

## SUPPLEMENTARY INFORMATION

### APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. **Application Number: 22/01020/FUL**

**Address: Cotton Street / Alma Street**

**Supplementary Information from 14<sup>th</sup> 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 from 14<sup>th</sup> March**

At the Planning & Highways Committee meeting held on 14<sup>th</sup> 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.

### **Supplementary Information - 18<sup>th</sup> April**

#### **Correction**

At the Planning & Highways Committee meeting held on 14<sup>th</sup> March, Members resolved to grant planning permission in accordance with the recommendation, subject to the completion of a legal agreement.

Following the meeting, Officers realised that they had mistakenly quoted the wrong policy from the Publication Draft Local Plan in response to a point raised by the speaker, Robin Hughes (of Hallamshire Historic Buildings), regarding objections to proposed policy NC2. Mr Hughes pointed out that Joined Up Heritage Sheffield had proposed an amendment to proposed policy NC2 (Development in Residential Zones), which he considered to constitute

an objection and that the weight given to the designation of the site as a Residential Zone should therefore be diminished.

In response, officers agree that very limited weight can be attached to the Publication Draft Local Plan at this stage. No objections have been submitted to the designation of this site as a Residential Zone. It is correct, however, that comments received from Joined Up Heritage in relation to Policy NC2 included a request for an amendment that states: *“In Residential Zones traditional manufacturing by small businesses in buildings historically occupied by such businesses will be an acceptable use.”*

It is considered that the proposed amendment would make no practical difference to the implications of the draft local plan on this application. As drafted, Policy NC2 already defines *“Commercial, business and service uses (Class E)”* as acceptable uses. The existing Silversmith is a business which falls within Class E (as stated in the officer report) and so is an acceptable use under the draft policy, which allows for the retention and creation of Class E uses in the area.

Members are reminded that the planning system cannot force a specific business to be retained in a specific area, and that proposed policy NC2 reinforces the direction set in the Core Strategy and Strategic Vision, to prefer housing in these areas, whilst identifying commercial uses as acceptable.

### **Additional Representation**

An additional representation has also been received from Mr Robin Hughes, which raises concerns about the application of the tilted balance in this case.

Specifically, it is claimed that the test under NPPF paragraph 11(d) limb (ii) has been applied, but that designated heritage assets should be considered under limb (i). It is also claimed that weight has been wrongly applied to the public benefits of the scheme because, under limb (i) the planning balance is not “tilted” by the NPPF but operates unmodified.

As referenced in the committee report, paragraph 202 of the NPPF 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 including, where appropriate, securing its optimum viable use.

The report concludes that there will be less than substantial harm to the significance of the heritage asset and goes on to weigh that harm against the public benefits, which include the future security and retention of the building, the creation of jobs through the construction process; and the provision of new housing units at a time when the City falls far short of the required 5-year housing supply (p.40).

Following consideration of the benefits the report confirms compliance with paragraph 202 and so there is no ‘clear reason’ for refusal, which rules out

paragraph 11(d) limb (i), but it continues to apply the tilted balance under limb (ii), which is engaged as a result of the absence of a 5 year housing land supply in Sheffield.

Members of the Committee are therefore recommended to uphold their original decision and grant planning permission subject to the listed conditions (as amended) and the completion of a legal agreement.

**2. Application Number: 22/04564/FUL**

**Address: Shepley Spitfire, 56 Mickley Lane, S17 4HD**

**Amendment to Description**

The description is amended to remove reference to the painting of the building which does not require planning permission.

**New Description**

Erection of timber pergola with poly-carbonate roof, and festoon lighting on mounting posts (amended scheme).

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