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Case Number	21/01808/FUL
Application Type	Full Planning Application
Proposal	Demolition of dwellinghouse and erection of 14 apartments in 2x three/four-storey blocks with associated parking
Location	298 Norton Lane Sheffield S8 8HE
Date Received	19/04/2021
Team	South
Applicant/Agent	EDGE AD 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:

Site Location Plan / Proposed Site Plan Ref: A20-30-01 Rev P2 Published Date 09 Sep 2021

Proposed Elevations Ref: A20-30-03 Rev P2 Published Date 09 Sep 2021

Proposed Sections Ref: A20-30-04 Rev P2 Published Date 09 Sep 2021

Proposed Floor Plans Ref: A20-30-02 Rev P1 Published Date 20 Apr 2021

Reason: In order to define the permission.

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

3. No development (including demolition or other enabling, engineering or preparatory works) shall take place until a phasing plan for all works associated with the development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: In order to define the permission and to assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy

4. No phase of the development (including works of demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Highway Management Plan (HMP) relevant to that particular phase has been submitted to and approved by the Local Planning Authority. The HMP shall assist in ensuring that all Contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:
  - a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.
  - b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and
  - c. Details of the site accommodation, including compound, contractor car parking, storage, welfare facilities, delivery/service vehicle loading/unloading areas, and material storage areas.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties and the protection of the free and safe flow of traffic on the public highway.

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. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. 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.

7. 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.

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

8. 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.

9. 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) External doors
- (b) Windows
- (c) Window reveals
- (d) Parapet/roof details
- (e) Rainwater goods
- (f) Balconies

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

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

10. A sample panel of the proposed masonry 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.

11. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures and relocation of existing street furniture) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the apartments are brought into use:-

Highways Improvements:

Reinstate redundant vehicle access onto Norton Lane

Creation of proposed new vehicle access onto Norton Lane

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway.

12. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

13. The development shall not be used unless the car parking accommodation for 17 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.

14. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the development 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.

15. 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.

16. 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.

17. The proposed green/biodiverse roofs and wall (vegetated roof/wall surface) shall be installed on the roofs and wall 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 roofs and wall 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.

18. Before the first occupation of the building hereby permitted, the obscure glazed panels to the balconies on the rear block as shown on the approved plans, shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity. The screens shall be permanently retained in that condition thereafter.

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

19. Prior to the car parking area being surfaced, full details of the electric car charging points within the site shall have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied unless such electric car charging points have been provided in accordance with the approved plans and, thereafter, 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.

20. Prior to the occupation of any of the dwellings hereby approved, full details of bat and bird boxes to be erected/installed on the buildings within the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of bio-diversity.

21. The stone boundary wall to the front of the site fronting Norton Lane shall be retained, with the exception of creating the new access point, and the existing access point shall be reinstated as stone wall with details to match existing, prior to occupation of the building.

Reason: In order to protect the character of the street scene.

#### **Other Compliance Conditions**

22. The proposed new gates into the site shall be set back 10 metres from the back edge of the footpath.

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

23. The building shall not be occupied unless the car parking and driveway areas of the site are constructed of permeable/porous surfacing. Thereafter the approved permeable/porous surfacing material shall be retained.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

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. 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

3. 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

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.

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. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

6. 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).
7. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

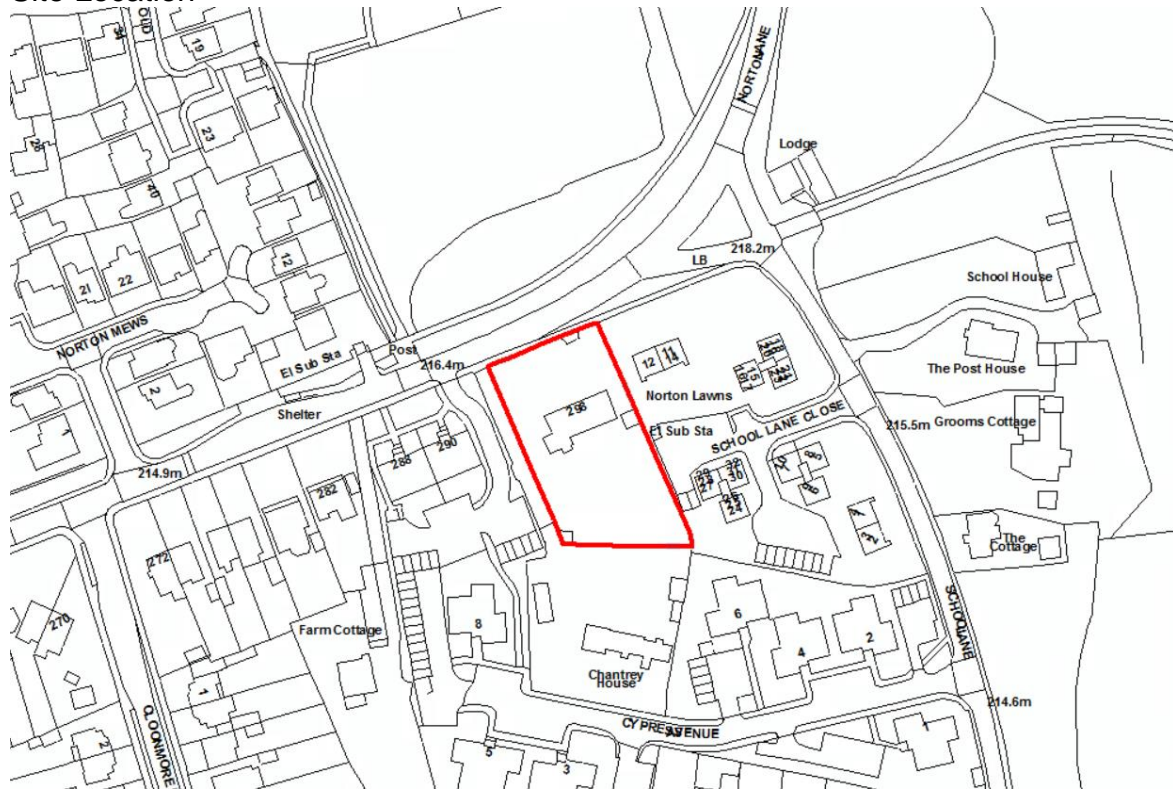
Ms D Jones  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street

Sheffield  
S1 2SH

Tel: (0114) 273 6136

Email: [dawn.jones@sheffield.gov.uk](mailto:dawn.jones@sheffield.gov.uk)

# Site Location



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## LOCATION AND PROPOSAL

This application relates to 298 Norton Lane, a large residential building currently used as a family home. Vehicular access is provided from Norton Lane at present with a stone boundary wall running along the front of the site. The side and rear boundaries of the site consist of a high stone/brick wall with perimeter landscaping.

The site falls within an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The surrounding area is predominantly residential in character, with the immediate area consisting of 2 and 3 storey flats under pitched roofs to the east and west of the site (sides) and a Grade 2 Listed Building - Chantrey House/Chantrey Cottage (also known as Maugerhay) immediately to the rear of the site. Beyond the Listed Building blocks of flats stretch around the site to the rear.

Within the wider area there is more of a mixture of housing types, with detached and semi-detached properties, with Norton Primary School and playing fields on the opposite side of Norton Lane.

The application seeks permission to demolish the existing building on the site and to erect a 3 and 4 storey building to provide 14 two-bedroom units. To the front occupying a similar footprint to the existing building the 3-storey element is proposed with the 4 storey block to the rear. The existing vehicular access is to be blocked up and a new access formed towards the western boundary of the site. Within the site 17 parking spaces are provide including two disabled spaces and an area of shared amenity space. Amended plans have been received during the application process following negotiations with the agent.

## RELEVANT PLANNING HISTORY

Pre-application advice was sought for the demolition of the existing building on the site and the erection of a new apartment scheme, including relocation of the access. This concluded that a scheme with good quality materials of high-quality design was acceptable in principle subject to detailed design.

## REPRESENTATIONS

Following consultation of the application, 23 representations objecting to the proposal have been received in total including from Councillor Ayris.

Cllr Ayris:

- The proposal will overlook properties along Norton Lane and Norton Lawns
- This is an overdevelopment of the site footprint, lacking a mixture of property styles.
- The design, style, height and mass of the apartments would impact detrimentally on the immediate and general character of the area, including Oakes Park and Norton Conservation Areas.

- The proposal will impact on the adjacent Chantrey Cottage / Chantrey House on Maugerhay – itself a Grade 2- listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 for its special architectural or historic interest
- Solar panels should be considered to the roof/gables.
- The proposal will impact on Norton Lane, which is already a very busy road subject to road safety issues.
- 18 car parking spaces for 14 units is not sufficient.
- The proposal would impact drainage, water pressure and on local services, including school places.
- The CIL from the proposal should be spent in the local area.

## Local Representations

### Design and Scale:

- The existing building is an elegantly designed, iconic dwelling of the early 20<sup>th</sup> Century and its demolition would degrade the area.
- The flats are not in keeping with the area and we already have flats within the surrounding area.
- The scale is out of keeping with the 3 and 4 bedroom semi/detached housing for families.
- The bin storage is very small, and not sufficient for the number of residents.
- The building is modern, angular, with large areas of glass to the entrances. This is out of keeping with the surrounding area, and is not sympathetic architecturally.
- The flat roofed building is out of character with nearby pitched roofed buildings.
- The introduction of timber cladding, balconies, large areas of glazing are out of character with the surrounding area
- The monolithic nature of the front elevation would dominate the street scene.
- Chantrey House is a Grade II Listed building immediately to the south. This building is 2 storey in height and the scheme is detrimental to its setting.
- The density of dwellings on site is too high, eradicating green open spaces on the site.
- The current flats surrounding the site are 2 and 3 storey, not 4 which will be higher than any other nearby building.
- From the water tower, Norton Lane appears as a rural lane with farmland on both sides, then blocks of flats which are only 3 storey and set back from the road behind mature trees
- The proposal is not on brownfield land.
- There is a need for family housing, and not for apartments
- Norton is supposed to be Conservation Area containing Grade II and Grade II\* Listed buildings, with the proposal having a detrimental impact on these historic features.
- The site is less than 50 metres from the lodge of The Oakes in Norton, a Grade II\* Listed building
- There do not appear to be any solar panels or electric car parking points.

### Highways:

- The site entrance is close to the crossing for Norton Free School which is already a hazard and further traffic would be a potential accident risk.
- There are only 18 parking spaces for 14 units which is insufficient, and no visitor spaces, this will result in parking on side streets, particularly near the entrance to Oakes Park.
- Moving the entrance closer will require moving street furniture (street lighting and barriers).
- The plans show a gated entrance which could cause delays and traffic backing up
- Cycle storage is not shown on the plans
- Speed bumps, an overall reduction in the speed limit and traffic lights need to be installed along Norton Lane.

#### Amenity:

- The outlook from properties (Norton Lawns) is of trees and skyline, the erection of flats would result in a loss of light.
- The proposal would overlook nearby properties (Norton Lawns) (Chantrey House) (Norton Lane) from windows and balconies within 4 storey blocks.
- The glass entrances could result in solar glare
- There could potentially be 14 families sharing the communal amenity area which will create noise and disturbance to immediate neighbours.
- There is not sufficient amenity space for future occupiers.
- The increase in traffic from the development will impact on air pollution.

#### Others:

- The view from neighbouring properties will be of a 4 storey building as opposed to the existing 2 storey building.
- There has been a previous refusal on the land adjacent to 298 by previous owners of Chantrey House.
- Decrease in values to neighbouring properties.
- The existing site plan is incorrect, (Norton Lane is called Norton Road).
- The tree protection plan is inconsistent.
- There will be significant problems around construction of the proposal through deliveries to the site, and trade vans parked outside obstructing the road and pavement.
- The building is 3 and 4 storey, not the quoted 2 and 3.
- There is an existing problem of low water pressure and poor drainage in the area which the development would add to.

## PLANNING ASSESSMENT

### Policy Context

The Council's development plan comprises the Core Strategy (CS) 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 revised in

2021 (NPPF) is a material consideration.

The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

The Council has released its revised 5-Year Housing Land Supply Monitoring Report. This new figure includes the updated Government's standard methodology which includes a 35% uplift to be applied to the 20 largest cities and urban centres, including Sheffield.

The monitoring report released in August 2021 sets out the position as of 1<sup>st</sup> April 2021 – 31<sup>st</sup> March 2026 and concludes that there is evidence of a 4-year supply of deliverable supply of housing land. Therefore, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites.

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and as such, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In this instance, the site does not lie within any protected areas, however there is a Listed Building adjacent and in accordance with footnote 7 of paragraph 11, this designated heritage asset should be taken into consideration in the tilted balance process.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting point for the decision-making process. For Sheffield this is the UDP and Core Strategy.
- Consider the degree of consistency these policies have with the NPPF and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Apply 'the tilted balance' test, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

#### Key Issues

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The design of the proposal and its impact on the surrounding street scene and listed building,
- The effect on future and existing occupiers living conditions,

- Whether suitable highways access and off-street parking is provided,

-Land Use Principle

The application site falls within a Housing Area as identified in the Unitary Development Plan (UDP) for Sheffield. Redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'. It is therefore acceptable in principle.

However, it should be noted that whilst the principle is acceptable in terms of policy H10, the policy also states that any proposal would also be subject to the provisions of Policy H14 'Conditions on Development in Housing Areas' and BE5 'Building Design and Siting' being met. Furthermore, the principle of housing on this parcel of land is also subject to the more recent Core Strategy policy CS74.

Policy CS23 of the Core Strategy '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. Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' prioritises the development of previously developed (brownfield) sites. Housing on greenfield sites should not exceed more than 12% completions, and (part (b)) be on small sites within the existing urban areas, where it can be justified on sustainability grounds.

Policy CS23 and CS24 are restrictive policies, however the broad principle is reflected in paragraph 119 of the NPPF, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'.

In this instance, in accordance with the NPPF definition, the area of existing built form on the site constitutes brownfield land, with the residential garden in this built-up area being greenfield land. Therefore, the proposed block to the front is predominantly located on brownfield land, with the block to the rear greenfield. The completions on greenfield sites are well below the 12% figure set out in policy CS24, and the NPPF does not require a brownfield first basis, and therefore the proposal is acceptable in principle.

Therefore, it is considered that the proposal is consistent with the aims of policies H10, CS23 and CS24.

-Efficient Use of Land

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. This is reflected in paragraph 125 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

Paragraph 124 of the NPPF promotes making efficient use of land taking account of a number of factors including identified housing needs; market conditions and



viability; the availability of infrastructure; the desirability of maintaining the prevailing character of the area, or of promoting regeneration; and the importance of securing well designed places.

For a site such as this, CS26 part (d) is relevant and states that a range of 30-50 dwellings per hectares is appropriate where a development is within the remaining urban area.

The application site is approximately 0.21 hectares, and the 14 proposed units would give a density of approximately 66 dwellings per hectare. This figure is above suggested range in CS26, however the thrust of paragraph 125 of the NPPF is to avoid low density developments and secure optimal use of the potential of each site.

In this instance, the prevailing character of the immediately adjacent sites is flats within 2 and 3 storey buildings. Owing to the nature of the application for 2 bedroom flats, the density is always going to be high. The proposed density at 66 dwellings per hectare reflects the character of the area and is considered to be acceptable, providing that the resulting scheme would provide acceptable living standards which is assessed in the sections below.

As such the proposal complies Policies CS26 and CS31 of the Core Strategy and paragraph 124 and 125 of the NPPF in relation to densities and efficient use of land.

#### -Design

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is also reflected in UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

Chapter 12 of the NPPF requires good design, whereby paragraph 126 states that good design is a key aspect of sustainable development and should contribute positively towards making places better for people. Paragraph 134 requires that development which is not well designed should be refused. It goes on to say that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, taking into account any local design guidance and supplementary planning documents.

It is considered that the design policies within the UDP and Core Strategy reflect and align with the guidance in the NPPF, and therefore are considered consistent with the NPPF and so can be afforded significant weight.

Firstly, the existing building on the site, whilst an attractive large dwelling is of no special architectural merit or historic interest and its demolition is acceptable in principle.

It is proposed to erect two new blocks of development on the site. The first block is a three storey element under a flat roof with central entrance feature. Each floor

contains two units which each have an aspect to the front and rear. This block sits in a similar footprint to the existing building. Whilst this front block has a slightly larger footprint than the existing (approximately 218 square metres compared with 190 square metres) it is considered to sit comfortably within the street scene, being set back from the highway, behind the position of both adjacent blocks of the flats when viewed from Norton Lane, and set in from the western boundary.

The proposed building has accommodation over three floors under a flat roof, compared with the existing building which also had accommodation over three floors including habitable space within the pitched roof. As a result, the parapet height to this new building mirrors the that of the existing main ridge height, though exceeds the former eaves height.

The replacement building which has a similar scale when viewed from Norton Lane, albeit with a more contemporary detailing will complement the overall character of the surrounding area and sit comfortably within the street scene, with sufficient separation between the adjacent buildings. It remains set back from the road behind both immediate neighbours and set away from the western boundary allowing space between the building and the site boundary ensuring the building does not feel cramped or the site over developed. There are a number of mature trees to the boundary with the highway in front of the proposal which are intended to be retained and new landscaping to be planted, with the boundary wall being retained and blocked up/opened up. The acceptability of the increase in width of the proposal does not rely on the presence of the trees, albeit they will screen the building to some extent.

The block to the rear is set at a lower level taking account of the fall in topography (the front of the site abutting Norton Lane is approximately 2 metres higher than the rear boundary of the site). This block sits perpendicular to the block at the front, and as such views of the block taken from Norton Lane will be minimal as it sits behind the front block. Furthermore, the end gable (west facing elevation) of the front block is to incorporate a green wall, which will soften the development when viewed from Norton Lane.

Looking at the site from within the grounds of the flats adjacent will show the building more readily visible, but this is over a tall boundary wall, and in keeping with the scale and massing of the adjacent 3 storey flats which have pitched roofs in the immediate vicinity.

Good quality materials are proposed which include natural stone elevations, with areas of glazing, timber and green walls, under flat green roofs. The design takes a contemporary approach, with central entrance features serving each block, with projections on either side including terraces/balconies. High quality detailing will be required in terms of windows, doors, rainwater goods, window reveals etc, and samples of all materials including the stone to ensure the quality can be secured through relevant conditions.

-Impact on Heritage Assets

The Council has a statutory duty contained under sections 66(1) and 72(1) of the

Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving heritage assets and their setting or any features of special architectural or historic interest which they possess

Chapter 16 of the NPPF considers the conservation and enhancement of the historic environment and states that when considering the impact of a development on the significance of a heritage asset, great weight should be given to the asset's conservation, and paragraph 200 requires that any harm to the asset from development within its setting should require clear and convincing justification.

Policy BE19 of the UDP expects that proposals for development within the curtilage of a building or affecting its setting will preserve the character and appearance of the building and its setting.

It is considered that the listed building policies within the UDP reflect and align with the guidance in the NPPF, and therefore are considered consistent with the NPPF and so can be afforded significant weight.

The closest listed building is Chantrey House/Cottage (also known as Maugerhay) which is located to the south of the site and is Grade II built in the early and mid-18th Century with late 20th Century additions and alterations. This building is accessed via a long driveway from Norton Lane running adjacent to the western boundary of the site but is not visible and plays no role in the street scene. The listed building has more of a presence onto Cypress Avenue but this is behind a tall stone wall with mature landscaping above.

It is often the wider street scene which contributes to the special interest of a listed building. However, in this instance the listed building does not play an active role in the appearance of the adjacent street scenes being hidden mostly from view. Furthermore, the listed building is surrounded on all sides by existing 3 storey blocks of flats and this proposal will not impact on its setting, and not be read in the same context.

Other nearby listed buildings include the West Entrance Lodge which is located further along Norton Lane to the east. Whilst you can see the lodge from the front of the site, the proposed site is not read as affecting the setting of the building, as there are already blocks of flats between the lodge and the application site.

The closest conservation area is Oaks Park conservation area, and again, the site is not considered to impact on its setting being sufficient distance away.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, greater weight should be given to the asset's conservation. Paragraph 200 specifically states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Significance can be harmed or lost through development within its setting. Paragraph 202 goes on to say that where a proposed development will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where

appropriate, securing its optimum viable use.

In this instance, it is considered that this well-designed building will not create any harm to the character of any nearby conservation area, or the setting of any nearby Listed Building, and no public benefits need to be demonstrated.

Therefore, it can be concluded that overall the proposal is acceptable in respect of UDP and NPPF policies, and Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990.

#### -Living Conditions

Policy H14 'Conditions on Development in Housing Areas' part (c) requires that new development in housing areas should not cause harm to the amenities of existing residents. This is further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice guidelines and principles for new build structures and their relationship to existing houses.

Policy H5 'Flats, Bed-sitters and Shared Housing' of the UDP states that planning permission will be granted only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

The NPPF at paragraph 130 Part (f) requires a high standard of amenity for existing and future users.

The UDP policy is therefore considered to align with the requirement of paragraph 130 so should be given significant weight.

#### Impact on Neighbouring Occupiers

The closest neighbouring properties to the application proposal are the flats within the blocks either side of the site (west and east) and Chantrey House/Cottage to the rear.

The guidelines found in the adopted Supplementary Planning Guidance on Designing House Extensions are not strictly applicable in this instance owing to them relating to house extensions. However, they do suggest a number of detailed guidelines relating to overbearing and overshadowing, privacy and overlooking, and appropriate garden sizes. These guidelines include a requirement for two storey dwellings which face directly towards each other to have a minimum separation of 21 metres. Two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window, and a two-storey extension built along site another dwelling should make an angle of no more than 45° with the nearest point of a neighbour's window to prevent adverse overshadowing and overbearing. These guidelines are reflected in the South Yorkshire Residential Design Guide (SYRDG), which Sheffield considers Best Practice Guidance, but which is not adopted as Supplementary Planning Guidance.

#### -Overlooking

Main habitable windows and balconies are proposed in the front and rear elevation of the block positioned to the front of the site, with no openings in the side elevations. Occupiers of the front block will not therefore overlook occupiers of the adjacent sites.

The block positioned towards the rear of the site is pulled in from the side boundaries, and has windows and balconies which look to the east and west. The adjacent properties to the west are flats which have a blank gable facing the site which are set away from the boundary (with the driveway to Chantrey House/Cottage between). There is sufficient distance between the two buildings (approximately 30 metres) and 'facing' windows are set at 90 degrees to each other, preventing overlooking.

To the east is a three storey block which has a blank gable closest to the site, with three windows in a set back section of the building. There is 21 metres between these windows and mature landscaping.

No windows are proposed in the south facing elevation towards Chantrey House/Cottage, however amended plans have been received which show privacy screens added to the smaller balconies in the east facing elevation of the building closest to the rear boundary, which will ensure no adverse overlooking is created when occupiers use these areas.

The flats do have an aspect over the existing tall boundary walls to either side, to public areas containing car parking, access road and open amenity space serving the blocks of flats adjacent, however this is not considered to cause an unacceptable level of overlooking.

#### -Overbearing and overshadowing

The flats to the west have a blank gable facing towards the site, and no adverse overbearing or overlooking will be created from the proposals.

The same applies to the flats to the east which have a blank gable towards the site, or have limited windows which are not directly in front of the proposed buildings, or are sufficient distance away from the proposals.

The proposals are north of Chantrey House/Cottage to the rear so will not create any adverse overshadowing, with approximately 21 metres between the two buildings and therefore no detrimental overbearing.

All other properties including those properties further along Norton Lane are considered to be sufficient distance away from the proposed buildings so that no detrimental overbearing or overshadowing will be created by the proposal.

#### Amenity for Future Occupiers

The South Yorkshire Residential Design Guidance suggests between 62 and 66 square metres as a minimum for a 2 bed unit. In this instance, each of the units it

approximately 85 square metres. In addition, occupiers of each unit have access to two balconies/terraces which amounts to approximately 8.5 square metres of private external space. There is also an area of shared amenity space in the southeast corner of the site.

Amended plans have been received showing privacy screens added to the east facing elevation balconies on the rear block which are closest to the front block to ensure no adverse overlooking to occupiers of the front block.

Therefore it is considered that the proposed dwellings provide a good outlook from main habitable rooms, providing good quality living accommodation for future occupants with sufficient amenity space.

The application complies with policies H14 and H5 of the UDP and paragraph 130 of the NPPF.

#### -Highways

Policy CS51 'Transport Priorities' identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

UDP Policy H14 'Conditions on Developments in Housing Areas' part (d) requires that permission will be granted where there would be appropriate off-street car parking for the needs of the people living there.

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

Those local policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 107 and 108 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

The site at present has a vehicular access from Norton Lane. This application proposes to create a new vehicular access towards the western boundary of the site and to block up the existing access. As regards to the safety of the new proposed access, it is acknowledged that Norton Lane is a busy road which experiences queuing traffic at peak times. The scheme has been designed so that the access is wide enough to allow for cars to enter and exit the site at the same time, with more than adequate sight lines provided in the highway to serve the new access. This arrangement is similar to that adjacent which serves the 14 flats to the west of the site.

There will be no significant increase in traffic along Norton Lane generated from the proposal for 14 units compared to the existing traffic flows, and this would not materially impact on the operation of the surrounding streets. It is not considered to be a significant or severe highway safety concern, and not dissimilar to that at adjacent accesses.

With regard to parking spaces, the Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53. Outside of the city centre, a 2-3 bedroom house would have a maximum of 2 spaces, in addition 1 visitor space per 4 houses should be provided. For this scheme it would therefore be 31 spaces based on 2 spaces per unit and 3 visitor spaces. It is noted however that the NPPF seeks to avoid imposing maximum standards unless necessary for managing the road network or increasing density.

A greater level of parking provision may have an impact on the density that is able to be achieved on the site, conflicting with wider aims to achieve optimum use of the land at a time of a lack of 5-year housing supply. Reduced parking provision, i.e. the setting of maximum standards is not however necessary to manage the road network. The key issue therefore is whether the level of parking provision is likely to lead to highway safety concerns.

This application proposes 17 parking spaces in total which includes two disabled spaces, and this amounts to 1 space per unit and 3 visitor spaces. This is an approach that is consistently taken on similar schemes for two-bedroom units which are within the main urban area, accessible by public transport. In addition, the adjacent highway, Norton Lane, where typically overspill parking would occur, is the subject of traffic regulation orders preventing parking on the highway (double yellow lines) so a highway safety issue is unlikely to occur as a result of any concerns around an under provision of parking.

Secure cycle parking is provided between the two buildings which is welcomed and will encourage a different mode of transport.

The infrastructure is proposed for electric charging facilities for each parking space to be provided, which would allow for future residents to provide the connection.

On this basis, the proposal is considered to comply with UDP, Core Strategy and NPPF policies as listed above, and would not have the level of impact that would justify refusal of permission on highway safety grounds as required by the NPPF.

-Other Matters

-Sustainability

Policy CS63 'Responses to Climate Change' of the Core Strategy sets out the overarching approach to reducing the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is

sustainably located.

- Adopting sustainable drainage systems.

At the heart of the NPPF, there is a presumption in favour of sustainable development (paragraph 11), with paragraph 152 stating that the planning system should support the transition to a low carbon future in a changing climate.

This application proposes to incorporate sustainable drainage systems, through green roofs to both blocks which will result in a reduced surface water run-off rate from the site and infiltration (see Drainage Section below) thereby assisting with reducing flood risk.

Electric vehicle charging facilities are proposed. The infrastructure will be put in place during construction works, to allow individual apartment owners to have their own charging point allocated to their parking space, which takes advantage of Government grants available to individuals.

Policy CS64 'Climate Change, Resources and Sustainable Design of Development' sets out a suite of requirements in order for all new development to be designed to reduce emissions. In the past residential developments had to achieve Code for Sustainable Homes Level Three to comply with Policy CS64. This has however been superseded by the introduction of the Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 'Renewable Energy and Carbon Reduction' of the Core Strategy sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions. This is supported by Paragraph 157 of the NPPF and therefore can therefore be given substantial weight.

New developments are expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach where this is deemed to be feasible and viable.

A fabric first approach is to be implemented in this instance, which will see a high performing insulated building envelope with low energy lighting and natural ventilation.

Relevant conditions can be attached to any approval to ensure that these features are provided and the 10% target is met.

Overall, it is considered that the proposal meets the local sustainability policy requirements, CS63, CS64 and CS65 and the NPPF.

-Access

The requirements of Policy H7 'Mobility Housing' of the UDP have been superseded by the Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time as these standards are not part of an up-to-date local plan.



H15 'Design of New Housing Developments' within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout, all buildings and approaches will benefit from level access. It is expected that all building entrances, ramps, steps, footpaths, lifts, mobility car parking spaces will be designed to meet current standards. Amended plans have been received showing an external lift to allow level access from the block at the front to the block at the rear and the shared amenity space. This is preferable, rather than relying on using the driveway.

Based on the above the proposals are considered to offer a suitable response from an access perspective.

### Ecology and Biodiversity

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.

NPPF paragraph 174 a) and d) identifies that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 180 a) identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 180 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Local policy aligns with the NPPF and is therefore relevant to this assessment.

The site at present is a residential property within landscaped grounds. There is a tall boundary wall running around the entire site (with the exception of the gates onto Norton Lane), and therefore it is unlikely to contain any protected mammals.

The NPPF seeks to incorporate bio-diversity improvements in new developments, and in this instance green roofs and a green wall are proposed along with retaining a number of trees on the site, with a new planting scheme proposed. In addition, a condition on any approval can ensure details of additional features such as bat and bird boxes are submitted to be incorporated on the new buildings/landscaping.

In this instance, the proposed development is in line with paragraph 174 of the NPPF and UDP policy, having considered bio-diversity net gain.

### Landscaping

UDP Policy GE15 'Trees and Woodlands' within the UDP states that trees and

woodlands will be encouraged and protected. Policy BE6 (Landscape Design) expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

CS74 'Design Principles' part (a). requires high-quality development that will respect, take advantage of and enhance natural features of the City's neighbourhoods.

These policies are considered to align with the NPPF and therefore be relevant to this assessment on the basis that paragraph 130 expects appropriate and effective landscaping, along with sympathetic developments including landscape setting.

The site is not within a conservation area and does not contain any trees with Tree Preservation Orders (TPO's) on them. It is intended to retain as many of the trees along the perimeter of the site as possible. Trees within the site will have to be removed to facilitate the development, including along the front to create the new access. Whilst some of these are mature, they are not protected and their loss will not have an adverse impact on the visual amenity to the local area.

A comprehensive soft landscaping scheme for the new development is proposed including green walls and green roofs and replacement planting. The existing access is to be blocked up and new planting added.

The proposal complies with paragraph 130 of the NPPF and UDP policy.

#### Flood Risk/Drainage

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. It seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also seeks to reduce the extent and impact of flooding through a series of measures including limiting surface water runoff, through the use of Sustainable drainage systems (Suds), de-culverting watercourses wherever possible, within a general theme of guiding development to areas at the lowest flood risk.

Policy CS67 is considered to align with Section 14 of the NPPF. For example, paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided and development should be directed away from areas at the highest risk. Paragraph 167 states that when determining applications, LPA's should ensure that flood risk is not increased elsewhere with relevant applications being supported by a Flood Risk Assessment. Paragraph 169 expects major developments to incorporate sustainable drainage systems unless there is clear evidence to demonstrate otherwise.

The site does not fall within a high or medium risk flood zone that would affect the principle of the development.

To mitigate for surface water runoff, green roofs are proposed to both blocks, along with permeable paving to all hardstanding areas, including infiltration trenches within the site.

A condition on any approval can ensure that calculations are submitted demonstrating a reduction in surface water run-off and allowing for the 1 in 100-year event plus +30% for climate change.

Therefore the proposal complies with CS67 and paragraph 169 of the NPPF.

### Community Infrastructure Levy

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 4. Within this zone there is a CIL charge of £50 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

### SUMMARY AND RECOMMENDATION

This application seeks planning permission for the demolition of the existing building on the site, and erection of a 14 two-bedroom units within two blocks; a three storey block towards the front of the site, with a 4 storey block to the rear.

Sheffield has updated its 5 year housing land supply position to reflect the deliverability of sites as at 1 April 2021 and in relation to the local housing need figure at that date taking account of the 35% urban centres uplift. Using up to date evidence, Sheffield can demonstrate a 4 year deliverable supply of housing land, with details set out in the 5 Year Housing Land Supply Monitoring Report.

Therefore 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 should be considered as automatically out-of-date according to paragraph 11(d) of the Framework. The so called 'tilted balance' is therefore triggered, and planning permission for housing should 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.

The proposal would deliver a number of benefits, with the NPPF emphasising the importance of delivery of housing. The provision of 13 additional homes (taking account of the loss of the existing dwelling on the site) will contribute to meeting the current shortfall. There would be economic benefits through expenditure of construction, in the supply chain, and in local spending from residents. There are a number of sustainable design features including green walls, green roofs, infrastructure for electric car parking, sustainable drainage systems (SUDS's).

The proposal is not considered to create any significant or severe highway safety issues. The scheme proposes a development at an appropriate scale and mass which sits comfortably within its street scene, and a high quality contemporary scheme. There are no adverse impacts on occupiers of neighbouring properties.

In addition, there is no harm to nearby heritage assets and therefore no public benefits need to be demonstrated, albeit there would be public benefit from the delivery of housing.

There are therefore no adverse impacts that would significantly and demonstrably outweigh the benefits of the development. Taking into account the tilted balance set out in paragraph 11(d) of the Framework, the application is recommended for approval subject to conditions.



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