site.

The Star Flyer is approximately 67 metres high constructed from a steel lattice frame with feature star which accommodates the seating that forms part of the ride. The base of the structure is enclosed with low level fencing, and the back of house area, which includes the power generator, is located to minimise its visual impact and will be screened with solid fencing. Due to the height and position of the Star Flyer it will be visible from a number of established key views and from a number of vistas across the city. It will also be viewed in the context of the City Centre Conservation Area and several listed buildings adjacent to the site.

The principle of siting a large attraction in this location on Fargate has been established by the previous "Wheel of Sheffield" approvals. In material terms, the impacts on the setting of nearby listed buildings and the conservation area is similar to the previous wheel, and the temporary nature of the attraction effectively reduces its impact.

In light of the above, whilst the Star Flyer will certainly affect the appearance of the Conservation Area and the setting of the nearby listed buildings for a temporary period it will have no long term impact and as such is not considered to be contrary to the above policies. The economic benefits of the scheme will far outweigh the short-term visual harm caused.

Highways and Access Issues

Policy S10 'Conditions on Development in Shopping Areas' within the UDP states that new development should be served adequately by transport facilities and provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians. Policy BE10: Design of Streets, Pedestrian Routes, Cycleways and Public Spaces within the UDP seeks to ensure that the design of streets, pedestrian routes and public spaces makes them convenient and safe to use for all members of society and minimises the conflict between pedestrians, cyclists and motorised traffic.

The Star Flyer will be located centrally in the wide pedestrian area at the top of Fargate. Although this location has some spatial constraints particularly with regard to existing street furniture, the structure can be accommodated without damaging any existing street furniture features. Adequate circulation space is also retained on the ground around the structure to continue to allow the free and safe flow of pedestrians in this busy City Centre location.

In terms of vehicle movements, a suitable distance has been retained to ensure that all stores can retain existing service arrangements. Access for emergency vehicles is also retained along Fargate.

With regard to mobility access, the operators ensure that all the required help is given to allow access for all.

In light of the above the impact of the structure on pedestrian movement for this temporary period is considered acceptable and accords with Policies S10 and BE10.

Amenity Issues

The Star Flyer does not create any excessive light pollution or emit any significant noise from its operation (other than from passengers on the ride) that is considered to give rise to any amenity issues. It is proposed to operate the attraction between 1000 hours and 2300 hours 7 days a week. There are not considered to be any residents in the immediate locality that would be detrimentally affected by the operation of the proposal. In light of the above the proposal is considered acceptable from an amenity perspective.

RESPONSE TO REPRESENTATIONS

Yorkshire Water (YW)

The applicant has identified that the base of the structure is sectional and can be removed to enable access under it if required by YW. Whilst YW's objection is noted the previous observation wheel was sited over the same infrastructure for an extended period of time without incident. On the basis that the applicant has confirmed access can be provided, YW's objection is not considered to warrant the refusal of planning permission as this is principally a matter between the applicant and YW as a statutory undertaker.

SUMMARY AND RECOMMENDATION

The visual impact of the Star Flyer on the city skyline is not considered to be harmful taking account of its temporary nature. The site has successfully accommodated a large observation wheel in the past and it is considered that the proposal will have a similar positive economic effect, contributing to the vitality and viability of the city centre and helping to attract visitors.

Although not ideal in the long term, the siting of the wheel affords suitable space for pedestrians to continue to access the shops and services available on Fargate for this temporary period.

All the retail units retain existing servicing arrangements.

Given the central location, the attraction will be easily accessible by varying modes of public transport and there are several public car parks in the vicinity.

In light of the above, it is recommended that the application for the Star Flyer is granted for a temporary period and subject to the listed conditions.

Case Number	15/04019/OUT (Formerly PP-04517843)
Application Type	Outline Planning Application
Proposal	Demolition of existing buildings, and re-development as residential with vehicular access from Chelsea Court
Location	Baldwins Omega Ltd Brincliffe Hill Sheffield S11 9DF
Date Received	04/11/2015
Team	South
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

Subject to:

Time Limit for Commencement of Development

1. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) Appearance, (b) Landscaping, (c) Layout and (d) Scale (matters reserved by the permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

2. Application for approval in respect of any matter reserved by this permission must be made 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.

3. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

Approved/Refused Plan(s)

4. With the exception of emergency vehicles, vehicular access to the development shall be achieved solely from Chelsea Court as identified within the Illustrative layout - Option 1e (Rev A)

Reason: In order to define the permission.

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

5. Before the commencement of the development a construction management plan shall be submitted and agreed. The plan shall provide details of:

Construction vehicle routing;
Construction vehicle parking and manoeuvring areas;
Contractor parking areas;

The development shall then be constructed in accordance with the agreed plan

Reason: In the interests of highway safety and the amenity of the locality

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

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

7. 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 with Contaminated Land Report CLR11 (Environment Agency 2004).

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.

8. 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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

9. 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 the development being commenced. The 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.

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

10. 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 with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council 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.

11. 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.

12. The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

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

13. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. Furthermore, unless otherwise agreed in writing by the Local Planning Authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until the proper provision has been made for its disposal.

14. Before the commencement of the development details of the measures to restrict the Brincliffe Hill access to use by pedestrians, cyclists and emergency service vehicles only shall be submitted to and approved in writing by the Local Planning Authority. Thereafter such approved details shall be implemented and so retained thereafter.

Reason: In the interests of highway safety and the amenity of the locality

15. 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. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. 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.

16. Before the development is commenced full details of the technical specification of the interface between proposed highway and the existing highway of Chelsea Court shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include:

Gradients
Visibility splays
Kerbs and verges
Pedestrian Footways

Thereafter, the newly formed access shall be implemented in accordance with these approved details and shall be so retained thereafter.

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

17. No development shall commence until a scheme for the delivery of affordable housing equivalent to no less than 10% of the gross internal area to be provided as part of the development, or an alternative percentage figure agreed with the Local Planning Authority following an independent viability assessment has been submitted to and approved by the Local Planning Authority. The affordable housing shall be provided for sale to a Registered Provider at a transfer price stipulated by the Council as part of the approved scheme. The scheme shall include details of:
- a) The number, type, tenure and location of the affordable housing;
 - b) The timing for the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - c) The arrangements to ensure that such provision is affordable for both first and future occupiers of the affordable housing or if not possible for the subsidy to be recycled for alternative affordable housing provision;

The affordable housing shall be provided in accordance with the approved scheme.

Reason: In order to ensure that appropriate contribution is made towards provision of affordable housing within the City Centre and West Area

Other Compliance Conditions

18. 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.

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

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

2. 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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

3. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
4. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from SCC Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.

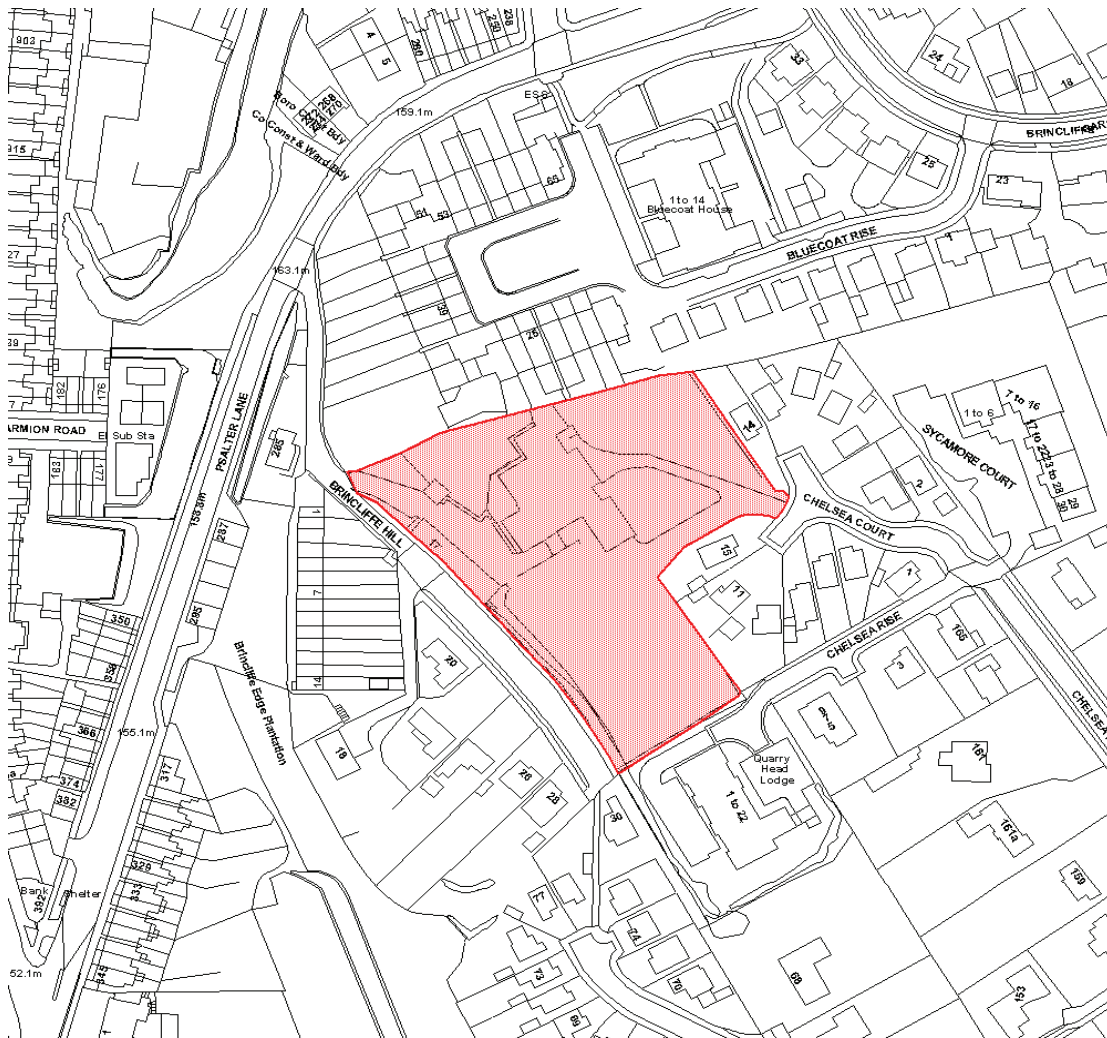
5. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
6. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator 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.
7. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Standards, 2-10 Carbrook Hall Road, Sheffield S9 2DB. Tel (0114) 2734170

Environmental Protection Services can be contacted at DEL, 2-10 Carbrook Hall Road, Sheffield, S9 2DB. Tel (0114) 2734651

8. 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 and application forms on the Council website. 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.
9. The Applicant is advised that measures required by Condition 14 shall employ measures such as use of a landscape strip with a minimum width of hard surfacing for a fire appliance and knock down bollards
10. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The application relates to a site of approximately 0.8 hectares located in the south west of the city and lying within an allocated Housing Area as defined in the Sheffield Unitary Development Plan.

The site use is currently the Baldwin's Omega restaurant and function rooms (Use Class A3). The restaurant itself is a sizeable, predominantly single storey building located towards the northern boundary of the site with the rest of the site dominated by a large car park (approximately 95 spaces). Because of the falling ground level across the site from west to east the building does achieve elements of two storeys in height at its eastern elevation. White render is employed throughout as a principal facing material.

Some areas of soft landscaping are located adjacent the building along the northern and north western boundary.

The site is currently accessible to vehicular traffic from Brincliffe Hill to the north west and Chelsea Court to the east.

This is an outline application which originally sought permission for the erection of 38 dwellings (a mixture of flats and detached dwellings). However Officer concerns with regard to the indicative layout mean that the exact numbers of units is now not specified. This will enable negotiation with regard to an appropriate density/layout to be undertaken at reserved matters stage. Nonetheless it is anticipated that the number of dwellings to be accommodated on the site would not be dissimilar to the indicative plans depending on unit types and other design considerations/constraints.

RELEVANT PLANNING HISTORY

Planning permission was granted in 2003 (03/02175/FUL) for an extension to form garden room and terrace for dining.

SUMMARY OF REPRESENTATIONS

In response to the Neighbour Notification process 28 letters of representation have been received 23 of these being objections and a further five offering a neutral view or highlighting constraints on the site. One of the latter letters is a response from the Sheffield Area Geology Trust.

SUMMARY OF POINTS RAISED

The Sheffield Area Geology Trust sought comfort that the former quarry face on the western boundary should remain available for viewing and study for geological reasons.

Representations objecting to the proposal can be summarised as follows:

Assurances are sought that any works to the quarry faces should be achieved at the expense of the developer and not local residents particularly on Brincliffe Hill where the highway is only semi-adopted.

On street car parking is a concern for residents of Chelsea Road and Chelsea Court where overspill and inconsiderate on street car parking creates manoeuvring difficulties and adversely impacts on residential amenity and highway safety.

The proposal is an overdevelopment of the site with inadequate off street car parking and poor access.

The access from Chelsea Court will be particularly problematic during periods of freezing weather due to ice/snow on the roads.

Public transport (in the locality) is hopelessly inadequate. The only close bus route is the No 4 along Psalter Lane. This only runs once an hour. To propose a low level of parking provision 'given the location to public transport' is disingenuous.

Future occupants are likely to be younger, professional couples, both of whom work, both of whom need to use cars. This is clearly demonstrated by the car ownership characteristics of the other new developments in the area, some of which comprise only one bedroom apartments. Parking provision should be increased to at least the level of the SCC guidelines.

The area is being over developed and at the very least the number of units should be reduced.

The proposed three-storey flats will introduce an overbearing/overlooking aspect towards properties on Brincliffe Hill.

The proposal will generate excessive vehicular journeys.

In recent years the construction of the apartment blocks at Quarry Head Lodge and Sycamore Court has already caused a considerable increase in traffic and wear and tear on the road surfaces. The addition of more dwellings would exacerbate this situation.

Since the Council accepts that the use of the junction of Brincliffe Hill and Psalter Lane is acceptable as the primary access point future resident's vehicular access to the site should be split between Brincliffe Hill and Chelsea Court. The road surface of Brincliffe Hill should be upgraded at the expense of the developer/ new estates residents and adopted by the Council. Any access to the site should be controlled by electronic barrier to prevent rat running and only residents of the new development, Brincliffe Hill and Chelsea Court would be given passes.

Resident's vehicular access should be completely avoided on Brincliffe Hill as the junction with Psalter Lane is extremely dangerous and increasing vehicular movements would compromise highway safety.

The proposal should be for individual houses with garages and driveway parking.

The development should be restricted to houses rather than including flats.

Drains in the locality have overflowed in the past and created flooding problems. Surface drainage is much the same and Chelsea Road becomes a river. There is always a deep and extensive flood outside 28 Cavendish Road where the road levels off. Larger sewer systems should be installed before the roads are resurfaced this year under the PFI initiative.

There will need to be a physical barrier installed at the Brincliffe Hill access to prevent access/egress to all but emergency vehicles.

The absence of appropriate footpaths on Brincliffe Hill raise highway safety concerns.

Brincliffe Hill should not be used as an access for emergency vehicles due to the narrowness of the carriageway and the dangerous junction with Psalter Lane.

The indicative cross sections do not accurately represent the site and due to the topography of the site the flats will appear as six stories in height when set against the adjacent Bluecoats development. If not set back sufficiently there will be considerable overlooking and significant blocking of light.

The development will also result in significant loss of trees without appearing to replace them.

The parking plans suggest cars within a few metres of the north boundary. This boundary consists partly of quarry wall and part stone retaining wall. The stone wall on the boundary would have never been considered as a highway retaining structure and any design should reflect this. Should the proposal be constructed there is the possibility of the wall being surcharged which may result in failure. There is also the reasonable proposition that accidental actions could see a car plummet up to 5 metres (into back gardens) if the correct barriers are not included.

The only viable solution for the drainage would be attenuation tanks. It is likely this attenuation would need to reduce the flow greater than the 30% suggested or it could surcharge the local system and flood areas.

The proximity of the car parking area at the North Side of the proposed development to the Bluecoats estate. This may cause a significant litter/fouling issue.

Neutral comments/observations/suggestions.

Construction traffic should be restricted to certain times to reduce disruption to residents.

The contribution towards housing stock is to be welcomed provided adequate off street car parking is provided within the development and the housing is constructed to the best environmental standards.

Bin lorries reverse onto Brincliffe Hill and so any increase in pedestrians on this route raises concerns about highway safety.

Before construction of the boundary wall to the car park surface water poured into the gardens of houses on Chelsea Court. Residents would not want to see a return of such a scenario.

Matters raised that are not material considerations

There are concerns that developing the site could de-stabilise the quarry face and boundary wall on the adjacent Bellway site to the north. This would be a matter for Building Regulations.

Construction traffic will damage verges pavements and road surfaces.

At certain dates in the past, for example when Chelsea Park hosted the annual bonfire and during the construction of Sycamore Court when contractors cars/vans were parked on Chelsea Rd inconsiderate parking occurred to the detriment of local residents amenity.

PLANNING ASSESSMENT

Policy

Overarching National Policy

The National Planning Policy Framework (NPPF) has replaced previous national planning guidance and the following paragraphs are relevant in terms of overall principle:

The key principle enshrined in the document is a presumption in favour of sustainable development.

At Paragraph 11 states:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

At Paragraph 19 states:

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth...Therefore significant weight should be placed on the need to support economic growth through the planning system.

At Paragraph 58 states:

Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area.

Planning policies and decisions should aim to 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;
- optimise the potential of the site to accommodate development
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging
- appropriate innovation;
- and are visually attractive as a result of good architecture and appropriate landscaping.

At Paragraph 47 states:

To boost significantly the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to

provide five years supply of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

At Paragraph 49 states:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Local policy and supplementary planning guidance

The site lies within a Housing Area as defined in the adopted Unitary Development Plan (UDP). The most relevant UDP and SLP Core Strategy policies are:

H5 (Flats, bedsits and shared housing)
H10 (Development in Housing Areas)
H14 (Conditions on Development in Housing Areas)
H15 (Design of New Housing Developments)
H16 (Open Space in New Housing Developments)
BE5 (Building Design and Siting)
CS22 (Scale of the Requirement for New Housing)
CS23 (Locations for New Housing)
CS24 (Maximising the Use of Previously Developed Land for New Housing)
CS26 (Efficient Use of Housing Land and Accessibility)
CS31 (Housing in the South West)
CS41 (Creating Mixed Communities)
CS63 (Responses to Climate Change)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS65 (Renewable Energy and Carbon Reduction)
CS74 (Design Principles)

Supplementary Planning Guidance "Designing House Extensions" provides guidelines for protecting residential amenity. Whilst not relating specifically to new build schemes the guiding principles are considered relevant.

The South Yorkshire Residential Design Guide, whilst not formally adopted by Sheffield City Council, offers excellent guiding principles with regard to design, layout and space about dwelling standards for new build residential proposals.

Principle of Proposed Development

Housing uses (Class C3) are the preferred land use in Housing Areas in accordance with UDP Policy H10 (Development in Housing Areas).

In land use terms, residential development is acceptable in principle and, whilst the current A3 use can also be acceptable in a Housing Areas, a housing use would be preferable.

The indicative layout, whilst now discounted in terms of precise numbers of units, shows a mix of flats and detached dwellings, offering variety and choice, and whilst the proposal must be tested against other policies in the UDP, SDF Core Strategy and the National Planning Policy Framework (NPPF) the principle of the development is considered acceptable.

Housing Supply considerations

The NPPF at paragraph 49 states:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 14 of the NPPF states that planning permission should be granted in such circumstances unless the adverse impacts of doing so clearly outweigh the benefits.

Core Strategy Policy CS22 mirrors the NPPF requirement that a 5 year supply of housing should be maintained at all times.

Currently the Local Planning Authority can demonstrate a 4.7 year supply of deliverable sites and the proposal would therefore help achieve the delivery of new homes to meet the needs of a growing population as outlined in the Council's Corporate Plan 2015-2018 and as required by the NPPF and Core Strategy Policy CS22.

Density considerations

The proposals (as initially received), would represent a density of approximately 47 units per hectare. The density range quoted in Core Strategy Policy CS26 (Efficient Use of Housing Land and Accessibility) suggests that 40-60 dwellings would be an appropriate density in this location and as such a scheme such as that indicated on the indicative plan would be acceptable in terms of density.

Policy CS26 does permit densities outside this quoted range where proposals achieve good design, reflect the character of the area or protect a sensitive area.

Policy CS31 'Housing in the South West' states:

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

It continues:

In recent years there has been a tendency to increase the volume of housing here through higher densities, including the construction of apartments, but respecting

the character of the area means that the density of new developments should be in keeping with it. In many parts of the south-west, such as the Victorian suburbs and other areas with distinctive townscape, this will place significant limits on higher densities.

The indicative layout shows that a scheme within the specified density parameters can be achieved that would be compatible in the context of the surrounding area. However, it is considered that the mix of units or the number of units would need to be varied from the indicative plans in order to provide satisfactory provision of off-street car parking, private and communal external amenity space and appropriate space about dwellings.

Overall, the proposals give an indication that an efficient form of land use in the context of the area can be achieved.

Scale and massing

Whilst the plans received with the application are purely indicative the proposed development will clearly be in the two to three storey range. This is entirely in keeping with the context of the locality. Given the differences in land levels to neighbouring curtilages, due to both variations in natural ground level and historic quarrying in and around the site, care will need to be taken with regard to neighbouring residential amenity but this matter is dealt with elsewhere in this report.

Sustainability considerations

The NPPF sets out a commitment to achieving sustainable development. Developing sustainably includes supporting strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations and creating a high quality built environment. It also includes the improvement of biodiversity, using natural resources prudently, and mitigating and adapting to climate change.

A residential scheme at this location could offer several benefits which would contribute to achieving sustainable development.

The site is in a sustainable location, being previously developed land in an accessible location close to services and public transport on Ecclesall Road (approximately 400 metres) and Psalter Lane (approximately 300 metres). Core Strategy Policy CS23 (Locations for New Housing) places the main focus for new housing developments on suitable, sustainably located sites within the urban area with an emphasis on supporting urban regeneration and make efficient use of land and infrastructure and in this regard the proposals are considered appropriate.

Policy CS24 (Maximising the Use of Previously Developed Land for New Housing) gives priority to the development of previously developed sites and the proposal would achieve such an aim.

With such measures included in any reserved matters submissions, the proposals should be capable of meeting Core Strategy Policies CS63 (Responses to Climate Change), CS64 (Climate Change, Resources and Sustainable Design of Developments) and CS65 (Renewable Energy and Carbon Reduction).

The precise siting and design of buildings is a matter reserved for subsequent approval. Nonetheless there should be scope for introducing low carbon and renewable energy technology within the scheme and there is no reason to believe that dwellings cannot be designed to take advantage of technology to harness renewable sources.

There is also scope to reduce the impact of surface water run-off in the locality through the employment of Sustainable Urban Drainage Strategies and/or other attenuation works. Any scheme should, at the very least, result in an overall reduction in impermeable hard surfacing and an increase in both soft landscape and the use of porous/permeable hard surfacing.

A housing development will strengthen the character of the Housing Area and remove an acceptable, but less desirable, use. A mix of house types is proposed on the indicative plans and this is welcomed.

Amenity of Existing Occupants

Notwithstanding the points mentioned in 'Density considerations' with regard to the indicative plans it is considered that appropriate separation distances can be achieved to existing dwellings. Supplementary Planning Guidance requires a separation of 21 metres between main facing windows and suggests that this distance be increased if proposals lie at a higher level.

Whilst the three storey blocks (shown as nos.19-30 on the indicative plans) would be located at an elevation (existing ground level) significantly above the properties to the north (on the Bluecoats development) these achieve a 28 metre separation distance to the existing terraced houses. Should the detailed scheme achieve such separation significant overlooking, overbearing or overshadowing is highly unlikely and it would be difficult to base a robust refusal on inadequate separation distances.

The proposal would undoubtedly introduce traffic movements onto Chelsea Road and Chelsea Court but Baldwin's Omega already generates significant vehicle movements and these can often be concentrated in the late evenings when visitors/taxis etc. are travelling to and from the venue. It is not felt that a residential scheme such as that proposed would represent any greater disturbance than that already present, and in terms of night time noise and disturbance may actually represent an improvement in circumstances.

Amenity of future occupants

Overall, a development approaching the scale proposed on indicative plans is capable of being designed to meet criteria in UDP Policies H5 (Flats, bedsitters and shared housing), H14 (Conditions on Development in Housing Areas), H15

(Design of New Housing Developments), Core Strategy Policy CS74 (Design Principles) and Supplementary Planning Guidance and South Yorkshire Design guidance.

However, any reserved matters submission will need to provide improved areas of private external and community space. These requirements could be achieved either through a reduction of units or through a variation in the unit types.

Ecology and Landscape considerations

Policy GE11 (Nature Conservation and Development) requires development to respect and promote nature conservation.

Core Strategy Policy CS73 (The Strategic Green Network) seeks to enhance the Strategic Green Network where possible. Such network follows the rivers and streams of the main valleys, including the Sheaf.

UDP Policy BE6 (Landscape Design) requires good quality landscape design in new developments.

There are no protected trees or specific specimens of significant public amenity on the site. However, there are groups of lesser trees that provide a softening of the built environment. Without a defined layout it is not possible to determine exact losses but any reserved matters scheme should seek to either retain useful groupings or propose sufficient replacement planting.

Subject to the above the scheme could offer significant benefits in terms of providing opportunity to plant replacement trees of native species and in offering gardens and external amenity areas that could encourage biodiversity. The ability to grasp the opportunity will rely on achieving a detailed layout at reserved matters stage which contains good quality private and communal external amenity spaces with scope for appropriate planting.

Highway considerations

Access

The sole means of vehicular access serving the dwellings indicated on the main site is proposed to be taken from the existing vehicular access point on Chelsea Court. This is a long established access which has previously been subjected to use by domestic and commercial vehicles visiting the site. This entrance to the site has been assessed by Officers and is considered acceptable in terms of vehicle access/ egress and trip generation.

The current alternative access to the site is from Brincliffe Hill (and in turn onto Psalter Lane) and this is extremely poor in terms of visibility and carriageway width. The scheme proposes to limit the use of this access (for vehicular traffic) to emergency vehicles only and this is considered prudent.

Off street car parking

The indicative layout suggests a provision of two spaces per detached dwelling, and one space per flat with additional limited spaces for visitors.

This would equate to current UDP guidelines which require 2 spaces per detached house, one space per two bedroom flat with an additional 1 space per four flats for visitors.

The NPPF states that local planning authorities should consider the following factors in setting local parking standards:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

In this instance, the indicative level of provision appears satisfactory though exact details would be required at reserved matters stage.

Connectivity

It is anticipated that pedestrian and bicycle traffic will use the Brincliffe Hill route to reach Psalter Lane. As previously mentioned the junction between Brincliffe Hill and Psalter Lane is far from ideal in terms of highway safety and there is no pedestrian footway on Brincliffe Hill itself. However, this route is already used by residents of Brincliffe Hill and the level of traffic that would be present on this route should the bar to all but emergency vehicles be implemented would be less than existing with the restaurant in operation. As such this aspect is considered acceptable.

Overall, the proposals are capable of complying with UDP Policies IB9, H14 and BE9 (Design for Vehicles).

Drainage considerations

Surface water discharge should be reduced by a minimum of 30% on brownfield sites in accordance with Core Strategy Policy CS67. There is likely to be a significant reduction in hard surfacing compared to the existing development and permeable surfaces should assist greatly in the rate of discharge.

The employment of SUDS and/or attenuation tanks can provide technical solutions to ensure reduction in surface water run-off.

Overall, surface water discharge will need to be reduced in accordance with the relevant provisions in Policy CS67.

Land contamination considerations

A Ground Investigation Report has been submitted with the application proposal and Officers of the EPS have recommended intrusive ground investigation prior to any re-development. It is considered that these measures can be conditioned so as to be addressed at the reserved matters stage.

Archaeology considerations

Other than the semi-exposed quarry face on the west boundary (which is more of geological interest than historical) there is little to suggest that historic artefacts will be present below the existing buildings and infrastructure. The site was used as a sandstone quarry (for grindstones for cutlery working) in the late C19th century but historical maps reveal that cranes for haulage of stone may have been the only industrial structures on site.

No further archaeological investigation is therefore required as part of developing the site.

Air Quality considerations

It is not considered that the proposed use will result in any significantly harmful change in air quality. Pollutants and particulates are only likely to result from residents vehicular movements and as the site currently experiences similar traffic movements this is not felt to be a concern.

CIL and Planning Obligations

The Community Infrastructure Levy (CIL) is applicable to the application proposals with a levy of £30/sqm (Zone 3). The funds generated through CIL will be used in connection with strategic infrastructure needs.

Affordable Housing

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

The target within CS40 is between 30 & 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the City Centre and West area and sites within this area have a target of 10% for affordable housing provision.

Given that the applicant is seeking outline consent it is not possible to determine if it would be financially viable to meet the 10% target at this stage. As such this matter will be conditioned and considered again at the reserved matters stage.

Response to representations

Matters relating to scale, massing, space about dwellings, drainage, landscape, access and parking have all been addressed in the main body of this report

Matters relating to slope/quarry face stability and subsidence are the realm of Building Regulations.

Any potential for vehicles to fall over the quarry face to the north would need to be addressed at detailed stage (the introduction of safety barriers being the potential solution)

The indicative plans show the quarry face on the west boundary as remaining accessible for study.

Inconsiderate parking of residents and visitors is unfortunate but planning control can only extend to ensuring adequate provision within any proposal in accordance with guidelines.

Construction traffic hours of operation and potential dust generation can be controlled by condition.

SUMMARY

This is an application seeking outline permission for residential development of a site which has been previously developed. Notwithstanding the indicative layout submitted with the application, the exact number and distribution of units is yet to be determined.

However, a detailed scheme along the lines of the indicative proposals should be capable of providing and maintaining adequate standards of residential amenity, an appropriate mix of housing and adequate provision for vehicles.

Affordable Housing can be secured through appropriate condition.

Overall, it is considered that a detailed scheme based on this outline proposal could achieve significant benefits in terms of housing provision, the re-use of previously developed land, securing sustainability policy aims and offer an opportunity to increase biodiversity.

RECOMMENDATION

Grant subject to conditions

Case Number	15/03567/FUL (Formerly PP-04515234)
Application Type	Full Planning Application
Proposal	Alterations to garages for use as community centre (Use Class D1)
Location	Garages To Side Of 127Bevercotes RoadSheffieldS5 6HB
Date Received	28/09/2015
Team	City Centre and East
Applicant/Agent	Plans For Extensions Ltd - Mr N Fieldhouse
Recommendation	Grant Conditionally

Subject to:

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:

Elevations and floor plans received 12/11/15

Reason: In order to define the permission.

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

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

3. Large scale details, including materials and finishes, at a minimum of 1:20 of the infill window panels to the Bevercotes Road front elevation and lower ground floor rear elevation shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development

4. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the community centre shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

Reason: To ensure ease of access and facilities for disabled persons at all times.

5. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient car parking accommodation within the site, including details of the proposed surfacing, layout and marking out of the car parking accommodation, shall have been submitted to and approved in writing by the Local Planning Authority. The community centre shall not be used unless such car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality

6. No live music or amplified sound shall be played within the building unless a scheme of sound attenuation 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 restricting noise breakout from the building to the street to levels not exceeding the prevailing ambient noise level by more than 3dB when measured;
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as an 15 minute LZeq.

Before such scheme of 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 locality and occupiers of adjoining property.

7. The community centre shall not be used unless all redundant accesses on the Bevercotes Road frontage of the building have been permanently stopped up and reinstated to kerb and footway.

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

8. Before the development is commenced full details of the proposals to secure funding of the works and the Traffic Regulation Order as necessary to permit the proposed disabled parking bay on Bevercotes Road to the frontage of the site, and any associated restrictions or regulatory changes to the highway to ensure the efficient movement of vehicles along the highway in the immediate vicinity of the development, must be submitted to and approved by the Local Planning Authority. Thereafter the parking space shall be provided in accordance with the approved plans.

Reason: In the interests of facilitating disabled access

Other Compliance Conditions

9. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the community centre shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class D1.

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

10. The community centre shall be used for the above-mentioned purpose only between 10:00 hours and 22:00 hours on any day.

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

11. All refuse bins associated with the use shall be stored in the rear yard area and no bins shall be stored on the Bevercotes Road frontage.

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

12. 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.

Attention is Drawn to the Following Directives:

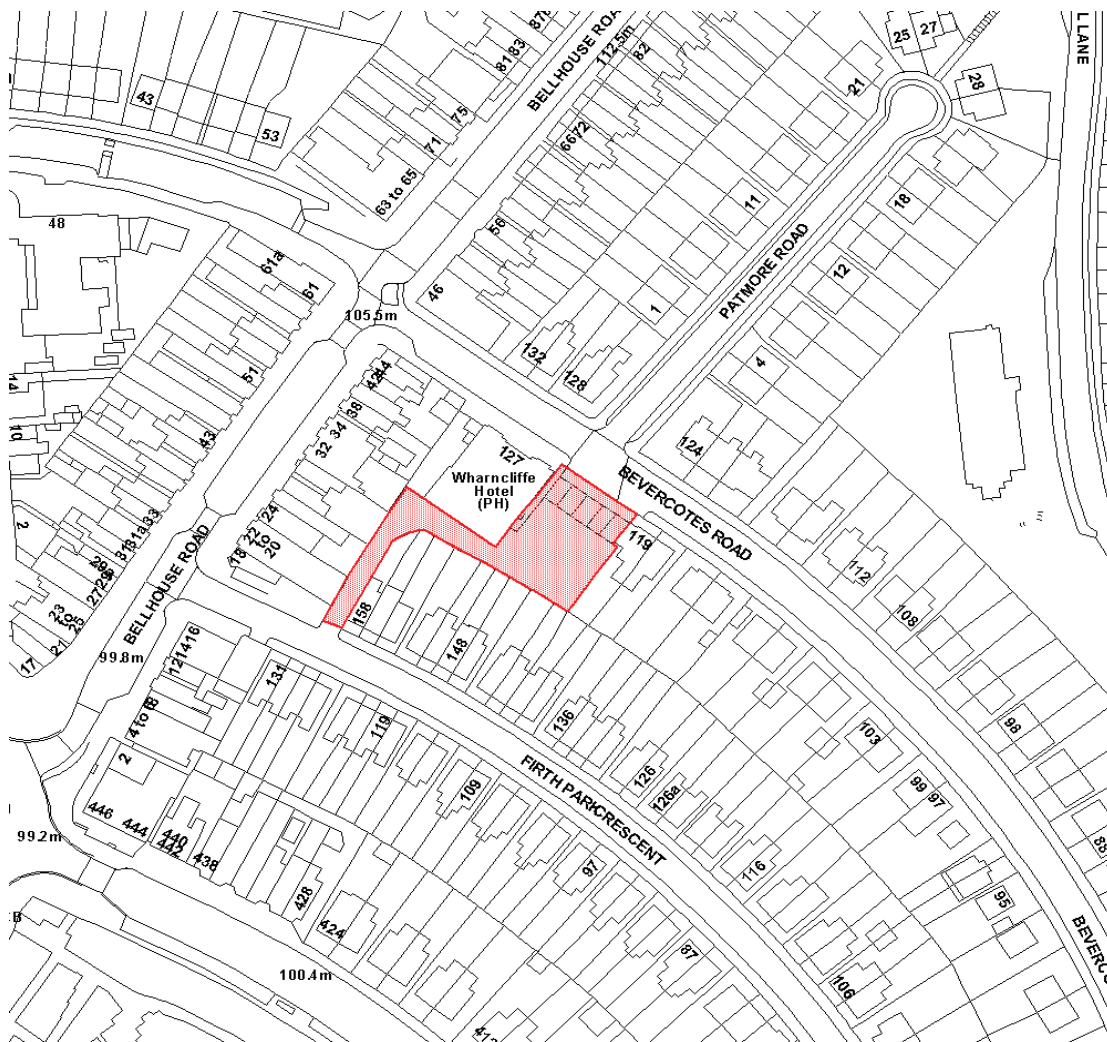
1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. The developer's attention is drawn to:
 - (i) Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970, as amended; and
 - (ii) the code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 8300) or any prescribed document replacing that code.

Section 4 sets requirements for access to, and facilities at, premises. Section 7 requires a notice or sign to be displayed, indicating that provision is made for the disabled.

If you require any further information please contact Brian Messider or Simon Ovendon on Sheffield 2734197.

3. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
4. The applicant is reminded that any external security measures such as roller shutters will require planning permission.
5. The applicant is advised that the erection of advertisements is governed by the Town and Country Planning Control of Advertisements Regulations. You are advised to contact the Local Planning Authority before erecting any signage on the building.

Site Location



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LOCATION AND PROPOSAL

The application relates to a two storey block of ten garages built into rising land with its main upper frontage facing onto Bevercotes Road. The five garages within the basement level are accessed from a private car park area to the rear of the building with driveway access onto Firth Park Crescent. The garages which are brick built with decorative stone detailing and a flat roof are currently vacant and in need of renovation.

The garage building which falls within an allocated Housing Area is located adjacent to the Firth Park District Shopping Centre and the former Wharnccliffe Hotel which is currently vacant and boarded up. Both Bevercotes Road and Firth Park Crescent are residential in character with a mix of semi-detached and terraced properties.

The application seeks approval to use the building as a community centre (Use Class D1)

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

29 letters of objection which raise concerns that

- The garages need demolishing and replacing with housing – not reused as a community centre. The site needs regenerating for a fresh start for all the community.
- There are several underused community centres within walking distance.
- The centre of Firth Park is already heavily congested with traffic. Parking in this residential area close to a busy road junction on a one way system is already excessive and the extra traffic generated by this proposal would make the situation worse. The existing side streets are already used as a shopper's car park with often inconsiderate parking. The garages should be available to use by local residents to ease parking pressures in the area.
- The adjacent roads are in a poor condition and increased usage will lead to further deterioration.
- The community centre will lead to disturbance of local residents due to long opening hours and noise pollution 365 days of the year. Local residents have previously had to put up with anti-social behaviour from people visiting the pub, fighting, shooting, theft and noise pollution. The proposed centre will bring additional disturbance to the area. There are also concerns that there will be unacceptable overlooking of neighbouring property.
- The proposal will not prevent the area to the rear of the garages being used for anti-social behaviour (Drugs etc). This area has always been used in this manner despite being next to a previously active pub and boxing gym.
- Many of the letters of support are from people who are not local to the area so are unlikely to use the proposed community centre.

- The letters question the proposed use of the building. The applicant previously tried to convert a pub on Sheffield Lane top into a mosque. There are concerns that the proposed centre would not be there for the whole community.

24 letters of support have also been received which state that the area needs a community centre as there are no local facilities for children or the elderly. The letters also suggest that the opening of a community centre will make the area safer.

PLANNING ASSESSMENT

Policy Issues

The National Planning Policy Framework (NPPF) states, in paragraph 70, that planning decisions should plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.

The application property is sited within a Housing Policy Area as defined by the UDP. Policy H10 'Development in Housing Areas list community facilities and institutions (Use Class D1) as an acceptable use subject to compliance with Policy H14 'Conditions on Development in Housing Areas'

This policy aims to ensure that development will not detract from the residential character of an area, cause dis-amenity for local residents or lead to excessive traffic levels.

Policy BE5 'Building Design and Siting' states that the refurbishment of good existing buildings will normally be encouraged and that their design should meet the needs of all users.

Proposed Use

The application proposes the conversion of the existing building to form a community centre run by local residents for use by local residents. The centre will, subject to the availability of volunteers, provide activities for the elderly, a homework club for children, a women's computer club and a forum for monthly interfaith meetings with prayer facilities available for both male and female users of the building. The applicant states that activities are intended for all residents of Firth Park regardless of religion or political affiliation.

The centre will be open 7 days a week and be available from around 10am to 10pm with reduced opening hours in winter months.

It is noted that many local residents indicate that existing community centres in the area are underused. The council must determine this application with regard to the planning policy for the area. The existence and level of patronage of other community centres in the area is not a material consideration in the determination of this application.

Design

The existing garages are sited with their main front elevation in line with neighbouring property on Bevercotes Road. The existing garage building, although in a state of disrepair, has a decorative front elevation with brick/stone detailing which is to be retained. The main external alteration to the building is the replacement of the existing garage doors on both elevations with glazed infill panels with the rear elevation being rendered to improve its appearance. The existing window openings on the upper rear elevation will be retained.

The external alterations to the building raise no concerns in respect of the visual amenities of the local area.

Internally the existing garage walls will be removed enabling the creation of a single space on both the upper and lower levels of the building. Toilet facilities and a kitchen will be provided on both floors with a new interconnecting staircase. Due to financial constraints no lift will be installed in the building but level access will be available to both floors from Bevercotes Road and the rear parking area together with facilities for disabled users. Full disabled access details will be conditioned for subsequent approval.

Amenity Issues

The closest residential property is located on Bevercotes Road to the east of the existing garages. This neighbouring property has internal levels which are elevated in relation to the upper floor of the proposed community centre and its garden level is supported by a high retaining wall which runs along the boundary with the application site. The garage to this property abuts the side wall of the existing building providing separation from the residential accommodation. Due to the respective levels of the two buildings the upper floor windows on the rear elevation of the community centre will not generate any overlooking of this neighbouring property. There is in addition good separation with properties on Firth Park Crescent to the rear with facing windows being in excess of 30 metres apart.

Although the building will potentially be in use for up to 12 hours a day, the uses which are proposed will not generate excessive noise levels which would be detrimental to the residential amenities of neighbouring occupiers. Conditions can be added to any subsequent approval preventing the use of amplified sound or live music and the addition of external plant to the building which could cause dis-amenity to neighbouring occupiers. A condition can also be added requiring the building to be retained as a community centre and not any other use within use class D1 which may cause amenity issues in the future.

The use of the building for a community centre will provide active frontages to both the front and rear elevations of the building. It is anticipated that with a greater use of the building and with surveillance over the existing secluded parking area to the rear that this will reduce levels of anti-social behaviour to the benefit of local residents.

Highway issues

The proposed community centre will primarily serve the local community and as such it is anticipated that a majority of users will come from the local area and will walk to the site. The site is however conveniently located for public transport access, with high frequency bus routes along Bellhouse Road.

Notwithstanding the above there is a large off road parking space to the rear of the building which can accommodate in excess of ten vehicles including at least two disabled spaces which give adequate levels of parking for the proposed community centre. Access to the parking area is from a private drive from Firth Park Crescent which also gives access to the rear of both the existing shops on Bellhouse Road and a gym within the basement of the former Wharnccliffe Public House.

A detailed parking layout will be conditioned for subsequent approval including surfacing details to ensure appropriate access to the building from the proposed disabled parking spaces. It is expected that any parking spaces will be clearly marked out prior to the building being brought into use.

No off road parking is proposed to the front of the building as it is set back less than 3m from the Bevercotes Road highway boundary. Although a dropped crossing currently runs along the full length of the frontage of the site any off road parking to the front of the community centre would fall short of current standards and would not be permitted. The reinstatement of the kerb would be a requirement of any future approval on the site. It is noted however that there are no parking restrictions to the front of the site and a change of use will potentially increase on street parking spaces in the area from when the building was in use as garaging. In order to ensure ease of access for disabled people to the upper floor of the building it is recommended that an appropriate disabled parking space be marked out to the front of the building on Bevercotes Road. This will require a Traffic Regulation Order to be made at the applicant's expense. A condition will be added to any subsequent approval.

SUMMARY AND RECOMMENDATION

The proposed use of the premises as a community centre (use class D1) is considered acceptable within this accessible area on the edge of this established residential area, adjacent to Firth Park District Shopping Centre. The uses proposed are unlikely to generate either amenity issues or traffic levels which would be detrimental to the existing residential character of the area. It is considered that the future use of the building can be controlled by condition to prevent conflict in the future.

In view of the above the proposed development is considered acceptable and complies with relevant policy such that approval is recommended subject to the listed conditions.

Case Number	15/03556/FUL (Formerly PP-04520858)
Application Type	Full Planning Application
Proposal	Erection of a detached dwelling to be used in conjunction with existing cattery business
Location	Myers Grove House Cats Hotel 100 Myers Grove Lane Sheffield S6 5JH
Date Received	27/09/2015
Team	West and North
Applicant/Agent	EDGE AD Ltd
Recommendation	Refuse

Refuse for the following reason(s):

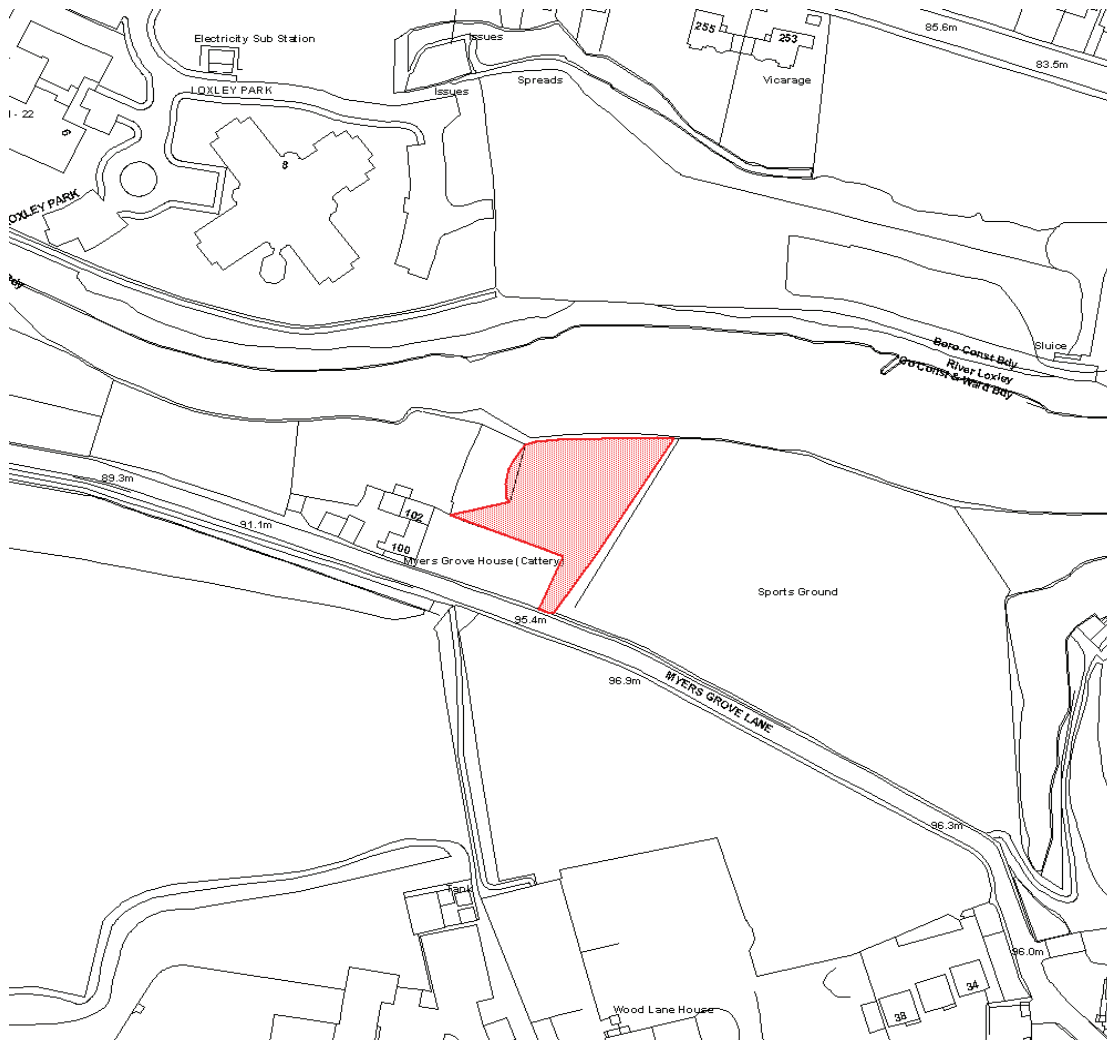
- 1 The Local Planning Authority considers that 'very special circumstances' have not been demonstrated to justify the erection of a dwellinghouse on this site within the Green Belt. In the absence of very special circumstances to justify a departure from the provisions of the adopted plan, the Local Planning Authority considers that the proposal is contrary to Policies GE1, GE3, and GE4 of the Unitary Development Plan, the aims of Core Strategy Policy CS71 and Government Guidance contained in the National Planning Policy Framework.
- 2 The proposed site comprises an area of land, which extends beyond the limits of existing development within the settlement. In the absence of an essential need, which in this case has not been demonstrated, the Local Planning Authority considers that the proposed development would be contrary to the provisions of Unitary Development Plan Policy GE5 and Core Strategy Policy CS71, which states that residential development within the confines of an existing settlement within the Green Belt will be limited to infill plots suitable only for a single dwelling and that development within the Green Belt should seek to re-use existing buildings.

Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.
2. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

Drawing numbers:
2013/MGL/01 Rev P2
2013.MGL/02 Rev P2
2013.MGL/03 Rev P2
2013.MGL/04 Rev P2
2013.MGL/05 Rev P2
2013.MGL/06 Rev P2

Site Location



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LOCATION AND PROPOSAL

The application relates to an area of land set back from Myers Grove Lane, adjacent to a cattery business which is run from 100 Myers Grove Lane. The site is elevated considerably above the level of the adjacent river and is separated from the garden of No.100 by the undulating topography.

Planning permission is sought for the erection of a detached dwellinghouse on the site. This would be used in connection with the cattery business which already has planning consent, rather than No.100 as conditioned by the cattery planning permission.

The proposed dwellinghouse would be L shaped with accommodation over 2 levels, the upper floor being within the roof of the building and would be accessed

from Myers Grove Lane along a track that is currently used to serve the cattery business.

RELEVANT PLANNING HISTORY

Planning permission was granted for the erection of buildings to be used for the purpose of a cattery business under application reference 10/02243/FUL. This was granted consent by the Planning Committee in October 2010.

More recently planning permission has been sought (and refused) for the erection of a dwellinghouse upon the site (application 14/02001/FUL refers). The current application is a resubmission of this refused application.

Consent has also been sought (and refused) to separate the cattery business from the existing domestic accommodation (application 14/03602/FUL refers). This application has also been resubmitted and is being considered under application 15/03555/FUL.

SUMMARY OF REPRESENTATIONS

Two representations have been received.

Loxley Valley Protection Society have commented as follows: Notwithstanding the difficult personal circumstances of the applicant, as the application is the same as that which was refused last year and the planning circumstances remain the same as before, it is felt that refusal again is the only option.

The other representation also objects to the development. The letter sets out that the applicant has, once again, been unable to demonstrate any very special circumstances for a new build dwelling in the Green Belt, nor anything to warrant removal of the condition from the existing dwelling. Whilst acknowledging the somewhat difficult personal circumstances of the applicant, personal circumstances are not a planning consideration, and to grant these applications on those grounds would be to set an unwelcome precedent.

PLANNING ASSESSMENT

Policy

The site is identified on the Sheffield Unitary Development Plan (UDP) Proposals Map as being within the Green Belt. The site is also identified as being within a Flood Risk Area (although in actual fact the site is elevated at least 15m above the adjacent river).

UDP Policy GE1 – Development in the Green Belt sets out that in the Green Belt, development will not be permitted except in very special circumstances where it would lead to unrestricted growth of the built up area; contribute towards the merging of existing settlements; or lead to the encroachment of urban development into the countryside.

Policy GE3 – New Building in the Green Belt sets out that the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than agriculture, forestry, essential facilities for outdoor sport or recreation, cemeteries and other uses which would comply with Policy GE1.

The Government's planning policy guidance on the Green Belt is contained in the National Planning Policy Framework (NPPF).

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (NPPF, paragraph 79) and that its purpose is to check unrestricted sprawl of large built-up areas, prevent towns merging, safeguard the countryside from encroachment, preserve the setting and special character of historic towns, and assist in urban regeneration by encouraging the recycling of urban land (paragraph 80, NPPF). Once defined local planning authorities should plan positively to enhance the beneficial use of the Green Belt including to retain and enhance landscapes, visual amenity and biodiversity (paragraph 81, NPPF).

The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF, paragraph 87). The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF, paragraph 88).

The construction of new buildings in the Green Belt should be regarded as inappropriate except for, amongst others, buildings for agriculture and forestry, appropriate facilities for outdoor sport, recreation and cemeteries, extension or alteration of a building, replacement of a building providing the new building is in the same use and not materially larger than the one it replaces, limited infilling in villages and affordable housing for local community needs, and limited infilling or partial redevelopment of previously developed sites (brownfield land) (NPPF, paragraph 89).

The NPPF states that there is a presumption in favour of sustainable development (NPPF, paragraphs 11 to 16). The NPPF also states that housing should be located where it will enhance or maintain the vitality of rural communities, and that local planning authorities should avoid isolated homes in the countryside unless there are special circumstances such as essential need for a rural worker, optimal viable use of or enabling work to secure a heritage asset, re-use of redundant or disused buildings and lead to the enhancement to the immediate setting, or exceptional quality or innovation of design (NPPF, paragraph 55).

Also relevant is Core Strategy Policy CS71 - Protecting the Green Belt. This policy seeks to safeguard the countryside and other open land through the re-use of land and buildings rather than the expansion of the urban area or villages.

Principle of Development

The proposed dwellinghouse is not required in connection with an approved use within such a Green Belt location – i.e. it would not house an agricultural or forestry worker. The housing of a worker in the cattery business is not deemed to be complicit with UDP Policy GE3 (a cattery business could be sited within the confines of a settlement and it is not essential that such a business be located within the Green Belt). The proposed development by its very nature would therefore be deemed to be inappropriate.

As such very special circumstances would need to be demonstrated to justify the proposed development. As the applicants are already in ownership of a property that can and has been used in connection with the cattery business (No.100 Myers Grove Lane) it is hard to see how a further dwellinghouse in this location can be justified to support the existing business.

With the previous application (14/02001/FUL) the applicant supplied supporting information setting out that the cattery license requires someone to be on site 24 hours a day and the cats to be visited every 2 hours. The applicants were finding this difficult as there are some steep steps between the existing house and the cattery. In addition the cattery cannot be seen from the house.

In support of the application to remove Condition 6 (15/03556/FUL) the applicant has set out that the existing property No.100 Myers Grove Lane, has to be sold as part of a divorce settlement and so without the residential property the business cannot continue.

Neither of these reasons are considered to be very special circumstance to justify the erection of a new dwellinghouse within this Green Belt location.

The applicant is wishing to build a new house due to personal circumstances. Whilst sympathy can be felt for the applicant, personal financial matters are not a planning consideration and so can be attached little or no weight. There is a dwelling currently tied to the cattery business and to allow a further dwellinghouse could potentially set a precedent for similar developments within the Green Belt.

It is considered that the proposed development would contravene UDP Policy GE1 and GE3 and would contravene the guidance contained within the NPPF.

Impact Upon the Openness of the Green Belt

Policy GE5 – Housing Development in the Green Belt sets out that new houses will be permitted only where this would involve either infilling of a single plot within the confines of an existing village, group of buildings or substantially developed road frontage or the replacement of an existing house on the same site.

The site is not within the confines of a village and is not part of a substantially developed road frontage. Nor would the proposed dwellinghouse be built on the footprint of any existing structures. As such the proposed dwellinghouse would not accord with UDP Policy GE5 or Core Strategy Policy CS71.

UDP Policy GE4 - Development and the Green Belt Environment is also applicable. This policy sets out that the scale and character of any development which is permitted in the Green Belt should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment.

The proposed dwellinghouse would not replace another building or structure but it has been designed to sit as low as possible so as not to be visible from outside the site. The plot is well screened with high hedges and is set away from the road and so it is accepted that it would be hard to see the property from surrounding public land.

The property itself would be of stone construction with a slate roof and timber framed windows and so would fit in with the rural surroundings, however the proposed dwellinghouse is not considered to be of exceptional quality or of particularly innovative design to override the policy concerns.

Whilst it is accepted that development may not significantly impact upon the character and appearance of the wider area, the absence of harm does not weigh in favour of the development; it merely adds no weight against it. As such the substantial harm due to inappropriateness remains.

Flood Risk

The site is identified as being within Flood Zone 2 where there may be a medium risk of flooding. Given the raised nature of the site it is evident that flooding would not be an issue and the applicant has submitted a brief flood risk assessment to this effect. The site has not flooded before.

Amenity

In terms of the proposed dwellinghouse itself, based on the plans that have been submitted a property could be erected on this site that would not give rise to unacceptable levels of overlooking or overshadowing to No.100 and 102 Myers Grove Lane. There is ample space within the site to serve as outdoor amenity space and No.100 would also retain a large garden. As such the site would not appear overdeveloped.

Highways

The proposed development itself would raise no highway safety concerns. However, there is no footway on the side of the development proposal, so vehicles emerge straight into the carriageway. The existing gate posts/pillars at the entrance are quite substantial and so it is recommended that should planning permission be given, they be re-engineered or removed to enhance visibility.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of a dwellinghouse within the Green Belt to be used in conjunction with an existing cattery business. The dwellinghouse

would provide accommodation over two levels and would be of stone construction with a slate roof.

The applicant has previously put forward a case that a new dwelling is required in this location as they are finding it difficult to run the business from their existing dwellinghouse which is located 30m to the south west of the site of the proposed dwellinghouse. More recently the applicant has cited a need to sell the existing property (No.100 Myers Grove Road) as part of a divorce settlement and so a further property is required to enable the cattery business to operate.

It is considered that the reasons put forward do not constitute very special circumstances to justify a new home being built within this Green Belt location. The development would be contrary to UDP Policies GE1, GE3, GE4 and GE5 as well as Core Strategy Policy CS71 and guidance contained within the NPPF.

It is recommended that planning permission be refused.

Case Number	15/03555/FUL (Formerly PP-04520841)
Application Type	Full Planning Application
Proposal	Application to separate cattery business from domestic accommodation (Application to remove condition 6 of planning permission no. 10/02243/FUL) (Re-submission of 14/03602/FUL)
Location	100 Myers Grove LaneSheffieldS6 5JH
Date Received	28/09/2015
Team	West and North
Applicant/Agent	EDGE AD Ltd
Recommendation	Refuse

For the following reason(s):

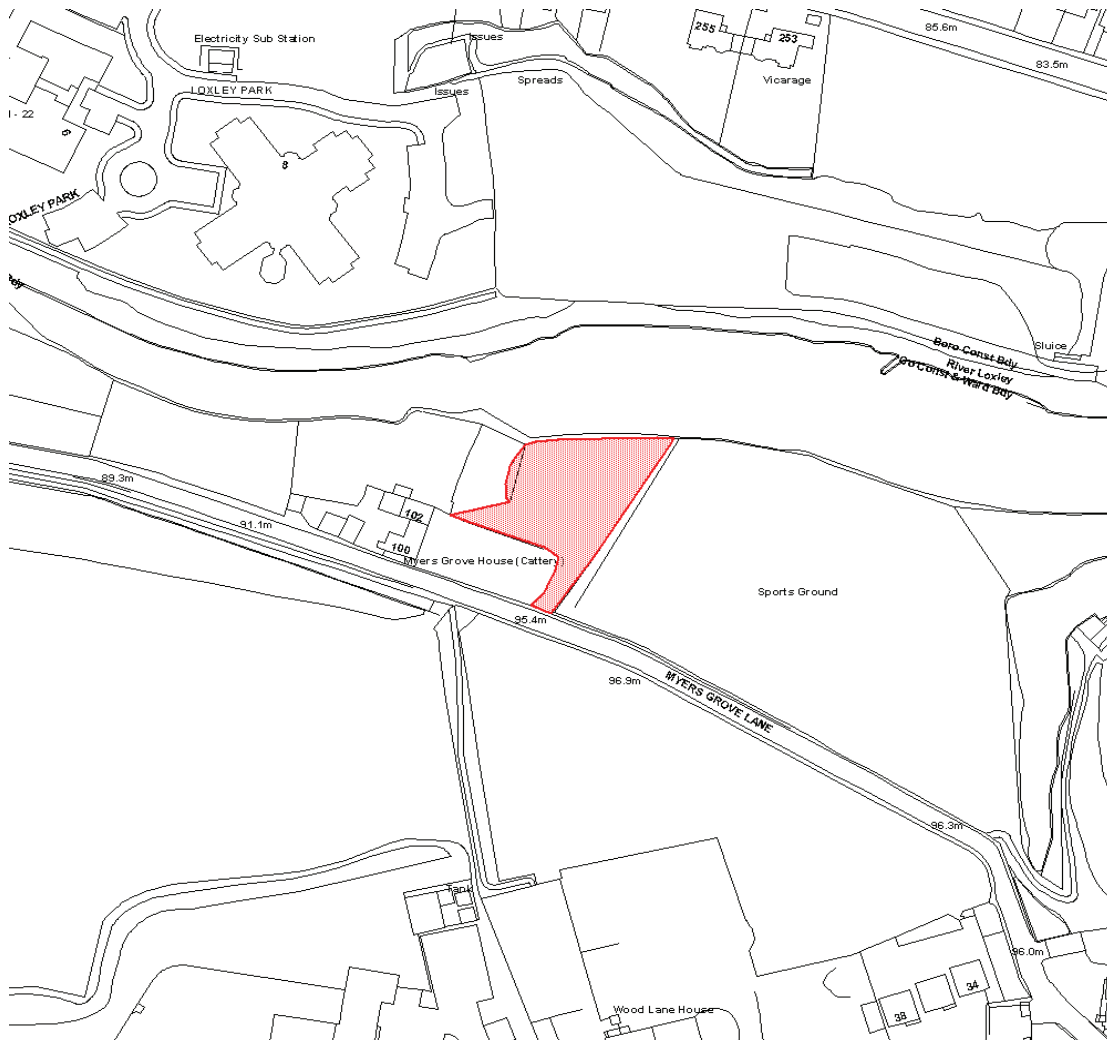
- 1 The proposed removal of Condition 6 of 10/02243/FUL would mean that the cattery business could be operated independently from the host property (No. 100 Myers Grove Lane). The condition was imposed such that the cattery business would not require additional development within the site and would remain ancillary to the dwelling.

The applicant has not demonstrated very special circumstances to justify a departure from the provisions of the adopted plan on this occasion, so the Local Planning Authority considers that the proposal is contrary to Policies GE1, GE3, and GE5, the aims of Core Strategy Policy CS71 and to Government Guidance contained in the National Planning Policy Framework.

Attention is drawn to the following directive(s):

Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.

Site Location



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LOCATION AND PROPOSAL

The application relates to the Myers Grove House Cat Hotel off Myers Grove Lane. This was granted planning permission in October 2010 under application reference 10/02243/FUL and a condition was attached to the consent tying the business to the neighbouring dwellinghouse, 100 Myers Grove Lane.

Planning permission is sought to remove Condition 6 of application 10/02243/FUL. This was worded as follows: 'The cattery shall not be used, sold or let separately from the property at 100 Myers Grove Lane.' The reason for the condition was 'In the interests of defining the permission and protecting the character and appearance of the Green Belt'.

Removal of the Condition would then allow a further dwellinghouse to be erected which could be tied to the business (an application for a new dwelling is being considered by application 15/03556/FUL).

The site is within open countryside and is identified on the Unitary Development Plan Proposals Map as being within the Green Belt.

RELEVANT PLANNING HISTORY

Planning permission was granted for the erection of buildings to be used for the purpose of a cattery business under application reference 10/02243/FUL. This was granted consent by the Planning Committee in October 2010.

More recently planning permission was refused for the erection of a single dwellinghouse next to the cattery (application 14/02001/FUL refers). This was to be used in conjunction with a cattery business. The applicant put forward a case that a new dwelling would be required in this location as they were finding it difficult to run the business from their existing dwellinghouse, located 30m to the south west of the site of the proposed dwellinghouse.

The application was refused as it was considered that the reasons put forward did not constitute very special circumstances to justify a new home being built within the Green Belt.

Following on from that planning permission was sought for the removal of Condition 6 of the original planning consent (application 14/03602/FUL refers). The application currently being considered is a resubmission of this application.

An application for a new dwellinghouse has also been resubmitted (15/03556/FUL refers) and is to be considered by this Committee.

SUMMARY OF REPRESENTATIONS

Two representations have been received, one from the Loxley Valley Protection Society and one from a resident of Stannington. Loxley Valley Protection Society have asked for their previous comments to be applied. Although they can very much sympathise with the circumstances of the applicant, the planning situation/ necessity for linked residential accommodation to run the cattery (for the welfare of the animals), has not changed.

Comments submitted for the previous application (14/03602/FUL) were that removing the condition which makes the cattery business ancillary to the existing dwelling, will not remove the licensing condition of the cattery. This states, for the well-being of the animals someone has to be on site 24 hours a day, to be available for those animal's needs. This therefore requires the residential accommodation to be linked to the Cattery, as existing.

The other letter of representation objects to the proposal and sets out that the applicant has, once again, been unable to demonstrate any very special circumstances for a new build dwelling in the Green Belt, nor anything to warrant

removal of the condition from the existing dwelling. Whilst acknowledging the somewhat difficult personal circumstances of the applicant, these are not a planning consideration. To grant these applications on those grounds would be to set an unwelcome precedent.

PLANNING ASSESSMENT

Policy

The site is identified on the Sheffield Unitary Development Plan (UDP) Proposals Map as being within the Green Belt.

UDP Policy GE1 – Development in the Green Belt sets out that in the Green Belt, development will not be permitted except in very special circumstances where it would lead to unrestricted growth of the built up area; contribute towards the merging of existing settlements; or lead to the encroachment of urban development into the countryside.

Policy GE3 – New Building in the Green Belt sets out that the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than agriculture, forestry, essential facilities for outdoor sport or recreation, cemeteries and other uses which would comply with Policy GE1.

Policy GE4 – Development and the Green Belt Environment sets out that the scale and character of any development which is permitted within the Green Belt should be in keeping with the area and wherever possible, conserve and enhance the landscape and natural environment.

The Government's planning policy guidance on the Green Belt is contained in the National Planning Policy Framework (NPPF).

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (NPPF, paragraph 79) and that its purpose is to check unrestricted sprawl of large built-up areas, prevent towns merging, safeguard the countryside from encroachment, preserve the setting and special character of historic towns, and assist in urban regeneration by encouraging the recycling of urban land (paragraph 80, NPPF). Once defined local planning authorities should plan positively to enhance the beneficial use of the Green Belt including to retain and enhance landscapes, visual amenity and biodiversity (paragraph 81, NPPF).

The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF, paragraph 87). The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF, paragraph 88).

The construction of new buildings in the Green Belt should be regarded as inappropriate except for, amongst others, buildings for agriculture and forestry,

appropriate facilities for outdoor sport, recreation and cemeteries, extension or alteration of a building, replacement of a building providing the new building is in the same use and not materially larger than the one it replaces, limited infilling in villages and affordable housing for local community needs, and limited infilling or partial redevelopment of previously developed sites (brownfield land) (NPPF, paragraph 89).

The NPPF states that there is a presumption in favour of sustainable development (NPPF, paragraphs 11 to 16). The NPPF also states that housing should be located where it will enhance or maintain the vitality of rural communities, and that local planning authorities should avoid isolated homes in the countryside unless there are special circumstances such as essential need for a rural worker, optimal viable use of or enabling work to secure a heritage asset, re-use of redundant or disused buildings and lead to the enhancement to the immediate setting, or exceptional quality or innovation of design (NPPF, paragraph 55).

Also relevant is Core Strategy Policy CS71 - Protecting the Green Belt. This policy seeks to safeguard the countryside and other open land through the re-use of land and buildings rather than the expansion of the urban area or villages.

Principle of Development

When planning permission was granted for the cattery use it was felt that very special circumstances did exist to allow this development within the Green Belt. There are benefits in locating such a use away from residential properties due to the potential for noise and odours. The buildings proposed were relatively small and tucked into the corner of the site, well screened by existing trees and woodland.

When planning consent was given Condition 6 was attached. This set out that 'The cattery shall not be used, sold or let separately from the property at 100 Myers Grove Lane'. The reason for the condition was 'in the interests of defining the permission and protecting the character and appearance of the Green Belt'. The applicant is seeking to remove this condition but wishes to continue with the cattery business in this location, the aim being to receive consent for a new dwellinghouse which could then be tied to the business (see application 15/03556/FUL).

The applicant has submitted a supporting statement, setting out a case for the removal of the condition. This sets out that the host property (100 Myers Grove Lane) is being sold as part of a divorce settlement.

A residential presence is required on site for the cattery to function and so if planning permission is not given for the lifting of the condition and erection of a new dwellinghouse the business would have to close with the loss of three jobs. The cattery provides an essential local service to cat owners and at present has approximately 400 customers who regularly use the facility.

The sale of the host property as part of a divorce settlement is not a planning consideration and it is considered that allowing the removal of this condition would not be in the best interests of protecting the character and appearance of the Green Belt.

It is considered that the benefit of removal of this condition (potentially the retention of three jobs) would not outweigh the harm of allowing a new dwellinghouse within

this rural location. Indeed the dwellinghouse and cattery could be sold as a going concern which would have little impact upon employment numbers, or the provision of such a facility.

In addition there are other catteries within Sheffield and the surrounding area.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the removal of a planning condition tying No.100 Myers Grove Lane to Myers Grove Cat Hotel, the reason being that 100 Myers Grove Lane is to be sold and a residential presence is required in order for the business to operate.

It is considered that the reason put forward for the removal of the condition does not represent very special circumstances.

The proposal would be contrary to UDP Policies GE1, GE3, and GE4 as well as the aims of Core Strategy Policy CS71 and guidance contained within the NPPF.

It is recommended that the application be refused.

Case Number	15/03543/REM (Formerly PP-04513623)
Application Type	Approval of Reserved Matters
Proposal	Erection of 58 dwellinghouses with associated car parking accommodation and landscaping works (Application to approve details in relation to appearance, landscaping, layout and scale - matters reserved by 13/04204/RG3)
Location	Site Of Abbeydale Grange School Hastings Road Sheffield S7 2GU
Date Received	24/09/2015
Team	South
Applicant/Agent	JVH Planning Ltd
Recommendation	Reserved Matters Approved Conditionally

Time Limit for Commencement of Development

Approved/Refused Plan(s)

- The development must be carried out in complete accordance with the following approved documents:
 - DRAINAGE LAYOUT / 38611/030 Rev B
 - EXTERNAL WORKS - SHEET 1 / 38611/020 Rev c
 - EXTERNAL WORKS - SHEET 2 / 38611/021 Rev C
 - EXTERNAL WORKS - SHEET 3 / 38611/022 Rev C
 - BOUNDARY TREATMENTS (1.1M HIGH BRICK WALL) / 4153 / 208.07
 - BOUNDARY TREATMENTS (1.1M POST AND RAIL) / 4153/208.08
 - BOUNDARY TREATMENTS (1.2M FEATURE GUARD RAILINGS)
 - BOUNDARY TREATMENTS (1.8M HIGH BRICK PIER AND PANEL WALL)
 - BOUNDARY TREATMENTS (1.8M HIGH SCREEN FENCE)
 - BOUNDARY TREATMENTS (0.6M HIGH BRICK WALL)
 - Materials Layout / 4153/235 Rev E
 - Email from Agent to Planning Officer dated 9/12/16 (12:04hrs)
 - Cotham Det - Brick and Ashlar - Pitched (Floor Plans and Elevations) / HAS/COM/001a
 - Cotham Det - Brick and Ashlar - Pitched (Floor Plans and Elevations) / HAS/COM/001 RevA
 - Cotham Det - Stone and Ashlar - Pitched / HAS/COM/001a
 - Cranford+ End - Brick - Pitched Roof / HAS/CRD/001 Rev A
 - Kempton End - Brick - Pitched Roof / HAS/KEN/001 Rev A

- Kirkham Det - Brick and Ashlar - Pitched (Floor Plans and Elevations Cont) / HAS/KIM/001a
- Kirkham Det - Stone and Ashlar - Pitched (Floor Plans and Elevations Cont) / HAS/KIM/001a
- Kirkham Det (Floor Plans) / HAS/KIM/001 REV A
- Ledbury Stone with Ashlar (Floor Plans & Elevations) / HAS/LEY/001 REV 5
- Pendlebury Det - Brick - Pitched (Floor Plans and Elevations) / HAS/PEY/001 Rev A
- Pendlebury Det - Brick - Pitched (Floor Plans and Elevations Cont.) / HAS/PEY/001a
- Stonebury End As Brick (Floor Plans and Elevations) / HAS/STY/001 REV A
- Stonebury End as Stone and Ashlar (Floor Plans and Elevations) / HAS/STY/001 REV A
- Norbury Det - Brick - Pitched Roof (Floor Plans and Elevations Cont) / HAS/NOY/001a
- Norbury Det - Brick - Pitched Roof (Floor Plans) / HAS/NOY/001 REV A
- Detached Single Garage Brick with Sedum Roof / HAS/500
- Detached Single Garage Stone with Sedum Roof / HAS/501
- Detached Double Garage Brick with Sedum Roof / HAS/502
- Detached Double Garage Stone with Sedum Roof / HAS/503
- Site Layout / 4153/201 Rev G
- Site Sections / 4153/202 Rev C
- Tree Protection Plan / L7129/01 Rev C
- Sedum Blanket System / SGS02 Rev A

Reason: In order to define the permission.

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

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

2. Details of all proposed external materials, and finishes, 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.

3. Large scale details, including materials and finishes, at a minimum of 1:20 scale 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 and verges
External wall construction
Brickwork and Stonework detailing
Entrance canopies
Roof Ridge & Valleys
Rainwater goods

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

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

4. Details of the proposed retaining wall structure, including samples when requested by the Local Planning Authority located parallel to Abbeydale Road, 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.

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

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

6. 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.

Other Compliance Conditions

7. Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

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

8. The principal contractor for any phase of construction, demolition or associated landscaping works shall be responsible for the implementation of measures to monitor and control the generation and emission of dust, in accordance with the recommendations of Section 4 of the Local Planning Authority approved Air Quality Mitigation Statement (BWB rev.2; 29/09/2015); 'Construction Phase Mitigation Strategy'.

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

9. As per the e-mails sent by the Agent to the Planning Officer dated 20/1/16 (10:11 hrs) and 5/2/16 (11:01 hrs), all footpaths and open spaces shall be permanently accessible by members of the general public.

Reason: To ensure compliance with open space requirements.

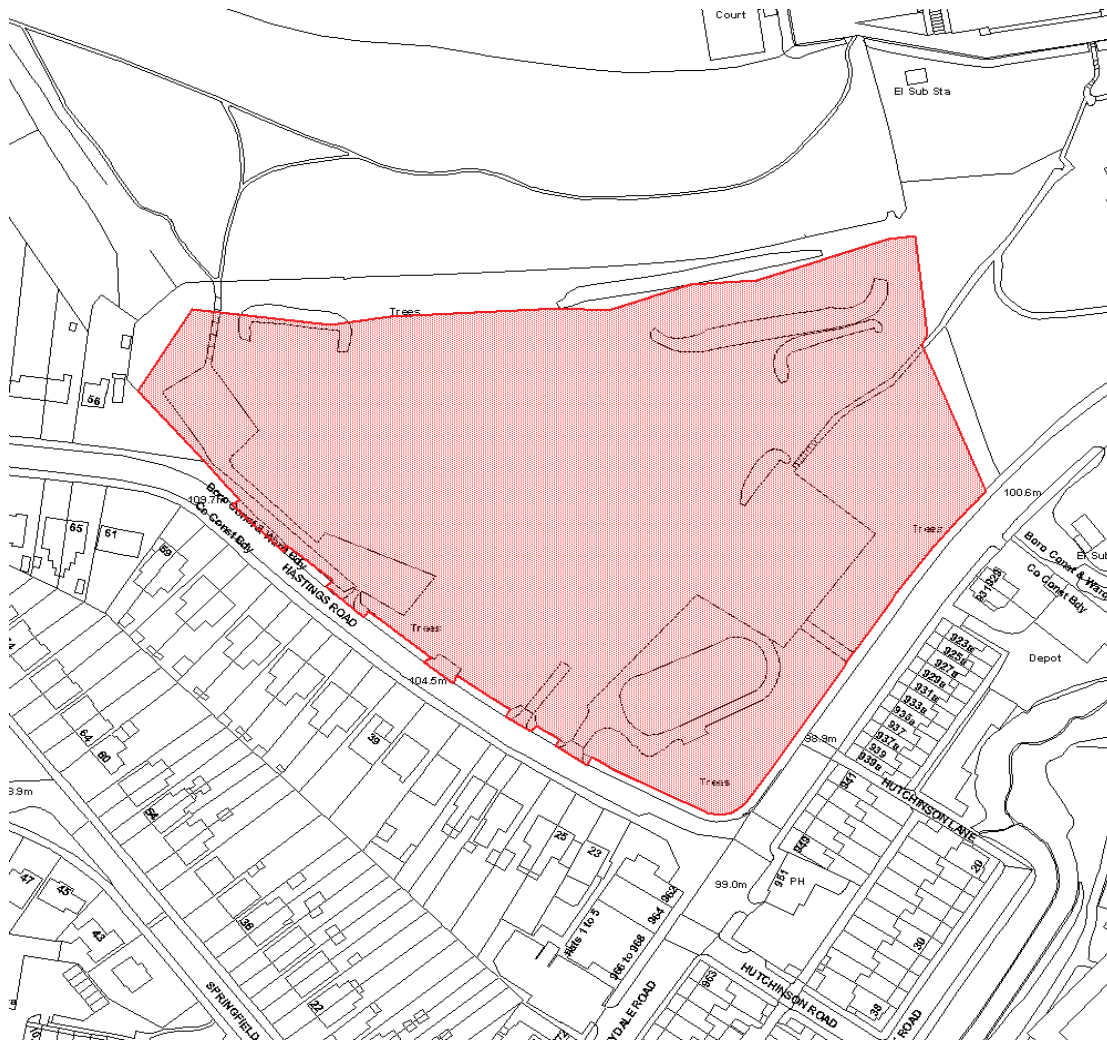
10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no enlargement, or extension of the approved dwellings which would otherwise be permitted by Class A to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: In the interests of the amenities of occupiers of adjoining property and occupants of the dwellings themselves, bearing in mind the restricted size of the curtilage.

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. No tree shall be removed outside of the bird breeding season (beginning March to end August) unless it is confirmed by an ecologist that it does not provide a habitat for breeding birds. Additionally, no trees shall be removed before they have been confirmed by an Ecologist to not provide a bat roost.
3. The details submitted in relation to Conditions 13 and 14 of the outline approval (ref. 13/04204/RG3) shall include; (i) Details of access points to private drives from Hastings Road, (ii) Locations and details of dropped kerb pedestrian crossings and vehicle crossovers to plots, (iii) Details of entry treatments to shared surface streets, (iv) Details and locations of 'looped' footpath surfaces and gradients, external steps, resting places and seats, and (v) Details of Mobility Housing standard house types and on-plot external works.

Site Location



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LOCATION AND PROPOSAL

The application site is located to the north-east of Hastings Road and the north-west of Abbeydale Road, at the junction of these two roads.

The site is currently vacant having previously being occupied by the Abbeydale Grange School, which was demolished a number of years ago.

Outline consent was granted in 2014 for residential development of the site, with the only matter not reserved at that stage being 'Access'. The approved access points to the site were onto Hastings Road, modifying the main access to the school site which was broadly opposite to No. 27 Hastings Road and utilising existing accesses and providing another further along Hastings Road.

Permission is now being sought for approval of the matters reserved as part of the outline approval. These reserved matters are Layout, Scale, Landscaping, and Appearance.

The current submission includes a total of 58 dwellinghouses (11 units with 2 bedrooms, 12 units with 3 bedrooms, 27 units with 4 bedrooms and 8 units with 5 bedrooms). The proposed layout also includes open space provisions along its three sides; fronting onto Hastings Road, Abbeydale Road and alongside the woodland immediately adjacent to the woodland at the north of the site. Footpath access into and through the site to the woodland is also proposed.

RELEVANT PLANNING HISTORY

13/04204/RG3; Residential development with associated open space and landscaping. Approved - 12 March 2014

13/02404/CONRG3; Application seeking to discharge condition 12 of outline approval covering affordable housing provisions. This application is currently under consideration.

SUMMARY OF REPRESENTATIONS

Following neighbour notification, the placement of a number of site notices and the publication of a press advertisement; a total of 19 representations have been received, including representations sent on behalf of Carter Knowle and Millhouses Community Group. These can be summarised as follows:

- Current application fails to address and satisfy requirements of the overall plan for the whole Bannerdale-Abbeydale site, as set out in the 2013 Planning & Design Brief. Brief was designated a material consideration in determining application at the sites, to inform development proposals and so any decisions can be made in full understanding of the relevant policy and supporting documents.

Design / Layout Issues

- Use of site for housing is accepted.
- Excessive proposed density (34.5 dwelling per hectare), is out of character with area (25-28 dwellings per hectare) and contravenes Policy CS26.
- Development should be limited to footprint of previous buildings. Fewer houses would allow more green space.
- Character / architecture of the area will be undermined.
- Proposed dwellings are not in keeping with the character of the locality, which were built in Edwardian and Victorian periods. Local infill developments have incorporated wooden windows and doors. Scheme conflicts with UDP policy H14 a.
- Houses 1 and 2 are too dominant, and out of scale with surrounding houses which are semi-detached.
- Specified bricks would not be in keeping with character of locality's materials.

- Holt House estate has a significant history. Core Strategy places premium on development at such sites being dealt with sensitively and appropriately.

Landscaping

- Woodland at SE corner of the site was planted by community. Proposal shows a path running through trees, and should be re-routed. Large drainage pipes also coincide with this area.

Air Quality

- Impact on air quality from increased traffic, conflicting with Policy CS66 and H14 e.
- Air Quality Mitigation Statement does not satisfactorily deal with this issue, or meet the outline consent's relevant condition. It only relates to 50 houses rather than 58, representing a significant increase.
- Statement refers to outline planning application report, stating the development is expected to generate significantly less traffic than previous use/s. However, this assessment was based upon TRICS database, which uses generic data rather than details of the traffic actually generated by the Abbeydale Grange School which was actually available.
- Document is based on a misleading baseline using monitoring stations remote from site. Its conclusions ignore statements made as part of the outline planning application. Conclusions regarding local air quality are not considered to be correct as Carter Knowle and Millhouses Community Group data shows breaches of national standards in the area especially at certain local junctions.
- Statement also ignores Spring Wood as a sensitive ecological receptor (classed as Ancient Woodland and a Local Wildlife Site).
- Surrounding junctions/streets which would experience increase in vehicle movements would be those which already suffer from unacceptably poor air quality.
- Health impacts.
- Precautionary approach should be followed as per the 2011 Sainsbury's appeal decision.
- Harm should be addressed by reducing density of development and by an improved travel plan.
- Developer should fund upgrades to nearby bus shelter to provide real-time bus information.
- Proposed measures are welcomed (electric charging points in garages, layouts designed for low speeds and direct pedestrian / cycle routes) However, no cycle routes are proposed and there are a only small number of electric cars on the road.
- A contribution to local air quality monitoring should be required.
- CS66 requires action to be taken to improve air quality, and not to have a neutral impact.

Highways Issues

- Movements will be greater than existed in relation to the school (which were outside of peak hours and not all-year round).
- Existing / increased congestion on adjoining streets and junctions.
- An increase in traffic will have negative impact on air quality, noise, nuisance and health and safety issues.
- Objection to formation of a 4th access point along Hastings Road (only 1 having separate footpath access). Contravention of Core Strategy policies CS26, CS74 and CS66. Planning Brief specified there should be no more than 2 vehicular access points from Hastings Road.
- Additional on-street parking.
- Blocking access to Hastings Road properties.
- Further parking restrictions should be introduced on Hastings Road.
- Any removal of the 'left turn only' at end of Hastings Road would result in rat-running. Hastings Road should be made a cul-de-sac, as previously proposed.
- No evidence of a recent traffic audit being taken.
- Access onto Hastings Road is unacceptable, and should instead be directly onto Abbeydale Road.

Open Space Issues

- Loss of grassland and open space will lessen opportunity for outdoor recreation.
- Not clear that green space is protected under the proposed development / how it will be managed and maintained, or if it will be formally designated as open space. Not clear how Open Space on the whole site will become part of the new park.
- Outline consent requires a minimum of 10% of open space within the development, which should be separate from the 3 green buffers at the site's perimeters. Not clear where this is proposed. Outline report states that "6,695sqm of the overall site will be given over to open space...In addition to this, an additional 1,665sqm of open space will be created within the housing development, representing 10% of the development". Therefore, green open space within the development should be increased, to create a safe, informal play area for local children. Recreational street furniture and a 'trim trail' for children should also be provided.
- Landscape Assessment at outline stage stated landscape specifications would be drawn up in collaboration and with approval of Parks, Woodlands & Countryside Department (PWC). PWC officers support this concern, as they comment the proposal needs to be set in the context of the overarching plan for the Abbeydale-Bannerdale site/s including the establishment of a district park. Developer should more robustly consider the Open Spaces issues, with an outline of the Management Plan.
- Query what will happen to footpath routes to the woods, which are not referred to as being Public or Rights of Way within submission. Planning Brief required 2 public footpaths to be provided to Bannerdale Site and Springfield Close. Right of Way designation is essential to preserve public access in the future, as concessionary footpaths are vulnerable to changes of management etc.
- Footpaths should be a suitable material.

- Footpaths should avoid loss / damage to trees. General implications on trees.
- As site is adjacent to a Site of Special Scientific, and with more development at the Bannerdale site there should be a Developer / Community Forum, to deal with any problems during construction period and to ensure that plans are complied with.
- Retention of trees along Hastings Road and Abbeydale Road is welcomed, but Tree Preservation Orders should be placed on these, and others. The rare Dawn Redwood tree should be particularly protected.

Sustainability Issues

- Outline consent requires a minimum of 10% of energy requirements from renewable/low carbon sources. Developer should be made to provide solar panels and state how 10% total will be met.
- Street lighting should minimise light pollution and be sustainable.
- Outline approval requires green roofs to 80% of total roof area. Developer argues this isn't viable, so should be required to achieve other methods of protecting and enhancing biodiversity and dealing with drainage issues.

Drainage Issues

- Area experiences high surface water levels and run off. Additional information should be provided.
- The proposal of large pipes instead of sustainable drainage methods could accentuate run-off during heavy rains. Proposal would also damage existing trees, and should be placed further north.

Education Issues

- Given lack of school places in area, there is a concern that new homes will add pressure.

Affordable Housing

- Proposal does not satisfy Council policies on Affordable Housing. Planning Brief stated that up to 40% of the development should be provided as Affordable Housing. Different house types would allow for better compliance with this requirement.
- A separate application has been made to deal with the Affordable Housing condition. These documents are not visible to public and the Group have therefore not been able to make comments in this regard.

Procedural Issues

- Concern about noise and dust at site during construction works.
- Due to consultations / proposals for local school, planning and implementation of any building works on current site should be delayed.

PLANNING ASSESSMENT

The policies most relevant to the current submission are:

BE5 (Building Design and Siting)
GE10 (Green Network)
GE11 (Nature Conservation and Development)
GE15 (Trees and Woodland)
H7 (Mobility Housing)
H10 (Development in Housing Areas)
H14 (Conditions on Development in Housing Areas)
H15 (Design of New Housing Developments)
H16 (Open Space in New Housing Developments)
T8 (Pedestrian Routes)
T25 (Car Parking in Residential Areas)
CS24 (Maximising the Use of Previously Developed Land for New Housing)
CS26 (Efficient Use of Housing Land and Accessibility)
CS31 (Housing in the South West Area)
CS41 (Creating Mixed Communities)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS65 (Renewable Energy and Carbon Reduction)
CS66 (Air Quality)
CS67 (Flood Risk Management)
CS74 (Design Principles)

The National Planning Policy Framework (NPPF) is also relevant, particularly and states that there is a presumption in favour of sustainable development.

Design and Character Issues

The outline consent reserved the issues of scale, layout and appearance, and therefore each of these are now subject to the current assessment.

UDP policy BE5 a) requires new development to complement the scale, form and architectural style of surrounding buildings.

Policy H14 of the UDP covers 'Conditions on Development in Housing Areas' and in part a) requires development to respect the local area.

The Core Strategy states in Policy CS31 'Housing in the South West Area' that the scale of new development will be accommodated at an appropriate density, and that priority will be given to safeguarding and enhancing its areas of character.

Policy CS74 'Design Principles' of the Core Strategy requires development to respect and enhance the distinctive features of the city, its districts and neighbourhoods.

The layout includes a total of 58 dwellinghouses, comprising a mix of terraced (maximum 3 dwellings), semi's and detached dwellings. This leads to a density of 35 dwellings per hectare (dph), which falls within the range set within the outline approval of 25 to 40 dph.

Concern has been expressed that 35 dph would exceed the density of housing within the locality, which was stated as being 28dph at the outline stage. It was not considered that it would have been reasonable to limit the density of the proposed development to 28dph within the outline approval. Policy CS26 aims to ensure that new housing makes efficient use of land, with the relevant range for such a site being 40-60 dph. It was however considered that a range below 40 to 60 dph would be appropriate in order to achieve good design on the site, and to best reflect the character of the area. As a result there would now not be any reason to resist the proposed density of 35 dph.

In coming to this view it should be considered that the publicly prominent dwellings within the site, such as those along Hastings Road and Abbeydale Road, are considered to have been appropriately designed to complement the character and appearance of those existing properties which they would immediately relate to. Overall, the house designs follow a contemporary style; incorporating larger windows, deep reveals, projecting canopies, gables, and elevational articulation. These are considered to combine to lead to appropriately designed dwellings; which relate well together providing a good design from within the development and from beyond its surroundings. It is therefore considered that it will relate well to the locality, satisfying the requirements of UDP policies BE5, H14 and CS74.

The proposed dwellings along Hastings Road would feature natural coursed stone, with natural coursed ashlar stone to feature gables, and roofs would be natural slate. A number of the properties would be 3 storeys in height which would match with a number of the existing properties on the opposite side of the road. They would be separated by the width of 2 driveways, whereas the existing Hastings Road properties opposite tend to be separated by walkways at their sides. On this basis the proposed housing onto Hastings Road would be considered to co-ordinate with the character of the properties to which they firstly relate. Therefore, this aspect of the proposal would be considered to comply with the characteristics of the locality.

The proposed properties onto Abbeydale Road would use a red brick and natural slate roof. Again, this would be in keeping with the character of the terraced housing on the opposite side of Abbeydale Road. The housing would be predominantly 2 storeys in height, and would also be separated by driveways and garages etc. The 3 storey units would be in closest proximity to the housing facing Hastings Road, which would also be 3 storey and therefore link well there.

On the basis of the above, it is not considered that the proposal would appear from the surrounding locality as being out of keeping or of an excessive density.

The layout within the body of the site uses the same material mix as those proposed for the dwellings facing Abbeydale Road. This material range would be considered to be acceptable.

Core Strategy Policy CS41 b) requires there to be a mix of housing types, including homes for larger households, especially families. The proposed scheme shows

11 units with 2 bedrooms, 12 units with 3 bedrooms, 27 units with 4 bedrooms and 8 units with 5 bedrooms. This is considered to represent a good mix of house types, in compliance with CS41 b).

The retaining structures necessary at the frontages of the housing facing Abbeydale Road would be reasonably substantial (dealing with a level difference of approximately 2-3metres). Since this retaining wall will face Abbeydale Road, its construction is of significance to the scheme's impacts upon the street scene, and it is therefore considered necessary to incorporate a condition requiring details of this to be agreed.

Overall, the scheme's design and layout would be considered to be acceptable, being appropriate within the character of the locality. Therefore, the relevant polices summarised above would be satisfied.

Highways Issues

The level of vehicular movement generated by the development was considered as part of the outline application as having an acceptable impact upon the local highway network and its key junctions, when compared to the movements which arose, or would have potentially arisen from the previous uses at the application site and the Bannerdale Centre site. Additionally, the proposal was concluded to lead to a reduction in vehicle movements when compared to the movements potentially arising from the previous uses. A total of 912 fewer daily movements were predicted from the Abbeydale and Bannerdale Centre sites if travel plan measures were followed.

5 more units are proposed within the current scheme than were used as the basis for the Hastings Road / Abbeydale Grange component of the Transport Assessment. Given the significant expected decrease in movements, the increase in unit numbers is not considered to be significant or to result in different conclusions.

As a result, the proposal would not be expected to lead to detrimental impacts upon the surrounding highway network.

The current proposed layout utilises the vehicle access points which were incorporated within the outline approval drawing. Two of these utilise / upgrade existing vehicular accesses to the school site, one involves the conversion of a pedestrian access to a vehicle access and one is a newly created vehicle access. The main access would serve the majority of the development, whilst the three remaining access points would serve 4/5 dwellings each. Landscaping at the house frontages would prevent 'rat-running' between the access points, preventing movements between the three secondary accesses. Whilst the Planning and Design Brief for the site stated there should be no more than two vehicular access points from Hastings Road, the outline approval considered some additional accesses to be acceptable given that the indicative layout drawing at that stage showed a similar arrangement to that currently proposed. Also, given that three of the four access points already exist as vehicle/pedestrian accesses it would not be

considered that the implications for the boundary wall along Hastings Road would be detrimental.

The respective access points would be capable of accommodating the level of vehicle movements which they would be expected to receive.

The parking provisions within the development include 2 spaces for the 2 bedroom houses (with the exception of 1 of these which has just 1 space), 2 spaces for the 3 bedroom units, 2 spaces for 11 of the 4 bedroom units and 3 spaces for the remaining 16 x 4 bedrooled units and 4 spaces for the 5 bedroom units. There are also a number of visitor parking spaces within lay-bys and parking bays through the layout.

The level of parking within the development is considered to be acceptable, and would be considered to avoid any significant parking being generated on the surrounding streets, such as Hastings Road.

Within the submitted representations comments have been made stating inadequate provisions are made for cycle path provision within and adjacent to the site, and the scheme doesn't meet policy or the Planning Brief in this regard. A cycle path through the site or the open space areas would not be necessary as an addition to the estate road format. A formalised cycle path through the open areas would need to be segregated from the footpath and be of substantial width. This would be considered to be overly formalised and reduce the value of the areas as open space.

Potential financial contributions toward the provision of a cycle lane on the main road was not considered appropriate at the outline stage, and it would therefore not be possible to secure it at this stage. There are no existing on-road cycle link routes in the immediate vicinity which could be connected to. It should be noted that the large majority of the housing include garages (either detached or integral), and safe cycle storage for these dwellings is therefore provided. This opportunity to securely store cycles would be considered to represent a significant benefit to the encouragement of cycling by occupants of the proposed dwellings.

The layout has been demonstrated to enable access and turning etc by refuse and delivery vehicles. In this respect the proposal would be considered to be acceptable.

Overall, the proposal would be considered to meet the requirements of UDP policy H14 d) which requires schemes to provide safe access to the highway network and appropriate off-street parking.

Air Quality Issues

Policy CS66 of the Core Strategy deals with Air Quality, and states; "Action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets."

The air quality (AQ) situation relating to the site was considered at the outline application stage. The Transport Assessment (TA) which was submitted with the application concluded that Sheffield was designated as an Air Quality Management Area, and that national air standards were breached in the area. It also concluded that the combined impacts of the residential developments at the Abbeydale Grange and Bannerdale Centre sites would involve less traffic flows than were associated with the combined historic uses.

As a result it was concluded that the impacts of the proposal on local air quality would be beneficial, and as a result Policy CS66 would be satisfied. In order to ensure that mitigation measures covered within the TA were carried out, an appropriate condition was included within the outline approval.

The relevant section of the TA stated that all properties with garages will have electric car charging points. The layout submitted with the current submission shows that 35 of the total 58 properties are provided with garages, and would incorporate charging points. In addition, the TA's Framework Travel Plan referred to personalised journey planning, resident packs including public transport maps and walking and cycling maps, layouts designed for low speeds, directional signage to Abbeydale Road and Carter Knowle Road bus stops and other destinations, cycle training and maintenance lessons, the development of a walking and cycling buddy scheme, and the promotion of car share databases and car clubs. These methods are proposed in the current submission's Air Quality Mitigation Statement.

The commitment to these measures would be considered to satisfy the requirements of Condition 24.

The site layout provides two footpath links to Abbeydale Road, and the bus-stop located adjacent to the site frontage. The Abbeydale Road route has buses operating at 10minute frequency/s. This would facilitate public transport usage by occupiers of the proposed development.

In addition to the previously submitted Framework Travel Plan, a detailed Travel Plan is required by condition, and this will require the agreement of clear objectives, monitoring and independent validation, followed by the further defining of targets and actions required to achieve objectives and transport mode splits. This would further enhance the contents of the Framework Travel Plan.

A Construction Phase Mitigation regime document is also incorporated within the Mitigation Statement. This would include the construction of the approved site layout so that machinery and dust causing activities are located remote from receptors, and the erection of solid screens around dusty activities on the site boundary that are at least as high as any stockpiles on the site. It is also proposed that any cutting, grinding or sawing equipment is fitted with dust suppression facilities such as water sprays or extraction. These measures are considered to be appropriate and can be required by condition to be implemented through the course of the construction process.

Given that the outline approval is the substantive approval, it would not now be reasonable to seek to secure payments to local, community based air quality monitoring facilities or to real-time data screens at the bus stop/s. As such it is not proposed to seek these requirements at this stage. In addition, the proposed methodologies as covered in the framework travel plan would be considered to significantly mitigate the proposal's impact upon local air quality circumstances compared to what it would otherwise potentially have been if the School and Bannerdale Centre remained.

On this basis the scheme would be considered to have an acceptable impact in air quality terms, meeting the requirements of Policy CS66 and the measures proposed in relation to Condition 24 are considered to be acceptable.

Neighbour Amenity Issues

The only dwellings potentially affected by the proposal would be those on the opposites of Hastings and Abbeydale Road/s, and the property located to the west of the site at the north of Hastings Road.

The dwellings on the opposite side of Hastings Road would be separated by over 30metres from the proposed dwelling, which would mean that there would not be any detrimental privacy or overbearing impacts. The dwelling on the northern side of Hastings Road to the west of the site, would be separated by approximately 30metres from the nearest proposed dwelling. Therefore, this arrangement would not be considered to lead to detrimental impacts.

The properties on the opposite side of Abbeydale Road would be separated from the development by over 40metres, and therefore whilst the proposed dwellings would be elevated, they would not be considered to lead to any detrimental impacts upon occupiers of these existing dwellings.

Some concerns have been expressed about noise and disturbance impacts arising from increased vehicular movements and activities. The increase in movements would not be considered to harm the amenities of neighbouring occupiers, given that the movements and activity levels would not be greater than would have arisen from the site when it included a school.

On this basis the proposal would be considered to meet the requirements of UDP policy H14 c) which requires sites to not have a detrimental impact upon the amenities of neighbouring occupiers.

Potential Occupants' Amenities

UDP policy H15 b) requires developments to provide adequate private gardens or communal open spaces. The South Yorkshire Residential Design Guide, (not adopted by Sheffield City Council, but considered best practice nonetheless) gives further input on this. It states 2 bedroom dwellings should be given gardens of at least 50sqm, with dwellings of 3 bedrooms or more providing at least 60sqm.

The range of house types included within the scheme would be considered to provide suitable internal living spaces, giving good natural lighting and opportunity for ventilation. The gardens to the dwellings would range from approximately 8metres in depth to 12metres. The garden areas provided to the majority of dwellings would meet the South Yorkshire Residential Design Guide in this respect, although a number of smaller gardens are included. The examples of shortfall are considered to be acceptable, as they facilitate the layout and would also provide a degree of choice for any potential occupiers of the development.

Overall, the proposed dwellings would be considered to provide adequate amenities for their potential occupiers. The proposal would therefore meet the requirements of UDP policy H15 b).

Landscaping Issues

UDP policy BE6 requires good landscaping design in new developments.

UDP policy GE15 requires developers to retain mature trees where possible, and to replace any trees which are lost.

The proposed layout has been drawn up having regard to the trees running at the site's Abbeydale and Hastings Road frontages.

The adaptation and formation of the accesses to Hastings Road would involve the removal of a number of trees. Four would be removed surrounding the main entrance to the site, to facilitate the necessary widening for access purposes. Additionally, a further 2 trees would be removed to provide the new access at the northern part of the site's Hastings Road frontage.

The trees along Hastings Road are an important part of the locality's character. The trees removed adjacent to the main access would be replaced by 2 new lime trees. In addition a further 3 new lime trees would be planted in gaps further along Hastings Road. The access locations have been selected to ensure that the removed trees are the poorer specimens within their vicinity/s. Since the significance of the Hastings Road trees is a result of their group presence, the proposed removal and replacement of trees would avoid a detrimental impact upon the street scene.

The proposed landscaping details through the site would include suitable species types and numbers, and hardsurfacing treatments. The open space areas would be formed in a way which avoided harmful impacts to existing trees. The planting in the open area space at the north of the site would be of suitable species types to enhance bio-diversity within the woodland. It would provide a narrow buffer at the rear boundaries to dwellings proposed along that portion of the site, without detracting from the purpose of the open space area.

On this basis, the proposal would be considered to meet the requirements of UDP policies BE6 and GE15.

Open Space & Footpath Issues

The proposed layout plan does not show any built development on the open areas at the site's 3 perimeters. These open areas are required by the outline consent to not be developed, and to be open space. This was necessary in order to facilitate the re-designation of land allocated as open space within the Bannerdale Centre site to land allocated for a housing use.

This re-designation resulted in the 'creation' of 6,965 sqm of open space at the application site, and the loss of 5,569 sqm at the Bannerdale site, constituting an additional 1,396 sqm of open space land overall.

UDP Policy H16 requires open space equalling 10% of the development area within the site, or a contribution towards its provision / enhancement of recreation space in the site's catchment area.

10% of the current site's development area would be 1,680sqm, which is 284sqm more than the additional 1,396sqm of open space created through the re-designation exercise. However, in the context of the overall open space provision on the site when the re-designation exercise is accounted for (6,965 sqm), the 284sqm shortfall is not significant.

Consequently, the current layout and landscaping proposals would meet the open space requirements of the outline permission.

UDP Policy T8 requires developments to provide links to nearby existing or proposed pedestrian routes.

The proposed layout shows the incorporation of a number of footpath links running through the site, and linking into existing footpaths through the adjacent woodland and to the Bannerdale Centre site.

Concern has been raised that these routes are not shown as being public. As a result confirmation has been provided by the Agent that the 3 routes will be Public Rights of Way (i- from northern Hastings Road entrance to NW corner of site, ii- from main Hastings Road access up to north eastern portion of site, and iii – from Abbeydale Road up to north-eastern portion of site.) The adoption of these routes will be dealt with separately by the Council's Public Rights of Ways section. The remaining footpaths within the site layout which run through the open areas, will be maintained by a management company (The Greenbelt Group) and will be publicly accessible. This is considered to be acceptable, and would enable the proposed paths to connect to the local public rights of way network, as well as other existing unadopted routes.

The link provided at the northern end of Hastings Road would be shared with vehicles. This is considered to be acceptable, as the access is used by 5 dwellings only. Pedestrian visits to these houses and to the open space facility would use this access and this would also be considered to be safe. Any users accessing the footpath would not need to use the shared surface driveway but would be able to immediately access the footpath or open space. There would therefore be no

basis to conclude that the use of the access by members of the public to access the footpath link would be unsafe.

Concern has been raised that the assessment of the application should be factored into the proposals and the overarching locality plan for the Abbeydale and Bannerdale sites. Notwithstanding this viewpoint, it should be noted that the outline approval does not give opportunity to delay the current assessment and the current reserved matters application is required to be assessed on its individual merits. Additionally, the scheme gives good linkages into the nearby park and woodland via its footpath provisions. It is therefore considered that the scheme makes acceptable provisions for its integration with the surrounding park and woodland, and any future improvements which may be made separately to these facilities.

Concern has been expressed that the layout plan shows a path running through the community planted trees at the SE corner of the site. This is referred to as an informal footpath link, and utilises an existing gate / opening onto Hastings Road. It will therefore not be a hardsurfaced route, but instead is shown to indicate that the current 'desire-line' footpath route will be retained.

The footpaths are shown to be an appropriate material which would allow water penetration and nourishment to the tree root networks.

Overall, the scheme would be considered to satisfy UDP Policy T8.

Sustainability Measures

The outline approval requires detail of how 10% of predicted energy needs of the development will be met from decentralised and renewable sources. Additionally, the dwellings would be required to be constructed to Level 3 of the Code for Sustainable Homes system. No details in relation to these elements are provided at this stage, as these details are not required until the commencement of development and occupation of dwellings respectively.

However, a good proportion of the units within the submitted layout have main roofslopes which are south / south-east / south-west facing. This orientation would facilitate the use of PV / solar panels which would be able to contribute towards the 10% of energy needs being met in such a manner.

The outline approval included a condition requiring the incorporation of green roofs in the detailed design, as per the Supplementary Planning Document "Climate Change and Design" document. The SPD identifies an 80% provision. An 80% provision was considered to not be viable in relation to traditional house types proposed as part of the current scheme. Therefore, in order to facilitate an acceptable design a lesser provision has been considered acceptable. This utilises the roofs of the 25 flat roof garages proposed in the scheme. This provision is considered to be acceptable and to meet the requirements of the document in this regard.

The development will therefore be expected to submit details at a later stage of how policies CS64 and CS65 will be met. Additionally, the proposals would meet the requirements of the Climate Change SPD document in regards to green roofs.

Access and Mobility Issues

The outline approval required submission of details in relation to access and mobility provisions prior to development commencing rather than at the current stage. However, in order to evidence that the proposed layout would be capable of meeting these requirements some work has been done at this stage. This has given sufficient reassurance that it will be possible to meet these requirements.

As such the scheme would therefore be considered to be capable of meeting the requirements of this condition and policy H7 of the UDP which requires a 25% proportion of new housing to be provided as mobility housing.

Ecology Issues

The outline approval includes a condition requiring a Landscape and Ecological Management Plan to be submitted before occupation.

Whilst further details will be required in relation to this issue, the landscape plan shows a woodland edge planting mix between the footpath and the woodland edge, which would represent a suitable habitat adjacent to the woodland.

The planting adjacent to the rear of the housing running across the rear boundaries of the housing at the north of the site would be low-lying and avoid the formation of an unwelcoming, corridor type environment for users.

The trees scheduled for removal were previously assessed as not having a bat roosting potential. There would therefore be no reason to resist the felling of the trees in question due to the potential for bat roosting.

On this basis the proposal would meet the requirements of UDP policy GE10, which requires developments to increase their wildlife and recreation value. GE11 would also be satisfied which requires developments to promote nature conservation.

Drainage

The outline approval had indicated a network of sustainable urban drainage measures, including swales. However, through the course of closer design work it became clear that it wasn't possible to incorporate these measures. This is because of the significant level differences across the site, which would necessitate substantial engineering operations and retaining walls across the site to provide SUDs methods of the nature initially proposed.

Despite the absence of the swale provisions within the proposal, sustainable drainage is provided within the layout in the form of large, sunken pipework in the private drive area located to the front of plots 44 to 48. This would avoid the area

of community planted woodland in the south eastern portion of the site, as well as other trees set towards the Abbeydale Road site frontage. This would enable a significant reduction of 30% below the site's discharge rate previously. On this basis the drainage proposal would be considered to be acceptable. Specific conditions requiring approval of specific matters were imposed at outline stage, and these will remain in place.

Affordable Housing

A number of comments have been submitted querying the affordable housing provisions within the scheme.

In this respect a condition was included in the outline consent which stated that 30% of the floor space of the overall development should be for affordable housing. However, this condition makes it clear this 30% requirement is subject to the overall viability of the scheme, which is a consistent approach across Sheffield and in line with national best practice.

At present there is a separate conditions application (Ref: 13/04204/CONRG3) being considered which seeks to reduce the level of affordable housing provision to a figure substantially below the 30% target.

As the aforementioned conditions application is linked to the approval of the outline consent, it does not therefore form a material consideration in the determination of this reserved matters application.

RESPONSE TO REPRESENTATIONS

Many of the points raised within representations have been addressed in the above assessment section.

In regards to the remaining items, the following feedback can be provided.

Additional School Proposal

A recent comprehensive public consultation exercise has been carried out by Sheffield City Council with respect to potential locations for a new secondary school within the locality. As a consequence a report is being presented to Cabinet on 17 February 2016 with a recommendation to erect a new school on the former Bannerdale car park area, with enhancements to the surrounding green space.

This recommendation reflected the majority of the feedback from the consultation, which pointed towards locating the new secondary school on the Bannerdale site, separated from the existing primary schools.

The school would have 900 secondary school places initially, alongside a post-16 offer. The design of the building would be flexible to allow for future expansion to 1200 11-16 places if required by future growth in numbers of pupils in the area. It would open in September 2018.

In addition, it is noted that the principle of this housing development was established at the outline stage and this issue is therefore not material to the approval of any reserved matters application.

Open Space Provision

Concerns have been raised within neighbour/community representations stating that the outline report was misleading, as it referred to the formation of an extra 1,665sqm of open space in addition to what is being identified on the submitted plans.

This additional space requirement actually related to the Bannerdale site, as it represented 10% of this site's developable area, in accordance with Policy H16 (discussed above).

This 1,665 sqm additional open space would therefore be the subject of any future applications at the Bannerdale site, rather than the current scheme.

Other Matters

- The current submission reflects the requirements of the outline approval, which drew upon the Planning and Design Brief for the site. The current scheme is considered to reflect the relevant requirements of the Brief.
- The historic Holt House estate will be sensitively dealt with by the proposal.
- It is commented that air monitoring stations are remote from the site, and Carter Knowle and Millhouses Group own data should instead be used. This overlooks the findings of the previously submitted TA which stated that the residential schemes would lead to less traffic movements than would have arisen from the sites as a result of their previous uses.
- The Sainsbury's appeal decision is not relevant as that concerned an extension to the supermarket, rather than a replacement development as in this case.
- There is no proposal to remove the 'left turn only' at end of Hastings Road.
- The formation of an access direct to Abbeydale Road was not considered as part of the outline application. It is considered that numerous negative implications would arise in this regard, such as safety concerns about a further access to Abbeydale Road, and the significant re-levelling works which this would necessitate.
- The adjacent Ancient Woodland is allocated as a Local Wildlife Site, but it is not a Site of Special Scientific Interest. The ecological impacts of the development have been considered as being acceptable in regards to the woodland.
- The scheme's impacts on trees have been considered as acceptable, and no concerns relating to a Dawn Redwood tree were raised.
- The establishment of a Developer / Community Forum would not be the responsibility of the Reserved Matters application. Instead it would need to be organised separately. Any development not in accordance with approved drawings would be the subject of enforcement investigation.
- The outline approval includes a condition requiring an agreement on securing secondary education provision to be completed prior to the

commencement of development. At the outline stage there was no requirement for provision towards primary education.

- Conditions restricting hours of working and a requirement for the Construction Phase Mitigation Strategy to be implemented is incorporated with the recommendation.

SUMMARY AND RECOMMENDATION

The application seeks the approval of reserved matters following the previous granting of outline approval for the residential development of the former site of the Abbeydale Grange school.

The submitted layout includes a total of 58 dwellinghouses (11 units with 2 bedrooms, 12 units with 3 bedrooms, 27 units with 4 bedrooms and 8 units with 5 bedrooms). Vehicular access is provided from a total of 4 access points along Hastings Road, as per the outline approval.

The proposed layout also includes open space provisions along its three sides; fronting onto Hastings Road, Abbeydale Road and alongside the woodland immediately adjacent to the site at the north of the site. Footpath access into and through the site to the woodland is also proposed.

The proposed density of 35 dph is within the density range set as part of the outline approval, and the scheme's design and layout is considered to be compatible with the character of the locality.

The vehicle movements generated by the proposal would be considered to have an acceptable impact upon the local highway network. The layout would include appropriate on-plot parking for the proposed dwellings, to avoid the generation of parking on the surrounding streets.

The scheme would have an acceptable impact in air quality terms as a result of the reduction in vehicle movements.

The scheme would retain open space provisions at its three perimeters, and these would represent areas of a proportionate scale and quality in the context of the development. The scheme would therefore meet the relevant requirements in open space terms.

Overall, the proposal would comply with the quoted policies, and it is therefore recommended that the reserved matters submission is approved subject to appropriate conditions.