

Case Number	21/04854/FUL (Formerly PP-10386821)
Application Type	Full Planning Application
Proposal	Erection of 4-storey building to create 3 no. apartments with associated landscaping, access and parking accommodation
Location	Land adjacent No. 8 Southbourne Road Sheffield S10 2QN
Date Received	17/11/2021
Team	South
Applicant/Agent	Urbana Town 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:

SRH- FST- PL-001 Location Plan

As published by the Local Planning Authority on 17th November 2021

Graphic

As published by the Local Planning Authority on 4th February 2022

SRH-FST-PL-005 Rev B Proposed Floor Plans sheet 2

As published by the Local Planning Authority on 9th May 2022

SRH-FST-PL-006 Rev A Proposed Elevations

SRH-FST-PL-009 Rev B Proposed Street Elevation 01

SRH-FST-PL-010 Rev B Proposed Street Elevation 02

As published by the Local Planning Authority on 28th June 2022

As published by the Local Planning Authority on 29th June 2022

Reason: In order to define the permission.

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

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

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

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

4. 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:

Windows  
Window reveals  
Doors  
Eaves  
Parapets  
Balcony screens  
Entrance Gates  
Bin storage compound

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

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

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

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

6. The proposed green/biodiverse roof (vegetated roof surface) shall be installed on the roof in the location shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works commencing. The green/biodiverse roof shall be installed prior to the use of the building commencing and thereafter retained. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

7. A comprehensive and detailed hard and soft landscape scheme for the site (including specifications for reinforced grass systems) shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence. Thereafter the landscaped areas shall be implemented in accordance with the approved details and so retained.

Reason: In the interests of the visual amenities of the locality and the amenity of future occupants.

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

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

9. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

### **Other Compliance Conditions**

10. The Local Planning Authority shall be notified in writing upon completion of the green/biodiverse roof.

Reason: To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have

commenced.

11. All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

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

12. No gate or other barrier; shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

13. The apartments shall not be occupied unless the hardstanding areas for vehicles on the site are constructed of permeable/porous materials (including the sub-base). Thereafter the permeable/porous surfacing material shall be retained.

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

14. 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.

15. There shall be no access to the green roof area at first floor level other than for maintenance purposes.

Reason: In the interests of the amenity of neighbouring properties.

16. Before the first occupation of the building hereby permitted all windows in the north and south elevations (serving en-suites and stair core respectively) shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity and any part of the windows that are less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

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

17. 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.

18. No development shall take place, including any works of demolition or site preparation, until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during

the development works.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

19. Notwithstanding details on the approved plans the main gates to the property shall be of timber construction and shall be painted, not stained.

Reason: In the interests of the visual amenity of the locality and the Broomhill Conservation area.

20. Notwithstanding details shown on the approved plans the stone pillars located on Southbourne Road, flanking the vehicular access to 70 Clarkehouse Road, shall be retained and shall not be removed or altered in any way.

Reason: In the interests of the visual amenity 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. 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.

3. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

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

4. 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

5. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Highway Co-Ordination  
Sheffield City Council  
Town Hall  
Sheffield  
S1 2HH

Telephone: 0114 273 6677  
Email: highways@sheffield.gov.uk

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

6. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
7. Green/biodiverse roof specifications must include substrate growing medium type

and depths (minimum 80mm) and plant schedules. It should be designed to detain at least 60% of the annual average rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from The Green Roof Organisation ([www.grouk.org](http://www.grouk.org)) or contact Officers in Environmental Planning email: [EnvironmentalPlanning@sheffield.gov.uk](mailto:EnvironmentalPlanning@sheffield.gov.uk). Alternatively see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

8. 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.
9. 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

# Site Location



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## LOCATION AND PROPOSAL

The application relates to a plot of land on Southbourne Road approximately 55 metres from the junction with Clarkehouse Road.

Southbourne Road is almost entirely residential in character and whilst somewhat varied in terms of property type, large detached and semi-detached two/three storey stone fronted properties are most prevalent.

With a few exceptions, most notably the Botanical Gardens, the dominant land use in the wider locality is housing. It is also noted that several of the larger detached buildings in the area have been in office use though a noticeable trend to return these to residential use has occurred over the last decade. Further to the north and east lie the grounds and buildings of the Sheffield High School for Girls.

In terms of topography there is a gentle downward slope from north to south and east to west.

The proposal seeks full planning permission for the erection of a detached building to include three apartments, one at ground floor level, one at first floor level and a further duplex flat occupying the second floor and third floor levels. The ground and first floor units would be 3 bedroom units and the duplex unit would have four bedrooms.

The proposed building would be of a contemporary design with main facing materials of natural stone to the first three floors and zinc cladding to the set-back 3rd floor. 4 car parking spaces are to be provided at the front of the building.

### Planning History

The site which is the subject of this application previously formed part of a larger site which included 68 Clarkehouse Road. The following history covers the extended site as per previous applications.

An application to demolish the existing rear extension and provide alterations to the existing building (No. 68 Clarkehouse) to form 9 apartments with associated parking accommodation, and to erect of 4 dwellinghouses was withdrawn in September 2016. This was considered under planning reference 16/02427/FUL.

An application to demolish the existing rear extension and provide alterations to the existing building (No. 68 Clarkehouse) to form 11 apartments with associated parking accommodation, and to erect of one dwellinghouse (on the site currently under consideration) was granted in 2017 (17/00675/FUL)

### Consultee responses

#### Historic England

Historic England (HE) state that they are supportive of a sensitive redevelopment of the site.

However, HE does not consider the building to be appropriate in this context and feels that the scheme would result in an incongruous addition to the Conservation Area and

impact on views of the Grade II listed Botanical Gardens and listed glasshouses.

HE are supportive of the retention of the front boundary wall.

Whilst the current development obviously differs to a degree from the detached dwelling granted under 17/00675/FUL it should be noted that, with regard to that application HE stated that there would be no objection to the proposed redevelopment of the site and that they considered a contemporary interpretation of the surrounding buildings to be an interesting way of responding to the character and appearance of the conservation area.

The current comments therefore appear to be somewhat contrary to their previous application response.

### Conservation Advisory Group

The Group considered that the proposal would not preserve and enhance the character of the Conservation Area. The Group noted that Southbourne Road was part of the Victoria Park development, a sub-unit within the Broomhill Conservation Area of consistent character that remained largely undamaged. Any building on this site would need to pick up stylistic references from adjoining buildings to be acceptable.  
Representations

There have been 29 representations received in response to the Council's notification process. 27 are objections (with some multiple responses from 3 addresses) and one of the objections is from Cllr Argenzio. Two letters of support have been received.

### Objections

Cllr Argenzio has objected to the scheme on the following grounds:

- Overdevelopment
- Taller and wider than previously approved
- Inadequate garden space
- Insufficient off-street car parking
- Out of character with the street scene
- No detail on rubbish bins
- Unclear where on the site the footprint of the building sits
- No Heritage Report
- Visible from the Botanical Gardens
- Balconies in glass should be green walls/balustrades and fences

### Summary Of Other Objections

#### Design/Environment

- will adversely impact on the setting of the Botanical Gardens and its listed buildings
- untrue that there is no material change in design compared to previous approval
- there is no precedent for terraces/balconies in the locality
- poor communication between the Applicant and Planning has resulted in a poor choice of external materials
- insufficient lateral separation to neighbouring properties

- building is too tall and too wide
- there are no details of the bin store
- roof line doesn't correspond to natural fall in roofs cape on Southbourne Road
- flat roof is inappropriate
- not sympathetic to the Broomhill Conservation Area.
- boxy design is inappropriate
- overdevelopment
- materials are not in keeping with the locality including over use of glass.
- boundary treatment should be retained including pillars
- front area is not in character.
- Mansard roof is inappropriate
- out of character with street scene
- does not mirror the positive design aspects of 45 Rutland Park

#### Highways

- Insufficient off-street car parking
- Will add to local congestion
- local bus services are not as frequent as suggested in the supporting statement.
- residents should be excluded from Residents Parking Scheme.
- will result in a reduction in width of the access to No. 70 Clarkehouse Road.

#### Residential amenity

- Will overlook neighbouring properties (specifically Nos. 2, 8, 10, 12 Southbourne Road, and apartments on Botanical House
- Will overshadow No. 8 Southbourne Road, houses on Rutland Road (specifically No. 34) and apartments in Botanical House.
- will be overbearing on No. 8 Southbourne Road
- where is the shadow cast analysis.
- insufficient external amenity space
- noise will be generated from terraces/balconies.

#### Landscape/Ecology

- will lead to a lack of natural habitat for birds and insects
- proposed trees will result in additional overshadowing of No. 8 Southbourne Road

#### General

- Is contrary to BBEST policy
- Existing nearby ugly buildings should not set a precedent

#### Non-material Planning Considerations

- Neighbour would not have bought their house if they had known there was a possibility of this development
- this is an approval via the back door
- development is only for short term financial gain
- will result in the loss of a private view
- apartments have low saleability compared to a family dwelling
- construction phase will give rise to disamenity and highways problems

- the site should be turned into a pocket park
- dimensions of the walls shown is inconsistent with minimum standards of insulation
- there is no evidence to support the introduction of flats
- Applicant's claim of poor communication with Planning is no reason to punish residents.
- the absence of a building on site is historically established, there is no need for one.
- a family dwelling is more desirable.

### Support

- The city needs more dwellings
- Flats are a more efficient use of land than houses
- An excellent location in terms of amenities and transport services
- Parking provided is ample.

### Planning Assessment

#### Policy Context

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

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

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

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

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and as such, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Hence, in line with footnote 7 to the paragraph, in this case a conclusion that significant harm arose to the heritage asset would negate the requirement to consider the 'tilted balance'.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting

point for the decision-making process. For Sheffield this is the UDP and Core Strategy.

- Consider the degree of consistency these policies have with the NPPF and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Consider whether harm accrues and if necessary apply 'the tilted balance' test, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

### Key Considerations

The main issues to be considered in this application are:

- The acceptability of the different aspects of the development in land use policy terms,
- The design of the proposals and their impact on the surrounding street scene.
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided.
- Whether the proposal preserves/enhances the Conservation Area.

### Land Use Considerations

The site is in an allocated Housing Area as defined in the adopted UDP. Policy H10 (Conditions on Development in Housing Areas) identifies housing as the preferred use of land in the policy area. As such the principle of the redevelopment of this site for housing purposes is considered to accord with policy H10.

### Housing Supply, Density and Location

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. This development will make a positive contribution towards the Council's housing land supply of deliverable sites and this should be afforded appropriate weight as a material consideration.

Paragraph 68 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 CS23 and CS24 are restrictive policies, but the broad principle is reflected in paragraph 119 of the NPPF, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure.

Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' prioritises the development of previously developed (brownfield) sites.

This development is taking place on previously developed land and therefore is considered acceptable with regard to Policy CS24.

Therefore, it is considered that the proposal is consistent with the aims of policies CS22, CS23 and CS24.

BBEST policy SBC3 Housing Density states:

All new residential development, including that created by conversion and/or change of use should respect the townscape character and be developed at a density which makes efficient use of land for the new homes and is in keeping with and protects the character of the surrounding area unless material considerations indicate otherwise.

Paragraph 124 of the NPPF states:

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.

Policy CS26 ‘Efficient Use of Housing Land and Accessibility’ requires housing developments to make efficient use of land, but that it should be in keeping with the character of the area. In this location, policy identifies that a density of 40-60 dwellings per hectare would be appropriate.

The site being approximately 0.056 hectares in area this development would represent a housing density of 53 dwellings per hectare. This falls within the suggested range and towards the upper end of the range as is to be expected for a development of apartments.

The proposal is considered satisfactory with regard to Policy CS26. With regard to BBEST Neighbourhood policy SBC3 it is considered that the proposal satisfies the requirement for efficient use of land. The consideration of protection of character is considered in the environmental considerations section of this report.

## Environmental Considerations

Chapter 12 of the NPPF (2021) requires good design, where paragraph 126 states that good design is a key aspect of sustainable development and should contribute positively to making places better for people.

Paragraph 130 requires that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

The NPPF states that development should always seek to secure high quality design, but decision makers should not attempt to impose architectural styles or a particular taste, albeit they should promote and reinforce local distinctiveness.

Policy BE1 (Townscape Design) within the UDP states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design.

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings.

Policy CS31 (Housing in the South West) states that in South-West Sheffield, priority will be given to safeguarding and enhancing its areas of character. The scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

Policy CS74 (Design Principles) within the CS 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.

The BBEST Neighbourhood Plan was adopted in June 2021 and has full development plan weight. Within the plan this site is in an area designated as the Residential South West Character Area.

In addition to policy SBC3 within this area the key policy is DDHM1 'Key Design Principles'. This states:

Proposals will be supported which variously:

- a) conserve historic boundary walls, gate piers and paving, including sett thresholds constructed of local stone, or which seek to reinstate these features appropriate to each character area;
- b) deliver planting to enhance tree coverage with deciduous and evergreen trees, shrubs and boundary hedges;
- c) respect established building lines;
- d) deliver public realm enhancements.

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:-

- 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
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

These requirements closely reflect the aims of local policies and so those policies can

be afforded significant weight.

### Contemporary Architectural Approach

It is considered that the principle of contemporary architecture, which includes flat roofed buildings, within a conservation areas is both long established and acceptable in principle.

The quality of design in this case of the new buildings is considered further below.

### Scale and massing

The proposed building will be four storeys in height with a flat roof, compared to the more traditional three storeys (with upper storey accommodation within the gables/roof space) apparent in the more traditional Victorian properties located on Southbourne Road.

However, by utilising lower floor to ceiling heights and a flat roof the proposed building will have an overall height that sits between the existing ridge heights of Nos. 2 and 8 Southbourne Road and therefore would reflect the sloping topography of the land on Southbourne Road. The set back of the upper storey provides some articulation and reduces the massing at the higher level. Ideally this set back would be slightly greater on all elevations but the scheme, as amended, is not considered inappropriate to the degree that supports a robust reason to resist the scheme.

The proposed building would have a wider front elevation than that previously approved. However, this wider stance is considered to be more reflective of the proportions of the flanking houses with the previously approved design having a more vertical emphasis and appearing somewhat more narrow than ideal, though again not so as to provide a robust reason to resist that scheme.

The scale of this proposal is therefore considered appropriate.

The overall footprint of the scheme is not considered to represent any significant departure from that displayed by existing larger detached properties in the locality, including number 8 Southbourne Road, and this is therefore considered acceptable by Officers.

### Design Considerations

Looking at the existing street pattern, the site is located between 2 & 8 Southbourne Road and currently consists of a rather unattractive area of tarmac reflecting its most recent use as a car park for offices. It is noted, from representations, that the site has historically been open rather being the location of a building but the current format nonetheless represents something of an anomaly in the established street scene and development is not considered inappropriate on this 'infill' plot.

Both front and rear elevations align closely with their corresponding features at No. 8 Southbourne Road and in this regard the scheme is considered to respect the existing form of the street.

Representations have stated the proposed building is overly close to the neighbouring



property (8 Southbourne Road) and that this absence of lateral separation is not reflective of the established urban grain.

The position of the taller element of the proposed dwellinghouse is defined by other site constraints, most notably the need to ensure it does not have an unacceptable dominating impact on the garden of 2 Southbourne Road. However, whilst it is accepted that the proposed gap between the properties is smaller than in many cases along Southbourne Road, this is not considered to be out of context to a degree that it is deemed unacceptable for the following reasons:

- there still remains a reasonable gap that would certainly not give the impression of 'terracing'.
- The proposed unit would be set a not dissimilar distance from the common boundary as 8 Southbourne Road.
- The new property would not project beyond the front elevation of this neighbouring dwelling.
  - Within the immediate conservation area there is a mixture of dwelling types, which includes semi-detached and terraced units.

As such, the proposed scale and siting of the new build elements is considered acceptable by Officers.

The use of natural stone as a primary facing material is welcomed.

The use of stone is an appropriate response to the context given that stone is the dominant material across this section of the conservation area. Zinc cladding is an established high quality cladding material that has been used on several other schemes in the city's conservation areas.

The overall proportions of the principal elevation are considered appropriate and, width of elevation apart, deviates only slightly from the design approach approved under 17/00675/FUL.

Large scale details and samples of materials for approval can be secured through an appropriately worded condition.

Overall it is considered that the design of the building would provide for a striking addition to the street scene which, whilst making a strong statement in its own right, would also respond to the context of the built environment and result in an overall form that should contribute positively to the street scene of Southbourne Road.

Given the above it is considered that this element of the proposal satisfies the requirements of local policies DDHM1 and SBC3 (BBEST), UDP policies BE1, BE5, H14 and Core Strategy policies CS31 and CS74 as well as paragraph 130 of the NPPF.

#### Curtilage works

The plans indicate a not untypical layout, with a front garden/parking area and a rear garden.

There is certainly more area given over to vehicular movement areas than properties further to the north on Southbourne Road. However, it should be noted that other

properties on Southbourne Road feature significant areas of hardstanding to their front 'garden' areas as do No. 78 and Rutledge House on Clarkehouse Road but with a balance that is considered acceptable. Hence, what is proposed in this case should not appear entirely out of character in the street scene.

The proposal would be to retain the existing stonewall to the Southbourne Road frontage, although this appears lower in parts than was apparent in 2017 (such lowering has occurred in the interim but has been achieved with a degree of sympathy). A new main gate is proposed which is supported in principle though details are not provided and such details should be sought by condition.

The front 'garden/parking' area would utilise a grass-crete product to soften the amount of hardstanding present. This, combined with the areas of planting to the front boundary wall and along the northern boundary should balance appropriately the requirements of visual amenity and the need for off-street car parking.

The Applicant was offered the opportunity to reduce off-street car parking at the site in order to increase potential planting area and reduce hard standing to the front of the building but this option was declined.

Overall the proposal is considered acceptable with regard to policies BE1, BE5, H14 and CS74 as well as compliant with local policy DDHM1

#### Heritage Asset Considerations

The Council has a statutory duty contained under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving heritage assets and their setting or any features of special architectural or historic interest which they possess.

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

Policy BE16 (Development in Conservation Areas) within the UDP states that new development that affects the setting of a conservation area should preserve or enhance the character of that conservation area.

Paragraphs 199-202 of the NPPF state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 202 also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In this case the relevant heritage assets under consideration are the Broomhill Conservation Area and the nearby Botanical Gardens, of which both gardens and glasshouses are listed.

## The Conservation Area

The principal consideration here relates to the design and impact on the street scene and this has been discussed earlier. It is considered that the proposal responds appropriately to the street scene/context of the built environment and will not have a deleterious impact on the quality of the street scene. The replacement of a rather unattractive expanse of tarmac with a suitably scaled and detailed building and its associated curtilage works will represent an improvement in the street scene and consequently enhance/preserve the character of the Conservation Area.

### The Botanical Gardens/Glasshouses

The site lies approximately 65 metres from the closest boundary of the Botanical Gardens (listed by English Heritage as a Grade II site of special historic and architectural interest) and some 75 metres from the Grade II listed glasshouses.

More importantly the available views in which both the development and these heritage assets can be viewed in juxtaposition are limited.

When approaching the site from the north on Southbourne Road the front elevation of the development would be viewed at a very oblique angle with a small portion of the gardens boundary viewed beyond the junction with Clarkehouse Road. The building would therefore be viewed much more in context with the flanking buildings and those opposite than appearing starkly against a backdrop of the gardens and the glasshouses.

When viewed from Clarkehouse Road (with the Botanical Gardens boundary on one's right hand side) the side and front elevation of the proposal would be largely hidden from view by No. 2 Southbourne Road in the foreground. In the months when trees are in leaf the site would be almost entirely obscured from view.

It is therefore considered that the proposals will be set at such a distance and orientation relative to existing buildings so as to have little, if any impact on the setting of the listed gardens or glasshouses.

Given the design commentary above it is concluded that the proposal will not create substantial harm to the conservation area/heritage assets. However, owing to the scale the proposals would create less than substantial harm. In such circumstances this impact should be weighed against the public benefits.

### Residential Amenity Considerations

UDP policy H14 requires development not to cause residents to suffer from unacceptable living conditions, including air pollution, noise, or other nuisance or risk to health or safety.

NPPF paragraphs 130 and 185 sets out similar aims in terms of ensuring decisions take into account the impact of pollution on health and living conditions and secure high standards of amenity. The local and national policies closely align and significant weight can therefore be given to H14.

### Existing Residents

The closest properties to the proposal are Nos. 2 and 8 Southbourne Road (those flanking the site).

The rear elevation windows will have some capacity to overlook the neighbouring garden of No. 8 Southbourne Road but such overlooking would be at an oblique angle and would be no more onerous to principal private amenity space than existing relationships between other neighbouring properties on Southbourne Road and throughout the city.

The rear garden of No. 2 Southbourne Road is set well forward of the rear elevation of the proposal and therefore there will be no overlooking arising from the rear elevation windows or balconies.

Side facing windows serving en-suite bathrooms and the stair core should be conditioned as obscure glazed and non-opening.

The balconies on the rear elevation have been amended so as to be centrally located (within the elevation) and to be inset effectively creating flanking screen walls. This will have the effect of 'throwing' views towards the north east rather than allowing more lateral views into neighbouring gardens.

A sedum roof is proposed for the area of flat roof beyond the balcony of the first floor apartment and these should be conditioned as only accessible for maintenance purposes.

The apartments at Botanical House to the east can be divided into two groups, those in the original former villa and those in the extension granted under 17/00675/FUL

The former group of apartments feature bedroom windows in the north west elevation. These are at a significantly oblique angle to the rear elevation windows and balconies of the proposed apartments and no inter-overlooking should arise.

The west elevation of the 2017 approved extension also features bedroom windows but these achieve a separation distance to the proposed windows/balconies of approximately 25 metres which is significantly in excess of the 21 metres required by Supplementary Planning Guidance.

The proposed rear elevation windows and balconies achieve a separation to the east boundary of approximately 11 metres and once again this complies with guidance in Supplementary Planning Guidance. In addition, the areas of curtilage immediately beyond this boundary consist entirely of car parking rather than private amenity space.

With regard to the properties on Rutland Park, the closest is No. 40. The proposal would achieve a separation to the boundary of that property of approximately 20 metres and a separation to the rear elevation (main aspect windows) of approximately 25 metres both of these distances once again exceeding the requirements of Supplementary Planning Guidance.

Given the above it is not considered that any significant overlooking of neighbouring curtilages will occur and the proposal is acceptable in this regard.

Overbearing/Overshadowing

The sole property which is close enough to potentially suffer from either of the above is No. 8 Southbourne Road

No. 8 Southbourne Road does exhibit windows in its side elevation facing the site.

At ground floor these serve a utility room and the kitchen in the original house and a large living/dining space in a recently erected single storey rear extension

At first floor the window serves a bathroom.

Case Law very strongly suggests that the same degree of protection cannot generally be afforded to side facing windows as can be for main aspect windows in principal and rear elevations. Underscoring this is the understanding that side facing windows, though sometimes historically established, effectively borrow amenity from neighbouring curtilages. Nonetheless a due consideration of the impacts on such windows must be given.

In this case, whilst sympathetic to the points raised by the occupant the windows to the kitchen and living/dining area are not the only sources of light to these rooms as there is significant glazing facing down the garden (east) providing an adequate alternative light source and the utility and bathrooms are not considered main habitable spaces.

The proposed building does not breach a 45 degree line scribed from other main aspect windows in No. 8 and this complies with Supplementary Planning Guidance. It is therefore not considered that any overbearing presence would occur to the occupants of no.8 Southbourne Road.

As the proposal is located due south of No.8 Southbourne some overshadowing of the curtilage and south elevation of that property is inevitable. However, this is the case in hundreds of houses across the city with a similar orientation to their neighbours. Given the scale and massing of the proposal, its footprint, orientation and proximity to boundary it is not considered that such overshadowing forms a robust reason for refusal.

The building would be located to the north of No.2 Southbourne Road and as such would cast no shadow across this property. The proposal would present a large body of masonry towards the rear garden of No. 2 and would, due to its position on the site, break a 45 degree line scribed from the nearest ground floor window in the rear elevation of that property. However, such a breach of the 45 degree line would occur approximately 8.5 metres from the window and across the vehicular access to No. 70 Clarkehouse Road. As such this is considered to be an acceptable situation.

Other amenity implications (noise)

It is not considered that the introduction of residential accommodation will introduce adverse impacts on neighbouring residential amenity in terms of noise and disturbance. This is a residential use in a largely residential area and the apartments are no more likely to introduce noise than existing properties.

Future Occupants

All of the proposed apartments and dwellings will enjoy an acceptable level of natural lighting and outlook.

In terms of external amenity space the provision varies for the apartments. However, the upper storey duplex unit features two balconies and there are garden areas proposed to the other two units which amount to approximately 30-40 square metres per apartment.

Whilst the provision for the duplex unit is not entirely generous it is considered that the provision for the scheme is acceptable particularly given the very close proximity of the Botanical Gardens and to a lesser extent Endcliffe Park.

In view of the above, the proposals are considered to comply with Policies H5(b), H14(c) and supporting Supplementary Guidance with regard to residential amenity

### Highways Considerations

The NPPF seeks to promote sustainable transport and locations, emphasising pedestrian and cycle movements followed by public transport in Paragraphs 110 and 112. Paragraph 110 states that safe and suitable access to the site should be achieved by all users. Paragraph 111 goes on to detail that new 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 site is located in a highly sustainable location within close proximity to a wide range of amenities, services, jobs, places of employment and excellent public transport links.

The scheme would provide for 4 off-street car parking spaces which equates to 1 per apartment and 1 space for visitors. UDP parking guidelines suggest that provision should be 1 space each for the two bedroom flats and two spaces for the 4 bedroom unit as well as a space for visitors.

The provision therefore represents a marginal shortfall when compared to UDP guidelines. However, the site lies in a sustainable location with nearby public transport links on Clarkehouse Road and Glossop Road. Southbourne Road also lies within an area covered by a residents parking scheme.

Given the marginal shortfall and the other factors mentioned it is not considered that the shortfall represents a robust reason for refusal.

A permit parking scheme exists in the area and in the event of future requests being made for a permit to Parking Services this would be considered by them in the light of capacity at that time.

It is not considered that the likely number of vehicle movements associated with the proposal will adversely impact on highway safety or the free flow of traffic in the locality. There is a limited amount of space available within the building curtilage for dedicated covered and secure cycle parking. However, the units being proposed are spacious and there would be room for cycles to be stored in hallways for example. In addition, any external storage facility within the front garden area would likely restrict either manoeuvrability of vehicles and/or areas available for vegetation, the latter raising the

potential for a cluttered appearance within the Conservation Area. Internal storage is therefore considered acceptable in this case.

An appropriate bin storage area can be provided in the forecourt/front garden area and details of any enclosure should be secured through condition on any permission granted. Whilst 'front garden' enclosures are generally to be avoided in conservation areas for similar reasons to that above (cycle store) a visually appropriate enclosure for bins should be achievable at this location as the enclosure will be screened to a degree by the boundary wall to the site, and read against this backdrop.

Overall therefore the scheme is considered to be in acceptable in highways terms.

#### Sustainability considerations

In terms of the sustainability benefits it is considered that:

- the site is in a sustainable urban location.
- The development includes for the redevelopment of previously developed land within the main urban area of the city.
- The development will provide for a positive economic impact in terms of job generation both during construction and thereafter in the commercial operation at ground floor.
- The provision of new (and mixed form) housing will contribute to the city's housing supply, at a time when the city cannot demonstrate a 5 year housing supply.
- The introduction of green roofs (albeit limited in scope) will contribute to biodiversity as will the areas of soft planting and trees where currently the site is tarmacadam

Policy CS63 (Responses to Climate Change) within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

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

In relation to the requirements of CS63, the site is in a sustainable location in respect of access to local amenities and public transport. For example, the site is within a reasonable walking distance of amenities available along Ecclesall Road and within Broomhill District Shopping Centre.

Policy CS64: Climate Change, Resources and Sustainable Design of Development within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions.

Previously residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This section of CS64 has however been superseded by recently introduced Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

There are no detailed specifications describing how such requirements will be met but the details can be secured through condition. and the Applicant has agreed to such a commitment.

#### Biodiversity

The introduction of green roof and garden elements should provide some degree of enhancement in terms of biodiversity on the site and whilst these areas are not expansive they are nonetheless welcome.

In light of the above, it is considered that, subject to conditions, the proposal accords with the local and national policies in relation to sustainability.

#### Flood Risk/Drainage Considerations

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.

The site is currently entirely covered in hardstanding and so any reduction in this is a positive step in terms of surface water run-off. The introduction of rear garden areas and the use of permeable/porous materials to the front parking areas should contribute substantially to a reduction in run-off

Such permeable surfacing can be secured through condition.

#### Landscape considerations

BE6 Landscape Design states:

Good quality landscape design will be expected in new developments. Applications for planning permission for such schemes should, where appropriate, include a suitable landscape scheme which:

- provides relevant information relating to new planting and/or hard landscaping, and of existing vegetation to be removed or retained; and
- provides an interesting and attractive environment; and

The development would not result in the loss of any trees of public amenity value.

There is some scope for planting at ground level and some elements of green roof are included in the proposals and these are welcomed. Further details regarding the landscape details, and specification and maintenance of the green roofs will be sought through condition.



Subject to these conditions it is considered that the proposal satisfies Policy BE6

#### Affordable Housing Considerations

Policy CS40 (Affordable Housing) within the CS 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.

This scheme is for 3 dwellings but stands to be considered in conjunction with the previous application 17/00675/FUL in terms of affordable housing.

However, as the combined number of units of that scheme and this totals 14 units Policy CS40 does not apply and the scheme is not required to provide an affordable housing contribution.

#### Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

#### Summary And Recommendation

The proposal seeks permission to erect a building containing three apartments within a site in an allocated Housing Area and within Broomhill Conservation Area.

The proposal would replace a rather unsightly area of hardstanding with a bespoke building of an appropriate scale and design. The introduction of the building should not adversely impact on the street scene, the character of the wider locality or the nearby listed buildings/gardens.

The amenity offer for the future occupants is considered satisfactory with any marginal shortfalls in the provision of private amenity space compensated for by the proximity of high quality public open spaces.

It is acknowledged that the scheme may have some limited overshadowing impact on a neighbouring property (8 Southbourne Road) but this is not considered a robust reason to refuse the scheme overall.

There is a minor shortfall in dedicated off-street car parking within the scheme but it is considered that the provision is acceptable owing to the highly sustainable location and the presence of a residents parking scheme in operation in the locality.

The proposal will make a small but valuable contribution to the city's housing supply and this is a significant consideration when considering the scheme overall.

It is considered that the amenity offer for future residents is acceptable.

This planning assessment overall identifies that the scheme would regenerate a prominent vacant brownfield site, represents investment and employment for the city, and helps toward the shortfall in respect to Sheffield's housing land supply. The site is also within a sustainable location, being within reasonable walking distance to Broomhill District Shopping Centre for example.

Whilst representing an acceptable form of development, appropriate to the street scene, the impact on the Broomhill Conservation Area is judged to represent less than substantial harm. The associated benefits of the scheme ensure it is not in itself so harmful as to warrant the refusal of the application on design and conservation grounds.

Taking all of the above and taking into consideration it is therefore felt that, the scheme meets the relevant requirements of the NPPF and UDP polices BE1, BE5, BE16, BE17, H5, and H14, Core Strategy policies CS23, CS24, CS26, CS67 and CS74, and policies SBC3 and DDHM1 of the BBEST Neighbourhood Plan.

Accordingly, it is recommended that the application be granted conditionally