

Case Number	21/00407/FUL (Formerly PP-09446351)
Application Type	Full Planning Application
Proposal	Demolition of cartshed and erection of a dwellinghouse (relating to plot 11 of existing planning permission 18/03187/FUL)
Location	Totley Hall Farm Totley Hall Lane Sheffield S17 4AA
Date Received	29/01/2021
Team	South
Applicant/Agent	Artreum 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:

- Drawing Number 1014-01-01-01 REV B (SITE LOCATION PLAN) published 15.12.2021
- Drawing Number 1014-01-01-04 REV B (PROPOSED STREETSCENES) published 11.11.2021
- Drawing Number 1014-01-01-03 REV A (PROPOSED FLOOR PLANS & ELEVATIONS) published 06.01.2022
- Drawing Number 1075-009 REV - (UNIT 11 - PROPOSED FOUNDATION WORKS) published 15.12.2021

Reason: In order to define the permission.

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

3. Any remediation works recommended in the Lithos Report Ref: 3646/1a; Dated January 2021 - Phase II Intrusive Site Investigation Report approved under Application Reference 18/03187/Cond1 shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The Report

shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

4. 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.

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

5. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

6. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

7. The development shall proceed in accordance with the details of foul and surface water drainage disposal as approved under 18/03187/COND1 and 18/03187/COND2 in pursuit of **Page 96** Conditions 6, 23 and 25 of 18/03187/FUL.

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.

8. The development shall proceed in accordance with the details of archaeological investigation as discharged under 18/03187/COND1 in pursuit of Condition 7 of 18/03187/FUL.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

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

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

10. The dwellinghouse shall not be occupied until the highway improvements as approved under Condition 13 of 18/03187/FUL, via Application Reference 18/03187/COND1 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 dwellings approved are brought into use and the dwellings shall not be brought into use until the highway improvements listed below have been carried out.

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.

11. Samples of all proposed external materials and finishes, including windows, doors, heads and cills, shall be submitted to and approved in writing by the Local Planning Authority before 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.

12. 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 the commencement of development:

Windows

Window reveals

Rooflights

Doors

Eaves and verges

External wall construction

Rainwater goods

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

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

13. 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.

14. The design and location of all new external light fittings shall be approved in writing by the Local Planning Authority prior to installation. Thereafter the development shall be carried out in accordance with the approved details.

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

15. The development shall proceed in accordance with the details of hard and soft landscaping as approved under 18/03187/COND1 in pursuit of Condition 21 of 18/03187/FUL.

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

16. Bat boxes (1 x No) and bird boxes/nest cups (2 x No) shall be provided within the site prior to occupation in accordance with details to have first been submitted to and approved in writing by the Local Planning Authority. Thereafter these features shall be retained.

Reason: To protect opportunities for wildlife.

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

Reason: In the interests of the visual amenities of the locality it is essential for these works to have been carried out before the use commences.

### **Other Compliance Conditions**

18. All removal / demolition works affecting the northern elevation of the remaining cart shed building shall be carried out in full accordance with the details identified in Section 4.2.1 (Method Statement) of the QUANTS Environmental Totley Hall Farm, Sheffield, South Yorkshire - Updated Bat Survey Report June 2021 Reference No. 1571-2 Version 1.

Reason: To protect opportunities for wildlife.

19. All rooflights shall be conservation style whereby no part of the rooflights shall project above the surface of the roofing slates unless otherwise approved in writing by the Local Planning Authority

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

20. The development shall not be occupied unless the hardstanding areas of the site are constructed of permeable/porous materials. 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.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (and any order revoking and re-enacting the order) no additional windows or other openings shall be formed in the elevations of the building hereby permitted without the prior written consent of the Local Planning Authority.

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

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, Part 1 (Classes A to E inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwelling shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: To ensure that the traditional architectural character of the dwellings is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

23. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

24. Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

25. All works within the root protection zones of trees to be retained shall be conducted using hand tools only.

Reason: In order to limit the damage to retained tree root systems

26. Unless otherwise approved by the Local Planning Authority the site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: To ensure satisfactory drainage arrangements.

27. Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no building shall

be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

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

# Site Location



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## LOCATION AND PROPOSAL

The site is located on the western side of Totley Hall Lane within the Totley Conservation Area. The site rises quite steeply from Totley Hall Lane towards Totley Hall Croft.

The current application site forms part of a wider site, which previously formed a small farmyard complex occupying a total of approximately 0.41 hectares.

To the north of the site is a combination of farm conversion and new build dwellings, formerly Hall Lane Farm, and now known as Totley Mews. This development received permission in 2006.

To the west are late C20th two-storey dwellings of Totley Hall Croft. The nearest rear elevation is approximately 15 metres from the site boundary.

The main body of the current application site lies in the northwest corner of a broader site, and features a cart shed building. The broader site, including the current application site, already benefits from permission (full planning and listed building consent) for conversion of the original farmhouse into dwellings, and for the erection of 4 detached dwellinghouses. As part of these previous permissions the cart shed was approved to be converted to a two bedroomed dwelling. The previous approvals have been implemented and construction works are underway.

The current application instead seeks permission for removal of the cart shed, and construction of a two bedroomed dwelling in its place. It would continue to be accessed from Totley Hall Lane, using the wider site's point of access.

## REPRESENTATIONS

After direct neighbour notification, the placement of site notices and publication of a press advertisement relating to the application 12 representations were received from 7 addresses. They are summarised as follows:

### Design Issues

- Any new dwelling should match the existing building's materials, footprint, height and scale. Proposal building exceeds size of what was previously approved. Forms 2.5 storeys, instead of approved 1.5 storeys. Would be up to half a metre wider than original. Involves building up ground levels by around 1 metre from existing. Proposal shows new gable constructed in artificial stone.

Overall, increase in density on an already too dense site.

- More accommodation is proposed, than was previously approved.
- Failure to comply with NPPF which seeks high quality and sensitive design.

### Conservation Issues

- Cart Shed is of historical interest, built in 1780 and identified as a Building of Townscape Merit in Totley Conservation Area Appraisal. Conflicts with previously submitted documentation.

- English Heritage and Planning Policy Guidance Note 15 stress importance of protecting such buildings.

- Any issues with building would have been known at its purchase. Building's condition is no different from the previous application. Original land levels have also not changed since original application.

- Construction of a modern dwelling in proximity to the 18<sup>th</sup> century farmhouse alters ambience.

## Neighbour Amenity

- Rebuilding any higher would obscure view / change outlook (raised by occupier of 21 Stocks Green Drive). Exacerbated by elevated level of application site (compared to 4 Totley Hall Croft).
- Windows will lead to overlooking (raised by occupier of 21 Stocks Green Drive).
- Removal of trees will result in view of a new housing estate, and not heritage buildings.
- Proximity to boundary leads to dominating / overbearing impacts created by the larger size of the building compared to the pre-existing.

### Trees / Landscaping

- Building will sit under the adjacent, large mature tree, within the canopy and cause it damage. Trees important for biodiversity and clean air.
- Woodland Trust have advised a neighbour to contact Planning Department, as to whether trees' root protection areas (in light of the relevant British Standards) have been considered as part of application.
- Tree T15 is referred to in the initially submitted Tree Survey as including defects. When these were addressed in September 2018 it deemed to be ok and it was advised further cutting would destabilise tree. Any works to this tree should be rejected. T15 is home to a squirrel family, so removal would harm wildlife. The identified children's play area no longer exists, so report is out of date. Tree Report covers changes in levels, but drawings don't make these clear, which is a deliberate attempt to mislead. Any level changes near to T15 would harm/kill it.
- September 2021 Tree Survey refers to Tree T2 as being in land 3m higher than the site, when level difference is just over 1m. So proposed works / excavations are likely to undermine integrity and stability due to proximity.
- Conflict with UDP policy GE11 and Planning Guidance (Guideline 7).

## Ecology

- Anecdotal evidence that bats and red-list birds nest on site, and potentially inside Cart Shed.

## Other Issues

- Drawings show number of changes to the level of Plots 12 and 13 (units 8 and 9) from the previous approval, which will need further planning permission.
- Site Location Plan appears to include some land not under the Applicant's ownership.
- Street scene drawing (submitted in July 2021) shows an error in floor level height detail. Also, the proposal is larger than existing building but is shown as matching / similar.

## STANDARD LETTER

26 signed copies of a standard letter have been submitted. The comments made are summarised as:

- Totley Conservation Area identifies building as a Building of Townscape Merit. English Heritage advice states Cart Shed makes a positive contribution to the character and appearance of the Conservation Area. The CA appraisal identifies that such buildings give the area its special architectural and historic interest, and there is a presumption these features should be preserved and enhanced as required by legislation.
- English Heritage and Planning Policy Guidance Note 15 stress importance of protecting such buildings.

- The adjacent way tree (i.e. a prominent tree, presumed to have historically been used for navigation – explanatory note added by Planning Officer) is of local historic interest. Query who would be liable for property damage/injury/death.
- Anecdotal evidence suggests bats and red list birds nest on site and potentially inside the Cart Shed. A full bat survey should be done / shared before any decision is undertaken.

A 2<sup>ND</sup> standard letter has been signed by 1 person also. It is summarised as:

- The designation of the Conservation Area requires special attention to be given to desirability of preserving or enhancing the character or appearance of the Conservation Area.
- CA appraisal identifies Cart Shed as a Building of Townscape Merit. English Heritage advice judges building to make a positive contribution to the character and appearance of the conservation area. English Heritage and Planning Policy Guidance Note 15 stress importance of protecting such buildings.
- CA Appraisal states these features which give architectural and historic interest should be preserved and enhanced. Also, that the Conservation Area is designated because of such features and recognises significance of Totley Hall Farm in context of area's architectural and historic interest.
- Affects structural integrity of significant trees (in particular the way tree). Construction adjacent to the way tree's rootball. Query who would be responsible for damage arising from trees' limb collapse.
- Impacts on protected species (ie bats, nesting swallows and hedge sparrows- rare breed), which nest on site and potentially in Cart Shed. Full bat survey should be undertaken.

## PLANNING ASSESSMENT

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

The National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure that new development is sustainable.

The Council's development plan comprises the Core Strategy which was adopted in 2009 and provides the overall spatial strategy for the period of 2008 to 2026 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998.

Whilst the UDP pre-dates the NPPF, the policies should not be considered out-of-date and should be given due weight, according to their degree of consistency with the NPPF. The NPPG provides further guidance on this but it does state that it is up to the decision-maker to decide the weight to give to the policies.

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

Paragraph 11 of the NPPF also makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites, the policies which are most important for determining the application will be considered to be out of date. At this current time, the Local Planning Authority cannot demonstrate a five-year supply of sites for housing and therefore there is a presumption in favour of the development. The Framework states that developments should be approved unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development.

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 continues to be located in an allocated Housing Area as defined in the Adopted Unitary Development Plan. As such the principle of redevelopment of the former cart shed building for housing purposes is considered to accord with policy H10.

As mentioned above, the Council cannot currently demonstrate a 5 year supply. However, as was the case with the car shed element of the previous approval, the proposed dwelling would continue to represent a small but positive contribution towards the Council's housing supply, and this should be afforded appropriate weight as a material consideration.

Paragraph 69 of the revised NPPF also sets out that 'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'. Paragraph 119 promotes the effective use of land and the need to make use of previously-developed or brownfield land.

Core Strategy Policy CS23 (Locations for Housing Development) states new housing will be concentrated where it supports urban regeneration and makes efficient use of land and infrastructure.

Core Strategy Policy CS24 states that no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that housing on greenfield sites will only be developed in certain circumstances, including within or adjoining urban areas, as long as annual monitoring shows that there is less than a five year supply of deliverable sites. Completions of properties have not reached the stated 12% threshold.

This policy accords with the NPPF's provisions as the proposal uses a brownfield site, although even if the site were to be considered 'greenfield', completions of properties have not reached the stated 12% threshold. Consequently, there would continue to be no conflict with CS24.

So despite being restrictive policies, CS23 and CS24's broad principles are reflected in NPPF para 119 and so the relevant parts of the policies can be afforded substantial weight.

The location of the development means that it continues to comply with CS23 and CS24, and para's 69 and 119 of the NPPF.

The land continues to be considered as 'previously developed' (brownfield) land. As such the proposed development would continue to make efficient use of the site, in accordance with NPPF para's 125 (c).

Policy CS26 specifies density ranges for new housing developments. Subject to protecting the character of an area, at least 40-60 dwellings per hectare are normally expected in Housing Areas such as this (the site lies within 400 metres of high frequency bus route in an urban area). The policy closely aligns to the NPPF and so is afforded significant weight.

The density of the overall, wider development would continue to be approximately 27 units per hectare. So, whilst the proposal would result in development outside of the specified range in CS26, this continues to be considered acceptable because of the area's characteristic, which includes two storey residential buildings with older cottages and farmhouses, several of which are listed. As a result, the proposal reflects the general character of the area and is considered to continue to represent a good balance between efficient use of land and the surrounding context.

Consequently, CS26 and NPPF para 125 (c) would continue to be met.

#### Design Issues and Conservation Area Impacts

The NPPF advises at Paragraph 130 that planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; and
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

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.

Policy BE5 of the UDP states that the new buildings should complement the scale, form and architectural style of surrounding buildings as well as preserve and enhance the conservation area within which they are sited.

Policy H14 states that new development should be (a) well designed and in scale and character with neighbouring buildings, and (c) not result in the site being over-developed.

Policy CS 74 (Design Principles) within the Core Strategy states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

These local, design-based policies closely accord with the requirements of the NPPF, and so are afforded significant weight.

The NPPF at Paragraphs 199-202 seeks to protect and enhance conservation areas as a designated heritage asset. Paragraph 202 states that where a development proposal

will lead to less than substantial harm to a conservation area, this harm should be weighed against the public benefits of the proposal.

At Paragraph 203 the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account, and that a balanced judgement having regard to the scale of any harm/loss and the significance of the asset is required.

Policy BE15 states that buildings and areas of special architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced and that development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.

Policy BE16 states that in Conservation Areas permission will only be given for proposals which contain sufficient information to enable their impact on the Area to be judged acceptable and which comprise development which would preserve or enhance the character or appearance of the Conservation Area.

Policy BE17 states that In Conservation Areas and Areas of Special Character a high standard of design using traditional materials and a sensitive and flexible approach to layouts of buildings and roads will be expected.

Policy BE20 states that the retention of historic buildings which are of local interest but not listed will be encouraged wherever practicable.

Whilst there are parallels between the aims of local and national heritage policy. Local policy does not however include the Frameworks requirement to balance potential public benefits of a scheme against any harm caused to the significance of a designated heritage asset. On that basis the weight that can be attributed to local policy is reduced.

#### a) Demolition

The Cart Shed is identified within the Totley Conservation Area Appraisal as a Building of Townscape Merit. As part of the previous application, it was considered to have some heritage value, and as part of the pre-application advice given at that stage, its retention was advised. However, as part of the previous approval it was acknowledged that there was limited structure present, and that the introduction of large areas of glazing to the front elevation and the cladding of the remainder of the elevation in timber was acceptable. The Design and Access Statement previously provided stated that the cartsheds "damaged and falling stone walls and slate roofs will be repaired with like-for-like as part of the works".

However, after further investigation by the developer's engineer it is argued that the cart shed is not capable of being converted. It is explained that there is full height cracking at the junctions between side and rear walls, with separations between them and significant movement in the rear wall (i.e. circa 1metre vertical variation from floor to eaves). It is therefore argued that the wall which was previously proposed to be retained is not structurally capable of retention.

The applicant's Heritage Impact Assessment adds that there is an extension attached to the original cartshed, which uses modern and unsympathetic materials and has detrimental impacts on the original building's level of significance. It is also commented that the cart shed has been affected by the extent of rebuilding, and that overall it lacks architectural interest. Further to this, it is stated that the scale of the building and its utilitarian appearance detracts from the setting of the listed farmhouse and traditional farm buildings.

The Conservation Officer has reviewed these documents, and it is agreed that the building's 'townscape merit' designation is not sustainable and that the removal of the building does not undermine the value of the Conservation Area. In light of the limited amount of the cart shed which was to be retained, it is considered that it would not be reasonable to insist upon the cart shed's retention and that a refusal based upon these grounds would not be able to form a supportable reason for refusal.

It is therefore considered that the removal of the elements of the cart shed which were identified as remaining in the last application, would represent the removal of a relatively limited amount of structure and that the remaining amount of structure constitutes only low significance as a heritage asset.

On this basis, it is considered that the removal of the remaining portions of the cart shed would not conflict with NPPF para 203 or UDP policy BE20.

#### b) Scale

The proposed dwelling would exceed the height of the cart shed by approximately 1.0 metres at its ridge and eaves levels. This is not considered to constitute a significant height increase, within the context of the wider development. The proposed building's ridge line would not exceed the ridge level/s of the two detached units at Plots 12 and 13 within the previous approval, located towards the site's western boundary. Similarly, only a portion of the proposed ridge line would exceed the ridge height of Plot 10, the approved unit to the east of the current site.

It is not considered that the proposal would appear disproportionately tall in this location, given the adjacent buildings' heights.

The scheme is considered acceptable in this respect.

#### c) Overarching Design Considerations

The design of the proposed dwelling has developed through the lifetime of the current application. The fenestration arrangements now closely mirror the approved scheme, which helps to minimise the domestic character of the resulting appearance. The garage doors are confirmed as being vertical timber. Slate roof tiles are proposed, and a natural stone such as that approved for use as part of the new builds within the broader site will be required to be used as additions to the stone reclaimed during demolition works.

The amendments are considered to result in an acceptable design.

Given the above the demolition, the scale and proposed details of the amended scheme are considered to preserve the wider heritage of the area. Accordingly, the proposal is considered to be satisfactory with regards to policies BE5, BE15, BE16, BE18, BE20, H14 and CS74. It would also comply with the NPPF's relevant aspects as highlighted above.

The loss of the non-designated heritage asset is considered to avoid any harmful impacts, and the proposal is also considered to not have harmful impacts upon the Conservation Area. As a result, there would not be considered to be any heritage grounds on which to resist the application.

#### Living Conditions

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

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.

H14 accords closely with the NPPF and is given significant weight.

#### Impact on Neighbouring Occupiers

Num 20 Totley Hall Croft is located immediately to the west of the application building. The separation between Num 20 and the subject building would be approximately 18.5 metres.

The proposal's western portion would be approximately 1.0 metres taller to its ridge and eaves than the cart shed building and the previously approved unit. The site level is also below the garden level at Num 20 Totley Hall Croft. A retaining wall supports this level differential, and Num 20 has a 1.8 metre (approx.) tall garden fence above this level. Therefore, the boundary fence would screen the proposal, leaving only the upper section visible (approximately 2.8 metres in height), most of which will be in the form of the diminishing width gable. This alteration is not considered to represent a significant additional impact compared to the pre-existing cart shed and/or previous approval.

The proposal would not lead to any overlooking towards Num 20 Totley Hall Croft, as there are no openings in the respective end elevation.

23 Stocks Green Drive is located to the northwest of the proposed building. It would be separated from the proposal by a minimum of 9 metres. The two sites are not adjacent, as they are separated by some intervening land. Num 23 is set on land elevated above the level of the subject building. Whilst the separation is relatively modest the elevated level of the neighbouring site, and the limited extent of the proposed vertical increase, means that overbearing impacts upon this neighbouring dwelling would not be generated.

The facing roofslope includes five rooflights. These do not serve space at 1<sup>st</sup> floor level, instead providing additional light to the ground floor level. As such views from these windows would be towards the sky, and wouldn't enable overlooking towards Num 23 Stocks Green Drive. Consequently, the privacy of occupants at Num 23 Stocks Green Drive would not be created.

Num 4 Totley Hall Croft is located to the northeast / east of the proposed building. It is a minimum of approximately 12.5 metres from the proposed building and includes a secondary window (looking onto a car parking area) and entrance door in its relevant facing elevation. At its rear there also appears to be a compact amenity area. This neighbouring property is at a level below that of the application site. The relevant, eastern portion of the proposal includes an increase in ridge height of 2.1 metres (approx.) and eaves height of 1.0 metres. Whilst the site is at an elevated level, this relatively limited additional height, as well as the lack of any primary openings facing the site, lead to the conclusion that there will not be any significant overbearing impacts to this neighbour.

#### Proposed Occupier

The proposed unit would continue to provide two bedrooms. Appropriate outlook and natural light would be provided, and there would also be an area of external amenity

space to the unit's front. These arrangements closely mirror the previously approved details.

It is considered that the proposed unit will offer good quality accommodation and that amenities of neighbouring properties will not be adversely affected to a significant degree.

The proposal therefore complies with policy H14 and para 130 of the NPPF.

### Landscape Issues

UDP Policy GE15 'Trees and Woodlands' states that trees and woodlands will be encouraged and protected by planting trees and requiring developers to retain mature trees.

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 on the basis that paragraph 130 expects appropriate and effective landscaping and paragraph 131 recognises the contribution of trees to the quality of urban environments.

A tree report has been provided which reveals the following:

- Two sycamore trees (T1 and T2) to the south/west of the cart shed. These are identified as being 'Category B' trees, so of good quality with significant life expectancy.
- A group (G3) featuring a number of trees such as ash and sycamore, and a standalone ash (T4) to the north of the site. They are considered to be unsuitable for retention with a <10 year life expectancy. To the north is also a goat willow (T5), is identified as low or average quality.
- To the north east of the building is a sycamore (T6), identified as of good quality. It is this tree which is identified in the Conservation Area Appraisal as being a 'Prominent Tree' and assumed to be the tree referred to in a number of neighbour's representations as a 'way marking' tree.

The Council's Tree Officer has reviewed the Tree Survey, and advises as follows: Sycamore T1 lies in the rear garden area of unit 9, and the land levels adjacent to it are not proposed to be different from the previous approval. The forecourt area of the current proposal is set at a higher level than previously approved, but this will not affect the tree in question.

Sycamore T2 is located in close proximity to the proposed unit in the garden of Num 20 Totley Hall Croft. Additional drawings have been provided which make clear that the existing retaining wall is to be kept, and that this will ensure that there will not be any detrimental impacts upon the health and vitality of T2. Some limited additional downward excavation (compared with that already approved) to form the newly proposed internal floor level would be required adjacent to the boundary wall.

However, this is not expected to have significant implications to the root network of T2.

G3, T4 and T5 are located outside of the site, and are not within a specific property's curtilage. They appear to instead form a part of the setting of the buildings at the adjacent Hall Lane Farm/Totley Mews complex. The trees are not considered to be

worthy of formal protection, confirming the report's statement they are of low or average quality. The report refers to pruning of overhanging branches being necessary. The proposal's proximity to these trees means there would be some potential for root network disturbance, although the relative land levels and existing structures means that this will not be overly significant. It is considered that by minimising root disturbance during construction that they will not be significantly compromised.

T6 is remote from the proposal dwelling, being closer to Unit 10. As such the proposal is not considered to have scope to impact upon this prominent tree, affecting only the very outer parts of the root protection area. Given the separation and the negligible impact on the protection area the proposal does not lead to any potential impacts upon this tree.

Consequently, the proposal is considered to comply with paragraphs 130 and 131 of the NPPF and local policy.

### Archaeology

A condition requiring the submission of a strategy covering archaeological investigation was applied to the previous approval. This condition has been complied with. There are therefore no additional requirements in this regard, although a condition requiring adherence to the measures identified in the strategy will be imposed as part of the recommendation here.

### Highways

The proposal would utilise the previously approved access to Trolley Hall Lane. The proposal will not generate any further vehicle movements than this earlier scheme.

There are therefore no objections to this

A single garage will be provided, instead of the approved car port. For a two bedroom unit this is considered satisfactory.

The proposal is therefore considered to have acceptable impacts, and not lead to any highway safety concerns. As such, it would be in compliance with UDP policies BE9 and H14(d). Additionally, the proposal satisfies the requirements of NPPF paragraph 111, which states development should only be prevented on highway grounds if there would be an unacceptable impact on highway safety.

### Ecology

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

Paragraph 174 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity. The local policy requirement to protect and enhance the nature environment strongly reflects the relevant policy in the National Framework and so can be offered substantial weight.

The key principle of the NPPF is to conserve and enhance the natural environment.

The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Local policy partially complies with the NPPF and is afforded moderate weight.

A Bat Roost Inspection Survey, with additional commentary on Nesting Birds, was submitted as part of the application. This concluded:

- the building had moderate bat roost potential, and so recommended emergence / re-entry surveys were required.
- evidence of nesting birds was found, and works should be undertaken outside of the breeding season / done by a qualified ecologist. Active nests are required to remain undisturbed.

An additional bat survey was undertaken, which featured separate dawn and dusk site surveys. No bats were found emerging or returning during the surveys, and low levels of common pipistrelle activity were recorded throughout the surveys. As it was possible to observe the northern elevation a small potential that bats may roost in the northern elevation was identified. Given this small potential for roosting within the northern elevation, the applicant's ecologist recommends any works affecting the northern elevation are undertaken carefully and with ecologist supervision.

The Council's Ecologist has reviewed these documents, and confirms that the reports are acceptable, giving adequate assessment of the site. It is also confirmed that the works to the northern elevation should be carried out as per the method statement details summarised above.

As enhancement measures, it is recommended that 1x bat box is provided on the building. Similarly 2x bird nest cups for birds are also recommended. Some demolition works of the building have already legitimately taken place through implementation of the previous approval. The previous consent did not condition the carrying out of bat survey / mitigation works, and as such these works were not subject to the requirement for works to the northern elevation to be undertaken with care and under supervision of an ecologist.

It is therefore recommended that conditions requiring that the remaining works comply with the relevant method statement and that bat/bird boxes are installed will be included within the recommendation.

Based upon the above, the proposal is considered to comply with local policy and NPPF requirements in this regard.

### Community Infrastructure Levy

In this instance the proposal falls within Zone 5. Within this zone there is a CIL charge of £ 80 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.

### RESPONSE TO REPRESENTATIONS

The majority of comments have been addressed in the above assessment section. A number of outstanding comments remain, and the following comments are made:

- Comments have been made in regard to Tree T15. However, the current application has no effect on this tree, and so this comment is not pertinent to the current assessment.
- A concern was raised about incorrect level information being given in relation to Tee T2, compared with the site's level. The Landscaping Officer is aware of the

accurate land level details and confirms that based upon the retention of the existing retaining wall there is unlikely to be any detrimental impacts upon this tree arising from the proposal.

- The Applicant's agent investigated the details of the submitted site plan and ownership details. A minor correction was made, and there is no reason to query this further.
- The street scene drawing was amended to include appropriate representation of the previously existing cart shed. A minor error remains on the east facing / end elevation, however, this is not considered significant to the assessment and a further amendment has not therefore been required.
- A comment is made about the levels of Plots 12 and 13 being different from the approved level. This is not related to the current application and would need to form a separate enforcement investigation.
- Future responsibility for trees is queried. This is separate from planning and would instead be a civil matter.

## PLANNING BALANCE

The assessment of this development proposal needs to be considered in light of paragraph 11 of the NPPF, which identifies that when making decisions, a presumption in favour of sustainable development should be applied.

Paragraph 11 goes on to state 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, as is the case here as Sheffield does not benefit from a five year housing land supply, planning permission should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

For the reasons described above, it is considered that it has been demonstrated that there are no significant adverse impacts as a consequence of this application being granted, and that the proposal will continue to provide a single dwelling in place of the single dwelling included in the previous approval.

Furthermore, it is considered that the relevant development policies that are most important for determining this application can still be afforded substantial weight as they accord with the corresponding sections within the NPPF.

## SUMMARY AND RECOMMENDATION

The proposal seeks permission to develop 1 dwelling involving the removal of an existing cart shed. Approval was previously granted for development of the wider site, featuring retention/conversion of the cart shed to form a single dwelling.

Sheffield has updated its 5 year housing land supply position to reflect the deliverability of sites as at 1 April 2021 and can 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 should be considered automatically out-of-date according to paragraph 11(d) of the NPPF. 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 the dwelling would continue to represent a contribution towards meeting the current shortfall.

The proposal is considered to avoid detrimental impacts upon the character of Totley Conservation area. The dwelling would be of an appropriate scale and size, which sits comfortably within the wider development and surroundings, and there are no harmful impacts on occupiers of neighbouring properties. There would be no harmful impacts upon surrounding trees / landscaping features and no highway safety issues would be generated.

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 NPPF, the application is recommended for approval subject to the proposed conditions.