

Case Number	21/01928/FUL (Formerly PP-09769742)
Application Type	Full Planning Application
Proposal	Demolition of conservatory, porch and external structures, internal and external alterations including erection of new entrance porch to allow use of care home (Use Class C2) as 10 apartments (Use Class C3), provision of car parking and associated works (amended description).
Location	Silver Lodge Residential Care Home 12 Housley Lane Sheffield S35 2UD
Date Received	26/04/2021
Team	West and North
Applicant/Agent	Planning Prospects Ltd
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:

Plan Number WAL 21-08-06A Redline Site Plan published 27.04.21  
Plan Number WAL 21-08-09F Proposed Site Layout Plan published 14.09.21  
Plan Number WAL 21-08-02G Proposed Floor Plans published 24.08.21

Reason: In order to define the permission.

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

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

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

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

Reason: To ensure that all new Major developments provide connectivity to the fastest technically available Broadband network in line with Paragraph 114 of the National Planning Policy Framework.

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

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

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

6. The development shall not be used unless a level threshold has been provided to the new main entrance thereto in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such level threshold shall be retained.

Reason: To ensure ease of access and facilities for disabled persons at all times it is essential for these works to have been carried out before the use commences.

7. Before the first unit is occupied, full details of suitable and sufficient secure covered cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the units shall not be occupied 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.

8. Prior to that part of the development commencing, details of the construction method of any new or replacement hard surfacing and drainage arrangements shall have been submitted to and approved in writing by the Local Planning Authority . Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to ensure protection of the trees and suitable surface water drainage arrangements.

### **Other Compliance Conditions**

9. The development shall not be occupied unless the car parking accommodation for 14 cars 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.

10. No site clearance works, development of any kind and related tree works shall be carried out until the tree protection measures identified in the approved 'Pre Development Arboricultural Report' Revision 1 published 25.08.21 have been provided. The 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.

11. The west facing windows in flat 7 as annotated on the approved plans shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

Attention is Drawn to the Following Directives:

1. 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.
2. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.

3. The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The Local Planning Authority has evaluated the risk assessment and remediation scheme on the basis of the information available to it, but there may be contamination within the land, which has not been discovered by the survey/assessment.
4. 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>

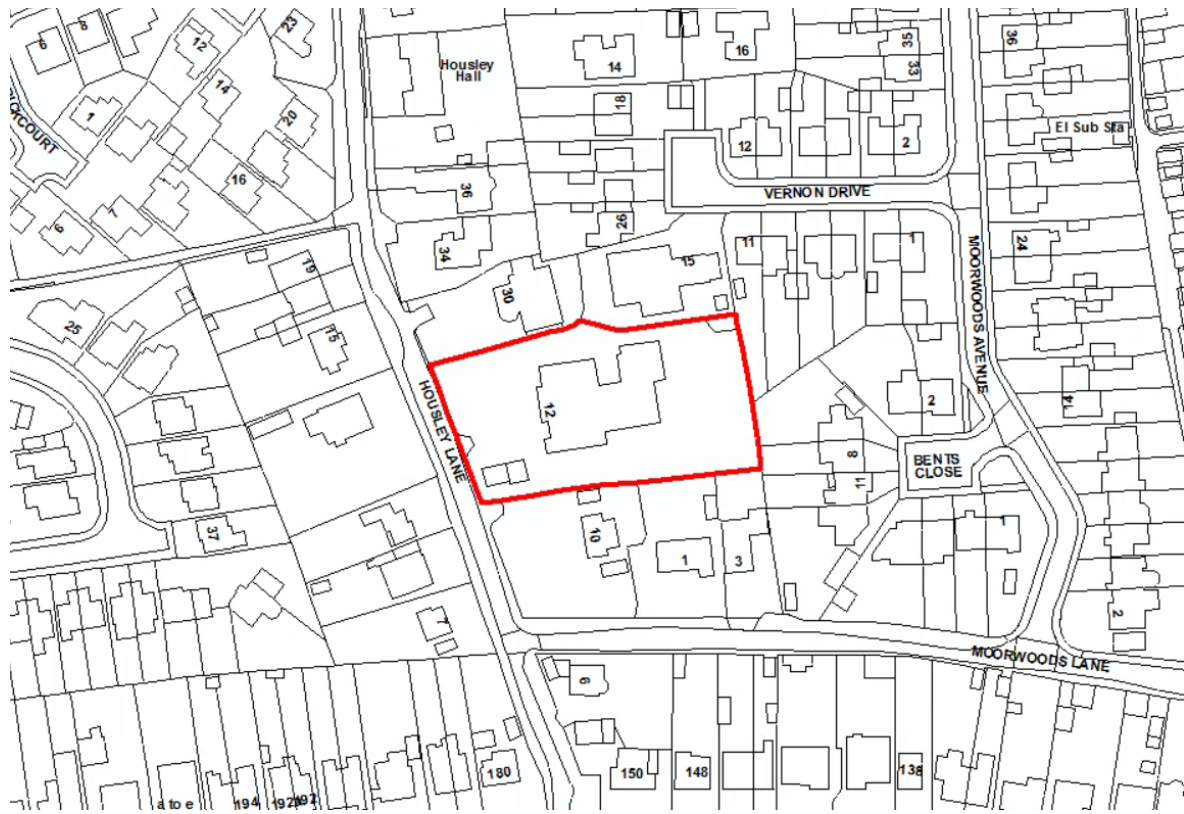
The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk)

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.

5. The applicant is advised to have regard to the consultation response received from Northern Powergrid which is published on 19.05.21
6. 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.
7. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

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

Site Location



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## LOCATION AND PROPOSAL

This application relates to the vacant Silver Lodge Care Home located on Housley Lane in Chapeltown.

The building is set within enclosed grounds, with amenity space to the rear and hard surfacing to the front which is used as car parking. There is a small outbuilding/bin store to the front of the site and the trees within the site are covered by a Tree Preservation Order (TPO).

This application seeks consent to convert the building to 10 apartments comprising 9 x 2 bedroomed apartments and 1 x 1 bedroomed apartment. Externally an entrance lobby is proposed on the northern side of the building, decking on the west elevation, a replacement metal stairway on the southern elevation, and alterations to the building's fenestration. The remaining part of the former bin store/garage building located adjacent to the site entrance is to be retained and reused as a bin store.

The existing conservatory at the rear of the building, an entrance porch to the side, the external staircases and a small section of a remain garage/outbuilding are proposed to be demolished and removed.

The scheme has been amended during the consideration of the application. The number of apartments has been reduced from 14 to 10 and a new porch/lobby extension added to the north side of the building.

## PLANNING HISTORY

There is no relevant planning history.

## SUMMARY OF REPRESENTATIONS

A first round of public consultation took place in May 2021. 1 letter of support, 16 letters of objection (from 15 Households) and 2 letters of comment, neither for or against, have been received. The comments raised are summarised below.

Neighbour comments:

In objection:

- Disproportionate number of dwellings to size and scale of properties along the lane.
- The scheme would be an overdevelopment; high density living is out of character with the immediate surroundings.
- Objections have been raised with regards to highway safety and issues of vehicle conflict.

- Objection is raised regarding the access, which is detailed as being, narrow single track, unadopted, poor condition, gradient, with a blind junction at Moorwoods Lane.
- This development 14 – 28 cars plus visitors. Objections is raised on the grounds of insufficient parking. This was previously for 6 or 7 cars.
- Objection is raised to Increased traffic on the lane.
- Existing problems at the junction with Burncross Road and Housley Lane are detailed, with little space for cars to pass, cars have to reverse back onto the main road, which is a major highway safety issue.
- There is no segregated pedestrian path. This would be a problem during development and following occupation. Vehicles would conflict with walkers and school children.
- Objection that no improvements to the lane are proposed.
- Increased use of the lane would be detrimental to health and wellbeing of existing residents.
- Concern is raised about the impacts of overspill parking on lane and onto private property.
- It is commented that with the previous use no residents had cars, there was minimal staff, and the only issues of parking were at Christmas, celebration days etc.
- The Design and Access statement over stipulates the number of vehicles the care home generated.
- Retiree flats would be preferred as they would have one car.
- Concern is raised that the number of disabled bays are low.
- Query is raised as to who will maintain Housley Lane, as the surface deteriorates due to increased use.
- Any parking on lane causes issues at present, e.g. at school times.
- Comment that this school access should be closed.
- The road should be adopted if the development is approved.
- Concern is raised that the designers are not aware of the character of the area.
- Concern is raised regarding lack of detail regarding materials and areas of infill, new surfaced areas and level changes. Importance is raised regarding quality of development.
- Concern is raised regarding overlooking to the south
- Extra traffic will cause pollution near the school.
- Concern about extension of hard standing and resulting impact on drainage and run off down the lane.
- Objection is made to the future noise and traffic pollution arising from the development.
- Comment is made that works have commenced and issues are highlighted about noise, traffic, and mud on the road.
- Concern about damage to third party property
- Concern is raised regarding he works to the group 1 trees, and that this may cause noise and light pollution to neighbouring property.
- Nature of flats don't fit with demographic, families and mature couples.



- Comment is made that the development is aiming to take advantage fact that the local plan has not been agreed.
- Comment is made that trees have been damaged.
- Comments are made that there are bats are in the area. Concern is raised that an outbuilding has been demolished without any surveys being carried out to establish whether there is a roost there or not.
- Concern is raised that works have commenced and there may be asbestos.
- Concern about sewer capacity and water pressure is raised.
- Comment is made regarding affordable housing should be delivered via contribution.
- Comment is made regarding the quality and size of the bin store.
- Comment that the single bed properties are at odds with surrounding properties. Units should be larger and aimed at families or retirees to maintain the dynamic of the area (as required by H5 and H14).
- Comment is made regarding consistency of plans and accuracy of details.
- Objection to the removal of any mature trees.
- Concern is raised as to whether internal fire escapes would be sufficient for the development.
- Comment is made that there is no lift access.
- It is commented that there are underground streams to the front of 7 Housley Lane and along Burncross Road.
- Concern is raised regarding the reference to refreshment facilities within the supporting submission and potential antisocial (rubbish/noise) behaviour that this could result in.
- Comment is made that no works shown to insulate the existing building and therefore reduce its carbon footprint.
- Call made to reduce units to 6 or 7.
- Comment made about loss of care home
- Existing drainage sewer problems cited
- Errors highlighted in Arboricultural Report. Works to trees could be avoided by providing additional parking to the rear of the property.
- There has been Insufficient neighbour notification.

In support:

- No objection to the development, query is raised regarding ground maintenance.

Neutral comments:

- Query is raised regarding tenure and target market.
- Query is made regarding the provisions for ground maintenance, with some concern about the safety of existing trees within the site.
- Query is raised as to why works have already commenced.
- Comment is made that the company is newly established.
- Request for a site visit.

Ecclesfield Parish Council have commented:

- Vehicle access is inadequate and in a poor and dangerous condition.
- If approved the developer should improve the access to the site.

Following the receipt of amended plans a further round of consultation was carried out in August 2021 and a further 11 objection letters have been received from 8 addresses, who had previously responded. The objections are summarised below:

- Plans do not overcome concerns and the original concerns are reiterated.
- Small apartments below size of residential design guide.
- Request for committee site visit.
- Plans show 11 apartments, but description states 10.
- Concern is raised that the flats would be HIMO's.
- Flat 11 doesn't comply with Building Regulations and will require a 'corridor' to the 'lobby' thus reducing the 'living' space floor area further.
- The plans do not show maintenance of the trees around the site.
- Comment is made that ownership of the site extends to the centre of the lane; query is raised regarding upkeep of this. A Section 106 should be required to make improvements to the lane including surfacing, drainage, and pedestrian refuges.
- The roads should be inspected.
- Comment about inconsiderate hours of ground maintenance.

## PLANNING ASSESSMENT

### Policy Context

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 Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in July 2021 (the NPPF) is a material consideration (paras 2 and 218 of the NPPF).

Paragraph 219 of the NPPF provides that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the NPPF.

In all cases the assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied and that where there are no relevant development plan policies, or where the policies which are

most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF that protect areas or assets of particular importance (including SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provides a clear reason for refusing the development proposed;

or

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

This is referred to as the “tilted balance” and this assessment will have due regard to this.

In addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, para 11 of the NPPF 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 (with the appropriate buffer) the policies which are most important for determining the application will automatically be considered to be out of date.

As of 1 April 2021, and in relation to the local housing need figure at that date taking account of the 35% urban centres uplift, Sheffield can only demonstrate a 4-year deliverable supply of housing land. Because the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the relevant policies for determining applications that include housing are considered to be out-of-date according to paragraph 11(d) (footnote 8) of the Framework.

Considering the above and the fact that no ‘protected areas or assets of particular importance’ are affected the ‘tilted balance’ is engaged, and planning applications for housing should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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

#### Land Use

The site lies in a Housing Area in the UDP. UDP Policy H10 (Development in Housing Areas) identifies C3 residential use as the ‘Preferred’ land use in Housing Areas. Therefore, the proposed residential development is compatible with the UDP’s designation and an acceptable use.

Core Strategy Policy CS23 (Locations for New Housing) identifies that new housing will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. It goes on to state that in Chapeltown/High Green housing developments will be limited to suitable and sustainable sites within the

existing built-up area.

Core Strategy Policy CS22 (Scale of the Requirement for New Housing) relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5-year supply of deliverable sites will be maintained. However, the NPPF now supersedes this, and the Council cannot demonstrate adequate Housing Land Supply at this point. Weight cannot therefore be afforded to the housing figures identified in Policy CS22.

However, it is considered that weight can still be afforded to policy CS23 on the basis that it links to key themes in the NPPF including increasing the supply of new homes, regeneration and sustainable development, the efficient use of land, brownfield land development, sustainable development, and sustainable travel.

The government attaches significant weight to boosting the supply of new homes. The development of small windfall sites, such as this, are specifically supported by the NPPF (Paragraph 69) given the important contribution they can make to meeting the city's housing requirements and the relative speed with which they can be delivered. This is a redundant site, located within an existing settlement and its redevelopment for housing is afforded great weight by Framework Paragraph 69 c).

This development will make a positive contribution towards the Council's housing land supply of deliverable sites and as such is afforded considerable weight as a material consideration in the determination of this application. Furthermore, apartments would add to the overall mix of accommodation within the immediate area.

#### Amenity

UDP Policy H14 (Conditions on Development in Housing Areas) part (c) seeks to ensure that sites are not overdeveloped or deprive residents of light, privacy or security.

Policy H5 (Flats, Bed-sitters and shared Housing) a) seeks to ensure that a concentration of these uses would not cause serious nuisance to existing residents and H5 b seeks to ensure satisfactory living conditions for occupants of the accommodation and their neighbours.

Supplementary Planning Guidance on Designing House Extensions sets out specific amenity standards that are applied to house extensions, whilst this is not directly applicable, the principles are used as a gauge to assess residential amenity.

Paragraph 130(f) of The Framework identifies that development should create places with a high standard of amenity for existing and future users. Development should also be appropriate for its location taking account of the effects of pollution on health and living conditions, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development (paragraph 185).

Local policies align with the Framework and are therefore afforded substantial weight.

#### Amenity for Existing Residents

The new lobby/porch element of the building is small scale and of sufficient distance from surrounding neighbouring properties so that no overshadowing or overbearing would occur.

In terms of privacy, the front and rear elevations are a significant distance from neighbouring properties and therefore outlook from the proposed flats, in these directions, will not detrimentally affect neighbour's privacy.

Existing habitable room windows face the northern and southern boundaries. On the south elevation there would be some alterations to the fenestration, with a minor increase in the number/size of openings. Due to the existing relationship between the building and adjacent residential properties, and the separation distances retained, the privacy of neighbouring properties would not be detrimentally affected.

On the north elevation, the impact on neighbour's privacy would be similar to existing. Some additional windows are proposed in the entrance lobby/porch and the north facing fenestration in what would be flat 4, which is at ground floor. The neighbour at No 30 Housley Lane has a lean-to glazed extension abutting the site boundary. There is no screening, but the neighbouring site is at a higher level. Windows to habitable rooms would face this neighbour, however as they are set well off the boundary and in a similar position as the former care home main entrance there will be no loss of privacy or material impact on amenity.

To the rear the large conservatory would be demolished and replaced by an area of decking which is 1 metre above the external ground level. The decking is of a modest size and is set well away from the site boundaries. Existing boundary treatment offers screening and for these reasons the decking is not considered to harm the amenity of adjoining properties.

The area is predominantly residential with family houses set in spacious plots. Apartments are compatible with the residential character of the area.

The care home had 28 bedrooms and its operations would have generated a lot of activity associated with its occupiers, staff, deliveries, and visitors etc. Vehicle movements generated by the scheme are likely to be less intensive than those associated with the previous care home. The amenity of residents is not considered to be harmfully affected by vehicle movements.

The use of the building as 10 apartments is not considered to generate any other noise or disturbance issues.

#### Amenity for future occupiers

The site benefits from a significant amount of attractive amenity space within the site,

that all future residents will be able to access.

The number of units has been reduced from 14 to 10 during the course of the application to improve the internal layout and amenity standards for future occupiers.

The apartments are of an acceptable size and all but two of them now accord with the space standards set out in the South Yorkshire Residential Design Guide (SYRDG). Two apartments fall short of the SYRDG space standards, but not significantly, and the quality of these units remains acceptable. The SYRDG is not adopted by the Council as policy and is used as guidance only. Compliance is not therefore strictly required. Regard is also had to the fact that this is a conversion scheme and not a new build.

All apartments are considered to have acceptable outlook and privacy. One of the bedrooms in flat 4 which is in the basement, and flat 5 which is located at ground floor level would have a high-level window only. This arrangement is not unusual, particularly in conversion schemes such as this where there are internal layout constraints. Each of the flats has a second bedroom with a conventional outlook which allows future occupiers to choose how to make best use of the spaces. Officers are of the view that the amenity of future residents would not be harmfully affected by these arrangements.

The outlook from the bedrooms of flat No 10 is also limited due to one bedroom being served solely by a roof light and the other looking onto the gable of another part of the existing building. These arrangements arise as a result of the limitations associated with the layout and arrangement of the existing building. The amenity of future occupiers is however considered to be acceptable.

NPPF paragraph 125 sets out the importance of using land efficiently and emphasises that where there is a shortage of land for meeting identified housing needs, as is the case in Sheffield, it is important that planning decisions avoid homes being built at too low densities and ensure that developments make optimal use of each site. Paragraph 125 (c) states that authorities should take a flexible approach to applying policies relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The above assessment demonstrates that the units would have acceptable living standards and the provision of 10 units would be make efficient use of the site.

The site is in a residential area and not considered to be affected by any sources of noise and disturbance. No specific noise mitigation measures or enhanced glazing specifications are required.

The proposal is acceptable from an amenity perspective.

#### Highway Safety

Policy H5 of the Adopted Unitary Development Plan requires c) appropriate off-street car parking for the needs of the people living there.

Policy H14 part d) requires new development to provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the city including applying maximum parking standards to all new developments to manage the provision of private parking spaces.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. For the reasons detailed above, this would not be the case.

It is considered that the aims and objectives of these local plan policies reflect those of the Framework and can be considered to have substantial weight in this context.

The site is accessed from Burncross Road via Housley Lane (unadopted), a narrow single-track road with no pavement. The junction with Burncross Road is not double width. Housley Lane links to Housley Park (unadopted), which then joins Loundside. The condition of Housley Lane is varied and in some places the surface unbound and potholed. Lound Infant School can be access via Housley Park and Housley Lane.

The site is approximately 650m away from Chapeltown shopping centre and its associated amenities. Chapeltown is well served by rail and bus links.

The condition and layout of the access routes to the site do not meet modern standards, however the proximity of the site to Chapeltown Centre and its associated transport links means that the site is sustainably located, which could in turn reduce the reliance on the private car.

The care home had 28 bedrooms and would have generated a number of staff, medical and visitor related trips as well as regular deliveries. The use of the site for 10 apartments is not considered to lead to an intensification in the use of the adjoining highways, over what would have been generated by the care home. Consequently, it is concluded that a refusal of the application on highways safety grounds could not be justified.

The 14 car parking spaces proposed would adequately serve the development given the sustainable location of the site. Regard is had to the previous use on site which had potential for high parking demand. The submission maximises the space to the south side and front of the site to accommodate on-site parking. Whilst there is additional space to the rear which could have accommodated additional parking the this would be at the expense of external amenity space, also the presence of the protected trees within the site imposes limitation in terms of site layout.

A condition will be attached to ensure that level access is provided to the new entrance and the accessible parking space shown on the plans is provided. Only one accessible space is proposed. The provision of further mobility compliant spaces

would affect the overall level of parking across the site. On balance the number spaces proposed, and their arrangement is acceptable.

Given the above the scheme is acceptable from a highways perspective and is not considered to detrimentally affect the safe operation of the adjoining highways network.

## Design

UDP Policy BE5 (Building Design and Siting), and H14 (Conditions on Development in Housing Areas) seek to secure high quality developments which are of an appropriate scale and which enhance the character and appearance of an area.

Core Strategy Policy CS74 (Design Principle) also expects high quality development that respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods. It should create a healthy and sustainable environment and transform the character of physical environments that have become run down.

NPPF paragraph 126 promotes high quality and beautiful buildings with good design being a key aspect of sustainable development that creates better places to live, work and establish communities. Furthermore, NPPF paragraph 130 sets out a series of expectations including ensuring that developments add to the quality of the area, are visually attractive as a result of good architecture; layout and landscaping; are sympathetic to the local character and surrounding built environment; establish and maintain a strong sense of place; optimise the potential of a site and create places that are safe, inclusive and accessible.

These NPPF principles align closely with the local policies described above and, therefore, it is considered that they can be afforded significant weight.

The site is currently vacant and overgrown. Supporting submissions detail that it has been vacant since late 2019. Owing to this, the site has an air of neglect. This conversion scheme would reverse this and improve the character of the site and immediate area.

The building is set well back from Housley Lane and is somewhat screened by mature trees on the site frontage. It is therefore not prominent in the street.

The front elevation is the main element which would be visible from public aspects. Alterations to the front elevation include the removal of an external staircase and amendments to the fenestration, which would improve the appearance of the building.

The amendments to the size and detail of various existing window openings, new window openings, infilling of redundant doors and windows and the installation of replacement anthracite grey windows are acceptable.



Some of the former window and door openings will be infilled with stone to match the existing building. Grey composite timber cladding is to be used on the single storey projection to the front. The materials proposed are acceptable.

A new porch is to be added to the north elevation. It will have a mono-pitch, form a continuation of an existing single storey element of the building and be finished in composite timber cladding. This element would not be visually prominent and its design is acceptable. The application of render to a small discreet section of the side elevation is also acceptable.

A new external stair access is proposed on the southern (side) elevation. It replaces an existing external stair in a similar position. The existing conservatory on the rear elevation is to be replaced with a smaller area of raised timber decking.

Overall, the scheme would have an acceptable impact on the character and appearance of the area.

### Landscaping

Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. This is supported UDP Policy BE6 (Landscape Design) which expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

Paragraph 131 of the NPPF recognises the important contribution trees make to the character and quality of urban environments, and their role in helping to mitigate climate change. It sets out that existing trees should be retained where possible.

The aims of policies GE15 and BE6 are considered to align with the Framework and continue to carry substantial weight.

The trees within the site are protected by TPO. An Arboricultural Statement has been submitted which details that the works proposed would not result in the loss of protected trees. The plans have also been altered during the scheme to ensure their retention.

Two trees are proposed to have minor pruning work. This is acceptable.

The Arboricultural Statement identifies methods for the protection the trees during construction and clearance work and contains recommendations relating to resurfacing works in the root protections areas of existing trees. Conditions are recommended to require works to be carried out in accordance with the recommendations of the statement.

The impact on the existing landscaping within the site is considered acceptable.

### Ecology

UDP Policy GE11 (Nature Conservation and Development) states that the natural environment should be protected and enhanced and that the design, siting and landscaping of development needs to respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Core Strategy Policy CS74 (Design Principles) identifies that high-quality development will be expected, which respects, take advantage of and enhances the distinctive features of the city, its districts and neighbourhoods, including important habitats.

NPPF paragraph 180 sets out principles to ensure that biodiversity and habitats are protected.

The aims of the local and national policies broadly align and the local policy can be afforded significant weight.

Representations received during the course of this application have highlighted bats in the area and their presence in a demolished outbuilding has been queried. In order to mitigate any impact on bats which could use the existing outbuilding at the front of the site, the agent has confirmed that the building will be retained as existing. This structure was previously used as a bin store and will continue to be used in this way. Consequently, there will be no material impact on bats, if present.

The remains of a small external WC, which has largely already been demolished, will be removed. Officers are of the view that this would not have potential for roosting bats.

The development would reuse the existing building and does not result in the loss of surrounding vegetation or trees. This would protect existing habitats within the site.

#### Sustainability Issues

Core Strategy Policy CS65 (Renewable Energy and Carbon Reduction) states that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy, if feasible and viable. An equivalent 10% reduction in a development's energy needs from a fabric first approach is also acceptable

Framework Paragraph 157 confirms new development should comply with any development plan policies or local requirements for decentralised energy supply unless this is demonstrated to be not feasible or viable. Sustainability is also a key theme in the NPPF. Local policies are compatible with the NPPF and therefore significant weight can be given to these.

A condition will be attached to secure this policy requirement.

#### Drainage

Policy CS67 seeks to limit surface run off and ensure developments are protected

from flooding and minimise their impact elsewhere.

The Framework seeks to ensure that development does not increase flood risks elsewhere and that the most vulnerable development is located in areas at the lowest risk of flooding. Paragraph 169 requires major development to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. In doing so the systems used should take account of the advice of the Lead Local Flood Authority.

The local and national policies align and the local policy can be given significant weight.

The site is located in Flood Zone 1, where there is a low flood risk.

In terms of the impact on surface water, the areas where parking is proposed is predominantly hard surfaced at present. A small area of additional surfacing would be required to facilitate the provision of the turning area within the site adjacent to the southern boundary. There would be a no significant impact on surface drainage. No details regarding proposals for replacement surfacing have been provided. Details of replacement and new hard surfacing will be secured by condition to ensure that suitable drainage is incorporated and the TPO trees within the site are protected.

#### Contaminated Land

UDP Policy GE25 seeks to ensure that any contaminated land is identified and effectively treated

The Framework (paragraph 183) identifies that a site should be suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or previous activities such as mining.

The aims of policy GE25 and the NPPF closely align, in this respect and significant weight can be afforded to the local policy.

The Council's Environmental Protection Service have confirmed that records relating to the site have been reviewed and there are no concerns in respect of potential land contamination.

#### Community Infrastructure Levy

The site falls within CIL Charging Zone 3 and a CIL charge of £30 per square metre applies. There is an additional charge associated with the national All-in Tender Price Index for the calendar year in which the relevant planning permission is granted. All charges accord with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

#### Response to Representations

Concern has been raised regarding the scheme being overdevelopment and high density – the above assessment details that the units are of appropriate quality and there is generous amenity space. The density would be approximately 31 dwellings per hectare, which is not high.

Comment is made that no improvements to Housley Lane are proposed – the lane is outside the applicant's ownership and given the previous use of the site and the nature of the development proposed, improvements are not justified.

Concern is raised regarding overspill parking onto private property – parking capacity has been assessed above. With reference to parking on private land, this would be regarded as a private issue.

Concern is raised regarding pollution from traffic – given the previous use of the site the scheme would have a neutral impact on this.

Comment is made that works have commenced and trees have been damaged – any works that commence in advance of any approval are at the applicant's own risk. The applicant is aware that the trees are protected on site.

Concern is raised regarding noise, traffic and mud on the road as a result of the construction / conversion – it is recognised that there will be an element of noise and disruption as a result of development. Separate legislation exists to control noise nuisance, and a directive will be added regarding working hours. Given that this is a conversion rather than a new build it is not considered necessary to add a specific condition relating to mud on the highway.

Development is aiming to take advantage of the fact that the local plan has not been agreed – whilst the key housing policies are out of date, the scheme is compliant with both local and national policies.

Comment is made regarding the quality and size of the bin store – the existing structure is to be retained. This served the care home and is of adequate size to cater for the development.

Comments are made regarding consistency of plans and accuracy of details within the submission – the plans are inconsistent, and it is clear what is proposed.

It is commented that there are underground streams to the front of 7 Housley Lane and along Burncross Rd – the site is in a low flood risk area, and additional physical development is minimal. There would be a neutral impact on these features.

Concern is raised as to whether internal fire escapes would be sufficient for the development – this is a building regulations consideration rather than a planning issue.

Comment is made that there is no lift access – there is no planning requirement for this.

Comment is made that the school access should be closed – this is a separate issue outside the parameters of this application.

Query is raised regarding tenure and target market – the submission details that this is market housing.

Request for a site visit – this has been carried out.

Comment is made that affordable housing should be via contribution – in this instance the number of units being created does not trigger the affordable Housing Policy.

Comment has been made about the maintenance of Housley Lane – this is a private issue.

Query is made regarding the provisions for ground maintenance – this is an issue for the developer.

Concern about damage to third party property – this is a not a planning issue.

Concern about sewer capacity and water pressure is raised – this is a not a planning issue.

Concern is raised that works have commenced and there may be asbestos – a directive can be added to highlight this to the developer.

Concern is raised that refreshment facilities will be provided – the plans do not propose anything other than housing. Reference to refreshment facilities is made in the context of internal building regulation standards and is a not a planning issue.

Concern is raised regarding inconsistencies between the cover letter, plans and elevations and the design and access statement – plans have been amended during the course of the application, which has superseded elements of earlier forms and submissions. The concerns raised regarding consistency have been noted and final plans have been checked for consistency and compliance will be conditioned with these.

Comment made about loss of care home – this has been vacant for a number of years. The site is redundant and the proposed use is acceptable.

Concern is raised regarding the works to the group 1 trees, and that this may cause noise and light pollution to neighbouring property – these are minor works and the nature of the development in terms of noise and light is compatible with the amenities of the area.

Query about maintenance of land at the back of the site, including vegetation and

tree overhanging No 6 and 8 Bents Close – no works are proposed in this part of the site. This is a private issue.

Concern has been raised that there has been insufficient neighbour notification – all surrounding neighbours have been notified by letter, site notices were erected and an advert placed in the press. This is in line with the Council's Statement of Community Involvement.

Concern is raised that the flats would be HIMOs – the planning definition of a HIMO is 'small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom'. The units are one or two bed roomed and each unit has its own facilities. The application is for C3 use rather than C4 HIMO.

Concern is raised that aspects of the scheme would not be compliant with Building Regulations – this is not a planning issue.

Comment about inconsiderate hours of ground maintenance – this is a not a planning issue.

Other issues are covered in the main body of the report.

## SUMMARY AND CONCLUSION

This application seeks planning permission to convert a former care home into 10 apartments, with associated external alterations and the addition of a small porch and area of decking.

In the absence of a 5-year supply of housing land the tilted balance is engaged in accordance with Paragraph 11 of the NPPF and the positive and negative aspects of the scheme must be carefully weighed.

Based on the content of this report, it is considered that there would be a number of benefits that will arise from this application including:

- The scheme would deliver 10 residential units which would contribute to City's housing land supply, at a time when it has been identified that there is a deficiency.
- The site is in sustainable location and makes use of an existing vacant building at an appropriate density
- The development of apartments would add diversity to the mix of housing in this area, which is currently predominantly family housing. This would be within an established housing area and therefore compatible with surrounding land uses.
- The scheme would have an acceptable impact on the streetscene and offer visual improvement by reusing a vacant site/building.

- The scheme would have an acceptable impact on the amenities of surrounding occupiers and would allow for existing trees within the site to be retained.

- The development will trigger financial contributions through the Community Infrastructure Levy which would be invested in infrastructure and the provision of services within the city. Once occupied there would be increased Council Tax revenue.

Whilst the access and level of parking are a site constraint, the above assessment highlights the intensity of traffic and parking demand that could be generated if this building was brought back into use as a C2 unit. In comparison, the proposed development is not considered to have an unacceptable impact on highway safety.

In applying the titled balance in favour of sustainable development in NPPF Paragraph 11 (d), great weight is given to the benefits highlighted above, particularly the provision of housing in a sustainable location, making use of an existing building and providing visual betterment to the area. The limited adverse aspects of the scheme do not significantly and demonstrably outweigh the benefits and as such, it is recommended that planning permission is granted subject to conditions.

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