

**SUPPLEMENTARY INFORMATION**

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

**1. Application Number 15/03924/FUL**

**Address South Yorkshire Police, Rotherham Road, Sheffield**

**Additional comments from local resident received 16/01/16:**

- Security fence still in situ around the site, a complete disregard of rules by landowner
- Coal Mining. This is a former coal mining area with possible current and future problems
- Contaminated land. Letter questions if this is the landowner stating that land is not contaminated. What testing has been done? Nearby developments have had a number of borehole test done. Would this site require the same investigation?
- Highways. The council has a legal and moral duty as a public body to inform police traffic enforcement as a matter of course with regards to parking on junctions and footpaths

**Officer Response**

- Highways are currently taking enforcement action in respect of the unauthorised fence. The Head of Planning requests the authorisation of additional enforcement action by Committee in respect of associated breaches of planning control.
- The site does not fall within a coal mining referral area and a coal mining risk assessment was not required as part of the application
- The Environmental Protection Service have not raised any concerns regarding contamination of the site
- Existing parking enforcement issues in the area cannot be addressed by this current planning application. Local residents should report dangerous parking direct to the police

**2. Application Number 15/03499/FUL**

**Address 74 Broomgrove Road, Sheffield**

**Additional comments received from previous objector**

- The proposed new houses are erroneously described in the officer's report as being 2 storeys, when they are in fact 3 storeys. The report relies on UDP Policy H14 Supplementary Guidance *Guideline 5 for Two-storey extensions*, but as the proposed houses are 3 storeys, this guideline should not apply to them.
- The proposed houses have 3 floors and they would extend 3 metres beyond the rear of 72 Broomgrove Road thereby causing overshadowing, overlooking and loss of privacy to the neighbouring property
- Demolition of the back wall of the former club will result in a very significant loss of privacy to no 72 and the character of the back garden would be altered
- The loss of the steward's house would expose the end gable of No.72 which would no longer be protected from the elements and might cause structural problems.
- The proposed houses would also extend well beyond the rear of the neighbouring maisonettes and, at 3 storeys, overshadow these maisonettes.
- Previous pre-application advice to Broomgrove Club regarding a two-storey extension, recommended that the height of the proposed extension be reduced to 1.5 storeys.
- The proposals should be refused or 1. Reduced in height. 2. The boundary wall to No.72 should be retained and stabilised 3. The gable end of No.72 should be re-pointed 4. Building Regulations consent is sought before starting work 5. The area of garden should be increased and trees retained/planted.
- Describing the club garden as previously developed land is inaccurate. The club garden has always been a green space used by the club for their social functions. The steward's residence has been an integral part of the club for many decades, not just a mere ancillary.
- The existing garden provides amenity to the adjacent maisonettes and contributes significantly to the character of the neighbourhood.
- The proposed landscaping is minimal and the entire original garden would be destroyed.
- Although it is welcome that the amended proposal seeks to retain the historic pedestrian gate, a substantial proportion of the stone wall would be lost. This, along with the proposed demolition of the old clubhouse would have a severely detrimental impact on the character of the adjacent Conservation Area.
- It should be noted that the vehicle access adjacent to 72 Broomgrove Road would require moving of street furniture

#### **Additional comments from the Broomhall Park Association**

The Association re-iterate all previous objections and consider that the minor amendments to the scheme do not address any of their previous concerns.

## Officer Response

The matters raised have been largely addressed in the main agenda report. The reference to a one and a half storey height limit in the advice given at pre-application stage relates to an alternative proposal to extend the snooker club with a building that was much closer to the boundary with the maisonettes and which covered a substantial portion of the side boundary, thereby having greater potential for impact.

**3. Application Number            15/03286/FUL**

**Address                                190 London Road, Sheffield**

### **Additional comments received from the applicants agents:**

- A similar application was approved at 42-46 London Road (15/04022/A3PN) which determined that prior approval was not required for the change of use of an A1 retail unit to an A3 ice cream parlour (decision date 18/12/16).
- Whether considering a prior approval application or a full planning application, the same scrutiny is required in respect of the impact of the proposals on the viability of the shopping centre and there appears to be an inconsistency in the Council's approach to the same planning consideration. Whether the proposed use is an ice cream parlour (A3 use) or betting shop (sui generis) use is immaterial.
- The Council determined that an A1 unit can be lost to an alternative town centre use where A1 dominance is 44% at 42-46 London Road. If the development brings about the reuse of a vacant unit which has not received interest from retailers, then this should apply equally to 190 London Road.
- There is a discrepancy between the retail dominance figure used in the prior approval application at 42-46 London Road (44%), and the officer's report for 190 London Road (41.7%).
- The committee report states that there are three existing betting shops within the district centre, this is incorrect, as there are only two (William Hill and Paddy Power).

## Officer Response

- The application at 42-46 London Road (15/04022/A3PN) was considered during the assessment. However, there are important differences between the applications that warrant different recommendations.
- The Government's changes to permitted development rights mean that only a prior notification application is required for changes from A1 to A3. This implies that other main town centre uses such as cafes (and in this case an ice cream parlour) can contribute to the vitality and economic activity in centres.

- In contrast, betting shops are not main town centre uses given the Government's decision to remove them from the A2 use class, and therefore they are not covered by permitted development rights. It is therefore less favourable to allow betting shops in centres if this would mean the further loss of A1 units. The proposed use as a betting shop is therefore a material consideration.
- It was accepted that marketing of the unit at no. 42-46 demonstrated that retail was not feasible. The unit at 42-46 was vacant longer, marketed since May 2014. Therefore the proposed A3 ice cream parlour was considered acceptable as this is a main town centre use.
- The unit at no. 190 was only been marketed between Jan 2015 and September 2015. It is not considered that this sufficiently demonstrates that the unit at no. 190 has no future prospect of being occupied by another retailer. As the vacancy rate of London Road does not exceed the national average, it is not considered that the centre is in decline and this would not be a mitigating factor that would allow further loss of A1 at the expense of a non-town centre use such as a betting shop.
- The 44% A1 figure was the basic assessment of dominance based on the most up to date Business Rates data available (July 2015). However, as the agent's challenged the accuracy of this data, it was assessed in more depth and A1 units have reduced since July 2015 to 41.7%. This is therefore the most up to date figure.
- There is a Ladbrokes at 21 London Road, as well as the William Hill and Paddy Power branches, therefore 3 bookmakers in total on London Road.