

Case Number	21/01059/RG3 (Formerly PP-09585509)
Application Type	Application Submitted by the Council
Proposal	Erection of 41 dwellinghouses and 3x apartment blocks (2x four-storey and 1x three-storey) comprising 36 apartments (77 total residential units) with associated highway infrastructure, parking and landscaping works
Location	Land Between Birley Moor Avenue And Birley Lane Newstead Road Sheffield S12 3BH
Date Received	05/03/2021
Team	City Centre and East
Applicant/Agent	Peak Architects - Mr Paul Holden
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

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

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

## **Approved/Refused Plan(s)**

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

Drawing nos.

- NGH-PA-375-PL-011 (Existing Site Plan) published 10.03.2021
- NGH-PA-375-PL-012 Rev A (Proposed Site Plan - Masterplan) published 10.03.2021
- NGH-PA-375-PL-013 Rev A (Proposed Site Plan - Key Plan) published

10.03.2021

- NGH-PA-375-PL-014 Rev B (Proposed Site Plan - Plot Curtilage) published 09.06.2021
- NGH-PA-375-PL-015 Rev A (Proposed Site Plan - Roads and Footpaths) published 10.03.2021
- NGH-PA-375-PL-016 Rev A (Proposed site Plan - Parking Layouts) published 10.03.2021
- NGH-PA-375-PL-017 Rev B (Typical Stores, Enclosures and Shelters) published 23.06.2021
- NGH-PA-375-PL-018 (Proposed Site Plan - Newstead Masterplan) published 10.03.2021
- NGH-PA-PL-026 Rev B (Detailed Site Plan - Area A-C-E) published 23.06.2021
- NGH-PA-PL-027 Rev B (Detailed Site Plan - Area B-D-F) published 10.06.2021
- NGH-PA-375-PL-028 Rev B (Detailed Site Plan - Area G) published 10.06.2021
- NGH-PA-375-PL-030 (Site Sections and Streetscapes - Sheet 01) published 10.03.2021
- NGH-PA-375-PL-031 Rev A (Site Sections and Streetscapes - Sheet 02) published 10.06.2021
- NGH-PA-PL-032 (Site Sections and Streetscapes - Sheet 03) published 10.03.2021
- NGH-PA-PL-033 (Site Sections and Streetscapes - Sheet 04) published 10.03.2021
- NGH-PA-PL-034 (Site Sections and Streetscapes - Sheet 05) published 10.03.2021
  
- NGH-PA-375-PL-100 (Proposed House Type - B1) published 10.03.2021
- NGH-PA-375-PL-105 Rev A (Proposed House Type - B1a) published 10.06.2021
- NGH-PA-375-PL-110 (Proposed House Type - PA03b) published 10.03.2021
- NGH-PA-375-PL-120 (Proposed House Type - PA05) published 10.03.2021
- NGH-PA-375-PL-130 (Proposed House Type - PA05b) published 10.03.2021
- NGH-PA-375-PL-140 (Proposed House Type - PA06) published 10.03.2021
- NGH-PA-375-PL-150 (Proposed House Type - PA07) published 10.03.2021
- NGH-PA-375-PL-160 (Proposed House Type - K1) published 10.03.2021
  
- NGN-UED-00-XX-DR-L-0001 Rev D (Tree Protective Measures) published 10.03.2021
- NGN-UED-00-XX-DR-L-0002 (Landscape Masterplan) published 10.03.2021
  
- 420838-MMD-00-XX-DR-C-0001 Rev P9 (11.7m Refuse Vehicle Swept Path Analysis Inbound) published 29.04.2021
- 420838-MMD-00-XX-DR-C-0002 Rev P6 (11.7m Refuse Vehicle Swept Path Analysis Oubound) published 29.04.2021

- NGH-PA-376-PL-171 (Apartment - Plot 28 - GA Elevations & Sections) published 10.03.2021
- NGH-PA-375-PL-170 (Apartment - 28 - GA Plans) published 10.03.2021
- NGH-PA-375-PL-181 (Apartment - Plot 44 - GA Elevations & Sections) published 10.03.2021
- NGH-PA-375-PL-180 (Apartment - Plot 44 - GA Plans) published 10.03.2021
- NGH-PA-375-PL-191 (Apartment - Plot 45 - GA Elevations & Sections) published 10.03.2021
- NGH-PA-375-PL-190 (Apartment - Plot 45- GA Plans) published 10.03.2021
  
- NGH-PA-375-PL-210 (Material Precedents - Sheet 01) published 10.03.2021
- NGH-PA-375-PL-211 (Material Precedents - Sheet 02) published 10.03.2021
- NGN-UED-00-XX-DR-L-0018 (Boundary and Furniture Plan) published 10.03.2021

Reason: In order to define the permission.

### **Pre-Commencement Condition(s)**

3. No development shall commence until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority. Such details shall include:
  - the means of ingress and egress for vehicles engaged in the construction of the development, including deliveries;
  - effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway;
  - parking of associated site vehicles and for the storage of materials;
  - location and details of site compound/accommodation; and
  - an area allocated for delivery/service vehicles to load and unload.

Thereafter, the construction management plan shall be implemented in accordance with the approved details for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

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

carried out in accordance with the approved details/timetable thereafter.

Reason: To ensure that all new Major developments provide connectivity to the fastest technically available Broadband network in line with Paragraph 112 of the National Planning Policy Framework.

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

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

6. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

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

approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

8. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

9. No development shall commence until the measures to protect the existing trees to be retained, have been implemented in accordance with the approved plan and thereafter such measures shall be retained until the completion of the development. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

#### **Pre-Occupancy and Other Stage of Development Condition(s)**

10. Prior to the use of the apartments, full details of proposed building signage

shall have been submitted to and approved in writing by the Local Planning Authority and such signage shall be displayed in accordance with the approved details and thereafter retained.

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

11. The proposed green/biodiverse roof (vegetated roof surface) shall be installed on the roof(s) in the locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/biodiverse roof(s) shall be installed prior to the use of the building commencing and thereafter retained. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

12. Samples of all proposed external materials and finishes including fixing methods (where relevant) 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.

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

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

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

- (a) entrances
- (b) windows, including reveals and relationship with building facade
- (c) glazing
- (d) all external vents and servicing outlets
- (e) railings/screening to apartment balconies

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

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

15. Notwithstanding the approved plans, prior to that part of the development commencing, full details including layout and materials of all Home Zones shall have been submitted to and approved in writing by the Local Planning Authority and such Home Zones shall be constructed in accordance with the approved plans and thereafter retained.

Reason: In the interests of highway safety.

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

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

17. The layouts of the proposed car parking accommodation serving the apartment blocks are not approved. Prior to that part of the development commencing, details of an alternative car parking layout for each apartment block, which shall include the provision of one disabled parking space in each car park shall have been submitted to and approved in writing by the Local Planning Authority and the revised car parking accommodation shall be provided in accordance with the approved details and thereafter retained.

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

18. The apartments shall not be occupied unless cycle and bin stores have been provided, but before such cycle and bin stores are provided, full details thereof shall have first been submitted to and approved by the Local Planning Authority and thereafter such stores shall be retained.

Reason: In the interests of amenities of future occupants.

19. Details of all suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellinghouses and apartments shall not be used unless such means of site boundary treatment

has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.s

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

20. Before above grounds works are carried out, all biodiversity enhancement measures recommended in the Preliminary Ecological Appraisal prepared by Wildscapes, ref: PO0930, dated 15th September 2020 (published 10.03.2021) shall be set out in a Biodiversity Enhancement Management Plan (BEMP) and submitted to and approved in writing by the Local Planning Authority and implemented and maintained in accordance with the BEMP.

Reason: In the interests of biodiversity.

21. Prior to that part of the development commencing, full details of an alternative 'no-dig' construction method to be used to where construction will be within the root protection zone of any retained tree or proposed tree shall have been submitted to and approved in writing by the Local Planning Authority and thereafter the alternative construction method shall be implemented in accordance with the approved details.

Reason: In order to protect the tree roots of retained and proposed trees.

22. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

23. Prior to above ground works, full details of any proposed highway retention structures shall have been submitted to and approved in writing by the Local Planning Authority and thereafter such highway retention structures shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety.

24. Prior to that part of the development commencing, full details of the proposed access track to the attenuation pond shall have been submitted to and approved in writing by the Local Planning Authority and such access track shall be provided in accordance with the approved details and thereafter retained.

Reason: In the interests of highway safety.



25. Before that part of the development is commenced, full details of the surfacing and marking out (where relevant) of all car parking areas serving the dwellinghouses and apartments shall have been submitted to and approved in writing by the Local Planning Authority and such surfaced car parking accommodation shall be provided in accordance with the approved details and thereafter retained for that purpose.

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

26. Prior to the first occupation of the apartments, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, cycle parking accommodation shall be provided, where indicated on the approved plans, but before such cycle parking is provided, full details shall first have been submitted to and approved in writing by the Local Planning Authority and the apartments shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield Development Framework Core Strategy.

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

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

28. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.

5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

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

29. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of approved noise survey (Preliminary Feasibility Study, ref: ADT 3028, dated 01.06.2020, prepared by ADT).
  - b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
  - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.
- Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

### **Other Compliance Conditions**

30. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved 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 5 year period shall be replaced.

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

31. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 10 litres per second.

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

32. The proposed development shall be carried out in accordance with the details within the submitted report, "Drainage Strategy (Ref no. 12116-WMS- ZZ-XX-C-39210-S8-P1), dated March 2021", unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage.

33. The proposed brick boundary walls, cycle and bin store facades shall match the brick and mortar of the proposed dwellinghouses and apartments.

Reason: in the interests of visual amenity.

34. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .

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

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

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

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

3. As the proposed development will involve the closing/diversion of a public

highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6301 or 273 6125  
Email: [highwayrecords@sheffield.gov.uk](mailto:highwayrecords@sheffield.gov.uk)

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 Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [epsadmin@sheffield.gov.uk](mailto:epsadmin@sheffield.gov.uk).
5. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677  
Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

6. Green/biodiverse roof specifications must include substrate growing medium type and depths (minimum 80mm) and plant schedules. It should be designed to detain at least 60% of the annual average rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from The Green Roof Organisation ([www.grouk.org](http://www.grouk.org)) or contact Officers in Environmental Planning email: [EnvironmentalPlanning@sheffield.gov.uk](mailto:EnvironmentalPlanning@sheffield.gov.uk). Alternatively see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

7. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

As part of the Ecological Plan, which shall include the habitat enhancements as proposed within the approved landscape plan, the following biodiversity enhancements are also recommended:

Bats - 8 bat tubes installed throughout the development.

Birds - Various bird boxes should be installed throughout the development in the form of 4 Schwegler house sparrow 'terrace' and 4 Schwegler IB 26mm bird boxes.

Invertebrates - Retain all felled wood on site to create dead-wood 'habitat piles'.

Fungi-rich waxcap grassland - Explore options to translocate some of the turfs and soils from these areas to other parts of the site.

Mammals - Any deep excavations of exposed pipework include measures to allow animals to escape should they become trapped:

- Trenches should either be covered over or have a plant or scaffold board left in place at the end of the working day.
- Any exposed pipework over 150mm should be blocked off.

8. The applicant is advised that in order to discharge the above condition relating to gigabit-capable full fibre broadband the following should be provided:

- A contract or invoice for the installation of the physical infrastructure and the connection to gigabit-capable full fibre broadband.
- Confirmation of the speed that will be achieved by the gigabit-capable full fibre broadband infrastructure, from the network operator.
- Relevant plans showing the location/detail of the measures.

For more guidance with respect to addressing this requirement please see the Guidance Note on

<https://www.sheffield.gov.uk/content/dam/sheffield/docs/documents-not-in-site-structure/new-build-developer-guidance.pdf> and/or contact [hello@superfastsouthyorkshire.co.uk](mailto:hello@superfastsouthyorkshire.co.uk)

9. Please note that If new sewers are proposed to be included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), it will be necessary to contact the Developer Services Team (telephone 0345 120 84 82, email: [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with

the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition as supplemented by Yorkshire Water's requirements.

On the Statutory Sewer Map, there are 150 mm, 250 mm and 600 mm diameter combined sewers recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. It may not be acceptable to raise or lower ground levels over the sewer and we will not accept any inspection chambers on the sewer to be built over. In this instance, it would appear that the public sewer is unlikely to be affected by building-over proposals.

10. 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.
11. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
  - Reference to permitted standard hours of working;
  - 0730 to 1800 Monday to Friday
  - 0800 to 1300 Saturday
  - No working on Sundays or Public Holidays
  - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
  - A communications strategy for principal sensitive parties close to the site.
  - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
  - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
  - Vibration.
  - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
  - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
  - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
  - Details of site access & egress for construction traffic and deliveries.
  - A consideration of potential lighting impacts for any overnight security lighting. Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [eps.commercial@sheffield.gov.uk](mailto:eps.commercial@sheffield.gov.uk).
12. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose

gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.

13. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Highway Co-Ordination  
Sheffield City Council  
Town Hall  
Sheffield  
S1 2HH

Telephone: 0114 273 6677  
Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

14. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6349  
Email: [james.burdett@sheffield.gov.uk](mailto:james.burdett@sheffield.gov.uk)

15. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

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:

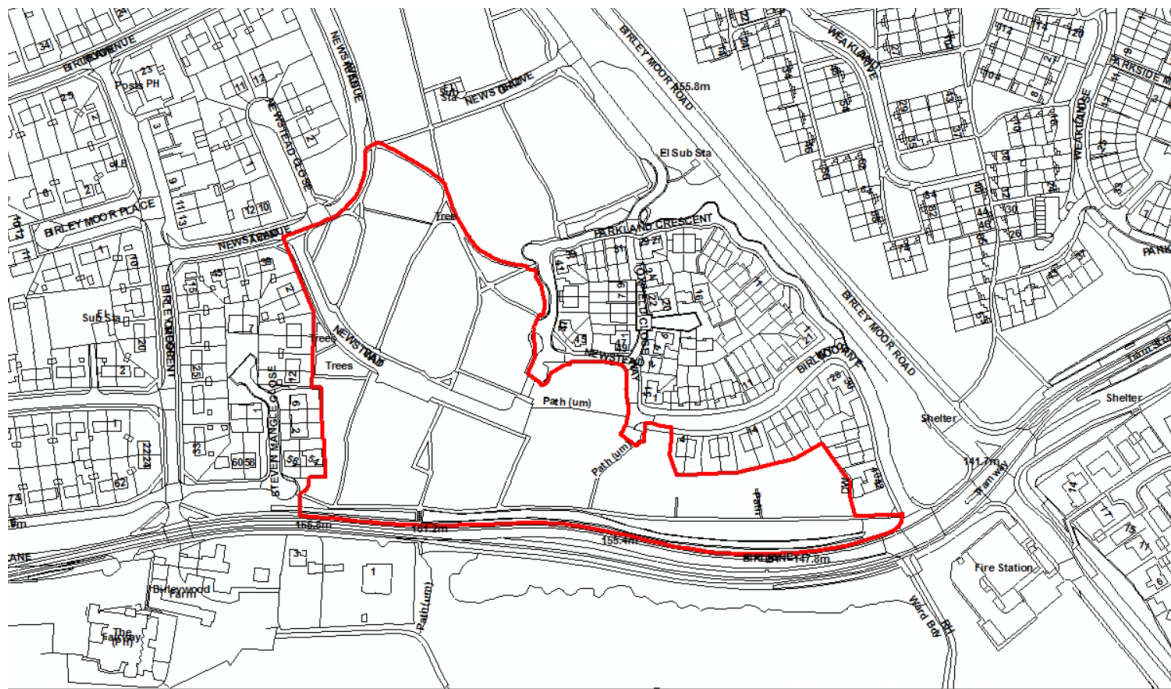
Mr S Turner  
Highway Adoptions  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 4383

Email: [stephen.turner@sheffield.gov.uk](mailto:stephen.turner@sheffield.gov.uk)



## Site Location



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## LOCATION AND PROPOSAL

The application site relates to a large parcel of land, measuring 3.1 hectares in size, which occupies a prominent, elevated position to the north of Birley Lane, bounded by Newstead Way, Parkland Crescent and Birley Wood Drive to the east; Newstead Avenue to the north; and Newstead Way and Birley Moor Crescent to the west. The site is set within a residential environment, with residential properties located to the east, west and south of the site. Birley Lane to the south is a main highway and has the Supertram running along it.

The majority of the site lies within a designated housing area, whilst to the north-east is an area designated as open space. The main vehicular route into the City, Birley Moor Road, lies to the east and on the opposite side of Birley Lane to the south is Birley Wood Golf Course, which is Green Belt and lies within the Moss Valley Conservation Area.

The site is predominantly open grassland, with a series of pedestrian routes and a redundant carriageway. A row of established trees marks the southern boundary and to the northern edge is a group of mature trees, with several trees scattered elsewhere within the site.

The site has a challenging topography, falling away considerably from the north to the south and south-east towards Birley Lane and offers long range views with vistas out to the south over the golf course and open countryside to the east.

This application relates to a decision by Cabinet in April 2002 to formally approve the

clearance of all 809 houses on the estates of Scowerdons, Weaklands and Newstead (SWaN), located in the south-east of Sheffield. This was following extensive consultation with residents.

Outline consent (with all matters reserved for later approval) was granted in September 2003 for the demolition of 139 1960's prefabricated Vic Hallam system build homes within the Newstead estate. The former Radburn estate layout contributed to a number of social problems due to a lack of public/private space separation, an extensive pedestrian network and segregated parking.

Phase 1 and Phase 2 of Newstead, comprising of 76 dwellinghouses, which have been built out and are now occupied, bound the site to the east and south-east.

This application relates to Phase 3 of the wider Newstead masterplan to develop land between Birley Lane and Birley Moor Avenue to deliver multi-generational housing accommodation, replenishing much needed housing stock, in the form of general needs housing and old people's independent living accommodation.

Planning permission is sought to develop the site, providing 77 (general needs) residential properties comprising 41 two-storey dwellinghouses and 36 apartments in 2 x four-storey blocks and 1 x three-storey block with ancillary car parking accommodation provided. In facilitating the new residential properties, associated highway infrastructure will be required together with public realm and enhanced landscaping works.

## RELEVANT SITE HISTORY

21/02466/FUL – An application was submitted in May 2021 seeking approval to carry out enabling works for the Newstead General Housing proposal (the subject of this application) and a future application for Old Peoples Independent Living Scheme (OPIL) including earthworks, utilities, drainage, landscape, tree removal, site compound, hoarding and associated works. This application is pending consideration.

20/03013/PREAPP – Pre-application advice was sought for the erection of 233 residential units, comprising 87 dwellings and 146 older person independent living accommodation units.

12/01293/FUL – Phase 2 of Newstead, consisting of 20 dwellinghouses was granted planning permission in August 2012.

07/00807/FUL – Phase 1 of Newstead, consisting of 56 dwellinghouses was granted planning permission in October 2007.

03/02815/RG3 – Outline consent was granted in September 2003 for the demolition of 139 dwellinghouses and the erection of a new residential development at Birley Moor Avenue, Newstead Avenue, Newstead Grove, Newstead Place and Newstead Road.

## SUMMARY OF REPRESENTATIONS

In addition to direct neighbour notification, the application has been advertised in the local press (1<sup>st</sup> April 2021) and 8 site notices have been displayed (1<sup>st</sup> April 2021). Following neighbour consultation, 11 letters of objection from 10 households have been received in respect of the proposed scheme, comments of which are summarised below:

- Loss of privacy for surrounding homes owing to height of buildings; no objection to bungalows;
- Not in keeping with the surrounding area and the existing buildings;
- Will remove the green space created as a result of the demolition of houses, which now provides a place for children to play, people to walk and dog walkers; there are no parks in this area;
- Noise, disruption and site traffic during construction phase will affect people living in the area;
- Will affect the parking for surrounding residents;
- May affect gas/electric supplies for surrounding residents during construction;
- Noise resulting from the development owing to the amount of people living in a small area;
- Other neighbours object but are elderly and unable to comment;
- Will result in a congested, crammed and busy estate;
- Increased air and noise pollution;
- Did not appear on any searches, would not have moved here if this was known;
- Layout and number and type of properties does not fit in with the existing area;
- Significant increase in traffic and unlikely to be sufficient parking for people in an area already where demand is high; navigating existing roads is difficult as roads are not wide enough for 2 cars to pass safely;
- Query why a previous proposal 10 years ago for a similar family housing scheme in the area and a playground was not carried out;
- Will lead to further crime, drugs, fly tipping and anti-social behaviour;
- How will this affect public services such as transport, school places, NHS services and parking?
- 3 and 4-storey flats on the edge of the site will change the outlook for everyone in the surrounding properties;
- No flats in the area and the proposed flats will not fit in;
- Loss of view over Moss Valley and Birley Golf Course;
- Result in an eyesore;
- Would spoil the aspect of the Conservation Area and green belt area;
- Opening of Newstead Drive to gain access into the new estate will significantly increase traffic on a road not suited to, not wide enough and heavily parked especially on weekends;
- The site is big enough to have a rethink prior to the new builds to make a Flagship development for Sheffield City Council and to not be remembered for all the wrong reasons;
- Lack of consultation;

- Create direct overlooking and loss of privacy to house and rear garden of no. 1 Birley Lane as a result of apartment blocks 28 and 44, which are 4 storeys high and have habitable room windows and balconies; any screening would need to be at least 8 metres high to obscure the views into the garden area;
- There has been overlooking of this area previously and the site could be developed without causing this loss of privacy;
- Surrounding area is characterised by two-storey dwellings with pitched roofs; reference is made to an earlier planning permission (07/03866/FUL) regarding the character of the area;
- 4-storey apartment blocks with level difference to the adjacent highway will appear over dominant and out of character in the street scene and therefore contrary to UDP policy H14;
- An alternative proposal should be put forward with bungalows to the south, then 2-storey dwellings with apartments beyond;
- Not aware of any pre-application consultation with the local community in line with the Council's statement of community involvement. The local community should have been consulted on this development prior to submission of a planning application so that the community can help shape this major regeneration scheme.
- Require section 02 to extend to adjacent highway to provide a clearer view of the development and its relationship with the street together with photo montages;
- Plots 8 and 9 appear crammed in and sit forward of the single storey buildings on Stephen Mangle Close; appear awkward and poorly sited;
- No assessment of impact on Conservation Area and Green Belt;
- Should include modelling drawings or photomontages taken from a human scale rather than a bird's eye view;
- Proposed development will be a significant visual barrier to wider views of Conservation Area;
- Apartments will appear out of character with area and will detract from setting of Conservatory Area, therefore contrary to NPPF and UDP Policy BE16;
- Negative impact on openness of Green Belt; alternative suggestion put forward;
- Appears cramped and when assessed against space standards in the South Yorkshire Residential Design Guide (SYRDG), appears to be deficient in a number of areas;
- 100% affordable housing, but no excuse for substandard spacing distances;
- SPG guidelines 4, 5 and 6 referred to and commentary regarding the advice;
- SYRDG and SPG referred to; back to back distances for various plots do not meet the requirements;
- Unacceptable layout and not provide good standard of amenity for existing and future users;
- No heritage statement provided;
- Design fails to take account of views into and out of adjacent Conservation Area.

Councillor's Fox, McGowan and Lodge have objected to the proposal. They

consider that the topography of the site does not lend itself to the suggested 3 and 4 storey flats, which are proposed on the highest point of the site. They consider that they could block light and potential views for both the existing and proposed houses, and the flats could hide the lights from the road creating a danger for pedestrian using the paths.

## PLANNING ASSESSMENT

### Policy Background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure that new development is sustainable and the local policies cited in this report are all considered to be in accordance with the relevant paragraphs of the NPPF.

The Council's development plan comprises the Core Strategy which was adopted in 2009 and provides the overall spatial strategy for the period of 2008 to 2026 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. Whilst the UDP pre-dates the NPPF, the policies should not be considered out-of-date and should be given due weight, according to their degree of consistency with the NPPF. Paragraph 213 of the Framework provides further guidance on this and states that due weight should be given to the policies, according to their degree of consistency with the Framework.

In all cases, the assessment of any development needs to be considered in light of paragraph 11 of the NPPF, which states that there is a presumption in favour of sustainable development. Where there are no relevant development plan policies or policies are not consistent with the NPPF, planning permission should be granted (the tilted balance) unless there are particular areas or assets of particular importance, which provide a clear reason for refusal (e.g. Green Belt, risk of flooding etc); or any adverse impact of granting permission would significantly and demonstrably outweigh the benefits of the development.

Paragraph 11 of the NPPF also makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites, the policies which are most important for determining the application will be considered to be out of date.

On 16 December 2020 the Government published an update to planning practice guidance 'Housing and economic needs assessment'. The update introduces a change to the standard method for calculating the local housing need figure.

Paragraph 004 provides the steps used to calculate the local housing need figure as well as the specific data inputs to be used in terms of demographic baseline and adjustment for affordability. The most recent publication now includes an additional

step 4 – the ‘cities and urban centres uplift’. This requires a 35% uplift to be applied to the local housing need figure for the 20 largest cities and urban centres, including Sheffield.

The effect of the urban centres uplift is to increase Sheffield’s local housing need figure for 2021 to 2,923 new homes per annum.

The Council’s most recently published position in relation to the deliverable 5 year housing land supply situation is set out in the ‘5 Year Housing Land Supply Monitoring Report’, December 2020. The monitoring report sets out the position as at 1 April 2020, with respect to the period 2020/21 to 2024/25. The monitoring report provides evidence of a 5.4 year deliverable supply of housing land.

Until an update is produced with a base date of 1 April 2021, the monitoring report remains the Council’s stated position.

Set against this context, the development proposal is assessed against all relevant policies in the development plan and the NPPF below.

#### Land Use Policy

The site lies within a well-established housing area and relates to land which is largely designated as housing but with a small proportion of designated Open Space in the Unitary Development Plan (UDP). UDP Policy H10 ‘Development in Housing Areas’ permits a number of uses within such areas, although the preferred use is housing, and as such, the principle of housing development in this location is therefore considered acceptable in policy terms.

Core Strategy Policy CS23 ‘Locations for New Housing’ states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/2021, the main focus will be on suitable, sustainably located, sites within or adjoining:

- (a) the main urban area of Sheffield (at least 90% of additional housing); and
- (b) the urban area of Stocksbridge/Deepcar.

In this regard, the site fully meets the policy objective as it is a suitably located site and supports urban regeneration given it is previously developed land where homes were cleared with the long-standing intention of delivering new, quality housing.

Core Strategy Policy CS24 ‘Maximising the Use of Previously Developed Land for New Housing’ states that priority will be given to development of previously developed sites with 88% of housing to be developed on brownfield site and no more than 12% of dwelling completions to be on greenfield sites. The latest monitoring figures indicate that in the period 2004 to 2020 95% of dwelling completions have been on brownfield sites.

Although now green in character and appearance, the site forms part of a cleared site that previously contained housing and so is considered to be previously developed in character. Part a of the Policy does state that in the case of a greenfield site it will only be developed in a Housing Market Renewal Area and other

housing renewal areas where it is essential for the effective regeneration of the area and adequate open space would be retained to meet local needs. In this regard, if the site was considered to be greenfield it would meet this requirement.

Core Strategy Policy CS26 'Efficient Use of Housing Land and Accessibility' requires appropriate housing densities to ensure the efficient use of land. Given that the site is within an urban area, near to Supertram stops and high-frequency bus routes the recommended density will be between 40 and 60 units per hectare. The Policy states that densities outside the recommended ranges will be allowed where they achieve good design, reflect the character of an area or protect a sensitive area.

Based on the current proposal, a density of approximately 24.5 units per hectare will be achieved. This is below the minimum requirement but is considered acceptable as the new development will provide large areas of informal open space as well as achieving a development of similar urban grain to the surrounding area and thus, will be in keeping with the character of the area. In this regard, it is therefore considered that the proposal accords with Policy CS26.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages the creation of mixed communities, through encouraging the development of housing to meet a range of needs including a mix of prices, sizes, types and tenures. Part a of CS41 seeks to provide a broad range of smaller households in the City Centre and other highly accessible locations, with no more than half of the new homes in larger developments (large developments being defined as 60 or more dwellings) consisting of a single house type.

The proposal will provide 77 units, comprising of a mix of 31.2% 3 bed dwellinghouses, 7.8% 2 bed dwellinghouses, 14.3% 4 bed dwellinghouse, 33.8% 1 bed apartments, and 13% 2 bed apartments. The development will provide a wide mix of properties, thus meeting the City's current housing need and the requirements of the policy.

Core Strategy Policy CS40 'Affordable Housing' requires that sites of more than 15 units will be required to provide a contribution towards the provision of affordable housing where it is practicable and financially viable. In this location, there is a requirement to provide 10% affordable housing. As the development will provide 100% council housing for affordable rent this will meet the requirements of the policy and is to be welcomed given the identified need for such housing.

The northern edge of the site lies within a designated Open Space area and as such, Core Strategy Policy CS47 'Safeguarding of Open Space' is relevant. The Policy serves to ensure there is satisfactory open space available to meet the needs of local people. The policy does not permit development where it would:

- a. Result in a quantitative shortage of either informal or formal open space in the local area; or
- b. Result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or
- c. People in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area; or

- d. cause or increase a break in the city's Green Network.

An Open Space Assessment has been carried out, which shows that, overall, there is a shortfall of open space within the local area, and it is for this reason, that it was recommended in an Informal Planning Advice Note (published December 2019) for the remainder of the Newstead site that 0.73 hectares of open space be incorporated into any future scheme. Flexibility can be applied as to how this is distributed across the site, but with the requirement to protect key tree groups, which for this application are located along the north-east, south and west perimeter.

This proposal will provide 1.09 hectares of informal open space being concentrated in the areas where existing groups of trees exist. This level of provision will result in a small net increase in the overall provision of open space in the locality and as such, will meet the requirements of part a. There will be no loss of designated open space and no break in the city's Green Network, thus complying with parts b and d of the policy. Following the demolition of the dwellinghouses on the site the area has become an area of green space which is regularly used by local residents. Whilst it is acknowledged that this area has developed into an informal open space for people to enjoy, it does not override the fact that the site has been identified as a housing site in successive Strategic Housing Land Availability Assessments (SHLAAs) and has been proposed as a site allocation in previous local plan drafts. Given that the site has been cleared, it has always been the intention of redeveloping new homes on this site. In this regard, it is considered that the proposal will comply with part c of the policy.

#### Design/Visual Amenity

UDP Policy BE5 and Core Strategy Policy CS74 set out the design principles. Policy BE5 requires development to incorporate good design, the use of good quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the City, its districts and neighbourhoods, including (a) the topography; (b) views and vistas to landmarks and skylines into and out of the City Centre; (c) the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials; and (d) the distinctive heritage of the city. Development should also contribute to place-making and be of high quality, that promotes the city's transformation, and contribute towards creating attractive, sustainable and successful neighbourhoods.

UDP Policy H15 'Design of New Housing Developments' expects new housing developments to be designed to:

- (a) provide easy access to homes and circulation around the site for people with disabilities or with prams; and



- (b) provide adequate private gardens or communal open space to ensure basic standards of daylight, privacy, security and outlook are met for all residents; and
- (c) provide uniform walls or fences around rear gardens next to roads, footpaths or other open areas; and
- (d) provide pedestrian access to adjacent countryside where it would link with existing public open space or a footpath; and
- (e) comply with Policies BE5 (Design), BE9 (Design for vehicles) and BE10 (Design of streets, pedestrians routes, cycleways and public spaces).

These policies are broadly in line with the NPPF (para. 124) which states that good design is a key aspect of sustainable development and being clear about design expectations and how these will be tested, is essential for achieving this. Paragraph 127 states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. Developments should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live work and visit.

Paragraph 131 states that great weight should be given to outstanding or innovative designs which promote high level sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

In 2011 a guidance document was produced, namely the 'South Yorkshire Residential Design Guide' (SYRDG), which seeks to provide a clear and consistent approach to design in the development management process, the aim being to achieve higher quality neighbourhoods and efficiency savings for developers. The document, which covers both planning and highway elements, is not an adopted document but it does complement and support local policies and is considered to be 'Best Practice Guidance'. The proposed development has been designed with consideration given to the design principles set out in the guidance, whilst also balancing the needs of the development.

These proposals form part of the wider Newstead site, which was subject of an Informal Planning Guidance (IPAN) which was prepared by the Council's Planning Service (in December 2019). This sets out the policy framework, the issues and the opportunities. Although not an approved document, the policies and evidence within it do carry weight in the decision-making process.

The key recommendations within the IPAN:

- Rationalise the extensive footpath network of the former Radburn estate layout, into fewer but more direct links to local facilities and routes;
- Integrate and extend the tree group along the southern boundary to the west, while creating opportunities for framed views;
- Capitalise on long distance views over the surrounding countryside from the southern edge of the site;

- Ensure development sensitively responds to boundaries bordering existing properties; and
- Ensure parking is well integrated into the street scene in a convenient and accessible location which is well overlooked.

This scheme has been subject to extensive pre-application discussions and the proposals have been reviewed and revised to address issues raised through the process. The proposal now put forward is in line with those discussions and is positively received.

The site is identified as a key gateway into the city centre. Public transport connectivity to the site is good and the local neighbourhood centre is within walking distance. In principle, a well-structured, effectively connected, and distinct residential development is considered acceptable on this site.

The proposed layout and arrangement create a well-defined, legible network of streets defined by buildings that have a clear front and back. The apartment blocks are set within the landscape, with defined private and public areas. Pedestrian connectivity through the site is along a defined network, with way finding assisted by scale; emphasis of building massing and architectural treatments where appropriate. Strong routes are achieved throughout the development, with particular emphasis on the connection from north to south providing links to the main highway where public transport is available and connecting to areas of open space whilst also retaining links to neighbouring housing.

The overall layout and arrangement with dwellinghouses occupying the northern half of the site and the 3 and 4 storey blocks of flats along the southern half is considered appropriate, with the latter maximising the views to the south overlooking the countryside. The layout of the site has been heavily influenced by the topography and the location with the desire to retain existing groups of trees where possible.

The proposed scale and massing is considered acceptable. Birley Lane is a gateway route with strong public transport connectivity and the development needs to respond to this accordingly in terms of form and quality. The dwellinghouses respond positively to the scale and massing of existing housing to both the east and west, incorporating similar footprint and curtilages, whilst the apartments, owing to their specific location and context help local legibility and create a distinct development. The scale and massing of the three apartment blocks can be easily accommodated and comfortably fits within the landscape, providing visual interest and variety which helps to reinforce the identity of the development.

The main access into the estate will be from the north-west of the site, accessed off Newstead Avenue onto the former redundant Newstead Way, which branches onto a series of small streets designed as Home Zones, achieving a clear street hierarchy. The apartment blocks are accessed from the extended Newstead Way, which helps reinforce the primary route through the site.

The dwellinghouses and apartment blocks are simply articulated but sufficient to provide visual interest and avoid large expanses of blank facades. The architectural approach is again simple but effective, avoiding fussy elevations and providing

variation and interest by introducing framed brickwork surrounds to entrances, varied window treatment, soldier course detailing to heads and sills, and recessed brickwork panels to dwellinghouses.. Apartment blocks will have framed entrances, soldier course banding to parapets, feature brickwork panels to group windows with a horizontal emphasis to break up the elevations. The corners of the blocks will be further defined by the introduction of recessed balconies with simple metal railings. The design of the accommodation has also been developed with South Yorkshire Police, in line with their recommendations to achieve a safer and more secure development for future occupants.

Boundary treatments will vary to address the differing land levels, with masonry walls (some forming part of a retaining structure) and timber fencing to rear gardens. Frontages will comprise masonry walls constructed in matching brick with and without metal railings to provide enclosed robust defensible space to both the dwellinghouses and the apartment blocks. Metal railings will be introduced along parkland boundaries whilst metal knee rails will denote the edge of public boundaries. The well-defined boundaries will reinforce the public and private spaces and will positively contribute to the townscape. An indicative materials palette has been submitted, which comprises buff brickwork, dark grey simple profiled roof tiles and dark grey window frames and rainwater goods. The level of articulation and good quality materials will complement each other, creating a high-quality development which will blend in with the existing landscape and townscape. To ensure a quality outcome, large scale detailing will be secured by condition.

The site is not located within a Conservation Area or within the Green Belt but is located opposite the Moss Valley Conservation Area and Green Belt land, to the south. It is considered that the proposed development will not have a detrimental impact on the Moss Valley Conservation Area and Green Belt. These areas are visually separated from the application site by the tram and the landscape buffer, in addition to the existing level difference. The development is set behind the existing trees and will only be visible through it. The existing character will be retained and the Green Belt will not be compromised.

The proposed development has been designed such that it will largely be in line with the standards set out in the SYRDG, which is a guidance only document. The proposed development will achieve a good quality residential scheme, which will comfortably fit within its setting between the pre to post war traditional semi-detached homes of the Birley Moor estate to the north and west and the later SWaN residential scheme to the south-east. The introduction of 3 apartment blocks along the southern edge will reinforce the identity of the site, creating a landmark adjacent to a key route into the City. The scheme will deliver an appropriate degree of articulation and richness which will meet the requirements of local design policies and the National Planning Policy Framework.

### Landscaping

UDP Policy GE15 'Trees and Woodland' requires the retention of mature trees, copses and hedgerows, where possible, and replacement of any trees which are lost.

Paragraph 170 of the NPPF set out that planning decisions should enhance the

natural and local environment and makes reference in part (b) to the economic and other benefits of trees and woodland.

A landscape masterplan has been submitted in support of the application. The existing landscape setting including trees and hedges have been integrated successfully. In delivering the scheme several existing trees will be removed and their loss will be compensated for through the planting of a number of new trees across the site. Additional planting will be particularly provided along the south fronting onto Birley Lane, which helps reinforce the southern boundary.

New sustainable urban drainage system features in the form of swales in the home zone areas towards the northern part of the site work with the site levels and the proposed hard and soft landscaping.

The masterplan suggests that the quality of the public realm works proposed will be satisfactory, the finer details of which will be secured by condition.

### Sustainability

Core Strategy Policy CS64, which relates to climate change, resources and sustainable design of developments, requires that all new buildings to be designed to reduce emissions of greenhouse gases and function in a changing climate. Core Strategy Policy CS65, which relates to renewable energy and carbon reduction, requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The NPPF (para.153) states that in determining planning applications, Local Planning Authorities should expect new development to:

- a) Comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated to not be feasible or viable; and
- b) Take account of landform, building orientation, massing and landscaping to minimise energy consumption.
- c)

The local policies align closely with the Framework and so can be given significant weight.

An Energy Statement has been submitted which confirms that a fabric first approach will be taken, achieving high levels of insulation for all the development. The development will achieve a reduction in energy consumption of 11.7% above the current building regulation standards. Other sustainability measures will be included within the development such as permeable paving, sustainable urban drainage systems, and secure cycle parking provision which will feature green roofs.

The orientation, massing and topography has influenced the layout of the site, achieving limited north-facing elevations and maximising on the opportunity to retrofit photovoltaic panels in the future. The site has previously been developed and is sustainably located being well-positioned to integrate into the existing footpath and

highway network, offering easy access to public transport. Enhancements to open space areas will increase biodiversity and reinforce their role within the wider environment.

A condition will be imposed to secure the measures are implemented and thus, comply with the requirements of the above policies.

### Residential Amenity Issues

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development provided that:

(c) the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood; and

(d)

(e) it would not suffer from unacceptable air pollution, noise or other nuisance or risk to health or safety.

This is in line with NPPF paragraph 127 f) which states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

### Noise and Disturbance

The site is located in a residential area with relatively low background levels. The predominant noise source is road traffic of Birley Moor Road, Birley Moor Avenue and Birley Lane. Vehicular movements are considered to be high.

A Preliminary Feasibility Study: Acoustic Consultancy Report has been submitted and reviewed by the Environmental Protection Service. The residential accommodation will be designed to adequately attenuate surrounding noise sources and provide suitable internal noise levels. Conditions will be imposed to ensure that appropriate acoustic measures will be implemented.

The construction works will take place near to existing residential properties, and as such there is a real potential for disamenity, as a result of noise, vibration, dust, light from site security. It will therefore be necessary to require the developer to provide a Construction Environmental Management Plan (CEMP), which will cover all phases of any site clearance, groundworks and above ground level construction. This will ensure that the amenity of existing residents will be maintained. An appropriate condition will be imposed.

### Amenities of Future and Existing Residents

The proposal will provide a variety of accommodation, ranging from 1-2 bed apartments, and 2, 3 and 4 bed dwellinghouses. The type and size of accommodation has been identified by Sheffield City Council Housing to meet housing requirements. All the houses are Category 2 adaptable homes in line with selected Lifetime Homes standards, and 10% of homes are Category 3 wheelchair

accessible homes.

The internal layout of the accommodation is acceptable, meeting current space standards and providing sufficient natural light and outlook to the individual rooms. Each property will be served with appropriate bin storage facilities and in-curtilage parking. Each dwellinghouse will be provided with secure and satisfactory private amenity space which will be enclosed by robust 1.8 metres high boundaries comprising brick and/or timber fencing. Notwithstanding the level changes, this will ensure that minimum levels of privacy will be maintained. A minority of properties will be provided with less than 50 square metres of amenity space. Depths of rear gardens are generally required to be no less than 10 metres deep, to allow separation between properties and help to achieve 21 metres between main habitable room windows. This is to ensure privacy levels are maintained and to provide satisfactory outlook for future residents. The rear gardens will vary in depth, with many just below 10 metres, which although below the threshold, given the challenging topography and being mindful of the Government's more relaxed approach to permitted development insofar as allowing two-storey extensions 7 metres from a rear boundary, the reduced depth is not considered to be detrimental to future resident's amenity.

Separation between main habitable windows also varies, with distances achieved ranging from 17.9 metres to 22 metres. This is not ideal, but a degree of flexibility has been applied in this case owing to the site constraints. Privacy levels are not considered to be significantly compromised by this level of shortfall in the separation distances, such that a refusal of planning permission is justified.

The apartment blocks are sited along the southern edge of the site, deliberately positioned away from the rest of the dwellinghouses within the site and appropriately set within the landscape. The blocks are set back within the plots, to achieve a greater degree of separation. It is acknowledged that this will not overcome all potential overlooking and this is a negative aspect of the development. The negative aspect has been considered balanced against the needs of the development, with more weight balanced in favour of the development to deliver much needed affordable housing.

In respect of any impact on existing residential properties, it is not considered that the proposed development will have an adverse effect. The dwellinghouses are sufficiently distanced away from existing properties and/or orientated such that there will be no significant overlooking of adjacent properties. The apartment blocks proposed along the southern edge of the site will be in an elevated position with extensive views across to the south and south-east. The apartments will feature balconies and there are a number of main habitable room windows within the elevations offering views across the wider area. As such there is a real potential for overlooking. However, in the case of properties further to the south, fronting onto Birley Lane, the separation between the apartment blocks and those properties is in excess of 60 metres, with a carriageway and Supertram in between. Any form of development on the site would have the potential to overlook simply because of the topography and the fact that the properties on Birley Lane are on lower ground. It is acknowledged that the development will result in overlooking from a distance but given the degree of separation it is not considered unreasonable.

On this basis, it is considered that the proposed development will not adversely affect existing residents and appropriate accommodation will be provided for future residents of the site. As such, the proposal will accord with UDP Policy H14 and the NPPF.

## Highways

UDP Policy H14 (b) states that new development will be permitted provided that it would be well laid out with all new roads serving more than five dwellings being of an adoptable standard; and (d) it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

The NPPF seeks to focus development in sustainable locations and make fullest possible use of public transport, walking and cycling.

The site is in a location which offers local services and facilities within walking distance of the site. There are high frequency bus routes and a tram route within walking distance of the site, which provides excellent links to surrounding areas.

The proposal does not raise serious highway concerns. The general layout of the site is considered acceptable with safe access and egress achieved, with the main access obtained from Newstead Avenue, and other links connecting into the existing surrounding highway network. The innovative design encompassing the principle of Home Zones will help to keep speeds low and prevent the development from becoming car dominant.

The layout provides safe access/egress to dwellinghouses and apartments with good visibility achieved throughout. All footpaths and carriageways will be to adoptable standard.

Swept paths for refuse vehicles demonstrate that adequate space will be available for access and manoeuvring within the site. Emergency vehicles will also be able to safely access the new development.

A Transport Assessment has been carried out and has been reviewed by the Highways Officer. The report demonstrates that the development will not have an adverse effect on the safety or operation of the local highway network. The site is well located, offering the opportunity to use public transport, which is a substantial benefit.

A Travel Plan has been submitted which sets out the framework to steer future occupants towards more sustainable forms of transport. The final details will be secured by condition.

The development will provide 2 in-curtilage parking spaces for each dwellinghouse and each apartment block will be served with an ancillary car park, providing parking at a level of 1-2 spaces per flat, which meets current parking standards set out in the Unitary Development Plan. Disabled parking spaces will be provided, with details secured by condition.

Secure cycle parking provision will be made available for the flats, final details to be

submitted and approved.

A number of on-street parking bays will be provided within the site, which will provide visitor parking opportunities, thus, reducing the need to park elsewhere on the public highway.

The wider development site will require a number of changes in terms of highway closures, new highways and highways to be improved. These areas have been agreed and approval was given by the Head of Strategic Transport and Infrastructure on 19<sup>th</sup> April 2021.

Subject to the imposition of conditions to secure the highways works, the proposed development is considered acceptable, with no adverse impact on the highway network. As such, the proposed development will accord with UDP Policy H14 and the NPPF.

### Drainage

Core Strategy Policy CS67 requires developments to significantly reduce surface water run-off from the site.

A Drainage Strategy has been submitted and reviewed by Yorkshire Water and the Lead Local Flood Authority (LLFA).

Yorkshire Water has confirmed no objection and agrees to foul water draining to the public combined sewer and surface water discharging to the public combined sewer, at a rate of 10 litres per second.

The LLFA has confirmed that the proposals for surface water management, which includes many sustainable urban drainage system features is positive for surface water treatment and other benefits for the environment, such as permeable paving and street-side blue/green planting beds. The LLFA also concurs with Yorkshire Water's view regarding the surface water discharge rate.

Appropriate conditions will be imposed to secure full details of the proposed drainage arrangements.

### Ecology

UDP Policy GE11 requires that the natural environment is protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Paragraph 170 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity. The local policy requirement to protect and enhance the nature environment strongly reflects the relevant policy in the National Framework and so can be offered substantial weight.

An Ecological Survey and a Preliminary Ecological Appraisal (PEA) have been



submitted.

This summarises that the habitats present on site consist of amenity grassland with scattered trees, tall ruderal, poor semi-improved grassland, plantation woodland and scrub. Waxcap mushrooms were identified within the grassland, which is within the built development and so would be lost. Further survey work is recommended. However, the two species identified are our two commonest species, so impacts to grassland fungi should only be considered at a site level. The Council's ecologist has put forward the possibility of translocating some of the turfs and soils from these areas to other parts of the site.

The PEA recommends that trees and scrub be retained but if removal is necessary, such works should be carried out outside the bird breeding season; bird and bat boxes should be installed to increase roosting potential on site; measures to reduce the impact of artificial lighting and reduce light spillage; consideration of mammals during the construction phase; and provision made to allow hedgehogs freedom of movement by avoiding solid garden fences and walls.

In light of the above, a biodiversity ecological management plan is required, details of which will be secured by condition.

#### Land Contamination

A Phase 1 Geo-Environmental Preliminary Risk Assessment, a Phase 2 Geo-Environmental Intrusive Investigation, and a Remediation Strategy has been submitted in support of the application. The Environmental Protection Service (EPS) has reviewed the documentation and confirmed that they are satisfactory.

Two conditions will be imposed to ensure the development is carried out in accordance with the recommendations set out in the Remediation Strategy and for such remediation measures to be appropriately validated.

#### Archaeology

An Archaeological Watching Brief Report has been submitted which has been reviewed by South Yorkshire Archaeology Service (SYAS). Following archaeological monitoring, no archaeological evidence was found and as such, no further archaeological work is required. It will therefore not be necessary to apply any planning conditions in this case.

#### Community Infrastructure Levy (CIL)

The scheme will be liable for a contribution under the Community Infrastructure Levy, which was introduced in July 2015. The site lies within CIL Charging Zone 3 where the CIL charge is £30 per sq metre, plus an additional indexing charge.

#### RESPONSE TO REPRESENTATIONS

The site is part of the SWaN regeneration project and the intention has always been to replace the previously demolished council housing with new affordable housing. The Strategic Housing Market Assessment 2019 carried out extensive public

consultation to identify the need for each Housing Market Area and this information has been used to inform the need, type and scale of the proposed Newstead site development. This recent consultation, along with the public consultation as part of the statutory planning application process, aided the decision of officers to not carry out any further public consultation before the planning application was submitted.

Loss of View – The demolition of housing on the site has resulted in the ability to have long views towards Moss Valley Conservation Area and Green Belt land to the south. Evidence exists to support the fact that the intention has always been to redevelop the site for new housing. The loss of this view is therefore not considered material to the outcome of the application.

SPG and SYRDG are guidance documents to aid Officers in the decision-making process. Whilst they set out the design principles and are a useful tool, a degree of flexibility can be applied to deal with difficult site constraints and achieve an acceptable outcome.

Search information – This is not a planning consideration. The extent of searches is a matter for the objector's solicitor. In relation to the current application, the necessary publicity was carried out to inform neighbouring properties of the application.

Type of accommodation – The development will provide a variety of accommodation which will meet the housing requirement and thus, meet the needs of future occupants.

Submitted information – Sufficient information has been provided to allow an assessment of the proposed development.

Increased parking problems – The development will provide in-curtilage and on-street parking, and therefore unlikely to result in an increased demand for on-street parking in the locality.

Noise from the residential development – The site will accommodate new residents, which is likely to generate some degree of noise, but given that the nature of the development is residential consistent with the character of the area, the noise level is unlikely to be significant and will not adversely affect existing residents.

Anti-social behaviour – The proposed development is unlikely to result in an increase in anti-social behaviour. The development will result in extra surveillance of the surrounding area due to the fact that there are residents living there.

All other matters are addressed under their appropriate heading within the body of the report.

## SUMMARY AND RECOMMENDATION

The redevelopment of this site is welcomed and it will make a significant contribution to the Council's 5 year housing supply. Following extensive pre-application discussions it is considered that the proposal represents a well-considered scheme

which responds well to the site context.

Having regard to all the key issues which have been addressed in this report, it is considered that the development is in accordance with the adopted Local Plan and the National Planning Policy Framework, and any minor negative aspects of the proposals as detailed above are outweighed in the planning balance by the wider public benefits which in this case is the significant contribution of affordable housing and the redevelopment of the site with a high quality sustainable development. It is therefore recommended that the application is approved subject to the listed conditions.

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