

SUPPLEMENTARY INFORMATION

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

- 1. Application Number 16/01362/FUL**
- Address Site of Gordon Lamb Limited, 10 Summerfield Street,
Sheffield, S11 8HJ**

Amendments to Conditions

Amended Condition 2 (Approved Plans)

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

2940.01.501D - Lower Ground Site Layout Plan scanned on 21 July 2016.

2940.01.502B - Podium Layout Plan scanned on 27 July 2016.

2940.01.510A - Block A1 Ground Floor Plan scanned on 01 July 2016.

2940.01.511B - Block A1 First Floor Plan received via email dated 21 September 2016.

2940.01.512B - Block A1 Floor Plans 8-9 received via email dated 21 September 2016.

2940.01.513A - Block A1 Roof Plan scanned on 01 July 2016.

2940.01.514A - Block A1 Floor Plans 2-7 received via email dated 04 October 2016.

2940.01.520A - Block A2 Ground Floor Plan scanned on 01 July 2016.

2940.01.521C - Block A2 Floor Plans 1-5 received via email dated 21 September 2016.

2940.01.522B - Block A2 Floor Plan 6 - 7 received via email dated 21 September 2016.

2940.01.523A - Block A2 Roof Plan scanned on 01 July 2016.

2940.01.530A - Block A3 Ground Floor Plan scanned on 01 July 2016.

2940.01.531C - Block A3 First Floor Plan received via email dated 21 September 2016.

2940.01.534B - Block A3 Second Floor Plan received via email dated 21 September 2016.

2940.01.535B - Block A3 Third Floor Plan received via email dated 21 September 2016.

2940.01.536B - Block A3 Fourth Floor Plan received via email dated 21 September 2016.
2940.01.537B - Block A3 Fifth Floor Plan received via email dated 21 September 2016.
2940.01.532C - Block A3 Floor Plan 6-7 received via email dated 21 September 2016.
2940.01.533A - Block A3 Roof Plan scanned on 01 July 2016.

2940.01.540A - Block B Ground Floor Plan received via email dated 23 September 2016.
2940.01.541C - Block B Podium Level Plan received via email dated 23 September 2016.
2940.01.542C - Block B Floor Plans 2-6 received via email dated 23 September 2016.
2940.01.543C - Block B Seventh Floor Plan received via email dated 23 September 2016.
2940.01.544C - Block B Eighth Floor Plan received via email dated 23 September 2016.
2940.01.545 - Block B Roof Plan received via email dated 23 September 2016.

2940.01.550B - Block A1 East and South Elevations scanned on 15 July 2016.
2940.01.551B - Block A1 West and North Elevations scanned on 15 July 2016.

2940.01.560B - Block A2 North and East Elevations scanned on 15 July 2016.
2940.01.561B - Block A2 South and West Elevations scanned on 15 July 2016.

2940.01.570B - Block A3 East Elevation received via email dated 04 October 2016.
2940.01.571B - Block A3 North Elevation received via email dated 04 October 2016.
2940.01.572B - Block A3 South Elevation scanned on 15 July 2016.
2940.01.573B - Block A3 West Elevation scanned on 15 July 2016.

2940.01.580A - Block B North Elevation 1 scanned on 27 July 2016.
2940.01.581A - Block B North Elevation 2 scanned on 27 July 2016.
2940.01.582A - Block B South Elevation 1 scanned on 27 July 2016.
2940.01.583A - Block B South Elevation 2 scanned on 27 July 2016.
2940.01.584A - Block B East and West Elevations scanned on 27 July 2016.

2940.01.590B - Street Scene Napier Street scanned on 27 July 2016.
2940.01.591B - Cross Section B/B scanned on 27 July 2016.
2940.01.592B - Cross Section DD scanned on 27 July 2016.
2940.01.593A - Street scene Pomona Street received via email dated 04 October 2016.
2940.01.594B - Section CC scanned on 27 July 2016.
2940.01.610A - Street Scene Pear Street scanned on 27 July 2016.
2940.01.611A - Street Scene Ecclesall Road scanned on 27 July 2016.

2940.01.612A - Street Scene Summerfield Street scanned on 27 July 2016.

Reason: In order to define the permission.

Amended Condition 40 (Access Gates)

With the exception of the gates identified on the approved site plan, there shall be no further gates or barriers erected at any of the means of access to the site.

Reason: To ensure access is available at all times and in the interests of highway safety.

2. Application Number: 14/00318/FUL

Address: Station Road and Manchester Road, Deepcar.

Amended Recommendation

Grant conditionally is the correct recommendation, as this is a Full Application.

Planning Assessment – supplementary

Additional comments are required:-

- **Affordable Housing**

A requirement for at least 5% of the houses to be affordable was part of the legal agreement associated with the original outline consent. However, it became clear that this site has exceptional 'abnormal' costs, relating to the need to relocate the water treatment works. The Council has investigated this case thoroughly and agreed to use New Homes Bonus funding to help gap fund the cost of this relocation. It has therefore been clear that there is no possibility of this development providing any affordable housing on viability grounds.

- **Representations on infrastructure requirements**

The site is located within a CIL Charging Zone with a residential levy of £30 per square metre. Whilst the report identifies a potential overall contribution of over £1.3M, this will be spent on city-wide infrastructure needs determined by the Regulation 123 List and not necessarily on local services that representations refer to. Also, given the viability issues with the development it is possible that the applicants will examine whether a case can be made for Exceptional Circumstances Relief. The development is not of sufficient scale to require further infrastructure provision beyond that provided for by CIL.

- **Flood Risk**

The report incorrectly implies that housing can be accommodated in Flood Zone 2 without the need for a Sequential Test. This is not the case as paragraphs 100 to 103 of the National Planning Policy Framework (NPPF) require housing, to be directed to the areas of lowest probability of flooding, i.e. Flood Zone 1 by applying

the sequential approach to site selection. Only where there are no reasonably available sites in low risk locations should Local Planning Authorities begin to consider housing development in Flood Zone 2.

The applicant has carried out a Flood Risk Assessment (by Arcadis Design and Consultancy in December 2015) which states that the Sequential Test has been passed. This is incorrect as evidence concerning alternative sites was not undertaken by the applicant, nor has a Sequential test been undertaken at Local Plan level.

However, despite the absence of evidence provided by the applicant, officers have considered the need for strict application of the Sequential Test in this case. The site is a very large development that has to be considered as a whole rather than disaggregated into smaller developments. Any Sequential Test would therefore need to consider the availability of sites which can accommodate over 400 dwellings that are not located within the Green Belt. It is highly unlikely that such sites would exist.

Any search area would reasonably be limited to the 'Rural Settlements' Core Strategy area; the Stocksbridge and Upper Don Ward; and the Rural Upper Don and Stocksbridge and Deepcar Affordable Housing Areas. It is worth noting that a similar scale of development at Oughtibridge Mills, when considering sequentially preferable sites within those areas concluded that no such sites were available. This supports Officers own assessment of available sites within the search area.

A further factor in the decision to not request further evidence for the application of a Sequential Test is that development at this location facilitates the relocation and expansion of the waste water treatment works, which has significant benefits for the wider area, that other sites could not deliver. Overall, the proposal will realise unique, site specific, regeneration qualities in a rural part of Sheffield which could not be realised in many other parts of the authority which is predominantly urban in character.

The main agenda report identifies that measures and recommendations within the submitted Flood Risk Assessment should be incorporated within the conditions to ensure a safe development.

Additional Representations

In response to the Mine Water Treatment Scheme dated September 2016 submitted by the applicant, the Environment Agency (EA) has commented as follows.

It is not within the remit of the EA to approve the design of the mine water treatment and they wish to concentrate on the environmental permit applications relating to the control of this facility and the prevention of pollution entering the River Don. It is hoped that all issues are identified and resolved at the earliest possible stages to avoid potential amendments to the planning application.

The Coal Authority (CA) have set out more detailed comments in an additional representation, which are set out below.

Oxygenation of the mine water is essential for the processing of the iron in the water and no detail of how this will be undertaken has been provided.

The calculations on the treatment and the size of the scheme should work.

The total calculated volume of sludge based on the treatment assumed is in line with what the CA would expect although the CA disagree with the split on iron removal by the settlement ponds and reed bed.

The provision of two settlement ponds allows for continued treatment of sludge during de-sludging one pond but there is no information on by-passing the reed bed to allow for de-sludging.

The maintenance schedule should include a requirement for pipeline jetting/pigging to remove the build-up of ochre.

There is no detail on how the de-sludging will be undertaken and removed from the site.

Funding will be required to ensure the de-sludging and maintenance of this facility takes place in the long term.

The mine water treatment scheme will require a permit from the EA.

Response to Representations

White, Young and Green, who prepared the Mine Water Report have responded to the above on behalf of the applicant;

The oxygenation methodology will be included in further detailed design.

The calculations show that the whole scheme will result in all the sludge being effectively controlled.

Pipeline jetting/pigging will be included in the detailed maintenance regime.

With reference to sludge removal, it is noted that there is no space to create a drying area on site so it will be hauled off site. Each pond will require about 20 lorry movements to remove the sludge.

Amended Conditions

Condition 6

The condition should be amended to read: *“No development shall commence until full details, including a binding legal agreement setting out the timescale and process for the decommissioning and relocation of the Waste Water Treatment Works shall have been submitted to and approved in writing by the Local Planning Authority. The development of any dwelling, with the exception of those on plots 386 to 413 and 1 to 4, as indicated on the approved plans shall not commence until the existing Waste Water Treatment Works has been decommissioned”.*

Conditions 08 and 09 are deleted and replaced with the following conditions;

08. In respect of the area of the site formerly known as The Sidings, Station Yard, no development shall commence until the actual or potential land contamination and ground gas contamination at the site has been investigated and a Phase 1 Preliminary Risk Assessment Report submitted to and approved in writing by the Local Planning Authority. The report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

09. In respect of the area of the site known as The Sidings, Station Yard, any intrusive investigations recommended in the approved Phase 1 Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase 11 Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

Delete Condition 16 and replace with:

16: Prior to the occupation of any dwelling hereby permitted a management plan shall have been submitted to and agreed in writing by the Local Planning Authority setting out details of the linear park along the River Don and surface water balancing pond. These facilities shall be provided prior to occupation or to an alternative timescale agreed in writing by the Local Planning Authority, and thereafter maintained and retained in accordance with such agreed details.

The management plan shall include;

- A detailed planting layout including species.
- Detailed layout of shared footpath/cycleways, picnic areas and seating.
- The development and maintenance of the linear park including the organisation who will assume responsibility for this facility in perpetuity.
- Details of any service charge that would be provided by future residents.
- Details of the biodiversity enhancements to be delivered as set out in the Ecological appraisal dated December 2015 and addendum to this dated September 2016.

Condition 26 is amended to read:

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) compiled by Arcadis, dated December 2015 and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 600mm above the 1:100yr climate change flood level. This shall be based upon the undefended scenario of the 2012 Arup modelled levels, using the 1:200yr flood level for the proxy of the 1:100yr climate change event, and also using the appropriate modelled cross sections along the site.

2. No residential development or ground raising is to take place within the 1:200yr flood extent. This shall be based upon the undefended scenario of the 2012 Arup modelled extent. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

1. To reduce the risk of flooding to the proposed development and future occupants.
2. To prevent flooding elsewhere by ensuring that existing storage of flood water is maintained.

Condition 27 is deleted and replaced with the following condition;

27. The previously approved Specification for Preparatory and Remedial Works for Land at Manchester Road, Deepcar (ref: C0932B dated November 2007) shall be reviewed and updated to account for changes in guidance and best practise, updated in respect of site status and shall incorporate any remediation works recommended in the approved Phase II Intrusive Site Investigation Report (relating to the area of the site formerly known as The Sidings, Station Yard) and shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

Additional Conditions

The following additional conditions shall be attached:

33. Details of suitable means of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings shall not be used unless such means of boundary treatment has been provided in accordance with the approved details and thereafter such means of enclosure shall be retained.

34. Large scale details including materials and finishes at a minimum scale 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:

- Window reveals.
- Doors.
- Eaves.

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

35. 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 prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

36. None of the dwellings hereby permitted shall be occupied until

- a. design details for a mine water treatment facility (MWT Facility) sited and laid out in general accordance with the matters shown schematically on White Young Green Drawing A094774 21 C 300 dated 21 September 2016 (including the collection, treatment and disposal of minewater sludge) have been submitted to and approved in writing by the local planning authority. Collection, treatment and disposal details shall include oxygenation of the minewater, pipeline jetting, pigging and the details of the removal of sludge from the site;
- b. the MWT Facility shall have been constructed in accordance with the approved design details and made available for use for treatment of mine water from the site in general accordance with White Young Green Mine Water Treatment Scheme dated September 2016 (MWT Scheme);
- c. a management company whose objects include the inspection and maintenance of the MWT Facility in accordance with paragraph 3.4 of the MWT Scheme shall have been : (i) constituted; (ii) granted the necessary property rights to inspect and maintain the MWT Facility in accordance therewith; and (iii) funded or given the benefit of funding arrangements reasonably capable of enabling it to carry out such inspection and maintenance in perpetuity;

and the MWT Facility shall be inspected and maintained in accordance with the MWT Scheme subject to such variations thereto as shall be submitted by the developer or the management company and approved in writing by the local planning authority from time to time in order to maintain the protection of the River Don against those effects of mine water from the development site which have been identified in the MWT Scheme.

Reason: to protect the River Don (Main River) against the effects of mine water from the development site which have been identified in the MWT Scheme.

Condition to be deleted

Conditions 17 and 25 are deleted as the Government's adoption of Optional Technical Standards removes the local planning authority's ability to require access and mobility housing, with these requirements now being governed by the Building Regulations alone.

3. **Application Number** **16/00802/FUL**
- Address** **Site of 19 Haywood Lane and 8 Ash Lane**
- Representations**

Two additional letters of objection has been received including one from Cllr Richard Crowther, in response to the officer report. The objections raised are: The parking provision is inadequate for the scheme, 14 spaces are potentially needed with only 8 provided. Where will the other cars and visitors cars park. The proposals will have an impact on the residents of Ash lane as the proposal removes on street parking to provide access and encourages increased use of Ash Lane to access the site The only reason the access has been moved to Ash Lane is to increase the number of houses that can be built on the land. It would be more sensible to reduce the number of houses to 3 or 4 and keep the access where it currently is so it would be easier to access.

The mass of the development will impact on the amenity of the local area and quality of life of existing residents.

One objector also considers that resident's concerns and objections are not taken into account as despite 11 objections, it is recommended to approve the application.

Response to representation

It is considered that these issues are already covered in the main report and no additional information is required to address these points. Planning applications must be determined on the basis of adopted planning policy.

- 4. Application Number 16/02148/FUL**
- Address Site of Westfield School and Sports Centre,
Westfield Crescent**

UPDATE

An updated report and recommendation was circulated to Members on Friday 7 October to address the minor outstanding items that were highlighted on page 57 of the original report. The updated report included a full list of proposed conditions. Since the revised report an additional representation has been received.

Additional Representation

A late representation has been received which says there are difficulties for traffic entering Moss Way at peak times from residential estate roads and also for pedestrians crossing Moss Way. It refers to traffic queuing on Moss way at peak times following the construction of Asda and the Supertram lights not allowing sufficient time for pedestrians to cross Moss Way. It says traffic should be channelled via Mosborough/Birley rather than Moss Way. Traffic lights, a speed camera and a pedestrian crossing is needed if traffic is to use Moss Way.

Response to representation

The Council is not able to control the routing of traffic to a site and it is likely that visitors will use the quickest/shortest route to the site. Accessing the site through Mosborough would mean the traffic approaching the site via residential estate

roads. It is considered more appropriate in amenity and traffic safety terms to access the site from Moss Way which is main distributor road. As stated in the report the cost of highway works associated with accessing the site via Westfield Crescent would have rendered the development unviable.

The peak times of use of the new sports facilities are likely to be different to the peak times of traffic congestion and therefore the proposal should not significantly worsen peak traffic on Moss Way. The scheme makes provision for a refuge island in Moss Way close to the site access which will allow pedestrians and cyclists to cross half of Moss Way. This is considered sufficient to facilitate safe access from the housing areas to the east along with an existing pedestrian underpass of Moss Way to the north of the site.

Additional Condition

Notwithstanding the approved plans, the re-grading works indicated on plan MMD-341330-CC-D-DR-XX-1001 Rev P1 and MMD-341330-CC-D-DR-XX-1002 Rev P1 to the west of the proposed Pavilion as shown on section A-A are not approved as part of this consent.

Reason: In order to define the permission.

5. **Application Number** **16/03027/FUL**

Address **172 Prospect Road, Sheffield, S17 4HY**

Additional Representations

One further objection has been received regarding the above application. The points raised in *italics* are as follows:

1. According to the site layout plan the corner of House H would be only about 3m from the footpath on Woodland Place. This would mean that its three-storey wall approximately 9m high would loom high above a pedestrian standing on that path, which is itself about 1m lower than the ground level of the house.

Officer response: It is considered that the proposal would not severely overbear upon the public realm as house type H is approximately 3.5 metres from the back edge of the public footpath and there will also be a substantial boundary treatment. Furthermore, house type H has an overall height shown as approximately 8.09 metres not the 9m quoted.

2. By my estimate this three-storey corner of the house would be only 15m to 18m from the front of 11 Woodland Place and its rear windows would directly overlook 11's front bedroom and lounge windows. 11 Woodland Place is a two storey house, due to the slope of the terrain set considerably lower than the proposed House H. We would be surprised if planning regulations allow a three storey house set on higher ground to tower so high above a neighbouring two-storey house so close to it.

Officer response: The issues regarding overlooking are covered in the case officer's report. It is acknowledged that at the closest point, between the corner of house type H and neighbouring property no. 11, the distance between the properties is approximately 18.5 metres; however, the properties are set at an angle and this means that no windows of either property directly face each other, and typical privacy distances of 21m are not applied where the view is across a street containing public activity. It is therefore considered that the proposal does not impinge upon existing privacy to an unacceptable level.

3. The proposed houses do not visually respect the setting. (a) The design of house H addresses the site corner very poorly. Anyone travelling towards the end of the roughly triangular site along Prospect Road would be confronted with a massive blank flat-roofed gable end, about 9m high and totally out of keeping with the surrounding streetscape. And (b) the houses are too close to the pavement on the Prospect Road side, respecting neither the setting of The Dingle nor the road's sightline, including the line of view along Prospect Road to The Dingle itself. Other properties along this road are set back approximately 8m. The proposed houses appear to be only about 5m from the site boundary.

Officer response: The issues regarding siting, design and impact upon the character and setting of the listed building are covered in the Officer's recommendation. Regarding the reference to the blank stone wall being prominently sited, this elevation is in the order of 18m from the boundary of the site, which will limit its prominence, and landscaping is also proposed in the space between.

4. Although the application made much of the reduced overall height of the proposed two houses compared with the previous application for a single detached house, it may not have been noticed that the eaves height is approximately 1m higher than the previously approved design.

Officer response: This issue is also covered in the Officer's recommendation.

5. Application Number: 16/00388/FUL

Address: Land at junction with Broomfield Court

Additional Representation

Councillor Richard Crowther asks that the concerns of local residents are fully considered by the Committee.

Concern is raised about the potential highways impact of the proposed development. The road is one way and some already drive along it in the wrong direction. Additional development will exacerbate this problem.

Response to representation

It is considered that the points raised in the representation are already covered in the original officer report.

