
Case Number	22/02585/FUL (Formerly PP-11367743)
Application Type	Full Planning Application
Proposal	Demolition of outbuildings and use of former bakery/cafe (Use Class E) as a dwellinghouse (Use Class C3) with associated alterations to fenestration and landscaping (Re-submission of 21/03292/FUL)
Location	Mobri Bakery St Mary's Lane Ecclesfield Sheffield S35 9YE
Date Received	08/07/2022
Team	North
Applicant/Agent	Taylor Tuxford Associates
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

Site Location Plan with Red Line, Drawing Number 20/3029/002/C published 08.07.22

Block Plan, Drawing Number 20/3029/003/C published 08.07.22

Proposed Floor Plans, Drawing Number 20/3029/001/F, published 18.10.22

Proposed Elevations, Drawing Number 20/3029/004/D, published 18.10.22

Reason: In order to define the permission.

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

3. Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

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

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

4. Details of the proposed mortar mix shall be submitted to and approved in writing by the Local Planning Authority. Following this 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.

5. Full details of the proposed design, materials and finishes of all new and or replacement doors and windows shall be submitted to and approved in writing before that part of the development is commenced. The details should include an elevation at 1:20 scale of each window and door and 1:5 scale cross sections showing full joinery and glazing details including any mouldings, head, lintel and cill details and relationship with the external plane of the wall. Thereafter, the works shall be carried out in accordance with the approved details.

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

6. 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.

7. Details of new rainwater goods 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.

Other Compliance Conditions

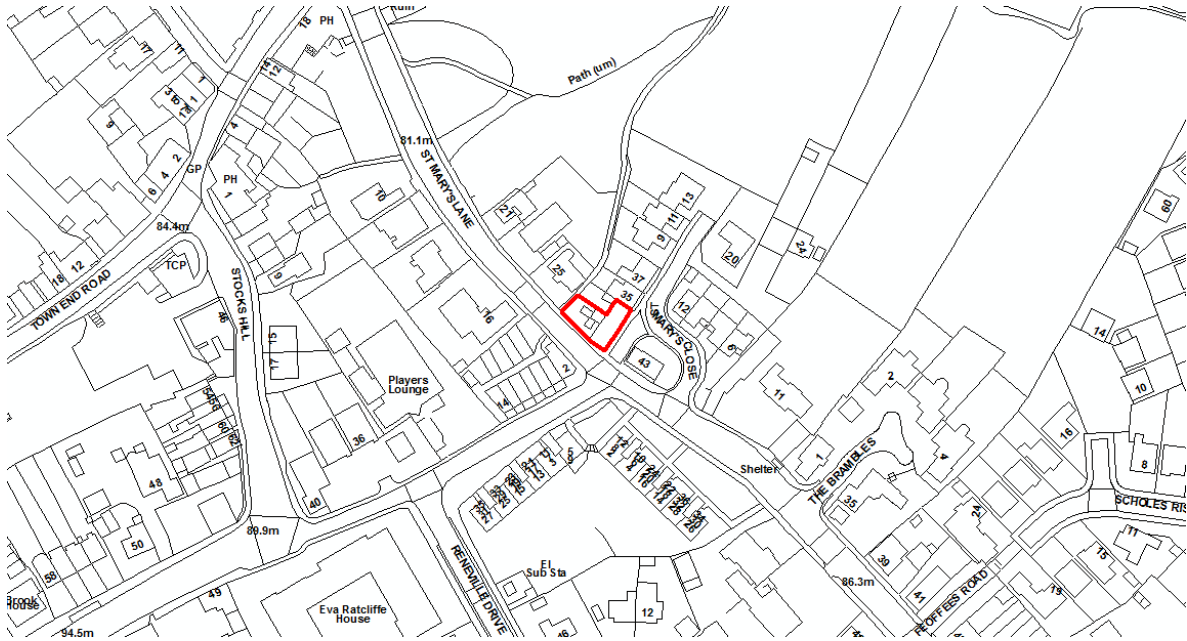
Attention is Drawn to the Following Directives:

1. The applicant is advised that the listed building consent (reference 22/02586/LBC) includes additional conditions which control the interior alterations to the building. Both decision notices should be read in conjunction.
2. 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.

3. The applicant is advised that if any protected species are encountered during development then the relevant legal requirements must be adhered to.
4. The applicant is advised to have regard to the advice from Northern PowerGrid published 26.07.22 on the online planning application file.
5. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The application site relates to a Grade II Listed single storey building that fronts St Mary's Lane and St Mary's Close in Ecclesfield. The site also falls within the Ecclesfield Conservation Area.

The building is attached to the neighbouring residential property and has a small area of enclosed land associated with it on the northern side. This is occupied by containers/ outbuildings.

The building is currently used as a café / bakery with the outbuildings accommodating a dog grooming business. Planning and Listed Building consent is sought to change the use of the building and wider site to residential accommodation with internal and external alterations to facilitate this.

This report is a joint report and assesses matters relating to both the planning submission and the separate Listed Building submission (references 22/02585/FUL and 22/02586/LBC).

PLANNING HISTORY

A planning Application was submitted to use of former bakery/cafe (Use Class E) as a dwellinghouse (Use Class C3) with associated alterations to fenestration, landscaping and formation of parking under application 21/03292/FUL. During the course of the application the building was designated a Grade II Listed Building. This application was subsequently withdrawn.

A subsequent preapplication submission was made to seek a view on a similar scheme to that proposed under these current applications.

REPRESENTATIONS

Representations have been received from 70 parties in connection with the proposals, which are summarised as follows:

Objections:

- Closure of bakery - representations highlight that this is an operating business rather than a former bakery as described within the submission.
- Loss of dog grooming business.
- Loss of local, independent business and employment.
- The businesses are regarded as a community asset / social hub.
- People will have to travel further to shops which is less sustainable and inaccessible to some.
- Job losses - there is more than 1 employee, contrary to the application form
- Objection to demolishing a Listed Building.
- Harm to listed building, hiding original crucks and bricks.
- Historic building would no longer have public access.
- Harm to structure of neighbouring buildings of historic interest.
- The materials are not sympathetic to the building.
- The fenestration changes are out of keeping with the building
- Concern is raised that appropriate contractors would not be used.
- Objection to stud walls being inserted.

- Previous recent improvement works to the bakery would be obsolete which is unsustainable.
- The new accommodation would have poor levels of privacy.
- The development would result in loss of privacy to adjacent dwellings.
- The new property would not benefit from much natural light.
- Concern is raised regarding the impacts on the public footpaths and rights of access.
- Safety implications of parking on the paved area.
- No safe off-street parking is available - contributing to highway safety issues and contrary to UDP Policy T25 (Car parking in Residential Areas).
- The scheme would result in people parking on street overnight which is more unsafe than the parking associated with the existing use.
- No facility for electric vehicle charging.
- No off-street parking provision discriminates against people with disabilities.
- Concern is raised regarding the impact on protected wildlife in the area.
- Concern is raised regarding flooding to adjacent houses.
- Objection is raised regarding the integrity of the information supplied with the submission.
- There is no need for more houses.
- Concern about fire safety of inward opening windows.
- The scheme is contrary to Policy CS32 (Jobs and Housing in Ecclesfield) and CS24 (Maximising Use of Previously Developed Land) as the scheme involves developing land of recreational value.
- Right of way not included
- The property is a mix of freehold and leasehold; concern is raised that the correct request may not have been made.
- There is a power line beneath the site which would be impacted if archaeological investigation occurred.
- Concern is raised about disruption during the conversion works.
- Reference is made to a nearby property which has gained consent from residential to commercial. The rationale behind this is queried.
- The previous submission attracted a petition with over 100 signatories, this should be considered again.
- The breeze block toilet is not shown on the plans.

Comments

Ecclesfield Parish Council:

- Request that comments/objections in respect of the history of the building and that job losses are taken into consideration.
- Request if any alterations are made, they need to be sympathetic to the Grade II listed building and the conditions imposed by the Heritage Statement.

Sheffield Conservation Advisory Group:

- The proposal was generally welcomed as it protects the future integrity of the of the Cruck barn. Request is made for more details on the fenestration and close attention should be given to their materials.

POLICY CONTEXT

All planning applications have to be determined under S38(6) of the Planning and Compulsory Purchase 2004 Act, that is in accordance with the development plan unless

material considerations indicate otherwise. The National Planning Policy Framework (NPPF/Framework) is a material consideration in planning decisions.

The key principle of the Framework (paragraph 8) is the pursuit of sustainable development, which is identified as having three overarching objectives (economic, social and environmental) that are independent and should be pursued in mutually supportive ways. This assessment will have due regard to these overarching principles.

The Council's Development Plan (UDP and Core Strategy) predates the Framework; the development plan does however remain the starting point for decision making and its policies should not simply be considered out-of-date if adopted or made prior to the publication of the Framework, as is the case in Sheffield. Paragraph 219 of the Framework requires due weight to be given to the relevant UDP and CS policies, according to their degree of consistency with the Framework. The closer a policy in the development plan is to the policies in the Framework, the greater the weight it may be given.

Planning Balance

The assessment of this development also needs to be considered in light of paragraph 11d of the Framework and the application of the tilted balance which applies a presumption in favour of development. It states that where there are no relevant development plan policies, or those policies most important for determining the application are out of date, planning permission should be granted unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or
- ii. any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

This is referred to as the "tilted balance" and it will only be engaged in this case if:

(1) the most important policies for the determination of the application are out of date or deemed out of date by the absence of a five-year housing land supply (para. 11(d));

and

(2) The application of policies in this Framework that protect areas or assets of particular importance does not provide a clear reason for refusing the development proposed (11(d)(i)).

In addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, para 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and 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.

As of 1 April 2021, and in relation to the local housing need figure at that date taking account of the 35% urban centres uplift, Sheffield can only demonstrate a 4-year deliverable supply of housing land. Because the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the relevant policies for

determining applications that include housing are considered to be out-of-date according to paragraph 11(d) (footnote 8) of the Framework.

The site is in the Ecclesfield Conservation Area and is a Grade II Listed Building which are designated heritage assets. In accordance with footnote 7 of paragraph 11d(ii), the tilted balance will only apply if the application of policies in the Framework that protect areas or assets of particular importance (designated heritage assets), does not provide a clear reason for refusing the development.

The scheme must be assessed against relevant local heritage policy and paragraphs 200 to 202 (heritage balance) of the Framework before a decision can be reached on the application of the tilted balance under paragraph 11d(ii).

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

Housing Policy Issues

The site lies within an allocated Housing Area as defined in the UDP. Policy H10 of the UDP states that, within such areas, housing is the preferred use of land.

Chapter 5 of the NPPF sets out the strategy for delivering the Government's objective to significantly boost the supply of homes.

The government attaches significant weight to boosting the supply of new homes. Framework Paragraph 69 identifies the important contribution small and medium size sites, such as the application site, can make to meeting housing requirement of an area. Development of windfall sites is supported, and great weight is afforded to the benefits of using suitable sites within existing settlements for homes.

A 2 bedroomed residential unit would diversify the local housing stock, which is a Benefit, albeit a small contribution, towards the City's 5-year housing land supply of which at present there is a shortfall.

Loss of the Existing Business.

Whilst a bakery / café business is not regarded as a designated community facility from a planning policy perspective, it is clear from the many representations received that the business on site provides a valued contribution to the local community; is regarded as a community facility by some and would be missed, if it were to close.

A dog grooming parlour is not regarded as a community facility. The planning system has no ability to control this.

UDP Policy CF2 (Keeping Community Facilities) states that development which would result in the loss of community facilities will be permitted if: (a) the loss is unavoidable and equivalent facilities would be provided in the same area; or (b) the facilities are no longer required; or (c) where a change of use of a building is involved, equivalent accommodation would be readily available elsewhere.

This aligns with the NPPF which sets out the importance of facilities which support communities. Framework paragraph 93 requires planning policies and decisions to : a) plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential

environments; and c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.

The site is located within the urban area of Ecclesfield and is approximately 75 metres from a convenience store and 230 metres from a café and within 350 metres of a Local Shopping Centre. The area is well served by a range of facilities which provide similar goods or service. Refusal could therefore not be justified on this basis.

Furthermore, it is understood that the site and the businesses and building / land are in separate ownership and ultimately the landowner has control over whether the businesses could continue running from the site, outside the planning process.

Heritage Issues

NPPF Paragraph 8c) identifies the protection and enhancement of the historic environment as an integral part of the environmental objective of sustainable development.

Chapter 16 sets out the Government's policies relating to the historic environment. Local planning authorities (LPA) are required to assess the significance of heritage assets affected by a proposal, including development affecting their setting. The aim being to avoid or minimise conflict between the asset's conservation and any aspect of the proposal.

When determining applications affecting heritage assets, the desirability of sustaining and enhancing assets, the positive contribution assets can make to sustainable communities and the desirability of new development contributing to local character and distinctiveness, are all matters that should be taken into account (paragraph 197 parts a) to c)).

The government attaches great weight to the conservation of heritage assets (the more important the asset, the greater the weight should be) irrespective of whether potential harm amounts to substantial harm, total loss or less than substantial harm to the asset's significance.

Harm to the significance of a heritage asset requires 'clear and convincing justification' Consent for development that results in substantial harm (or total loss of significance) should be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraphs 200-201).

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm is required to be weighed against the public benefits of the proposal (paragraph 202).

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 is a material consideration and describes the general duty with respect to conservation areas and states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

At a local level Policy BE16 of the UDP states that permission will only be given to schemes which preserve or enhance the character or appearance of a Conservation

Area.

Policies BE15 and BE19 of the UDP are applicable and seek to preserve the character and appearance of Listed Buildings and where appropriate preserve and repair original details and features of interest

The Council's heritage policies, most important to the determination of this application, lack the heritage balancing exercise specified in Framework paragraphs 200 to 202. BE15, BE16 and BE19 are not therefore fully consistent with the Framework, reducing the weight they can be afforded.

Assessment of Harm

Paragraphs 200 to 202 require the Local Planning Authority (decision maker) to assess the significance of harm that would be caused by a potential development, and then categorise that harm as substantial, less than substantial harm or no harm. Only then can the appropriate heritage balancing exercise be carried out.

In this instance, there are two designated heritage assets affected by the development. The Grade II Listed Building and the Ecclesfield Conservation Area.

Listed Building

The building is a cruck-framed stone barn of pre-1700 date with possible medieval origins, and with later alterations. It is listed for its architectural interest as a pre-1700 building retaining a significant proportion of its original fabric including (but not limited to) at least three full-height crucks, hewn purlins, and stone walling. It is considered as a regionally distinctive agricultural building type. The listing also details that it has value due to its close proximity to, and visual relationship with, the listed and scheduled early C19 former file manufactory at number 11 High Street.

Works would consist of internal and external works required to convert the barn to a 2 bedroomed dwelling. These works are summarised below:

Externally:

- Replacement of existing doors,
- Replacement of render on the south elevation
- Infilling of existing doors and insertion of timber windows
- Reinstatement of openings and new doors / windows
- Removal of curtilage structures and unsympathetic addition to rear.

Internally:

- Removal of 20th C internal partitions and wall cladding and introduction of new internal timber stud walls.
- The internal wall finish will comprise insulated plasterboard with an internal timber sub frame to create a service void.
- Existing twentieth century concrete and tile floors will be removed and a new ground bearing insulated floor slab constructed.
- Internal lining (including insulation if present) of the roof to be removed, condition to be assessed and under draw the existing roof tiles with insulated boards between the existing rafters to limit cold bridging.

Beyond the works to the listed building, the current yard to the north of the former barn is shown to be converted into a garden space, with the existing stone boundary wall retained. The existing wooden panelling above the stone boundary wall; storage containers and outbuildings; and abutting structures would be removed. This would remove clutter which currently detracts from the building and its setting and would enhance the setting by the laying out of this space as garden.

The building has undergone significant alterations throughout the twentieth century. The southern gable end was entirely rebuilt in brick and rendered in the mid-twentieth century and the eastern elevation has had a number of new windows inserted and historic openings infilled. Such is the level of alteration that the historic fenestration arrangement is no longer legible.

The re-rendering of the south west elevation and removal of the existing signage and metal roller shutters over the windows would enhance this elevation which is prominent and faces onto St Mary's Lane.

The south-east elevation contains openings and windows which are non-original. The proposal has been amended during the course of the application so that the fenestration appears less uniform and domesticated than originally proposed. The scheme now makes use of more of the existing openings, with some infill in timber, so the building's evolution is more legible. The change in fenestration would not compromise the significance of the building.

The replacement of windows and doors is acceptable and a condition is recommended to control the final details.

Areas of infill masonry will be required to match the existing stonework and a sample panel will be required. Samples will also be required of the timber infill. These aspects and details defining the quality of the scheme can be controlled by suitable conditions.

Internally, the historic features are four surviving crucks. The original plan form is no longer legible. The internal alterations have introduced blockwork and timber partitioning, timber and tile cladding both on twentieth century partitions and historic internal walls, concrete and tile floors, and the creation of a loft space in the northern element of the barn.

The plans involve exposing the crucks and introducing partitions. These have mostly been sited so that they do not abut the cruck, but one stud wall would straddle this. A condition is recommended to seek details of the final installation of this partition to ensure that the integrity of the original structure is not compromised.

The proposal to internally insulate these walls would have little impact on the overall character of the spaces. A detailed section drawing showing the relationship of the existing walls, subframe and appropriate junction details will be required.

As the layout of the barn at present does not reflect the historic plan form, altering the layout to that proposed would not harm the significance of the building. The replacement of the floor is considered acceptable as again this is non original. A detailed sectional drawing would be required to control the details of this, which can be secured by condition.

Works are proposed to insulate the roof. This would be acceptable subject to the submission of further details including a section, which would be secured by condition.

All of the works detailed would be subject to detailed proposals secured by condition to ensure that the works would be of appropriate quality and detailing given the significance of the building.

It is concluded that the scheme would offer some enhancement to the building in terms of its external appearance and also much more so to its setting. The scheme would therefore not result in harm to the listed building and is compliant with the policy aims set out above.

Ecclesfield Conservation Area

The barn is identified as being of townscape merit in the character appraisal for the Ecclesfield Conservation Area. The proposed works would provide a greater degree of architectural unity in the presentation of the building and site. The materials and finishes would be enhanced. Furthermore, the undesirable elements of the boundary treatment would be removed as would the array of insensitive outbuildings / containers which currently have a negative impact on both the setting of the Listed Building and the Conservation Area. It is therefore concluded that the works would enhance rather than harm the Conservation Area.

Archaeology

UDP Policy BE22 states that sites of archaeological interest will be preserved, protected and enhanced. It goes on to state development will not normally be allowed which would damage or destroy significant archaeological sites and their settings. Where disturbance is unavoidable the development will only be permitted if adequate archaeological record of the site is made and where the site is found to be significant, the remains are preserved in their original position.

Paragraph 205 of the National Planning Policy Framework states that local planning authorities should require developers to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. Policy BE22 aligns with the underlying principles of paragraph 205, so can be afforded moderate weight.

The submitted heritage report identifies potential for archaeological remains of medieval to post-medieval date within the building and to the yard, to its north-west, including beneath existing surfaces. Colleagues from South Yorkshire Archaeology Service agree with this assessment

Cruck framed buildings are an important aspect of the region's vernacular architecture and surviving examples form an important resource of national importance, whilst any associated buried remains could also help contribute towards knowledge of the age and use of the site and the early development of Ecclesfield. The investigation of the age, distribution and form of cruck barns, and medieval settlements more generally, is a focus of several research questions in the South Yorkshire Historic Environment Research Framework.

The proposal involves alterations to the structure of the former barn, including the removal of modern fabric, alterations to existing openings and the construction of new floor slab; and removal of modern buildings and concrete footings in the north-west garden. These works have the potential to harm or destroy important archaeological

evidence that may exist within the site. As such, a scheme of archaeological mitigation will be required.

SYAS recommend that this be secured by attaching condition to ensure a programme of historic building recording and dendrochronology to secure a record in advance of development and advance knowledge of the extent and age of surviving historic fabric; and archaeological monitoring (a watching brief) during groundworks. The results of this work should be appropriately archived to ensure their long-term preservation and to make them publicly accessible.

Subject to the attached condition the scheme would comply with Policy BE22.

Design Issues

Chapter 12 of the Framework (Achieving well-designed places) identifies good design is a key aspect of sustainable development. Paragraph 130, seeks to ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character, including the surrounding built environment (while not preventing appropriate innovation or change); maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

Policy BE5 of the UDP (Building Design and Siting) advises that good design and the use of good quality materials will be expected in all new developments, that original architecture will be encouraged but new buildings should complement the scale form and architectural style of surrounding buildings, and that measures should be taken to break down the mass of large-scale developments.

Policy CS74 of the Core Strategy (Design Principles) advises that high-quality development is expected which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

UDP Policy H14 sets out conditions that development in Housing Areas is expected to meet. These include, at part a), that new buildings are well designed and in scale and character with neighbouring buildings.

These local plan policies are considered to align with the Framework in relation to design matters and continue to carry substantial weight.

The external alterations are minimal. They have been discussed in detail within the above heritage assessment and are appropriate in design terms complying with the above-mentioned policies.

Residential Amenity Issues

UDP Policy H14 part c) states that sites should not be over-developed or deprive residents of light or privacy.

This policy considered consistent with paragraph 130 f) of the Framework, which sets out that developments should ensure a high standard of amenity for existing and future users.

The size of the accommodation and garden space would be acceptable.

The limited size of the openings would somewhat compromise the internal amenity in terms of light and outlook for future occupiers. This however is a constraint of the listed nature of the building. The main living accommodation would be open plan with a large window facing south-west to the main road, further windows would serve the same space facing south-east. These would provide adequate light and outlook to serve this space.

The bedrooms would have small south-east facing windows, whilst these would have limited light due to their size, this would be optimised due to their south-eastern orientation. They would have adequate outlook to the adjoining highway.

The openings would all abut the highway, which would reduce the privacy for occupiers, however similar relationships where habitable rooms abut highways are present across urban areas. The scheme would incorporate adequate private garden space to the rear.

The windows would face the highway frontages, over public rather than private land. It is noted that the windows in the south elevation would face the side of No 43, this has no windows at ground floor in the side elevation and would not result in loss of privacy to neighbouring properties.

The use of the building for residential purposes would be compatible with the residential nature of the area and neighbouring properties and would potentially remove noise and disturbance that could be generated by the current commercial use of the site.

Overall, the amenity for existing neighbours and future occupants of the dwelling would be acceptable.

Highway Issues

UDP Policy H14 part d) expects new development to provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

UDP Policy T25 states that in residential areas on street parking will be restricted where necessary (b) and parking will be regulated to encourage property owners to provide off street parking within the boundary of their property wherever possible.

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

Paragraph 111 of the NPPF sets out 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 and national policies broadly align although the NPPF is somewhat less prescriptive than the UDP policies. Moderate weight is therefore attributed to these.

There is no off-street parking associated with the proposed unit. This was explored at preapplication stage but this would have resulted in the loss of some of the stone wall and garden area which contributes positively to the setting of the Listed Building and the Conservation Area.

The main road has parking restrictions and the side access to the cul de sac is limited in width. Representations received raise concerns about this route being blocked. Highway obstruction would be a police matter.

The accommodation would be 2 bedrooms which would limit the occupancy of the dwelling. The site is located in a sustainable location, close to amenities, public transport and there is some limited on-street parking on the surrounding streets.

The existing uses would generate some parking demand, which is likely to be greater than the proposed dwelling, though limited to its opening hours.

The impact on parking demand and the highway network would be limited and would not result in unacceptable highway safety implications. A balance has been struck between highways considerations and the desire to preserve the setting of the listed building and conservation area. This specific scheme is therefore satisfactory in this aspect.

A public footpath runs to the rear of the site. The scheme would have a neutral impact on this.

Community Infrastructure levy (CIL)

The site is in CIL charging zone 3 and is subject to a 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.

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.

Core Strategy Policy CS74 (Design Principles) identifies that high-quality development will be expected, which respects, take advantage of and enhances the distinctive features of the city, its districts and neighbourhoods, including important habitats.

NPPF paragraph 180 sets out principles to ensure that biodiversity and habitats are protected. The aims of the local and national policies broadly align and the local policy can therefore be afforded significant weight.

The footpath behind the bakery leads to a woodland supporting wildlife and is also a designated Local Wildlife Site (LWS 208 Ecclesfield Allotments). However, the bakery site is bounded by a stone wall and wooden fence and is not functionally linked to the woodland. It is not regarded as a foraging and commuting route for protected wildlife. The site would appear to have negligible potential for bats. The scheme would have a neutral ecological impact. A directive can however be attached to any consent advising the applicant of the correct course of action if protected species were to be encountered.

RESPONSE TO REPRESENTATIONS

Many points raised through representations have been discussed within the above assessment. Other aspects are responded to below:

- Loss of local, independent business and employment - whilst it is regrettable if a local business closes, the control of this falls outside the planning process.
- Historic building would no longer have public access - whilst this building would no longer have public access, the building is in private ownership and this is beyond the control of the planning system.
- Harm to structure of neighbouring buildings of historic interest - harm to third party buildings is a private issue.
- Concern is raised that appropriate contractors would not be used - the planning system cannot control which contractors are selected. Specific conditions are attached to require a high level of detail about aspects of the works proposed. These would need to be approved and carried out on site.
- Concern is raised regarding flooding to adjacent houses - the plans show a reduction in built form on the site. The scheme is not considered to increase flooding implications.
- No facility for electric vehicle charging - there is no current planning requirement for this and in this instance such provision would not be feasible as no on-site parking is provided.
- Concern about fire safety of inward opening windows - inward opening windows are required so that they don't open out over the highway, for safety reasons. Separate Building Regulations cover fire safety implications.
- The scheme is contrary to Policy CS32 and CS24 - CS32 relates to land use and protecting land designated for employment uses from housing demands. In this instance the land is within a residential area and is not allocated as an employment area. CS24 is concerned with using previously developed land for housing and not using greenfield land which would have recreational value. This scheme is an existing building and does not involve new construction.
- Right of way not included - this is a private issue.
- Concern is raised as to whether the correct ownership certificates have been signed - this has been checked with the applicant who confirms that they have.
- Concern is raised that works may impact on a power line beneath the site -the applicant will be advised of the presence of this and should liaise with the utility company prior to works.
- Concern is raised about disruption during the conversion works - any unreasonable noise could be addressed via Environmental Protection Powers, outside the planning system.
- Reference is made to a nearby property which has gained consent from residential to commercial. The rationale behind this is queried - the applications are submitted independently and assessed against policy on their own merits.
- Concern is raised regarding the accuracy of the application - Officers have visited the site and reviewed the submitted detail, the level of detail is sufficient to allow for proper assessment.

PLANNING BALANCE AND SUMMARY

The site is a Grade II Listed building in the Ecclesfield Conservation Area. The building is currently used as a bakery / café with a dog grooming business running from an informal outbuilding in the curtilage. Planning and Listed Building Consent is sought to convert the site to a residential property, which would involve external and internal alterations and the removal of structures in the garden.

The above assessment concludes that there is no harm to the identified heritage assets.

The tilted balance (identified in paragraph 11di) of the Framework) is not engaged in accordance with Framework paragraph 201, in this instance as there is not considered to be any impact on the identified heritage assets (subject to appropriate conditions), however the most important policies relating to the determination of the planning application in terms of housing are considered out of date. The tilted balance is therefore engaged as per 11dii)

This requires any adverse impacts of granting permission to significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In this instance the benefits are:

- Some enhancement of listed building, particularly the setting.
- Enhancement of the conservation area.
- Provision of additional housing unit at a time where there is a shortfall in the housing land supply
- Revenue from council tax and CIL (limited weight is given to this as his would be minimal)

The disbenefits are:

- The lack of on-site parking, though low weight is given to this given the limited impact of this and the sustainable location of the site
- There would be some compromised amenity for the future occupiers, though limited weight is given to this as this is still assessed to be of acceptable quality.
- Loss of valued business. Limited weight is given to this due to the urban nature of the area close to a range of other amenities.

These negative aspects have been assessed in the report above and are judged not to be contrary to the aims of the development plan when assessed as a whole. In this instance greater weight is given to the benefits of the scheme which are considered to outweigh the negative aspects.

It is therefore recommended that both the planning application (22/02585/FUL) and listed building application (22/02586/LBC) are approved subject to the listed conditions in each case.

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