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Case Number	20/00406/FUL
Application Type	Full Planning Application
Proposal	Demolition of 14 garages and subsequent erection of a three/four-storey apartment block (accommodating 4 x 1-bedroomed apartments) with associated parking and landscaping works (Resubmission of planning permission 19/01164/FUL)
Location	Garage Site Between 31 And 37 Meersbrook Road Sheffield S8 9HU
Date Received	30/01/2020
Team	South
Applicant/Agent	House Extension Design 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 no. HED/589/18/e (Proposed elevations) as published on 13 January 2022

Drawing no. HED/589/18/c (Proposed Site Layout) as published on 13 January 2022

The planning agent's submitted correspondence (dated 11 October 2021) with attached proposed floor layout plan and the attached rear elevation plan, all as published on 13 October 2021

The site location plans, as published on 4 February 2020

Reason: In order to define the permission.

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

3. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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.

5. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. 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 lifetime 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.

7. 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 the 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.

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

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

9. Prior to any demolition works commencing, full details of a biodiversity enhancement plan shall be submitted to the Local Planning Authority for written approval. The biodiversity enhancement plan should include sufficient features - as recommended in the Whitcher Wildlife Ltd. Preliminary Ecological Appraisal (PEA) Survey Report - reference 201062/Rev 1. (dated 23rd October 2020). The development shall then be carried out in accordance with the approved biodiversity enhancement plan and the approved features of the plan shall thereafter be retained.

Reason: In order to enhance biodiversity at the site and to meet the aims of the National Planning Policy Framework.

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

10. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance 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.

11. Details of all proposed new 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 and in the interests of visual amenity in the area.

12. Before any above ground works commence or within an alternative timeframe to be agreed by the Local Planning Authority, full details of all boundary treatment works and enclosures at the site (including heights, design and materials) shall have been submitted to and approved in writing by the Local Planning Authority. The details will need to include an acoustic fence along the northwest party boundary (adjacent to no.31 Meersbrook Road). The apartments shall not be occupied unless those details have been submitted, approved and installed to the satisfaction of the Local Planning Authority, and thereafter the approved boundary treatments shall be retained.

Reason: In the interests of the visual amenities of the locality and, in the interests of amenity for the occupiers of adjacent neighbouring properties.

13. Notwithstanding the details shown on the approved plans and, prior to the apartments being occupied, full details of handrails (either free-standing or attached to each of the gable walls) shall have been submitted to and approved in writing by the Local Planning Authority and thereafter the approved handrail details shall be implemented and subsequently retained.

Reason: In order to make the development more accessible for the future occupants and/or any visitors coming to the site.

14. Notwithstanding the details shown on the approved plans and, prior to any of the new apartments being occupied, all the windows located on each of the two gable walls of the new building shall at all times be glazed with obscure glass to a minimum level 4 obscurity.

Reason: In the interests of amenities of the existing neighbouring residents and in the interests of amenity for the future occupiers of this resulting development.

15. The ground-floor level windows and first-floor level privacy screens on each of the 45-degree splayed sections at the rear of the property shall at all times be glazed with fixed non-openable obscure glazing windows/panels to a minimal level 4 obscurity. Once installed, the fixed obscure-glazed windows and panels shall be retained.

Reason: In order to protect the amenities of existing neighbouring residents.

16. Before this stage of works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the cycle parking provision (which shall include details of the actual cycle parking design/fixture type, quantity and enclosure details) shall have been submitted to and approved in writing by the Local Planning Authority and the new living accommodation 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.

17. 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.

18. Before any above ground works commence or within an alternative timeframe to be agreed by the Local Planning Authority, full details of all external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The details will need to include lighting of the rear car-parking area, bin and cycle-storage areas and the rear entrance areas of the site. The apartments shall not be occupied unless those details have been submitted, approved and installed to the satisfaction of the Local Planning Authority, and thereafter the approved boundary treatments shall be retained.

Reason: In the interests of amenity and personal safety of the future occupants of the development and, in the interests and amenities of adjacent neighbouring residents.

## Other Compliance Conditions

19. 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.

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

Reason: To ensure satisfactory drainage arrangements.

21. 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.

22. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

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

Attention is Drawn to the Following Directives:

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

3. 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.

4. The developer should be aware that the size of the development is such that it would be prudent to investigate the ground conditions on the site before proceeding further. Information and advice on ground conditions is available from Building Control, Howden House, 1 Union Street, Sheffield, S1 2SH. If any coal shaft, adit or other coal working is encountered, no work must be carried out without the authorisation of the Local Planning Authority.
5. 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)

6. The applicant is advised to contact the Council's Development Services, Land

Drainage, Howden House, 1 Union Street, Sheffield, S1 2SH(Telephone Sheffield 2735847) to seek approval for the proposed drainage arrangements, as soon as possible, prior to the commencement of development.

7. Formal consent regarding works affecting the water course must be obtained from the Council's Development Services, Land Drainage, Howden House, 1 Union Street, Sheffield, S1 2SH (Telephone Sheffield 2735847) before work on site commence.
8. All drainage must be passed through a suitable petrol/oil interceptor prior to discharge from the site. These matters will be covered in the Building Act submission.
9. Where a direct discharge to a water course is contemplated, or the proposal lies within a water catchment area, it will be necessary to provide a secondary form of treatment (a filter) to the satisfaction of the Main Drainage Section.
10. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
11. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
  - Reference to permitted standard hours of working;
  - 0730 to 1800 Monday to Friday
  - 0800 to 1300 Saturday
  - No working on Sundays or Public Holidays
  - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
  - A communications strategy for principal sensitive parties close to the site.
  - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
  - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
  - Vibration.
  - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
  - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
  - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
  - Details of site access & egress for construction traffic and deliveries.
  - A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [eps.commercial@sheffield.gov.uk](mailto:eps.commercial@sheffield.gov.uk).

12. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

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

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

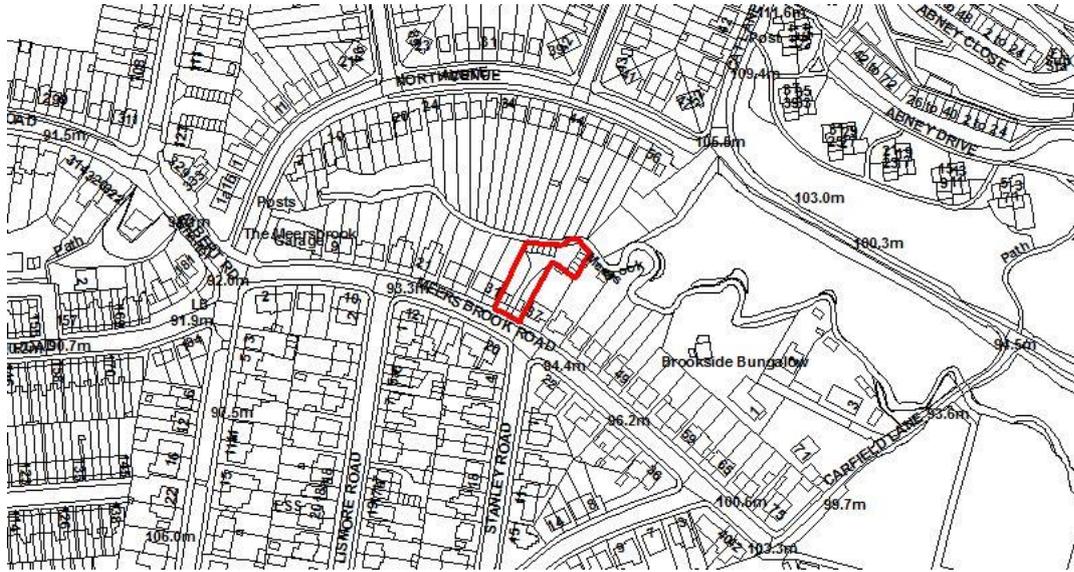
13. Failure to carry out this development in accordance with the approved plans may result in enforcement action. Please contact the Planning Department if you wish to amend any design or specifications for your proposed development.

14. 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

## Site Location



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## LOCATION & PROPOSAL

This application is a re-submission of a previously withdrawn application (reference no. 19/01164/FUL) which was a similar proposal but had a bigger footprint and was for 7 apartments instead of 4.

The application site is currently a garage site located between two brick-built dwellings (nos.31 and 37 Meersbrook Road). The garage site currently accommodates a total of 14 garages in the form of 4 separate garage blocks (two blocks of two garages along the site frontage and a further two blocks of five garages deeper into the rear of the site). From a site frontage point of view, the appearance is of two double garage blocks bisected by an access drive with a backdrop of trees and greenery. Other properties on Meersbrook Road are nearly all residential in nature and are predominantly two-storey detached and semi-detached and, built of brick with slate roofs.

The two garage blocks at the front of the site are identical in their appearance each being a double garage built of concrete blocks beneath a pyramidal-shaped roof of natural slate. The two garage blocks are also positioned along the same front building line as the adjacent neighbouring dwellings and have open-aspect level front forecourts. At the rear, the site has a fall in levels that drops down towards the Meers Brook watercourse. The change in levels is approximately 5 metres. The plot also partially wraps around the rear garden of no.37 Meersbrook Road. The rear section of the site is very overgrown with shrubs, weeds, brambles, self-set sapling trees etc. Beyond the rear of the site, on the other/northern side of the Meers Brook watercourse are the rear gardens of residential properties on Northcote Avenue. The residential properties on Northcote Avenue are also in elevated positions from the Meers Brook watercourse. There is also a local nature reserve site and a local wildlife site approximately 30 metres to the east of the application site on the opposite side of the Meers Brook watercourse.

The proposal is to create a brick-built apartment block incorporating 4 x one-bedroom self-contained apartments spread over 4 levels. The apartment block itself would have a two-storey appearance from the street-scene and a three-storey appearance when viewed from the rear. There would be accommodation in the roof space in addition to some accommodation at basement level.

In addition to the living accommodation, the proposal will also create a designated communal garden area, a communal bin storage area and a resident's cycle storage area.

The scheme will incorporate 5 off-street car-parking spaces (1 space for each apartment and 1 additional visitor space) and these will be open-plan parking spaces located at the rear of the site.

The applicant has confirmed that the new building will be constructed using brickwork and roof tiles that will be sympathetic to the area.

Since first being submitted, the plans have been amended several times, including some minor alterations to the overall footprint (which is now slightly larger from what

was originally submitted), alterations to the design and, alterations to the access drive at the front of the site (alignment and gradient in order to better protect an existing highway tree).

Each of the new apartments will be one-bedroomed and will have accommodation spread over two floors. The two lower-level apartments will be accessed independently via a rear entrance door straight into the apartment and the two upper-level apartments will share a lower-basement rear entrance door into a stairwell area allowing access via the stairs to the individual apartments at first-floor level.

The two upper-level apartments will each have a bedroom, a separate lounge, a kitchen/dining room and a bathroom. The two lower-level apartments will include a bedroom, a lounge, a separate kitchen/dining room, a bathroom and a separate utility room.

In addition to the communal rear garden area, the two upper floor apartments will have an external balcony at first-floor level. Although not directly accessible straight from the apartments, the two lower-level apartments will have access to a front amenity garden/space adjacent to the public footpath.

## **RELEVANT PLANNING HISTORY**

Previous planning history for the site includes: -

19/01164/FUL - Demolition of garages and erection of 7no. apartments in 1x 3/4-storey block with associated parking. This application was withdrawn in October 2019.

## **REPRESENTATIONS**

A total of 25 representations have been received from 18 different properties over two phases of neighbour notification. All raise objections.

Original Submission: -

8 objections on the following grounds -

Errors in the submissions: -

- There is still some reference to the development being 7 x 1-bedroom flats which is clearly an error.
- The sustainability document refers to 6 flats.
- The proposal also makes reference to there being parking bays at the front of the property, but the plans show enclosed garden areas at the front.
- The proposal says that the architecture will deliberately copy the appearance of no.37 Meersbrook Road, yet the drawings show a different frontage design.
- The proposal speaks of retaining some of the existing garages – but this is in conflict with the drawn plans which show open-plan parking spaces and an amenity/garden area.

- The proposal states that some tall conifer trees will need to be taken down but elsewhere the proposal states that no trees will be affected.

#### Design Issues

- The presence of garden areas at the front of the building goes some way to maintaining a residential appearance in the street scene.
- The submitted plans appear to show a fully hard-surfaced rear area which would be a significant loss of greenery which would also lead to higher levels of surface water run-off.
- Some shrub and tree planting should be incorporated into the design.
- The size, density, design and character of the proposed building is not in keeping with the neighbourhood.
- The introduction of a block of flats in a road of predominantly semi-detached housing is out of character.
- The rest of the properties on Meersbrook Road all have front entrance doors that face the road. Having a front entrance door allows easy access for emergency services. Without a front entrance door, the new building will also have an institution-like appearance, as opposed to that of a home. Most social interaction between residents on Meersbrook Rd takes place at the front of houses, in front gardens, on doorsteps, going to and from cars. The future residents of the development would not have the same interaction with neighbours because they would return home, park at the back and then enter the home from the back.

#### Highway, Traffic, Parking Issues

- There will potentially be 8 cars (plus any visitor cars) being added to the traffic in the road and using the access to the site, this would be dangerous for pedestrians using the footpath.
- There's no cycle parking provision.
- Vehicles will have difficulty manoeuvring into the site and at the bottom of the site.
- Visibility for motorists travelling on or off the site will be poor because of an existing highway tree.
- Turning the bottom of the garden into a car parking area for 10 cars is excessive and is poor design.
- The gradient and surface of the access drive could be prohibitive to parking and this might result in more cars parking on surrounding roads.
- During winter months, the proposed steep driveway will become icy (particularly with water running down off nearby steep roads). This will lead to more cars parking on the road instead of driving down the access drive.
- In response to the Transport Statement, there are no easy links to the Supertram network from this locality. Bus services in the area have been cut severely to one local service per hour. Frequent bus services on Chesterfield Road are a 15-minute walk away. Consequently, occupants of the development are likely to use their cars more frequently.
- The corner visitor parking space is not fit for purpose as it will be blocked in by neighbouring spaces.

#### Residential Amenity Issues

- Because of the extended rear projection of the building there will be some loss of natural light and overshadowing of the neighbouring property (no.37 Meersbrook Road).
- The close proximity of the new gable wall of the building to no.37 Meersbrook Road will completely block out light from two side windows and block all light from the side of the house creating a damp and dark 4 storey narrow corridor which will lead to damp issues to no.37.
- The high number of cars (in the rear car parking area) adjacent to family gardens will lead to an increase in activity, noise and exhaust pollution both to the front of the property and at the rear. This will be is damaging to the health of neighbouring residents.
- The tandem parking arrangement is not practical or necessary and will increase movements.
- The introduction of lights at the side and rear of the building would be needed for this development and these could cause significant disturbance for neighbours.
- The development will lead to people coming to the rear entrance via the side path or the access drive, this will result in loss of privacy for both adjacent neighbouring properties.
- There will be loss of privacy because of rear-facing windows in the building.
- Residents spend a lot of time in the gardens, the new block of flats will (because of its size and positioning) lead to a reduction in the amount of sunshine entering neighbouring gardens.
- The scheme doesn't seem to show any back gardens, it only shows a small amenity space big enough to put up a rotary washing line. The proposed front gardens do not seem to belong to any particular flat, and therefore risk becoming unadopted and overgrown.

#### Drainage Issues

- The drainage and sewerage systems are already at full capacity and would become overloaded by the introduction of 4 new flats. Some properties on the road already have gardens that flood during heavy rain.
- The area needs more soakaways and less concrete.

#### Landscaping Issues

- The proposal will lead to degradation of the green corridor.
- The existing hedge forming the eastern boundary between the application site and no.37 is an important landscape feature that provides privacy and is a haven for an abundance of wildlife and birds. This hedge should be retained.

#### Ecology Issues

- There is an existing pond in the garden of no. 37. The pond is within 500m of the proposed development and therefore a newt survey should be carried out.
- Wildlife in the area (including some protected species) currently use the site and they will be disturbed as a result of this development.
- If cars are cleaned whilst parked in the parking spaces, this could result in litter, pollutants and detergents being washed into the river which could have a harmful impact on the ecology of the area and watercourse.

#### Other Issues

- The sustainability statement states that 'the addition of new families will help support local businesses, schools and community facilities' - how? The proposal is for 1-bedroom flats.
- It would make more sense to keep 4 of the garages intact at the bottom of the garden for use by the new residents.
- There is a large demand for family homes in the area, but these 1-bedroomed flats would not be suitable for families.
- Having heavy machinery drilling and digging at the site might cause structural damage to neighbouring properties.
- There are already a significant number of privately rented properties on Meersbrook Road and surrounding roads. There is a need to protect the fine balance.
- Previous applications to demolish the garages and to then build flats have been rejected and therefore the same should apply here.
- The flats will lead to more waste increasing existing rodent problems. Will each flat have their own bin store or large shared bins and how will they get up the steep slope?
- This is not NIMBY'ism, local residents would welcome a reasonable development that provided higher amenity accommodation and that was also suitable for families

Amended Submission: -

17 Objections on the following grounds: -

#### Design Issues

- The proposed development lacks provision and appropriate access arrangements for disabled people and those with mobility issues.
- The proposed development lacks provision for the charging of hybrid/electric vehicles.
- The proposal still shows the new building projecting beyond the rear building line of both immediate neighbouring properties and the new building will have a higher roof level than all the other properties on the road.
- The design still doesn't respect the proportions and design features of neighbouring properties.
- The introduction of first-floor balconies is an unwelcome design feature.
- Moving from 4 individual amenity spaces to a larger communal space will create problems as nobody will take responsibility for the amenity area.
- Who will be responsible for bringing bins up from the bin storage area to the pavement on bin collection days? This will be harder in winter months and the bins will just end up being left at the front of the site.
- The development is still an overdevelopment of the site. The site is not suitable for 4 dwellings.
- This will be a fake vernacular frontage to a block of flats. It won't be in keeping with area which is mainly semi-detached housing.
- The proposed building still doesn't have a front door facing the street. This arrangement would isolate the future occupants from other residents. This would also create a building with a strange and unwelcoming appearance.

Highway, Traffic, Parking Issues

- Even with 4 flats there will still potentially be 8 cars (plus any visitor cars) being added to the traffic in the area. This will still lead to highway safety issues and on-street parking pressures.
- Vehicles will have difficulty manoeuvring into the site because of the existing highway tree. The same highway tree will also affect visibility as motorists leave the site.

#### Residential Amenity Issues

- The development will result in the loss of natural sunlight and increased shadowing to neighbouring gardens.
- Neighbours would not object to a more suitable type of development such as a pair of semi-detached dwellings with parking at the front and gardens at the rear.
- With the car parking and entrances at the rear, the proposal will need substantial lighting which will potentially cause nuisance for immediate neighbours. At the very least, a condition should be imposed requiring details of lighting to be agreed before being installed.
- This development would have a negative impact on residents living on Northcote Avenue due to loss of privacy and detrimental impact on existing views.
- The position of the new access driveway (alongside no.31 Meersbrook Road) will lead to nuisance from cars and light as vehicles use the access drive.
- The introduction of first-floor balconies will along with the new velux rooflights lead to loss of privacy.
- Neighbours will have to face onto a large expanse of brickwork that will project beyond the rear building line of neighbouring properties, these factors will make the development very overbearing.
- Single occupancy flats with parking at the rear will lead to noise issues in an area that is mainly family homes.
- Having the first-floor balconies will encourage people to sit out late into the evenings on the balconies, this will lead to increased late night noise.

#### Drainage Issues

- The site currently doesn't have an existing sewerage connection and drainage and sewerage systems are already at full capacity and would therefore become overloaded. Some properties on the road already have gardens that flood during heavy rain.
- The application doesn't really address the surface water drainage and flooding issues which will only get worse because of climate change.
- The car park ground levels on the latest proposal plan show the levels to be higher than adjacent gardens, this will cause surface and floodwater to be displaced on to neighbouring gardens and further downstream.

#### Landscaping Issues

- Because of Ash die-back a lot of trees in the valley bottom will be lost and as such the muffling effect of the trees will be lost resulting in more noise issues.
- The proposal will still result in trees being lost.

#### Ecology Issues

- Turning a long back garden into a car park will be harmful to encouragement of wildlife.
- The Ecological Appraisal Report is not thorough enough.

- The bottom of neighbouring gardens is a haven for wildlife. Having 5 parking spaces at the bottom of the site next to the watercourse will lead to noise pollution, light pollution, air pollution and pollution to the watercourse. This combined with noise and light pollution from the 4 flats and the light pollution from the PIR lights on the rear of the building will have a detrimental effect on local wildlife.
- Planting a few trees and shrubs on the site will not replicate the existing ecosystem.
- It is a big concern that Japanese Knotweed has been identified on the riverbank as outlined in the ecological survey. Sheffield city council should take prompt action to secure its removal before it spreads any further.

#### Other Issues

- There are no significant changes in the amended plans that adequately address the concerns raised by residents.
- The applicant's agent highlighting other examples of existing poorly designed dwellings on the road, does not justify further poorly designed developments.
- There is a large demand for housing suitable for families and disabled people, this development will not meet that need.
- The ground floor units provide level access, but they still don't conform with UK Building Regulations as they do not have a W.C. at entrance level.
- Previous applications to demolish the Meersbrook Garage site and to then build a residential development have previously been rejected and therefore the same should apply here.
- Increased level of domestic waste will intensify the rodent problem.
- Meersbrook and Heeley have seen a sharp increase in flats and high-density developments being built (including Victorian dwellings being converted to flats). Planners should be encouraging high-amenity family homes with gardens and should be discouraging flats. The balance and sense of community in Meersbrook and Heeley is being lost.
- The development will still cause disruption in the area whilst the construction works are being carried out.

## **PLANNING ASSESSMENT**

### **Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Sheffield Unitary Development Plan which was adopted in 1998. The National Planning Policy Framework (NPPF) published in 2018 and then later revised most recently in July 2021 is also a material consideration.

Assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless: -

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This is referred to as the “tilted balance”.

In addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, para 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and states that where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites with the appropriate buffer the policies which are most important for determining the application will automatically be considered out of date.

The Council’s revised 5-Year Housing Land Supply Monitoring Report, released in August 2021, includes a 35% uplift that must be applied to the 20 largest cities and urban centres in the UK, including Sheffield. The monitoring report sets out the position as of 1st April 2021 – 31st March 2026 and concludes that there is evidence of a 4-year supply of deliverable housing land but, as the Council is unable to demonstrate a 5-year supply of deliverable housing sites, the ‘tilted balance’ will come into play.

### **Principle of Development**

Paragraph 118 (c) of the NPPF gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Policy Area. Within such areas UDP Policy H10 sets out that housing (Class C3) is the preferred use of land. This development will provide a single building that would accommodate 4 x 1-bedroom apartments on the plot.

Paragraph 69 of the revised NPPF sets out that ‘Small and medium sized sites can make an important contribution to meeting the housing requirements of an area. 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’.

Policy CS24 seeks to prioritise the redevelopment of previously developed sites and sets out that no more than 12% of dwellings should be erected on greenfield land. The property is currently an overgrown garage site accommodating 14 garage spaces within 4 separate detached blocks, and as such is considered a brownfield site. The site would also be classed as a small site within an existing urban area. The site is within a relatively sustainable location and therefore, the proposal would accord with policy CS24.

The construction of four new apartments will also provide a net gain of housing which would also assist in meeting the Council's targets for the provision of housing and as such, is broadly compliant with land use policy.

Officers are satisfied therefore that the broad principle of new housing development on this site is acceptable.

### **Efficient Use of Land**

National Planning Policy Framework (NPPF) at paragraph 124 states the importance of making sure developments make optimal use of sites and, promotes increased densities in city and town centre sites and other locations that are well served by public transport. Para 125 c) states that local authorities should refuse applications which they consider don't make efficient use of land, taking into account the policies contained in the NPPF.

Policy CS26 of the Sheffield Core Strategy - 'Efficient Use of Housing Land and Accessibility' is consistent with the above so is afforded significant weight. It requires new development to make efficient use of land and for the density of new developments to be in keeping with the scale and character of the wider area.

Subject to the character of the area being protected, densities are intended to vary according to the accessibility of locations, with the highest densities in the City Centre and the lowest in rural areas. The density range identified for a site like this (in an urban area) is 30 to 50 dwellings per hectare. In this instance, the proposed development would represent a density of approximately 50 dwellings per hectare which would be in line with local policy requirements and would also meet the higher density aims of the NPPF.

The overall footprint of the proposed new building will be similar to the footprints of other neighbouring properties. The density therefore reflects the character of the area.

Given the above comments, it is considered that the proposal will satisfy Policy CS26 of the Sheffield Core Strategy and, accord with the aims of paragraph 124 and 125 of the NPPF.

### **Impact on Character of Area**

This is an established residential area where the existing use and appearance of the site is already at odds with the wider residential appearance and character of the area. There are variations along the road in terms of property designs, ridgelines, eaves heights and fenestration detailing. There are also variations in terms of rear building lines. Other properties on the road have a two-storey appearance when viewed from the front but have a three-storey appearance when viewed from the rear, including accommodation in the roofspace. Indeed, the immediate neighbouring property no.37 Meersbrook Road has a two-storey front appearance and a three-storey rear appearance. Whilst it is acknowledged that most properties on the Northern side of Meersbrook Road are semi-detached, this new development would be one of four units in a row that are all detached properties. In a situation such as this, there is enough variation to suggest that there is no strong defined character to dictate the design, scale and form of this infill development.

The use of brick and slate roofing materials will also help integrate the new building with the surrounding properties.

### **Design Considerations**

Policy H14 of the Sheffield Unitary Development Plan states that in Housing Areas, new development or changes of use will be permitted provided that: -

- New buildings are well designed and would be in scale and character with neighbouring buildings; and
- The site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood; and
- It would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

Policy BE5 of the Sheffield UDP states that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions and that the following principles will apply: -

- Original architecture will be encouraged but new buildings should wherever possible complement the scale, form and architectural style of surrounding buildings.
- In all new developments, design should be on a human scale wherever possible, and particularly in large-scale developments, the materials should be varied, and the overall mass of buildings broken down.
- Designs should take full advantage of the site's natural and built features.

Policy CS74 of the Sheffield Core Strategy relates to 'Design Principles' and states that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including:

- The townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials.

The policy also goes on to say that new developments should also help to transform the character of physical environments that have become run down and are lacking in distinctiveness.

It's clear that the existing site has been neglected to some degree and consequently, has an overgrown and untidy appearance. The proposed development will help bring the site back into use and improve its appearance.

Many of the representations received have raised concerns about matters such as design, scale and impact in the street-scene.

The proposed scheme will appear in the street-scene as a two-storey development with accommodation in the roofspace. Other properties on Meersbrook Road have front-facing gables that incorporate 2<sup>nd</sup> floor level window openings thereby giving a

perception of being three-storey dwellings when viewed from the front.

In terms of scale, the plans show that the apartment block will have a ridgeline and eaves line that closely aligns with those of no.31 Meersbrook Road. Although not of the same size and proportion, the new apartment block will also have double-height bay windows. Bay windows are a feature of many of the properties on the road and therefore are not unique to this new-build property.

The new apartment block will be built along the same front building line as other properties on the road thereby ensuring some consistency in terms of the position of the building when viewed in the street-scene.

In terms of scale and massing therefore, and when viewed from the public domain the proposed scale and form of the new apartment block will be similar to other properties on Meersbrook Road.

The site frontage will be bounded by low walls as a means of site enclosure thereby creating a sense of protected/defendable space. The two front forecourt areas will be accessible and therefore could be used as a small amenity space if required. A planning condition can be imposed requiring details of the boundary enclosure treatments to be submitted and agreed. Likewise, a hard and soft landscaping condition would ensure appropriate frontage treatment.

The proposal indicates the use of brick and slate and a planning condition can be imposed requiring full details of all the facing and roofing materials to ensure appropriate quality.

Although the new building will be constructed along the same front building line as both neighbouring properties, it will project out further beyond the rear building line of neighbouring properties. The projection will be approximately 4.5 metres beyond the rear building line of no.37 Meersbrook Road and approximately 3.3 metres beyond the rear building line of no.31 Meersbrook Road. Despite the level of projection, it should be noted that the gable wall of the new building will be approximately 1 metre away from the party boundary with no.37 and approximately 2 metres from its gable wall. Likewise, the other gable wall of the new building will, at its closest point, be positioned approximately 3.6 metres away from the party boundary with no.31 and approximately 5 metres away from its gable wall.

The submitted, amended scheme shows that the apartments will have access to a communal amenity space and a designated bin storage area. The communal bin storage area will be enclosed by way of a 1.8-metre-high timber-screen fence.

A landscape condition would mitigate to some degree any adverse impact on the biodiversity and loss of greenery at the site whilst also creating a better living environment for the future occupants of the development and existing neighbours. A good quality landscaping scheme could also help mitigate the impact of surface water run-off.

Given that the site will incorporate car parking at the rear, beyond the rear garden, it is acknowledged that having a pedestrian entrance at the rear does have some logic

in this instance and provides the shortest route from the car parking space to the apartment block entrance. Car parking at the rear can be viewed as a positive aspect of the scheme in that it limits entrance and exit to a single point and avoids a car dominated street frontage.

Whilst it is a good design principle to include an entrance at the front of a property to make the building more legible and accessible to occupants and visitors, the applicant has resisted requests to incorporate this into the design. This is a minor shortfall in the design of the scheme.

Taking all these factors into account, the overall design concept of the development is acceptable and therefore will satisfy UDP Policies H14 and BE5 and, Core Strategy Policy CS74.

### **Impact on Living Conditions & Residential Amenity**

UDP Policy H14 seeks to ensure that the site would not be overdeveloped or deprive residents of light, privacy or security.

Paragraph 130 of the NPPF expects planning decisions to ensure that developments result in a high standard of amenity for existing neighbours and for the future occupants of new developments.

### **Impact on Existing Neighbouring Residents**

Concerns have been raised from residents opposite and adjacent the site on Meersbrook Road, and on Northcote Avenue that the proposal will lead to loss of privacy.

The separation distance between the rear façade of the apartment block to the rear facing façade of properties on Northcote Avenue would be approximately 80 metres, and therefore in this context, there is more than adequate separation distance between properties to ensure that no significant loss of privacy will occur. For comparison purposes, the Council's SPG requirement is for a minimum 21-metre separation distance between rear-facing main habitable room windows.

The relationship and separation distance between the front façade of the new apartment block and the front elevations of properties opposite on Meersbrook Road would be approximately 18 metres which, is again considered to be more than adequate for privacy purposes at the front of properties which, by their very nature are already windows that are overlooked from the public domain. Given also that the new apartment block would be built along the same front building line as existing neighbouring properties on the road, this relationship and separation would be no different to many of the other properties on the road.

Inevitably there will be some overlooking of close neighbouring gardens, this is a typical situation that already exists with many properties throughout the city. Although there are balconies at first-floor level on the rear, these will have obscure glazed privacy screens. The privacy screens will be approx. 1.8 metres high from the finished floor level and should help mitigate the level of overlooking that would occur.

Raised balconies and terraces are a common feature of many properties throughout Sheffield particularly in situations such as this where the land falls away at the rear.

The fact that the new apartment block projects out further at the rear than neighbouring properties also helps to further reduce the loss of privacy to the areas at the immediate rear of neighbouring properties.

The development in this instance also includes rear-facing dormers and there is a concern from local residents that these will also lead to loss of privacy due to their elevated nature. Dormers are a common feature along this stretch of road and, many of the properties on Meersbrook Road could erect a rear dormer under permitted development rights. They face down the site and result in no more overlooking than exists between adjacent properties currently.

Many of the objectors have raised concerns about the new apartment block having car parking at the rear of the site. This is not the norm by comparison with other residential properties on the road, but it should be acknowledged that for this site, there is already a situation where cars can park at the rear of the site adjacent to neighbouring gardens and/or adjacent to the watercourse at the rear. So the concept of vehicular movements at the rear of the site is not new in this instance. The development should not result in any greater use of the site by vehicles than what could happen now. Planning permission would not be required to bring all 14 garages back into use, and if that were to happen, there would potentially be more traffic movements than would occur by the introduction of 4 new apartments

Objectors state that by having the car parking area at the rear of the site, the movement, noise, light and fumes generated by the resident's cars would have a detrimental impact on immediate neighbouring residents and to the wildlife in the area. Although the garage site currently may be operating less than it has in the past, it does nevertheless have 14 single garages on it and, could be used more intensively. Given the low number of spaces and apartments the likely change in the number of car movements is not considered significant.

The relocation of the access point, to immediately adjacent 31 Meersbrook Road, utilising a drive with a steep gradient will increase noise potential at this point. It is therefore considered necessary for a form of acoustic barrier to be provided at this location to minimise any impact on the occupants of no. 31.

The two immediate neighbouring properties to the site are nos.31 and 37 Meersbrook Road. Both neighbouring properties have existing windows to their side/gable elevations. No. 31 Meersbrook Road has a gable window that is positioned at second floor/attic level (it is assumed that this gable window serves a bedroom in the roofspace). No.37 Meersbrook Road has ground and first-floor level windows on the gable elevation facing towards the application site (these windows serve a hallway and landing, and one is a secondary window to a bedroom). The side/gable walls of the apartment block will be approximately 2 metres away from the ground and first-floor gable windows of No.37 and approximately 5.2 metres away from the attic gable window of no.31 Meersbrook Road. This relationship is replicated along Meersbrook Road so is appropriate in design terms. The development will lead to some loss of natural light to the existing side windows of

particularly 37 Meersbrook Road the windows are not the sole source of light to habitable rooms and are unreasonably relying on third party land for light. This impact is not therefore afforded significant weight.

The apartment block will have 3 sets of windows on each side/gable wall. The windows are relatively small, are positioned at a high level, and serve bathrooms (at ground floor level) and serve as secondary windows to kitchen/dining rooms (at basement and first-floor levels). Officers consider it to be appropriate for these windows to be obscure glazed to ensure no loss of privacy to the existing gable windows of the neighbouring properties (at nos. 31 and 37 Meersbrook Road).

Because the rear section of the new apartment block does project beyond the rear building line of neighbouring properties, the extra projection has been designed with 45-degree splayed corners, this therefore ensures that the building does not appear excessively overbearing and allows natural light to serve existing basement and ground floor rear facing windows of in particular 37 Meersbrook Road. The scheme now complies with Guideline 5 of the Designing House Extensions adopted SPG which, to avoid overshadowing and overbearing impact, contains a requirement for built form not to breach a 45-degree angle when measured from the nearest point of nearby ground floor windows.

### **Living Conditions of Future Occupants**

Policy H5 of the Sheffield Unitary Development Plan relates to 'Flats Bed-sitters and Shared Housing'. This policy stipulates that planning permission will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if; -

- A concentration of these uses would not cause serious nuisance to existing residents; and
- Living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours; and
- There would be appropriate off-street car parking for the needs of the people living there.

This development will result in 4 x 1-bedroom apartments being created. Each habitable room in the apartments will have windows with reasonable outlooks and natural light entering. The apartments will share a communal outdoor space as well as having a separate amenity space. The two upper floor apartments will have a small external balcony and the two lower apartments will have a small front garden space. Whilst the front garden spaces are not readily private or have a direct access from the apartments, they do nevertheless provide an additional space that is southwest facing.

As well as having a communal amenity space at the rear of the apartment block, each flat has a designated off-street car parking space. There will be 1 designated space for visitors. There will be a communal cycle-parking area and a communal bin storage area also located at the rear, segregated from the main amenity/garden space by timber fencing. The drawings show timber palisade fencing around the bin and cycle storage areas, the details of which can be secured by condition to ensure appropriate quality.

Any occupants or visitors coming to the site on foot will have the choice of two routes to get to the entrance of the building, they could either use a stepped ramp and footpath located between the new building and no.37 Meersbrook Road or, they could use the access drive route (which slopes down towards the car parking area). Due to the relatively steep nature of the access drive and elements of steps along one of the routes, it is necessary to impose a planning condition requiring suitable handrails to be fixed to both gable walls in order to improve the accessibility of the building for pedestrians, including any persons with mobility issues.

Any occupants or visitors not arriving by car would need to walk past the rear kitchen/dining room windows of the two basement level apartments to access the building. This is not an ideal arrangement but given the small number of apartments it is not likely to occur at a level of intensity that would cause nuisance.

Given that the car parking and entrances to the apartments are all located at the rear of the building, officers consider that this development will require a lighting scheme for both safety and amenity reasons. The details of this can be secured via a condition ensuring that the appropriate balance is achieved between safety, neighbour and wildlife impacts.

Despite the concerns raised by residents, officers are satisfied that the proposed development will (with the appropriate planning conditions included and subsequently implemented) result in a scheme that won't significantly affect the amenities of existing local residents. The development would meet the basic needs of the future occupants and as such the proposal would comply with UDP Policies H14 and H5, Core Strategy Policy CS74 and para 130 of the revised NPPF.

### **Parking, Highways & Traffic Issues**

Paragraph 111 of the revised NPPF sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

UDP policy H14 requires developments to provide safe access, off street parking, and not endanger pedestrians.

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

This development will provide a total of 5 off-street parking spaces at the rear of the site (1 parking space for each flat and 1 visitor parking space). It is recognised that the site is located within a sustainable location with regular bus services operating nearby and the shops and services at Heeley Green less than 500m walking distance. In addition to providing on-site car parking, the applicant has also agreed to provide on-site cycle parking provision. The cycle-parking provision is intended to promote more sustainable forms of transport as an alternative to the use of the car.

The site currently accommodates 14 single garages in 4 separate blocks. Although the site is not intensively used at present, it does have the potential for all 14 garages to be brought back into use which would potentially generate more traffic movements than the current proposal.

The application site frontage has 2 existing large mature street trees on the public footpath. The trees appear to be healthy specimens and certainly add to the visual amenity of the street scene. The proposed access drive that is shown on the amended plans would move closer to the tree to the west than the current access point but still allows access to the rear car parking area in a manner which will not harm the trees and will provide appropriate visibility.

The gradient of the access drive will be steep, however, the fall of the access drive is in a direction away from the public highway and as such, will not involve rainwater draining onto the public highway

When taking the above-mentioned highway issues into account, it is considered that the proposal is acceptable in terms of highways impacts and does not conflict with the aims of policies H14 and CS53, or paragraph 111 of the NPPF

### **Sustainability, Response to Climate Change & Flood Risk Issues**

Paragraph 8 (c) of the NPPF identifies the planning system has having a key 'environmental objective' of protecting and enhancing the natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Core Strategy Policy CS63 'Response to Climate Change' identifies several key actions to reduce the city's impact on climate change, these can include for example:

-

- Giving priority to development in the City Centre and other areas that are well served by sustainable forms of transport.
- Promoting higher densities of development in locations that are well served by sustainable forms of transport.

The policy also highlights key actions that can help to adapt to expected climate change, and these can for example include: -

- Locating and designing development to eliminate unacceptable flood risk.
- Giving preference to development of previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.
- Encouraging environments that promote biodiversity, including the city's Green Network.

Core Strategy Policy CS64 'Climate Change, Resources and Sustainable Design of Developments' states that all new buildings and conversions of existing buildings

must be designed to reduce emissions of greenhouse gases and function in a changing climate. And therefore, all developments are required to: -

- Achieve a high standard of energy efficiency.
- Make the best use of solar energy, passive heating and cooling, natural light and natural ventilation.
- Minimise water consumption and maximise water re-cycling.
- Use sustainable materials wherever possible and make the most sustainable use of other materials.
- Minimise waste and promote recycling, during both construction and occupation.

Unless it can be shown not to be feasible, Policy CS65 of the Core Strategy 'Renewable Energy and Carbon Reduction' requires new developments to: -

- Provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

Policy CS67 of the Sheffield Core Strategy relates to 'Flood Risk Management' and this policy seeks to reduce the extent and impact of flooding by: -

- Requiring all developments to significantly limit surface water run-off.
- Requiring the use of Sustainable Drainage Systems (SUDS) or sustainable drainage techniques on all sites where feasible.

In this instance, the applicant has submitted a 'Flood Risk Statement' (published 4<sup>th</sup> Feb 2020), a revised 'Design & Access Statement' and a revised 'Sustainability Statement' (both published 16<sup>th</sup> July 2020).

The applicant's flood risk statement identifies the site as being less than 1 hectare and, that the footprint of the proposed new building will be located within the Floodzone 1 area, and the car parking area being within a Floodzone 2 area. The Environment Agency were consulted, and they have confirmed that they have no concerns in respect of the residential block part of the development because no part of it will be within either a Floodzone 2 area or a Floodzone 3 area.

Given that the proposal is located immediately adjacent to an existing waterway and that there will be some demolition works, some boundary treatment works and some drainage improvement works (SUDS), a directive will need to be imposed advising the developer to make further contact with the Environment Agency with the view of securing further advice and to also gain any necessary approvals in respect of carrying out works in close proximity to the waterway.

The submitted flood risk statement doesn't show any additional proposals or measures to deal with climate change or long-term flooding. Underneath the overgrown brambles, scrubland and weeds, the site incorporates some extensive hard surfaced areas but, because of this development, the applicant will be providing a designated amenity space. The applicant will also be required to submit details of a hard and soft landscaping scheme which will create opportunity for improved surface water management. There are also a range of cost-effective simple measures that can easily be incorporated into a scheme to help reduce surface water run-off (for

example, the introduction of water butts would be a useful method of rainwater harvesting and recycling). It is considered appropriate therefore, for a planning condition to be imposed that will help secure some of these surface water management initiatives. This will ensure compliance with the requirements of Core Strategy Policy CS67.

The submitted sustainability statement makes specific reference to the development being designed with due regard to Core Strategy Policies CS64 and CS65. The statement raises the point that the development will be constructing a new residential housing scheme on an existing brownfield site within an urban housing area that is currently well served by public transport links (bus services). The statement and submitted drawings also show that cycle parking will be provided as part of this scheme, and that this is intended to promote alternative modes of transport. The report also makes the point that all the flats will have some windows that are south facing and will therefore benefit from solar/thermal warming.

It is considered that although the submitted flood risk and sustainability reports include some broad statements this development is capable of delivering more than what is shown on the submitted plans and therefore, it is appropriate in this instance to impose planning conditions requiring the developer to demonstrate that the proposal will be sustainable and that it will also respond to climate change issues, thereby meeting the aims of the local development plan policies and the NPPF.

### **Biodiversity Issues**

Paragraphs 174, 179 and 180 of the NPPF seek to ensure that planning policies and decisions contribute to and enhance the natural and local environment by: -

- Providing and seeking net gains for biodiversity.
- Promoting the conservation, restoration and enhancement of priority habitats and ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- Wherever opportunities arise, promoting biodiversity as part of the design element of schemes, especially where this can secure measurable net gains.

A 'Preliminary Ecological Appraisal (PEA) Report' (reference no. 201062/Rev1. dated 23<sup>rd</sup> October 2020) has been submitted with the application. This report has been prepared by suitably qualified ecologists (Whitcher Wildlife Ltd.). Using data available from the Sheffield Biological Records Centre and on-site assessments, the report highlights various findings and also makes a series of recommendations:

Officers have assessed the submitted ecology report and its recommendations and are able to confirm that although the survey was conducted late in the year, it does make an adequate assessment of the site. There are no concerns over protected or priority habitats or species, such as bats or badgers. As the site is almost covered by bramble scrub it does however provide a potential nesting and foraging habitat for a range of birds and small mammals who may also use the site.

The garage blocks have been assessed as having a negligible potential for roosting bats, but bats might still commute through the site and forage along the Meers

Brook.

Other than a few self-seeded sapling trees, the applicant has confirmed that no significant trees are being removed as part of this application.

Any clearance of sapling trees and scrub vegetation on site should be carried out outside of the bird breeding season (March 1<sup>st</sup> – August 31<sup>st</sup>) as all birds, their nests, eggs, and young are protected under the Wildlife & Countryside Act during this time. If works are anticipated during this period, a nesting bird check will be required, carried out by a suitably qualified ecologist. A directive will remind the applicant of their legal obligations in this regard.

Whilst the presence of bats is judged to be unlikely, if any are found during demolition works, all work in that area will have to cease and advice be sought from a licensed bat worker.

Officers also recommend that a planning condition be imposed requiring a range of biodiversity enhancements to be carried out at the site. The recommended biodiversity enhancements should include: -

- 2 x bat boxes (either box, brick, or tile design) to be incorporated into the scheme design. The applicant's ecologist should be able to advise on the appropriate types and siting.
- 2 x bird boxes (officers recommend 1 x standard 28mm hole box and 1 x house sparrow 'terrace' type box. Again, the applicant's ecologist will be able to advise.
- A landscaping plan to utilise native trees and shrubs to compensate for habitat loss. The scattered trees at the northern end of the site should be retained where possible.

Officers also recommend that the boundary hedges should be retained and that any proposals for the hedges should be discussed with the owners of the adjacent properties.

It is also recommended that the Meers Brook is fenced off during the demolition/clearance/construction phases in order to prevent any rubble, rubbish or building materials entering the watercourse.

In this instance therefore, it is recommended, that a suitably worded planning condition be imposed that will secure all of the above-mentioned recommendations and that the best approach would be to require details of an ecological management plan to be submitted for approval. This would lead to enhanced biodiversity at the site and would meet the aims of paragraphs 174, 179 and 180 of the NPPF.

### **Land Contamination Issues**

Officers are aware that the site has previously been used commercially by the owners for renting out individual garage spaces for private parking/storage purposes. Colleagues in the Council's Environmental Protection Service (EPS) have stated that the use of the site for garage parking may potentially have resulted in contamination of the ground. There is, in addition, potential for the presence of 'Made Ground',

which might also contain contaminants, with both features presenting a potential risk to human health, property and the environment. In light of the above, it is recommended that appropriate land-contamination-related planning conditions be imposed which should ensure that these issues are properly investigated further and, if appropriate, suitable remediation works carried out.

### **Community Infrastructure Levy (CIL)**

The Council's Community Infrastructure Levy (CIL) Charging Schedule (June 2015) sets the levy rates applicable to certain developments. The site is located within a zone 3 area where there is a charge of £30 per sq. Metre. (plus indexation charge)

### **SUMMARY AND RECOMMENDATION**

Planning permission is being sought for the demolition of four garage blocks (14 garages in total) and the erection of a detached apartment block consisting of 4 x 1-bedroom apartments with 5 off-street car-parking spaces, some communal amenity space, a cycle parking area, and a communal bin storage area.

The development site is located within a Housing Policy Area and therefore the principle of new housing is considered acceptable subject to appropriate residential amenity matters being satisfactory.

The apartment block will be constructed in a similar scale and footprint to other nearby properties and utilises features which reflect local character. Through the use of planning conditions, officers will be able to ensure that the development is constructed in appropriate facing materials. The absence of a front entrance door is a shortfall in the design but is not considered critical to the design and appearance of the building in this instance. It does result in occupants or visitors arriving on foot accessing the rear entrance via a stepped gradient but facilities can be provided and secured though conditions to assist access for people with mobility issues.

Representations have raised objections to the proposal based on issues such as poor design, impact on neighbours (and future occupants), highway/traffic safety issues and harm to the ecology.

The scheme delivers 4 new residential units with appropriate off-street car-parking and appropriate living conditions on a previously developed site in a sustainable location. It does not raise any significant issues in respect of neighbour impacts and will not affect highway safety. There are no significant ecological constraints and, key features including hedges are being retained. Whilst the scheme lacks detail in respect of sustainable building design commitments these can be secured through appropriate conditions.

There are therefore no significant adverse impacts of the development and given the absence of a 5-year housing supply in the city, it is therefore the case that the tiled balance and presumption in favour of development as prescribed by paragraph 11 of the NPPF is in effect, and planning permission should therefore be granted.

Therefore, for all the reasons outlined above, it is recommended that the application

is approved subject to the listed conditions.

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