

SUPPLEMENTARY INFORMATION

APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. Application Number: 22/01020/FUL

Address: Cotton Street / Alma Street

Supplementary Information from 14th February

Report Clarification

The second paragraph on Page 125 currently states:

“Residents of this scheme are unlikely to be able to secure a permit in the scheme and this is specified in an informative.”

This is not quite correct and should be altered to read:

“Residents of this scheme will be unable to obtain a standard residential permit due to this application being considered on the basis that it is a car/permit free development but would be eligible to apply for other types of permit - e.g. - blue badge in the normal way and this is specified in an informative.”

On Page 130, the list of benefits refers to the 14 residential units being affordable units. This is not the case. This sentence should read as follows:

- “The scheme would deliver 14 new residential units and go towards addressing identified city-wide need given the lack of a 5 year housing supply.”

Additional Conditions

- (a) In order to ensure the retention of the original chimneys on the roofscape of the building, which is considered to be an important element of the significance of the building within the Conservation Area it is prudent to ensure that the chimney breast supports below are not removed unless and until full details have been provided to show that structural support. The new condition is proposed as follows:

“No development shall commence until a full structural detail has been submitted to and approved in writing by the Local Planning Authority, demonstrating how the original rooftop chimneys, as shown on the approved plans, will be structurally supported and retained, given the proposal to remove the associated chimney breasts which run through to the building. The development shall thereafter proceed in accordance with the approved details and the rooftop chimneys shall at all times be retained.

Reason: In order to ensure an appropriate quality of development and the continued protection of a key heritage asset”

(b) In order to secure an appropriate long-term treatment and maintenance regime for the high boundary wall between the end of the building range and the main vehicular entrance adjacent to the Globe Steel Works building, an additional condition is considered necessary, as follows:

“Before first occupation of the development a long-term management and maintenance proposal (including full details of the exterior treatment) for the tall boundary wall which is attached to the western end of the building range and terminates adjacent to the entrance into the site next to Globe Steel Works, shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in a timescale to be agreed in writing by the Local Planning Authority and shall thereafter be retained.

Reason: In order to ensure an appropriate quality of development and the continued protection of a key heritage asset.”

Supplementary Information - 14th March

At the Planning & Highways Committee meeting held on 14th February, when this item was discussed, Members resolved to defer the item to allow clarification of the designation and implications for this site in the Publication Draft Local Plan (The Plan).

An additional slide has been included in the digital presentation which highlights the designation of the application site and the designation of nearby areas. This shows that the application site would lie in a ‘Residential Zone’ where housing is a preferred use; commercial, business & service uses (Class E) are listed as ‘acceptable’; and general industrial uses are classed as unacceptable.

The nearest General Employment Zone is at Neepsend, approximately 500 metres (by road) to the north-west of the application site where there is no defined preferred use but where commercial, business & service uses (Class E) are listed as ‘acceptable’; and housing is listed as ‘unacceptable’.

The Central Area Flexible Use Zone to the north of the application site lists housing; and commercial, business & service uses (Class E) as ‘acceptable’; and general industrial uses are classed as ‘unacceptable’.

Members are reminded that Paragraph 48 of the National Planning Policy Framework states the following:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

The public consultation on The Plan closed on 20 February 2023. Colleagues in the Strategic Planning Team are currently considering and collating the representations that have been received as a result of the consultation. At this stage of The Plan process, the comments are meant to specifically consider whether The Plan is legally compliant or whether The Plan is 'sound'.

In relation to the designation of the application site as falling within a 'Residential Zone' it is confirmed that no objections have been received to this designation. This means that the designation can now be given some weight in the decision-making process, particularly as the proposal to designate the area in this way will support the objective of boosting the supply of homes (paragraph 60) and, as a small site, make an important contribution to meeting the housing requirement within an existing settlement (paragraph 69).

It is therefore concluded, in terms of land use designation, that the Publication Draft of the Local Plan (which was approved by Full Council) supports the conversion of this building to residential use.

2. Application Number: 21/01694/FUL

Address: Land adjacent 6 Moor Oaks Road

Additional Representation:

A further representation has been received from the Chair of the BBEST Neighbourhood Planning Forum who requests it is presented in full to the Committee. It is pasted in italics below:-

It has just been brought to my attention, as Chair of the BBEST Neighbourhood Planning Forum, that our policy SBC2 is being set aside in the report on planning application 21/01694, despite carrying significant weight and being the cornerstone

of our planning to create housing for local needs in our local area - exactly as Government legislation expected for Neighbourhood Plans.

SBC2 was developed on the basis of the substantial evidence documented in the Plan and subject to rigorous examination by the Plan's Examiner. As you will know our plan had an over 90% majority vote in its referendum. SBC2's importance to our area cannot be overstated when we have a severe lack of three bed properties, at the extreme end for the whole city. It is therefore very surprising not to see the policy enforced. BBEST strongly recommends the Planning Committee enforces the policy, which applies to all applications for development of ten dwellings or more and requires "no less than 50% of dwellings with three bedrooms" within that development.

We would like you to bring the full text of this email to the attention of Planning Committee members at the meeting. I am copying this email to local councillors for information.

Officer Response

The representation suggests that local policy SBC2 is being 'set aside' despite carrying significant weight.

The Neighbourhood Plan is part of the Development Plan. Developments which conflict with up to date planning policies (including neighbourhood plans) should not normally be granted (NPPF paragraph 12). Due to the lack of a 5 year housing land supply, the policies which are most important for determining this application for housing are considered 'out-of-date'.

When the so-called 'tilted balance' is engaged (as it is in this case, as set out on pages 106-107 of the report), paragraph 14 of the NPPF provides that the adverse impact of allowing development that conflicts with recent Neighbourhood Plan policy is likely to significantly and demonstrably outweigh the benefits where all four of the following apply:-

- a) The Plan is less than 2 years old;
- b) The Plan contains policies and allocations to meet its identified housing requirement;
- c) the local planning authority has at least a 3 year supply of deliverable housing sites; and
- d) the local planning authority's housing delivery was at least 45% of that required over the previous 3 years.

The BBEST Neighbourhood Plan was adopted in the summer of 2021 so meets test a). Sheffield has a 3.6 year supply of deliverable housing sites and it's delivery of housing was 127% of that required over the last 3 years so parts c) and d) are met too. However, the Plan does not contain policies and allocations to meet it's identified housing requirement so part b) is not met, meaning that the provision identified above in paragraph 14 of the NPPF does not apply.

It is not the case that officers have set the policy aside. The Officer report discusses the requirements of the policy, reflects the fact that the scheme has been amended to better reflect its ambitions and discusses the degree of non-compliance with the 50% 3-bed content. The 'adverse impact' this creates in the context of paragraph 11 of the NPPF is that limited development opportunities occur within the Neighbourhood Plan area and the policy seeks to ensure that more 3 bed units are delivered in an area where they are lacking. 13 dwellings in an area with limited development opportunities is seen as a benefit of the scheme, but it is acknowledged that a policy compliant development would deliver additional benefits.

The report identifies the policy as having significant weight on page 109 of the report but doesn't provide the additional context in light of the 'tilted balance' in paragraph 14 of the NPPF and there is no specific reference to the policy alongside the other considerations in the balancing section, which is an omission. The view of officers is that non-compliance with the 50% 3 bed unit requirement of the policy, as an adverse impact of the development, would not be considered to significantly and demonstrably outweigh the benefits as set out in the balancing exercise on page 120.

Draft Local Plan

Paragraph 48 of the NPPF states that Local Planning Authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The current version of the draft Sheffield Plan has recently been consulted upon and identifies the site as being within a Residential Zone where, as with the current adopted Unitary Development Plan allocation of the site as a Housing Area Class C3 residential use is a preferred use.

Corrected Condition

Condition 16 in the agenda papers is missing an insert identifying the minimum number of electric vehicle charging points to be provided. It should therefore read:-

Before commencement of the development details shall have been submitted to, and approved in writing by, the Local Planning Authority detailing the provision of infrastructure for at least 6 electric vehicle charging points within the site. Such plant shall be operational before first occupation of the apartments.

Reason: In order to ensure that the development makes energy savings in the interests of mitigating the effects of climate change.

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