
Case Number	22/00723/FUL (Formerly PP-11046938)
Application Type	Full Planning Application
Proposal	Erection of 13x flats and 3x retail units (Use Class E) with associated cycle parking and landscaping
Location	Land at junction with Cobden View Road Northfield Road Sheffield 10 1QQ
Date Received	21/02/2022
Team	North
Applicant/Agent	JR Planning
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 which were published on 21st February 2022:

27543 A (00)01 Rev P2 Location Plan (showing the redline boundary)

27543 A (01)02 Rev P10 Proposed Site Layout / Roof Plan

27543 A (02)01 Rev P8 Proposed LG and GF Plans

27543 A (02)02 Rev P9 Proposed 1F and 2F Plans

27543 A (04)01 Rev P10 Proposed Elevations - Sheet 1

27543 A (04)02 Rev P8 Proposed Elevations - Sheet 2

27543 A (04)03 Rev P8 Proposed Elevations - Sheet 3

Reason: In order to define the permission.

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

3. No development shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing

by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 3l/s. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site.

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.

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 details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

7. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the

approved points.

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

8. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

9. Before any work on site commences a walkover of the site shall be undertaken by a qualified ecologist to ensure that the development would not disturb any nesting birds or other wildlife which may have moved onto the site. The findings of the walkover shall be submitted in writing to the Local Planning Authority and any necessary mitigation works carried out.

Reason: In the interest of nature conservation. It is imperative that this condition is complied with before works commence on site.

10. Before the development is occupied the detailed lifetime management arrangements for the drainage system shall be submitted to and approved in writing by the Local Planning Authority. These arrangements shall demonstrate that there is in place a legally binding arrangement for the life time management of the drainage system including funding source/s. This shall include operation and maintenance manuals for regular and intermittent activities and as-built drawings.

Reason: To ensure satisfactory drainage arrangements are provided to serve the site in accordance with the National Planning Policy Framework it is essential for this agreement to be in place before the use commences.

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

Reason: In order to ensure that new development makes energy savings in the

interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

12. 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.

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

13. Notwithstanding the approved plans and the proposed use of part of the building as Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended), should the Class E unit(s) be used for serving food then they shall serve only beverages, cold food and such hot food as may be prepared using only a toaster, sandwich toaster, microwave, jacket potato cooker and bain marie). No intensification of cooking facilities shall occur.

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

14. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

15. 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.

16. 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.

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

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

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

Shop fronts, including security shutters and housing, and fascia boards
Windows (including heads and cills)
Doors (including heads and cills)
Entrance canopies
Rainwater goods
Rooflights
Eaves and verges
Bin store
Cycle store

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

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

19. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

20. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

a) Be based on the findings of an approved noise survey of the application site,

including an approved method statement for the noise survey.

b) Be capable of achieving the following noise levels:

Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);

Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);

Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);

Bedrooms: LAFmax 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

21. Before the use of the development is commenced, Validation Testing of the sound insulation and/or attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

a) Be carried out in accordance with an approved method statement.

b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound insulation and/or attenuation works thus far approved, a further scheme of works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

22. No amplified sound or live music shall be played within the commercial use(s) hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be subject to written approval by the Local Planning Authority prior to installation.

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

23. Notwithstanding the submitted plans, before the development commences, or in accordance with an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of 16 bicycle parking spaces (secure and sheltered) for the residential element of the development, and two spaces each

for the commercial units (possibly located internally within each unit) shall have been submitted to and approved in writing by the Local Planning Authority, and provided in accordance with the approved details prior to occupation of the development. The parking shall be retained/maintained thereafter for the sole purpose intended.

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

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

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

- i) Promotion of a traffic regulation order restricting loading at all times for a section of the Northfield Road site frontage, all subject to usual procedures, and provision of road markings and signage as necessary;
- ii) Resurfacing the footway across the site frontage;
- iii) Removal of handrail from the Northfield Road frontage;
- iv) Any accommodation works to telegraph poles and wires, street lighting, statutory undertakers equipment and general street furniture deemed necessary as a consequence of the development.

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.

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

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

26. No excavation for the foundations shall take place until Approval in Principle (AIP) identifying support to the public highway during excavation, and continued support thereafter by the structure of the building has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the AIP submission shall include: i) Excavation method statement and method of maintaining highway support during the excavation process; ii) Proof of structural integrity of the buildings foundations/walls to be able to support the public highway, including calculations, drawings, cross-sections. The development shall

be carried out only in accordance with the approved AIP.

Reason: In the interests of highway safety.

27. 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.

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

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

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

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

30. Prior to the commencement of development a report shall be submitted for approval by the Local Planning Authority setting out how biodiversity will be enhanced and ensuring that there is 'no net loss'. The following will all need to be considered and set out in a Ecological Enhancements plan or similar.

- Green / brown roofs and green 'living' walls where design permits
- Native species landscaping / planting
- Bird boxes: at least 2x swift box and 2x house sparrow terrace.
- Bat boxes: at least 2x discreet 'brick' or 'tile' type boxes to be incorporated in the fabric of the building.
- Offsite BNG contribution to compensate for habitat losses. The nearby Bole Hill Local Wildlife Site would be appropriate.

Once agreed the approved measures shall be implemented and thereafter maintained.

Reason: In the interest of biodiversity.

Other Compliance Conditions

31. No doors or windows shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

32. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

33. The public facing facades of the building shall be finished in natural stone with a slate roof.

Reason: To ensure an appropriate quality of development.

34. The corridor windows on the elevation C-C of the building facing east shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

35. 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.

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

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
2. The developer is advised that, in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority
3. Applicants seeking to discharge planning conditions relating to the investigation, assessment and remediation/mitigation of potential or confirmed land contamination, including soils contamination and/or ground gases, should refer to

the following resources;

- Land Contamination Risk Management (LCRM; EA 2020) published at; <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>;

- Sheffield City Council's, Environmental Protection Service; 'Supporting Guidance' issued for persons dealing with land affected by contamination, published at; <https://www.sheffield.gov.uk/content/sheffield/home/pollution-nuisance/contaminated-land-site-investigation.html>.

4. 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.

5. 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.
6. The applicant is advised that in order to discharge the above condition relating to gigabit-capable full fibre broadband the following should be provided:

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

For more guidance with respect to addressing this requirement please see the Guidance Note on <https://www.sheffield.gov.uk/content/dam/sheffield/docs/documents-not-in-site-structure/new-build-developer-guidance.pdf> and/or contact hello@superfastsouthyorkshire.co.uk

7. As the proposed development will involve the closing/diversion of a public path(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the path(s) under Section 257 of the Town and Country Planning Act 1990. This process can take several months to complete.

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

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

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

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

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

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

9. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

10. 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

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.

11. 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

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.

12. To progress the Approval in Principle process, the applicant is advised to contact hmdstructures@sheffield.gov.uk at the earliest opportunity.

13. The developer's attention is drawn to:

(i) Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970, as amended; and

(ii) the code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 8300) or any prescribed document replacing that code.

Section 4 sets requirements for access to, and facilities at, premises. Section 7 requires a notice or sign to be displayed, indicating that provision is made for the disabled.

If you require any further information please contact Brian Messider or Simon Ovendon on Sheffield 2734197.

14. The applicant is advised that this consent does not permit the display of

advertisements on the building. This may be subject to separate advertisement consent. You are advised to contact the local planning authority to seek confirmation.

Site Location



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LOCATION AND PROPOSAL

The application relates to a triangular piece of land located at the junction of Northfield Road and Cobden View Road. The site is currently vacant and fenced off; having previously been the site of three large advertisement hoardings and informal green space (with grass and shrubs). The land falls away to the east, with properties on Cobden View Road set at a significantly lower level.

Adjacent to the site on Northfield Road is a two-storey building with retail premises on the ground floor. On the opposite side of the street are a mixture of two-storey stone terraced shops and dwellings.

Properties on Cobden View Road which slopes down from the junction are traditional stone semi-detached and terrace properties. These are two-storeys in height often with accommodation in the roof space.

Planning permission is sought for the erection of a two/three-storey building. The building would be stepped to follow the topography and would be largely constructed from natural stone with a slate roof.

On the ground floor, fronting onto Northfield Road, three retail units are proposed and on the floors above would be eight apartments, these would be a mixture of one and two bedroomed properties and one, one bedroomed open plan 'studio'. The part of the building fronting onto Cobden View Road would contain a further five apartments. These would again be a mixture of one and two bedroomed apartments and two, one-bedroomed open plan 'studios'. The development would have thirteen flats in total.

To the rear of the development a courtyard area would be created which would be landscaped to provide a communal garden area.

The development would not have any off-street parking; however a secure cycle store for the residents would be provided.

The site is identified on the Unitary Development Plan Proposals Map as being within a District Shopping Centre. A small part of the site, adjacent to the boundary of properties on Cobden View Road is also shown to be within a Housing Area.

RELEVANT PLANNING HISTORY

Planning permission has previously been sought for the erection of a mixed use development comprising three commercial units (use classes A1-A3) and 18 residential units (use class C3) in a 3/4 storey block and associated works under application reference 20/01651/FUL. This received a significant level of local opposition and officers were not satisfied with the scheme. The application was withdrawn in September 2020.

Following on from that a revised application was submitted for the erection of a mixed use development comprising 3 no. commercial units (Use Class E) and 14 no. residential apartments (Use Class C3) in a 2/3 storey block and associated works. Application 21/02711/FUL refers. Again this application was not considered by officers to be satisfactory and so the application was withdrawn.

SUMMARY OF REPRESENTATIONS

115 representations have been received (some households have submitted more than 1 representation, hence the number of parties objecting and in support being different to the total number of representations received).

2 representations are in support of the development (a third representation in support was revoked, with the author changing their mind once they had seen the level of local objection and points raised).

102 interested parties have submitted representations objecting to the development. This includes an objection from Olivia Blake MP, Cllr Ruth Milsom and former Cllr John Hesketh.

Olivia Blake, MP raises the following points:

- This plot of land had long been used and tended to by local churches, families, voluntary organisations and the wider community as the site of the Cobden View community garden, a much-loved green space with a long-established public right of way. The local community maintained this site, planting bulbs and wildflowers and developing it as a safe haven for local wildlife.
- The covid-19 pandemic has highlighted to all of us the importance of accessible green spaces. Sheffield City Council's Green and Open Spaces Strategy (2010-2030) sets out a vision for our city to ensure that 'every area of the city has green and open spaces of exceptional quality for all'; key to this strategy's success is ensuring the protection and preservation of existing spaces.
- Crookes is a well built-up urban area, which makes the survival of the few pockets of greenery, like this site, all the more important.
- The development will result in the loss of all existing habitats on site and the developer has already cleared the site of trees.
- The development would not be in keeping with the local area, seeking to greatly overdevelop a site with little concern for space standards, or the impact on would-be residents or their neighbours.
- The development would tower over neighbouring properties on Cobden View Road, blocking light to several houses and intruding on their right to privacy.
- The 13 new residences and three new retail units will greatly increase traffic and parking difficulties in the surrounding area.
- Crookes high street is already a very busy road and one that many children cross to and from Westways School. The cars this proposal will bring will only exacerbate this issue.
- The developer has chosen not to consider where 13 apartments worth of cars would park. This speaks to a lack of consideration for both current and potential future residents.

- The development comprises traffic safety by limiting visibility on a very busy corner. By obscuring the junction for drivers turning left onto Northfield Road from Cobden View Road it will make this junction even more dangerous for both pedestrians and road users.
- The developer has shown no regard for local residents.

Cllr Ruth Milsom has raised the following points:

- The development falls below the minimum space standards with 7 of the 13 apartments falling below the recommended space standards.
- The site has been tended as a community garden for many years. Allowing this corner of previously cultivated open space to be swallowed up by further development would be a retrograde step in terms of air quality, ecology and biodiversity, and visual amenity. It would materially alter the character of the area. The undeveloped site should be considered as providing "leisure, health and other community facilities"
- The submitted statements are inaccurate.
- The modern development would be out of keeping with the neighbouring surroundings.
- Private vehicle parking is a known problem on Cobden View Road and nearby residential streets. Furthermore, this stretch of Northfield Road has parking restrictions and a bus stop, preventing parking. Residents are rightly concerned that a development that does not include off-road parking spaces will result in even more pressure on street parking where residents are already often not able to park near their own house.
- The proposed development caters for only 12 cycles. This is insufficient for the number of dwellings and retail premises.
- The development would be hazardous to highway safety, in particular vehicles servicing the commercial premises.
- The developer has had little regard for due process, removing trees in the bird nesting season and prior to submitting a planning application.
- The proposal is an overdevelopment of the site

Representations from local residents raise the following issues:

- The logistics for deliveries and waste disposal have not been properly thought through.
- The development would have no car parking and the level of cycle parking indicated (12 spaces) would not be adequate.

- The development would obscure site lines, being at a junction where there is an acute angle, and would be hazardous to safety.
- There are already parking problems in the area, particularly in the evenings, and this development would make things worse.
- There is a bus stop which may be blocked and delivery vehicle servicing the commercial units would also block the road.
- A public right of way crosses the site. This cannot be used since the developer blocked it off (in 2020).
- The development would be hazardous for pedestrians, particularly school children and the elderly.
- The developer has felled trees on the site and made it look unsightly. This should not be a reason to approve the scheme. The site had considerable amenity value when it was used as a community garden.
- The development would not be in keeping with the area.
- Crookes does not have sufficient capacity to receive gigabit broadband. Will the developers be expected to provide this? If not the development would fall foul of the building regulations.
- The development would result in overshadowing and loss of light to neighbouring properties, being at a significantly higher level than neighbouring property.
- The apartments are very small and too much is trying to be squeezed onto the site. Family housing is what is required in the area, not small studio bedsits.
- The proposal would result in overlooking and a loss of privacy.
- There is no need for further retail premises as the turnover of existing units is high. The development would be harmful to the viability of the shopping centre.
- Occupiers of the development would have little in the way of external amenity space and this would be greatly overshadowed.
- The development would result in the loss of a green space which is valued by the local community. The site should be a village green.
- The development would be harmful to wildlife.
- The development would be detrimental to air quality.
- The site has been used a quarry (a long time ago) and the validity of the ground investigation report is questioned.
- There is no disabled access to the flats with the development having no lift.

- The site provides a break between the surrounding built up areas and provides space and light and also opens up the vista towards the city.
- The proposed opening hours of the shops 7.00 to 23.00 to include Saturday, Sunday/Bank holidays will have an adverse impact on neighbours & residents.
- Neighbours will be disturbed by users of the gated path (to gain access to the rear of the development).
- There is no provision for recyclable waste.
- Flat roofs could be used for unauthorised balconies or recreation space.
- The nesting bird check is out of date. It is imperative that all wildlife appraisals are conducted thoroughly before any further work is carried out on this site.
- The area already has a lot of HMO's (Houses in Multiple Occupation).
- The commercial unit on the corner (unit 1) would have dual aspect and would bring commercial development on to Cobden View Road.
- The development would put extra pressure on already oversubscribed doctors surgeries.
- The value and benefit of the community garden far outweighs any need for flats and retail units in an already dense area of housing.
- The development would result in significant disruption during construction works.
- The development would have a negative effect upon house prices.
- The development would result in a loss of view.
- The application forms have been completed incorrectly and are misleading.
- The development will be far from carbon neutral and does not include any sustainability measures.
- The representations in support of the scheme set out that the following:
 - The site was bought fairly by the developer.
 - The site is not as well used as has been claimed.
 - The steps / public footpath across the site can get slippery.
 - The development would provide much needed housing.
 - There is a large park only a few 100 metres away.
 - The proposed development is well designed and would bring about benefits to the area.

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 Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised most recently in July 2021 (the NPPF) 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, paragraph 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer the policies which are most important for determining the application will automatically be considered to be out of date.

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 supply of housing land. As the Council is currently unable to demonstrate a 5 year supply of deliverable housing sites the tilted balance will come into play.

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

Principle of Development

The site is identified on the Unitary Development Plan Proposals Map as being within a District Shopping Centre. UDP Policy S4 (District Shopping Centres) sets out that within

such areas retail development will be promoted.

Policy S7 (Development in District Shopping Centres) sets out that shops are the preferred use and housing is an acceptable use.

These policies are consistent with the NPPF which sets out at paragraph 86 that planning policies and decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. It goes on to state (at bullet point f) that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.

The proposed development would see the creation of three commercial units on the ground floor within an existing district shopping centre. The development would not detract from the vitality or viability of the shopping centre. End users are not known at this time.

It is considered that in principle the development would accord with the UDP and NPPF and the proposed mixed-use development is supported.

The plans indicate that a small portion of the site along the eastern boundary of the site is within a Housing Area. This is possibly a drafting error (as the extent of the housing area designation follows the site boundary but set in slightly). In any case, the part of the development that would be within the housing area is proposed to be developed with residential properties that front onto Cobden View Road and the communal garden area.

UDP Policy H10 sets out that within Housing Areas housing is the preferred use and small shops are an acceptable use.

Open Space Issues

The site is not identified on the Unitary Development Plan Proposals Map as being 'open space'. The site is in private ownership and has been fenced off, preventing access for recreation purposes. The site has also been cleared of trees and shrubs. The owner of the land is able to do this without needing any permission.

The site is not publicly accessible, does not have a recreation function and is not allocated as open space in the adopted Local Plan, therefore it is not considered to be open space. Nevertheless, for completeness, consideration has been given to the relevant open space policy.

Policy CS47 of the Core Strategy seeks to safeguard open space. This policy sets out at bullet point (b) that development of open space will not be permitted if the open space is of high quality or of heritage, landscape or ecological value.

Ecology will be dealt with in more detail later in this report. The development would not result in a loss of open space that is of high quality in terms of heritage or landscape.

CS47 (c) seeks to safeguard open space that is well valued or used by the local community. There is clearly value attached to the land by sections of the community, which is clear from the significant opposition to its development.

However, given that the site is not publicly accessible and does not therefore have a recreation function, it is not considered to be open space.

In light of the above, a refusal of the proposal on open space grounds would be difficult to justify, particularly with the tilted balance in play due to the lack of five year supply of housing, which is dealt with below.

Housing Supply

As set out previously, the NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer (paragraph 74).

In addition, Policy CS22 - Scale for the Requirement for New Housing of the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026.

In relation to Sheffield's current housing land supply position, latest monitoring shows that there is a 4-year supply of housing sites.

Paragraph 69 of the revised NPPF 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'.

Policy CS24 seeks to prioritise the redevelopment of previously developed sites and sets out that not more than 12% of dwellings should be erected on greenfield land in the period between 2004/05 and 2025/26. This policy describes where housing on greenfield sites will be developed which includes on small sites within the existing urban areas where it can be justified on sustainability grounds. Policy CS24 is in conformity with the NPPF.

The Strategic Housing Land Assessment Interim Position Paper 2017 and monitoring up to 2018/19 indicates that 95% of dwelling completions between 2004/05 and 2018/19 have been delivered on previously developed land and that 5% of gross dwelling completions since 2004/05 have been on greenfield sites.

The site has previously housed three large hoardings, an expanse of grass and a small planted area, which was tended by local residents. It is understood that trees were also on the site but these have since been removed. The site has been fenced off and is overgrown but is still considered to be greenfield land.

The site is within a District Shopping centre close to local shops and services on Northfield Road and is on a bus route. As such the location is considered to be sustainable. The proposed development of this greenfield site would not result in the 12% criteria in CS24 being exceeded and so complies with Core Strategy Policy CS24.

Density

Core Strategy Policy CS26 relates to the efficient use of housing land and accessibility

states that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable balanced communities.

Within district centres such as this the policy sets a density range of 50-80 dwellings per hectare. It also states that density outside these ranges will be allowed where it achieves good design, reflects the character of an area, or protects a sensitive area. Core Strategy Policy CS26 is largely consistent with the NPPF which seek to make effective use of land (although the NPPF does not give density ranges) and has significant weight.

The submitted plans seek to develop the site with 13 apartments. The density of development would be high (equating to 238 dwellings per hectare); however, the site is within a sustainable location with shops and services on the doorstep and also on main public transport routes.

Para 124 of the NPPF sets out that planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services –both existing and proposed –as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

The proposal would achieve an efficient use of land and would make a positive contribution to the supply of housing.

It is considered that in principle the development of the site for this mixed use development, including housing would accord with Core Strategy Policy CS22 and CS24 as well as paragraph 69, 74 and 124 of the revised NPPF.

Affect Upon Character and Appearance

UDP Policy BE5 (Building Design) and S10 (Conditions on Development in Shopping Areas) set out the key considerations with regards to design and development. These policies state that development should be well designed and of a scale and nature that is appropriate to the site.

Core Strategy Policy CS74 states that high quality development will be expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods.

Paragraph 130 of the revised NPPF sets out that decision should ensure that development 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; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment

and landscape setting, while not preventing or discouraging appropriate innovation or change.

The local and national policies are aligned and so the local policies can be afforded significant weight.

The site is located on a prominent corner where Cobden View Road meets Northfield Road.

The site is surrounded by largely stone fronted two storey properties, many of which have accommodation within the roof space with dormers facing the highway.

The proposed building would be of a similar scale to neighbouring properties and would be stepped to follow the sloping nature of the land. Along Cobden View Road the building would be set back slightly to follow the existing building line with a small front yard area, enclosed by a low stone wall. This part of the building would have bay windows in a nod to the neighbouring Victorian terraced properties.

The part of the building that fronts onto Northfield Road would be constructed to abut the back edge of the pavement, again continuing the existing building line.

The parts of the development in the public domain would be finished in natural stone with a slate roof. Windows and doors would have stone heads and cills. It is considered that these materials are appropriate. To the internal courtyard area the development would have a buff brick and charred timber cladding finish. These materials are also considered to be acceptable.

The development includes a separate bin store for the residential and commercial units, located within the development. The commercial bin store is within the building and accessed from Northfield Road and the residential store is within the lower ground floor of the building, accessed from Cobden View Road. The inclusion of the bin stores within the building is of benefit in terms of the effect the development would have upon the street scene.

It is considered that the scale of development is appropriate and the detailed design would not be harmful to the visual amenity of the area, indeed the development would bring about improvements to the appearance of the site. As such the development would accord with policies BE5, S10 and CS74 as well as paragraph 130 of the NPPF.

Impact Upon Residential Amenity

Policy S10 (Conditions on Development in Shopping Areas) expects new development to not cause residents or visitors to suffer from unacceptable living conditions.

UDP Policy H5 (Flats, bed-sitters and shared housing) expects the design of new housing developments to provide adequate living conditions for occupants of the accommodation and their immediate neighbours.

Paragraph 130 (f) of the revised NPPF sets out that development should ensure a high standard of amenity for existing and future users.

The submitted plans indicate that in total 13 flats would be created. 8 would be on the

two floors above the commercial units facing onto Northfield Road and 5 would be in the part of the development that fronts onto Cobden View Road. This is a reduction in the number of units from the previously submitted schemes.

All habitable rooms within the development would have a window. These would look onto Cobden View Road or Northfield Road. On Cobden View Road there would be a separation of 17.5m between the development and properties on the opposite side of the street and on Northfield Road this distance would be 13.5m, again across the public street. This is commensurate with the separation distance of existing properties along both streets and so it is considered that, on balance the proposal would not result in unacceptable overlooking and a refusal on this basis cannot be justified.

The rear of the building on Northfield Road would provide a flat roofed 'block' giving corridor access to each of the apartments. This would have some glazing; however this would be obscure glazed to prevent overlooking to the rear gardens of properties on Cobden View Road or to the rear of the apartments that would face Cobden View Road within this proposed development. Some of the properties fronting Cobden View Road would have windows on the rear elevation which would look onto the proposed communal garden area and entrance to the cycle store, thereby providing a degree of surveillance.

The development would follow the existing building lines and would not breach the '45 degree rule' as set out under Guideline 5 of the Council's SPG on Designing House Extensions. It is considered that the development would not result in excessive overshadowing or loss of light to neighbouring dwellings.

In terms of the effect the development would have upon existing occupiers of neighbouring properties it is considered that the development would accord with UDP Policy S10, H5 and paragraph 130 of the NPPF.

To prevent occupiers of the development suffering disamenity from noise from the highway as well as the commercial units it is recommended that conditions be imposed.

Enhanced sound insulation is likely to be needed to meet the Council's standard noise level requirements. No noise assessment has been submitted with this application and so this should be secured by condition.

In addition conditions are suggested which restrict the hours of use for the commercial premises as well as delivery times.

The applicant has set out in their planning statement that "...the proposed commercial usage would not include the sale of any hot food for consumption on or off the premises". This is welcome as it removes the likelihood of dis-amenity to residents due to noise and odour. A condition to limit the type of food, that may be sold is recommended.

Although there is no intention to sell hot food, other uses within this class are likely to need external plant. This could include, for example, condenser units needed for air conditioning, refrigeration and freezers. These should be sited carefully to prevent dis-amenity due to noise. A further condition is therefore proposed requiring detail of any externally mounted plant and equipment to be submitted to the Local Planning Authority for approval prior to installation.

As already mentioned the development would have a communal garden to the rear, for use by all of the residents. Two of the ground floor flats facing onto Cobden View Road would also have a small front yard / garden area.

Some of the proposed flats are small. The National Space Standard recommend a minimum of 39sqm to be provided for a one-bedroomed flat and 61sqm for a two-bedroomed flat. The sizes proposed raise between 41sqm for the smallest studio apartment to 68sqm for the largest two bedroomed lower ground floor unit (this would also benefit from the yard area to the front of the development). It is considered that on balance, subject to conditions adequate living condition can be provided for occupiers of the development. In this respect the development would accord with UDP Policy S10, H5 and paragraph 130 of the NPPF.

Highways Considerations

UDP Policy BE9 'Design for Vehicles' expects developments to provide a safe, efficient and environmentally acceptable site layout for all vehicles (including cycles) and pedestrians.

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

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 111 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

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

The development proposes thirteen flats and three commercial units. The thirteen flats would consist of three studio apartments, 3 apartments with one bedroom, and seven apartments with two bedrooms. No car parking accommodation is proposed. Twelve bicycle parking spaces are indicated on the submitted plans. Servicing for the commercial units would take place from on-street.

A high degree of objection to the proposal has been received online. Without repeating identical points, the thrust of the concern is as follows:

- Concern that the 13 flats with no dedicated car parking accommodation will exacerbate existing on-street car parking problems locally.
- Northfield Road is a heavily trafficked classified road that ultimately leads to the city centre. Cobden View Road also carries high volumes of traffic.

- Highway capacity is a concern in the vicinity of the development site.
- The impact of the development on the surrounding roads in terms of congestion, parking and vehicle movements is of material concern to residents.
- The suggestion from the planning consultant that the development will not increase car use is unfounded.
- There are many multiple car ownership households in Crookes.
- The proposed travel plan co-ordinator will have no powers to ensure the 30-odd new residents will not have cars.
- Claiming the development is in a sustainable location with regard transport options and local amenities, and is therefore unlikely to generate much in the way of car parking demand has not been evidenced. There is already a substantial car parking problem in the neighbourhood.
- Commercial Class E use does not just cover retail shops. Other possible end users could be banks, cafes, restaurants, office, light industry, health services, and fitness/gym. These uses (just as for the flats) could add to parking pressures within the community. The associated on-street servicing is likely to cause highway capacity issues.
- Claims that commercial unit staff/employees are likely to live locally and therefore would not commute by car is unfounded.
- A survey undertaken by an objector of traders in the Crookes shopping centre showed 65% of staff did not live locally and did not arrive to work by cycling or walking.
- Highway capacity is a concern. Already, deliveries are a problem in Crookes shopping centre, which is mainly linear and carries a lot of through traffic and high frequency bus services. Stock arrives by lorry/van, sometimes double parked, causing bottlenecks and congestion. Servicing for the 3 additional commercial units will further compromise free-flow traffic conditions
- The stretch of Northfield Road outside the development site where the servicing would take place is the narrowest section. There's a nearby bus stop (boarding/alighting) which sometimes impedes through traffic. The additional on-street servicing will add to congestion owing to the lack of highway capacity.
- From a highways perspective, the granting of planning permission would contradict NPPF by creating an unacceptable impact on road safety, and the residual cumulative impacts on the road network would be severe.
- The development needs more bicycle parking provision. Only 12 spaces for 13 flats, seven of which have 2 bedrooms. What about cycle parking for staff of the commercial units and visitors? More cycle parking is required.

- The extension of the no waiting at any time into Cobden View Road to allow for refuse collection will further add to parking problems
- The footpath that crosses the site is/was well used.
- Concern that the footprint of the newbuild will impede visibility at a busy junction to the detriment of road safety.
- There would be considerable disruption and additional traffic during construction.
- The submitted travel plan is unconvincing.
- Residents are already not able to park their cars near their houses. If the planning application is approved, matters will be made worse.
- The proposed in-built bicycle parking for 12 bikes is inadequate. If the applicant's argument is to be believed that residents of the flats and staff of the commercial units will not use cars, secure and covered bicycle parking accommodation should be provided for all the occupants of the flats and staff of the commercial units.
- Concerns about how safely deliveries can be made to the commercial units from Northfield Road owing to the restricted width of the road, a nearby bus stop, and close proximity of the busy Cobden View Road junction.
- No storage for bikes with trailers is shown.
- Even folk who walk, cycle, and catch a bus most of the time still own a car and park on-street most of the time, sometimes using it for shopping and trips out to the countryside. It's mischievous for the travel plan to suggest the development won't attract cars.
- Not many people in Crookes cycle to work because the hills are too steep.

Responding to the above, the area surrounding the development site does indeed experience a high degree of on-street car parking. However, to suggest there are many multiple car ownership households in the neighbourhood isn't reflected by census output data for Crookes in 2011 (the most recent data available). This data reveals 17,700 residents lived in Crookes at the time, in 7,266 households. Of these, 1740 households had no cars or vans; 3382 households had one car or van; 1757 households had two cars or vans; 297 households had three cars or vans; and 90 households had four or more cars or vans. So, in the year 2011, 2063 households out of 7266 households were multiple car or van owners (29%).

Six of the flats would be studio or one-bedroom. Seven of the flats would have two-bedrooms. The residential element of the development seems to be aimed at the rental/first-time buyer market, where car ownership profiles tend not to be the highest. If residents want to live somewhere and not own a car, Crookes is the ideal location, with excellent bus services and amenities all within easy walking distance.

The travel plan submitted with this planning application has been questioned by some objectors, with suggestions it will be powerless to prevent an influx of cars. As it stands,

the number of residential units proposed within the development is way below the trigger of 80 units that requires a travel plan to be operated. The fact the developer proposes to appoint a travel plan co-ordinator in an effort to reduce car usage and ownership is to be welcomed.

Although Crookes is hilly, with electric bikes becoming ever more prevalent, hills are becoming much less of a barrier to cycling. If anything, the modal share of cycling to work looks set to increase in forthcoming years. Officers agree there should be more cycle parking accommodation within the actual development, for residents and staff of the commercial units (secure and sheltered). This can be dealt with by planning condition.

The proposal may lead to some small increase in on-street parking and this could displace parking for existing residents. However, with on-street parking there are no guarantees how far away you may end up parking. The development may generate a degree of car parking demand, but 13 new households and 3 small commercial units added to the 17,700 households in Crookes suggests that with a bit of shuffling around, it can be absorbed within the locality.

Concern is raised through representations that the additional on-street car parking will diminish highway safety, particularly at the junction of Cobden View Road with Northfield Road, that the development will reduce/obstruct sightlines at the junction, and that there isn't the highway capacity to safely enable servicing the 3 commercial units owing to the restricted carriageway width and a bus stop location.

There have been no personal injury accidents recorded at this junction over the past five years, or across the development site frontage. Two slight injuries were recorded at the nearby Loxley View Road junction, but not Cobden View Road. Existing sightlines in both directions from Cobden View Road, 2.4 metres back from the give-way marking, exceed 45 metres (all contained within the public highway). The development proposal doesn't encroach into the public highway, so sightlines more than accord with national standards. There are parking restrictions in the vicinity of the junction, preventing parked cars from compromising highway safety.

With regard highway capacity and servicing, there are existing parking restrictions across the development site frontage on both sides of Northfield Road, which stretch north of Cobden View Road, and some considerable distance beyond the development site in a southerly direction. There are also loading restrictions over the same distances that prevent loading in the morning between 08:00 hrs & 09:30 hrs, and in the evening between 16:30 hrs & 18:30 hrs. A section of the bus stop box marking on the opposite side of the Northfield Road overlaps just over a third of the development site's northern frontage. Concerns have been raised that when buses are boarding/alighting, delivery vehicles servicing the commercial units will block the road creating a bottleneck and congestion.

The three commercial units are small in floor area, with deliveries most likely undertaken by small rigid lorries 10.3 metres long. Deliveries might be undertaken directly by the occupants, in transit vans. Regardless, if a bus is stood for a short time at the bus stop and a delivery vehicle of whatever length is parked at the northern extreme of the development site frontage, the road will become blocked.

For this reason, if planning permission is granted, it is recommended that the loading

restrictions be tightened up, by introducing no loading at any time on the eastern side of Northfield Road, from the junction of Cobden View Road, for a distance of approximately 25 metres in a southerly direction. This would ease through movements by giving some separation between on-street servicing and the bus stop. Northbound traffic would negotiate the parked bus more-or-less as it does now. There would still be a 15 metre length of loading/servicing availability (except during the peak periods) along the development site's southern frontage. Goods could be wheeled along the footway from here, in much the same way as for the existing shops in the centre of Crookes.

Lastly, a path crosses the site that currently has no public status. It can't be used due to the placement of hoardings around the site. It has clearly been well used down the years, with at least 30 years usage. As such, it could easily be claimed as a public footpath. Indeed, the Council is currently dealing with a claim that the footpath is public. For the purposes of this planning application, the path will be treated as a public footpath. If planning permission is granted, the path would need to be formally closed under Section 257 of the Town & Country Planning Act. This process invites objections, which if they remain unresolved, a decision on the path's closure would be taken by a Planning Inspector. Development can't take place until the path has been formally closed. The Highway Authority, when consulted, is unlikely to object to the closure as the feeling is that the alternative route is a reasonable one and not excessively longer.

Officers consider that the development would accord with the NPPF and any cumulative impact upon Highway safety would not be severe.

If planning permission is granted, the developer will be required to fund the promotion of a traffic regulation order and provide road markings and signage restricting loading at all times for a section of the site frontage, fund the removal of some pedestrian hand-rail from the site frontage, resurface the footway, and undertake accommodation works to telegraph poles and wires that cross the site, and possibly to street lighting positions if they clash with doors/windows.

Land Quality

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

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

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

A desk study report was submitted with the application, entitled, "Land off Cobden View Road. Phase 1 Desk Study Report." Dated April 2020. Report author Ross Blake, of RB Geotechnical". The report concludes that the site is generally of low risk, save for potential gas ingress to buildings from nearby infilled land features. It recommends a site investigation for carrying out gas monitoring.

This can be secured by condition and it is recommended that the council's suite of land contamination conditions be imposed.

Access

The proposed retail units would have level access to Northfield Road. Access officers have raised no concerns.

Community Infrastructure Levy

The Council's Community Infrastructure Levy (CIL) Charging Schedule (June 2015) sets the levy rates applicable to certain developments. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

The site is within zone 3 where the CIL charge is £30 per sqm. The development proposes 850sqm of residential floor space and 238sqm of non-residential floor space giving a total of 1088 sqm.

Affordable Housing

Policy CS40 'Affordable Housing' within the Core Strategy states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

The NPPF at paragraph 63 – 65 sets out requirements for affordable housing.

The relevant local plan policies and supporting SPD are considered to be in close alignment with these provisions and are therefore afforded significant weight.

The development, being for 13 houses falls below the affordable housing threshold.

Consequently the development is not required to make a contribution towards the provision of affordable housing.

Sustainability

Core Strategy Policies CS63 to CS65 relate to responses to climate change and seek to reduce the impact of climate change through reducing the need to travel, supporting sustainable transport and sustainable design and development. Policy CS65(a) in particular states that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

Policies CS63 to CS65 are in conformity with the NPPF which promotes sustainable development and have significant weight.

The applicant has set out in the Design and Access Statement that the site is within a sustainable location, the building will achieve good levels of energy efficiency and the applicant is happy to consider options for renewable energy generation, subject to viability. A condition setting out how the development would meet the sustainability criteria set out above is recommended.

Subject to conditions it is considered that the development would comply with Core Strategy Policy CS63 and CS65 as well as the NPPF.

Ecology

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

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

Local policy aligns with the NPPF and is therefore relevant to this assessment. Development of the site will result in the loss of most of the green-space currently present. If a successful scheme is to be permitted and realised there will need to be an assessment of what is being lost and how this will be compensated for in line with the requirements of the NPPF (174, 180) and the Environment Act 2021.

The applicant has provided a Preliminary Ecological Appraisal (PEA). This is a re-submission of the 2020 report. The report finds that the site is not of great importance for nature conservation.

Prior to any development commencing (should planning permission be granted) the site should be checked for any nesting birds and to ensure that no protected species have 'moved in' since the PEA was prepared.

The report also makes recommendations for mitigation measures that should be incorporated into the scheme which include the provision of swift and house sparrow boxes, bat boxes and the incorporation of planting in the soft landscaping scheme which would be of benefit to wildlife. These measures can be secured by condition.

In light of the above, it is considered that the proposal accords with UDP Policy GE11 and the relevant parts of the NPPF.

Drainage

Core Strategy Policy CS67 encourages all developments to significantly limit surface water and sustainable management techniques.

Paragraph 169 of the NPPF requires that major developments incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The local and national policies are aligned and so the local policy can be given weight.

Yorkshire Water have raised no objections to the development and have set out that there should be separate systems for foul and surface water drainage.

The Local Lead Flood Authority has advised that as this is a greenfield site, surface water should discharge at greenfield rates.

It is considered that the site can be developed with satisfactory drainage arrangements subject to appropriate details. These can be secured by condition and the applicant has agreed to the imposition of such conditions.

Broadband

Demand for gigabit-capable full fibre broadband is growing fast with households and businesses, as connectivity is now an essential part of everyday life, it is expected by all consumers.

The 'Future Telecoms Infrastructure Review 2018' outlined the Government's plans for 15 million premises to have full fibre by 2025, and nationwide coverage by 2033. To support this, on March 17th, 2020 the Government published its response to 'New Build Developments: Consultation on delivering gigabit-capable connections'.

In summary, the Government will be introducing new legislation to place obligations on housing developers to work with network operators to install gigabit-capable full fibre broadband, as standard.

The Government will now:

- Amend the 'Building Regulations 2010' to require all new build developments to have the physical infrastructure to support gigabit-capable connections
- Amend the 'Building Regulations 2010' to create a requirement on housing developers to work with network operators so that gigabit broadband is installed in new build developments, up to a cost cap
- Publish supporting statutory guidance (Approved Documents) as soon as possible
- Continue to work with network operators to ensure they are connecting as many new build developments as possible and at the lowest possible price
- Work with housing developers and their representative bodies to raise awareness of these new requirements'

To meet these requirements it is suggested that conditions be imposed.

RESPONSE TO REPRESENTATIONS

The main body of the report addresses the concerns raised in the representations. Loss of view, devaluation of property and noise and general disturbance during construction works are not planning considerations. However it is recommended that a condition requiring a Construction Environmental Management Plan (CEMP) be submitted for

approval prior to any works commencing on site.

One of the representations refers to an e-petition with over 670 signatures. This petition is closed. It was started prior to the submission of a planning application running from 26th May 2020 until 7th July 2020 (the first planning application was received on 18th June 2020). A new petition has not been submitted with regard to the current application.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the development of a triangular parcel of land at the junction of Northfield Road and Cobden View Road. The site has previously been used as an informal open space; however it is in private ownership and has more recently been fenced off. The site is not designated as being open space and is not believed to harbour any protected species.

The proposed development would provide 3 retail units on the ground floor fronting onto Northfield Road with 8 apartments on floors above. To the rear, fronting onto Cobden View Road the development proposes a further 5 flats, making a total of 13 apartments. These would comprise of 3 studio apartments, 3 apartments with one bedroom, and 7 apartments with 2 bedrooms.

The UDP identifies the site as being within a District Shopping Area where retail is the preferred use and housing is acceptable.

As set out in this report, in principle the redevelopment of the site with a mixed development, including housing is in accordance with the relevant land use policies.

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

The proposed scale of the building is acceptable as are the materials (natural stone and slate to the public facing facades). The development would bring about improvements to the appearance of the streetscene at a prominent corner.

Subject to the imposition of conditions adequate living conditions would be afforded occupiers of the development and the proposal would not significantly impact upon the amenity of occupiers of neighbouring property.

The proposal would provide additional housing in a highly sustainable location, making efficient and effective use of land. In the context of the absence of a 5 year supply of housing this carries significant weight.

The proposed development would have no off-street parking; however it is in a highly sustainable location and cycle parking is proposed. A claimed right of way crosses the site. There would be no objection to the diversion of this as it would not result in people having to travel a significantly greater distance. Subject to the imposition of conditions the development raises no highway safety concerns. As discussed by this report, the cumulative impact of development upon the highway network would certainly not be severe.

In applying the tilted balance in favour of sustainable development in NPPF Paragraph 11 (d), great weight is given to the benefits highlighted above, particularly the provision of housing in a sustainable location, and contributions to the visual amenities of the area. There are no adverse aspects of the scheme that significantly and demonstrably outweigh the benefits and so it is recommended that planning permission is granted subject to conditions

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