

# Planning and Highways Committee

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**Tuesday 20 September 2016 at 2.00 pm**

**To be held at the Town Hall, Pinstone  
Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

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Councillors Chris Rosling-Josephs (Chair), Peter Rippon (Chair), Ian Auckland, Alan Law, David Baker, Jack Clarkson, Michelle Cook, Dawn Dale, Tony Damms, Roger Davison, Dianne Hurst, Joe Otten, Zahira Naz, Peter Price and Zoe Sykes

## **Substitute Members**

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

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## **PUBLIC ACCESS TO THE MEETING**

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The Planning and Highways Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Recording is allowed at Planning and Highways Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

Planning and Highways Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

Further information on this or any of the agenda items can be obtained by speaking to Martyn Riley on 0114 273 4008 or email [martyn.riley@sheffield.gov.uk](mailto:martyn.riley@sheffield.gov.uk).

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
20 SEPTEMBER 2016**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 8)  
Minutes of the meeting of the Committee held on 30 August 2016
- 6. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Applications Under Various Acts/Regulations** (Pages 9 - 150)  
Report of the Head of Planning
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 151 - 156)  
Report of the Head of Planning
- 9. Date of Next Meeting**  
The next meeting of the Committee will be held on 11 October 2016

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

#### Meeting held 30 August 2016

**PRESENT:** Councillors Chris Rosling-Josephs (Chair), Ian Auckland, Alan Law, David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Dianne Hurst, Zahira Naz and Peter Price and Peter Rippon

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#### **1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Dawn Dale and Zoe Sykes but no substitutes were appointed.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the press and public.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the previous meeting of the Committee, held on 9 August 2016, were approved as a correct record.

#### **5. SITE VISIT**

5.1 **RESOLVED:** That the Director of Development Services, in liaison with a Co-Chair, be authorised to make arrangements for a site visit in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

#### **6. SHEFFIELD RETAIL QUARTER UPDATE**

6.1 The Head of Planning submitted a report providing Members with an update on the progress of the Sheffield Retail Quarter (SRQ) and seeking a resolution to endorse the current proposals.

6.2 Julian Stevenson, Agent for the Scheme, attended the Committee to make representations and outlined the development of the scheme to its current position and outlined next steps.

6.3 **RESOLVED:** That this Committee endorses the principles of the current development proposed for the SRQ as set out in the report of the Head of Planning.

**7. TREE PRESERVATION ORDER 407: LAND TO THE REAR OF 183 TO 273 GREYSTONES ROAD**

- 7.1 **RESOLVED:** That, no objections having been received, Tree Preservation Order No. 407 made on 8 March 2016 under the Town and Country Planning Act 1990, in respect of a group of trees to the rear of the property at 183 Greystones Road, be confirmed unmodified.

**8. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

- 8.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date in respect of Case Nos. 16/02738/FUL, 16/02435/FUL and 16/01974/FUL and other applications considered be amended as in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) subject to the inclusion of an additional reason for refusal to read 'The Local Planning Authority considers that the proposal would not be located in a sustainable location within the main urban area of Sheffield. The proposal is not considered to be consistent with policies relating to the Green Belt and countryside areas and, therefore, the application is considered contrary to Policy CS23 of the Core Strategy', as outlined in a supplementary report circulated at the meeting, and, following consideration of representations at the meeting from the applicant speaking against the recommendation to refuse, an application for the erection of 3 dwellinghouses and subdivision of existing farm house into 3 dwellings at Holt House Farm, Long Line (Case No. 16/02347/FUL) be refused for the reasons outlined in the report and the additional reason outlined above; and

(c) following consideration of additional submissions and an additional planning assessment, and subject to amended conditions and the inclusion of additional conditions, all as outlined in a supplementary report circulated at the meeting, and following consideration of representations made at the meeting from a representative of the Loxley Valley Protection Society speaking against the application and the applicant speaking in favour of the application, an application for outline planning permission for demolition of existing buildings and structures and erection of residential development (Use Class C3) with means of site access including a new vehicular bridge and a pedestrian/cycle bridge across the River Don, and associated landscaping and infrastructure works (as amended by drawings received on 11 and 16 August 2016) at the site of Oughtibridge Mill, Sheffield Site, 22-24 Main Road, Wharncliffe Side (Case No. 16/01169/OUT) be granted, conditionally, subject to legal agreement.

**9. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

- 9.1 The Committee received and noted a report of the Director of Development Services detailing the outcome of a recent planning appeal, along with a summary

of the reasons given by the Secretary of State in his decision.

**10. DATE OF NEXT MEETING**

- 10.1 It was noted that the next meeting of the Committee will be held at 2:00 p.m on Tuesday 20 September 2016 at the Town Hall.

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## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

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**Report of:** Director of Development Services

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**Date:** 20/09/2016

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**Subject:** Applications under various acts/regulations

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**Author of Report:** Lucy Bond, Trevor Sullivan and Chris Heeley

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**Summary:**

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#### **Reasons for Recommendations**

(Reports should include a statement of the reasons for the decisions proposed)

**Recommendations:**

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**Background Papers:**

**Category of Report:** OPEN



Application No.	Location	Page No.
16/01787/OUT (Formerly PP-05077809)	Land Adjacent To 104 Beighton Road Woodhouse Sheffield S13 7PS	<b>13</b>
16/01784/FUL (Formerly PP-05075329)	Land Adjacent To 104 Beighton Road Woodhouse Sheffield S13 7PS	<b>21</b>
16/01549/FUL (Formerly PP-05064363)	Padley Farm Dungworth Green Sheffield S6 6HE	<b>42</b>
16/01339/FUL	Sales Direct Services Ltd 15 Moor View Road Sheffield S8 0HH	<b>56</b>
16/00480/FUL (Formerly PP-04818387)	Handsworth Working Mens Club And Institute 445 Handsworth Road Sheffield S13 9DD	<b>65</b>
15/02851/FUL (Formerly PP-04376419)	Land Between Railway Tracks And Junction Road Woodhouse Sheffield S13 7RP	<b>93</b>
14/04039/FUL	Parkwood Landfill Ltd Tipping Site Parkwood Road North Sheffield S5 8UN	<b>113</b>





SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 20/09/2016

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

\*NOTE\* Under the heading "Representations" a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

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Case Number	16/01787/OUT PP-05077809
Application Type	Outline Planning Application
Proposal	Residential self-build plots (9 plots)
Location	Land Adjacent To 104 Beighton Road, Beighton Road, Woodhouse, Sheffield, S13 7PS
Date Received	12/05/2016
Team	City Centre and East
Applicant/Agent	Persimmon Homes West Yorkshire
Recommendation	Grant Conditionally
Date of Recommendation	20 September 2016

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**Time Limit for Commencement of Development**

1. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Application for approval in respect of any matter reserved by this permission must be made 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.

3. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of Appearance, Landscaping, Layout and Scale (matters reserved by this permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

**Approved/Refused Plan(s)**

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

BRW-2016-04 Rev B - Location Plan  
BRW-2016-05 Rev A- Proposed Self Build Planning Layout

Reason: In order to define the permission.

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

5. The Development shall not commence until full details, including calculations and evidence of performance of the proposed surface water drainage, have been submitted to and approved by the Local Planning Authority, including the arrangements for surface water infrastructure management for the life time of the development. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods, evidence is to be provided to show why sustainable drainage methods are not feasible for this site. The approved details shall be implemented prior to any of the houses being occupied.

Reason: To ensure satisfactory surface water flooding and pollution management.

6. Prior to the surface water infrastructure works being constructed to the south of the housing site in the Shirebrook Valley, full details of the alignment, gradients, surfacing, earthworks, landscaping and measures to protect existing vegetation shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting and enhancing the ecological, landscape and visual amenity of the Shirebrook valley open space and ensuring the design of the new pedestrian/cycle link is satisfactory.

7. The development shall not be begun until a risk assessment in respect of ground gases (Supplementary to Sirius Contaminated Land Reports - ref: C5724, dated: 06/15 and ref: C5724/MB/7059, dated: 11/15) has been undertaken and included within an amended Phase II site investigation report and the risk assessment has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that any contamination of the land is properly dealt with.

8. Any remediation works recommended in the Phase II Intrusive Site Investigation Report 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 being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with

9. Unless shown not to be feasible and viable, no development of any individual plot shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the relevant plot is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

10. No development shall commence until full details of measures to protect the existing trees, shrubs and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

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

11. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation 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.

Reason: In order to ensure that any contamination of the land is properly dealt with

12. Prior to any development commencing a scheme for the management and maintenance of the hedgerows to be retained including a plan showing the siting of the rear garden boundary fences shall be submitted to and approved by the Local Planning Authority. Thereafter the approved scheme shall be implemented.

Reason: In the interests of protecting the landscape and ecological value of the site and in the interests of the amenities of future occupiers of the site.

## Other Compliance Conditions

13. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

14. Construction works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

Reason: In the interests of the amenities of adjoining residential occupiers

15. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority (reference Flood Risk Assessment and Drainage Strategy, prepared by Eastwood and Partners - Report 39356.004 dated April 2016).

Reason: To ensure that the site is properly drained and in order to prevent overloading, and ensure surface water is not discharged to the foul sewer network.

16. The design and layout of the individual plots shall follow the design principles set out in the Self Build Design Guide dated 8.8.16.

Reason: In the interests of the amenities of the locality and ensuring that the self build plots are satisfactorily integrated with the remainder of the housing scheme.

17. The access is approved between Beighton Road and along the eastern frontage of the plots as shown on plan BRW-2016-01D but not the access to individual plots or within plots.

Reason: In order to define the permission.

18. The surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar unless alternative arrangements are approved in writing by the Local Planning Authority.

Reason: To minimise the risk of flooding in accordance with the National Planning Policy Framework

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
2. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
3. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
4. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

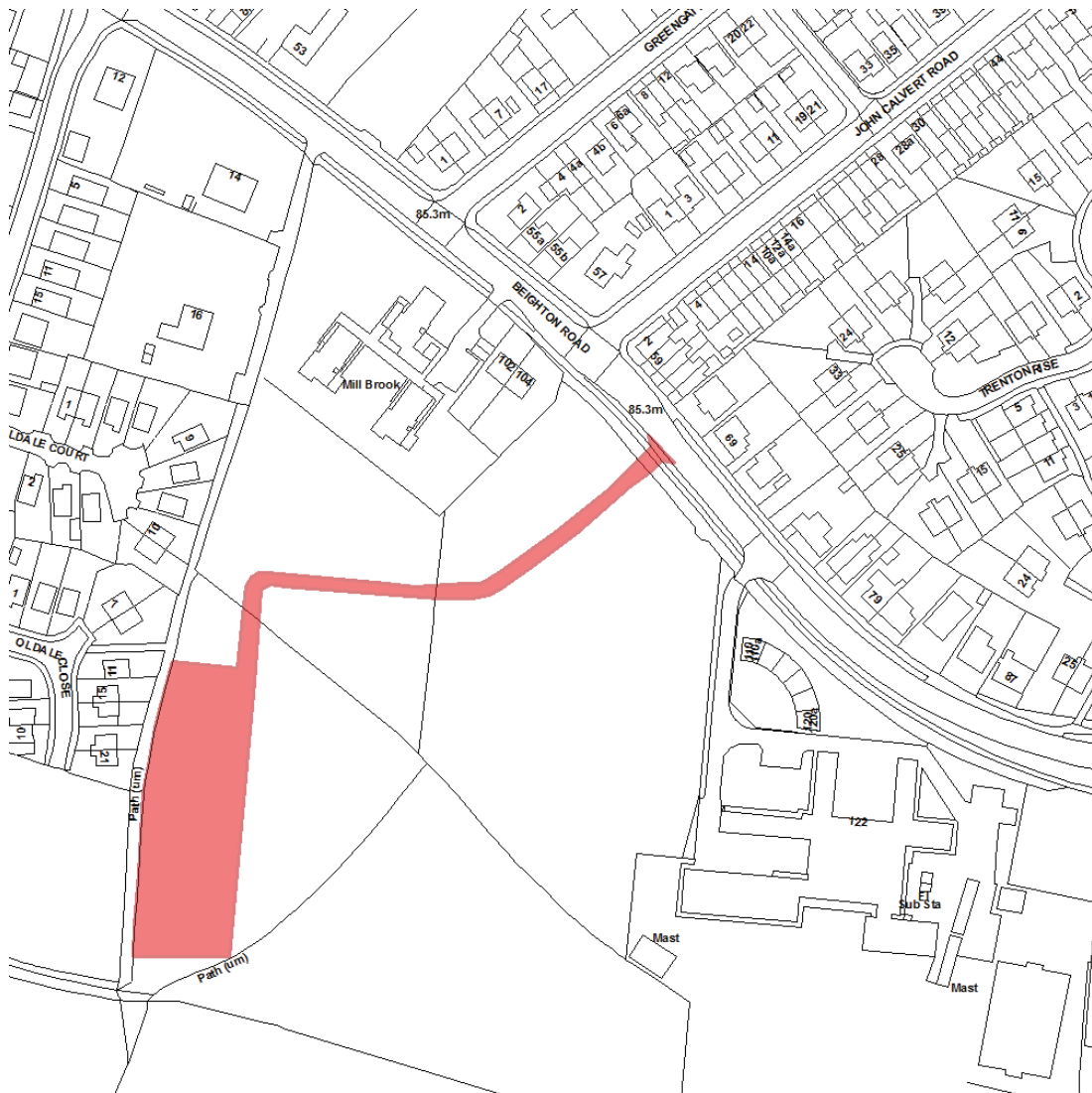
This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980, and dealt with by:

Development Services  
Howden House  
1 Union Street  
Sheffield S1 2SH

For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.

5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
6. 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.
7. 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, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

## Site Location



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For report see 16/01784/FUL



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Case Number	16/01784/FUL PP-05075329
Application Type	Full Planning Application
Proposal	Erection of 85 dwellinghouses with associated car parking accommodation, access roads, landscaping works, public open space and drainage works
Location	Land Adjacent To 104 Beighton Road, Beighton Road, Woodhouse, Sheffield, S13 7PS
Date Received	12/05/2016
Team	City Centre and East
Applicant/Agent	Persimmon Homes (West Yorkshire)
Recommendation	Grant Conditionally Subject to Legal Agreement
Date of Recommendation	20 September 2016

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**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:

BRW-2016-03 - Location Plan  
 BRW-2016-01D - Layout  
 R/1853/1E - Landscape Masterplan  
 E16/6709/021/01 External Works Plan  
 E16/6709/021/02 Rev A External Works Plan  
 39356/011 Rev C - Drainage Strategy-Surface Water Outfall Route  
 39356/010 Rev D - Drainage Strategy on site  
 15115/GA/01 - Site Access Arrangement  
 423-BOUN-01 - Boundary Treatments  
 AN-WD10- Rev E - Alnwick

BK-WD10- Rev B - Bickleigh  
BRA-2016: 01 Rev A - Brampton plots 63-65  
BRA-2016: 02 Rev a - Brampton plots 57-59  
CD-WD10- Rev P - Chedworth  
CCA-WD10- Rev G - Clayton Corner  
HB-WD10- Rev P - Hanbury  
HT-WD10- Rev S -Hatfield  
LR-WD10- Rev B - Leicester  
LY-WD10- Rev M - Lumley  
RS-WD10- Rev S - Roseberry  
RF-WD10- Rev T - Rufford  
RSP-2016-01 - Rufford Semi Peaked  
SU-WD10- Rev S - Souter  
WS-WD10- Rev T - Winster  
Lumley (Art Stone Village) Rev A  
Leicester (Art Stone Village) Rev A  
SDG-2015-01 - Standard Garages  
SDG-2016-01 Rev A - Art Stone Garages  
BRW-2016-02A - Proposed Streetscapes  
SDG-2015-02 - 6 x 3 Garages

Reason: In order to define the permission

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

3. No development shall commence unless and until all interests in the development site are subject to and bound by the terms of a section 106 agreement or undertaking in the form of the draft section 106 agreement annexed to the agreement related to this planning permission which is entered into pursuant to section 111 of the Local Government Act 1972 between Sheffield City Council and Persimmon Homes (West Yorkshire) Limited dated 2016.

Reason: To secure the delivery of the affordable housing in accordance with Core Strategy Policy SC40 and the National Planning Policy Framework.

4. The Development shall not commence until full details, including calculations and evidence of performance of the proposed surface water drainage, have been submitted to and approved by the Local Planning Authority, including the arrangements for surface water infrastructure management for the life time of the development. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods; evidence is to be provided to show why sustainable drainage methods are not feasible for this site. The approved details shall be implemented prior to any of the houses being occupied.

Reason: To ensure satisfactory surface water flooding and pollution management

5. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
  - a) been carried out; or
  - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the dwellings are occupied.

Highway Improvements:

-Provision of a pedestrian/cycle/bridle path a minimum of 3m wide between the southern boundary of the housing site as shown indicatively on plan 15115/GA/02 connecting with footpath/cycle network in the Shirebrook Valley.

- Provision of a dropped crossing facility adjacent to the access shown indicatively on plan 15115/GA/01.

Reason: To ensure that satisfactory footpath and cycle connections are provided to encourage sustainable travel to and from the site and ensure that it is adequately connected to local services and facilities.

6. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works including the precise alignment, gradients, surface finish and restorative landscaping shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenities of the locality.

7. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

8. No development shall be begun until details of parking arrangements for contractors vehicles have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved parking arrangements shall be retained throughout the construction period for the approved purpose.

Reason: In the interests of traffic and pedestrian safety and the amenities of adjoining occupiers

9. No development shall take place until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during construction works. Thereafter the approved measures shall be implemented throughout the construction period.

Reason: In the interests of the amenities of the occupiers of adjacent residential properties.

10. No development shall commence until full details of measures to protect the existing trees, shrubs and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

11. The development shall not be begun until a risk assessment in respect of ground gases (Supplementary to Sirius Contaminated Land Reports - ref: C5724, dated: 06/15 and ref: C5724/MB/7059, dated: 11/15) has been undertaken and included within an amended Phase II site investigation report and the risk assessment has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that any contamination of the land is properly dealt with

12. Any remediation works recommended in the Phase II Intrusive Site Investigation Report 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 being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

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

13. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation 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.

Reason: In order to ensure that any contamination of the land is properly dealt with.

14. Prior to the surface water infrastructure works being constructed to the south of the housing site in the Shirebrook Valley full details of the alignment, gradients, surfacing, earthworks, landscaping and measures to protect existing vegetation shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting and enhancing the ecological, landscape and visual amenity of the Shirebrook valley open space.

15. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

16. 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.

17. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

18. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality.

19. Prior to any development commencing on the plots adjacent to the western site boundary a scheme for the long-term management and maintenance of the hedgerows to be retained and for the landscaping within the public open spaces and buffer zone including a plan showing the siting of the rear garden boundary fences adjoining the western boundary hedge shall be submitted to and approved by the Local Planning Authority. Thereafter the approved scheme shall be implemented in accordance with the approved scheme.

Reason: In the interests of protecting the landscape and ecological value of the site and in the interests of the amenities of future occupiers of the site.

20. Prior to any of the houses being occupied details of the following matters including a timescale for implementing the works shall be submitted to and approved by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved timescale:

- Access controls to prevent unauthorised vehicular access to the Shirebrook Valley.
- An interpretation board in the open space adjacent to the footpath/cycle/bridle access to the Shirebrook Valley
- Design of the artstone boundary wall and railing to Beighton Road.
- Design of the seating within the open space areas.

Reason: In the interests of the visual amenity of the locality, ensuring seating is fully inclusive and in order to minimise the risk of antisocial behaviour in the Shirebrook Valley

21. The levels of the required fill, retaining features shown on the drainage plan 39356-010 Rev D within plots 10, 11 12, 13, 19 and within the P.O.S next to plot 19 adjacent to the eastern boundary and the regrading works within the same areas shown on drawings E16/6709-021-01 and E16/6709-021-02 are not approved as part of this consent and revised levels which are designed to minimise the impact on the trees and hedges to be retained shall be submitted to and approved by the Local Planning Authority before any development commences. Thereafter the development shall be carried out in accordance with the revised scheme.

Reason: In the interests of securing the retention and long term health of the valuable landscape features within and adjoining the site in the interests of the amenities of the locality.

## Other Compliance Conditions

22. The surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar unless alternative arrangements are approved in writing by the Local Planning Authority.

Reason: To minimise the risk of flooding in accordance with the National Planning Policy Framework

23. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority (reference Flood Risk Assessment and Drainage Strategy, prepared by Eastwood and Partners - Report 39356.004 dated April 2016).

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

24. The development shall be carried out in accordance with the recommendations of the Extended Phase 1 Habitat Survey submitted with the application.

Reason: In the interests of mitigating the ecological impact of the development.

25. No building or other obstruction including landscape features shall be located over or within 6.0 (six) metres either side of the centre line of the 1520mm sewer i.e. a protected strip width of 12 metres, that traverses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

Reason: In order to allow sufficient access for maintenance and repair work at all times

26. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

27. The measures listed in the travel plan shall be implemented in accordance with the timescales set out in the travel plan.

Reason: In the interests of encouraging sustainable access to the site

28. The renewable or low carbon energy equipment measures and measures to achieve the fabric first approach set out in the Sustainability Statement, shall have been installed/incorporated before each plot is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to the occupation of the final plot. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

29. Construction works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

Reason: In the interests of the amenities of adjoining residential occupiers

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
2. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.



3. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980, and dealt with by:

Development Services  
Howden House  
1 Union Street  
Sheffield S1 2SH

For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.

4. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

5. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council  
Town Hall  
Penistone Street  
Sheffield  
S1 2HH

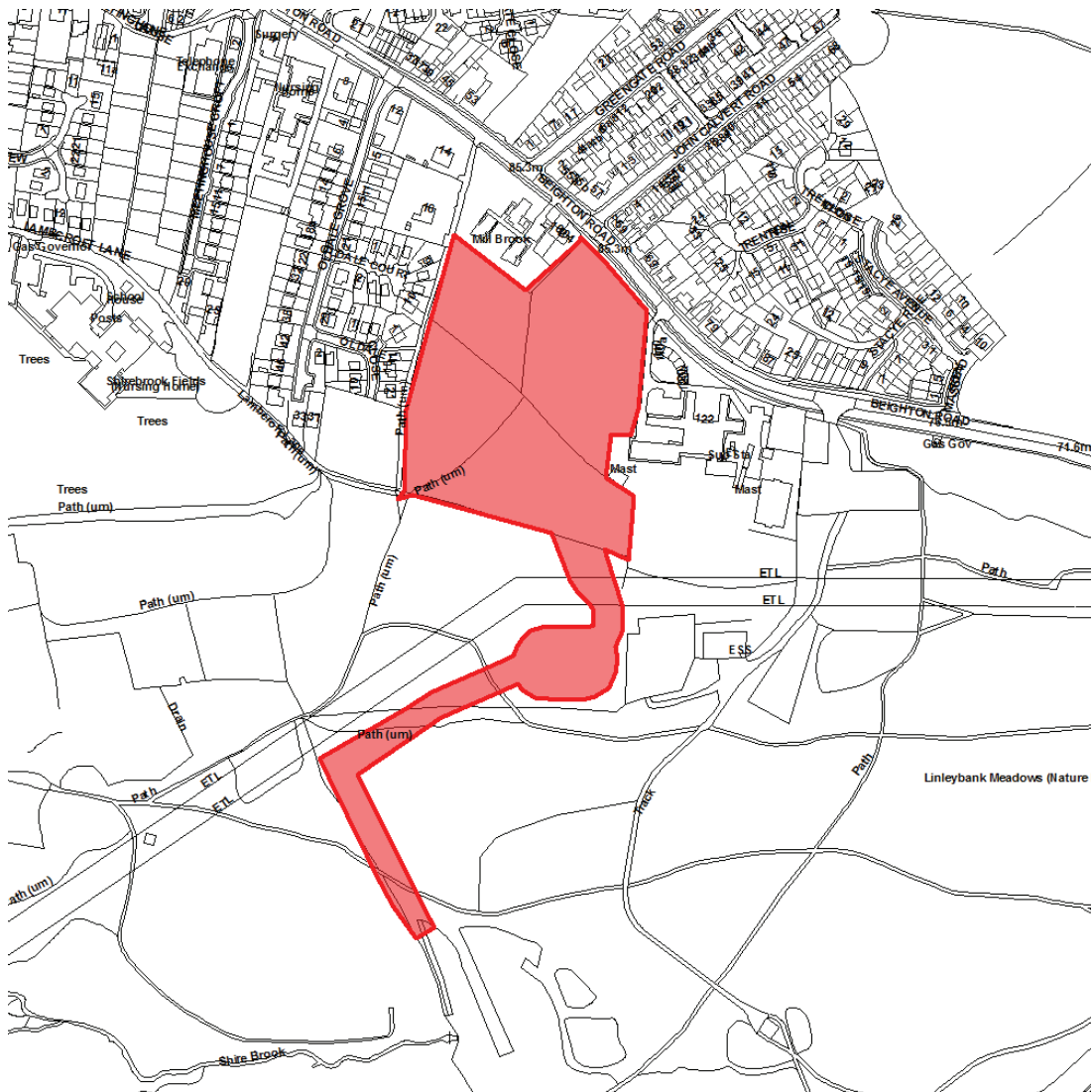
For the attention of Mr P Vickers

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

6. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.

7. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
8. 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.
9. 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, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

## Site Location



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## LOCATION AND PROPOSAL

The application site is an area of open land comprising of rough grassland, scrub and trees to the south side of Beighton Road adjoining the Shirebrook Valley. The area of the housing site is approximately 3 hectares, although additional land to the south within the Shirebrook Valley is included within the site in order to provide a sustainable drainage scheme to serve the site.

The site adjoins a St Anne's Homeless Shelter to the east and an assisted living unit and a suburban housing estate to the west. To the north side of Beighton Road there is housing and to the south the site adjoins Shirebrook Valley open space area which is also in the Green Belt.

There is footpath linking Beighton Road with the Shirebrook Valley that runs along the western boundary of the site. The site comprises of rough grassland with a mature hedge and trees adjoining the footpath along the western boundary. There are a number of trees and a hedge towards the south east corner of the site and lots of self-seed fairly small trees spread across the site and patches of brambles. There are informal footpaths which cross the site linking to surfaced footpaths in the Shirebrook Valley. The site is reasonably level but falls away to the south east corner. The land to the south in the Shirebrook Valley is heavily wooded.

This report covers two applications submitted on the above site. A full application for 85 houses and an outline application for 9 self-build plots located next to the western boundary. The full application proposes 10 x 2 bed, 51 x 3 bed and 24 x 4 bed houses in a mixture of two and two and half storey properties. Six of the 2 bed and three of the 3 bed units will be affordable. The outline application defines 9 plots of land but does not provide details of the plot layout or house designs. All matters of detail are reserved in the outline application except access.

The scheme is designed with a central vehicular access from Beighton Road which splits into two cul de sacs which run towards the southern boundary. A linear open space is to be provided in the centre of the site with housing facing on to it. A second area of open space is proposed in the south east corner where there is an easement for a sewer. Footpath connections will be created from the two cul de sacs into the Shirebrook Valley to the south and to a footpath that heads west to Spa Lane. A new footpath will also link is to the existing footpath adjoining the western boundary directly opposite an existing footpath to Oldale Close. A new footpath/cycle/bridle path will be provided from the south east corner of the site in the Shirebrook Valley open space connecting with the existing formal footpath/cycle network in the open space.

Surface water drainage will be directed to the south east corner of the site where an open ditch and detention basin will be constructed in the Shirebrook valley with a final connection to the Shirebrook watercourse.

#### RELEVANT PLANNING HISTORY

Outline planning permission was granted for a vocational training centre, permission 06/02714/RG3.

#### SUMMARY OF REPRESENTATIONS

5 representations have been received on the full application including one from the Sheffield Wildlife Trust. The main issues raised are as follows.

- The proposal will worsen traffic problems and there is insufficient capacity at local dentists, doctors and the Brunswick Primary to accommodate the additional children.
- Loss of green fields and disturbance to wildlife.
- Disruption to traffic and the amenity of the area.

- There should be bungalows in the scheme so elderly and disabled people can sell their houses and stay in the village.
- Clarification sought as to whether the development impacts on the Local Wildlife Site and the western boundary hedge. Support for implementing the recommendations of the habitat survey assessment.
- Loss of privacy to the rear of a property on Oldale Court which will affect its value.
- Application has been given insufficient publicity.
- Concerns regarding the effects of the telecoms/radio mast adjacent to the south east corner of the site on future occupiers of the housing site and on their TV signals. Has consideration has been given to the impact of the power lines to the south of the site?
- Concerns raised about the impact of waste buried in Beighton Tip on the development.
- The site is over developed and less housing should be provided in the middle or south of the site to allow for open space and reduce the impact on the Shirebrook Valley.
- Construction vehicles should not travel through the village and contractor's vehicles should not park in surrounding streets. Measures should be taken to avoid mud transferring on to the highway. Noisy construction plant should not operation before 9am and after 6pm to protect residential amenity.
- The development will result in the loss of open space and would further urbanise Beighton Road.

One representation has been received on the outline application.

- There is insufficient capacity at local doctors/dentists to support additional housing. There is a lack of demand for houses in the area due to capacity issues with local services and highway capacity issues.
- It will worsen congestion on Beighton Road and the additional access onto Beighton Road will make it more difficult for pedestrians.

#### Statement of Community Involvement

The applicant has submitted a Statement of Community Involvement. The pre-application consultation undertaken consisted of a manned public exhibition at Woodhouse Community Library on 18.2.16; it is estimated that 50 people attended the exhibition. Pop up boards were left on display between 19.2.16 and 21.2.16. An advertisement placed in the local newspaper and corresponding Twitter feed as

well as engagement with local ward councillors. Local residents near the site were leafleted about the exhibition.

Seven questionnaires and one email response was received by the applicant in response to the above publicity. The main concerns raised were the impact on local health and dental services, noise and traffic impact during construction, loss of views to and from existing buildings and ecological impacts.

#### Local Planning Authority Publicity

Immediate neighbours of the site were sent individual letters and site notices were displayed on Beighton Road and on footpaths that adjoin and cut through the site. The scheme was also advertised in the press.

### PLANNING ASSESSMENT

#### Policy

The application site is allocated as a housing site in the Unitary Development Plan. The only permitted uses are housing and open space along with small shops and community facilities provided they would occupy less than 5% of the site and residential institutions provided they occupy not more than 5% of the site's capacity (Policy H13).

The Sheffield Development Pre-Submission Proposals Map shows the site as an allocated housing site. Required uses are housing and residential institutions. The conditions of development are that the layout should provide access to the Shirebrook Valley; links to proposed cycling routes and should protect features of nature conservation such as hedgerows and trees (Policy J1). The policy and proposals map has little weight as the Council is preparing a new Local Plan.

The Council has prepared an Informal Planning Advice Note for the site updated in May 2015. This was approved by the Planning and Highways Committee but has no formal status in its own right. The advice note seeks to secure housing development on the site and encourages Custom Build proposals.

The density of the development is approximately 32 dwellings per hectare which is within the range of 30-40 dwellings per hectare promoted in this part of the urban area under Core Strategy (CS) Policy CS26.

The scheme will deliver a mix of two, three and four bedroom units which is in accordance with Policy CS41 which seeks to provide homes for larger households, especially families outside the City Centre.

Therefore it is concluded that the principle of the development is supported by planning policy. The fact that the city does not have a 5 year supply of housing sites adds further weight in favour of the proposal.

## Community Infrastructure Levy (CIL)

The site falls within Zone 3 where the CIL levy is £30 per square metre of floor space.

## Affordable Housing

The application site lies within the South East Affordable Housing Market Area where the expected developer contribution is 10% of the gross internal floor area of the development.

## Site Layout and Design

Housing is positioned close to the Beighton Road frontage with parking to the rear or side in order to create a strong built form to the main road. The houses fronting Beighton Road will be two and half storeys high and faced in artificial stone with a stone front boundary wall in order to respond to the more urban character of this frontage.

The road and footpath layout facilitates access to the Shirebrook Valley to the south and will ensure the site is well integrated with its surroundings. The new houses are orientated to overlook the valley whilst being set back from open space behind a suitable landscape buffer. The heavily wooded character of the land to south means that the new housing will be substantially screened in more distant views from the Green Belt to the south.

The scheme design creates a central public open space which will be a distinctive and attractive feature of the development and will help to create a strong sense of place. The open space and adjacent shared surface access road are designed to create an integrated space which will be well overlooked by the adjacent housing.

Except for the Beighton Road frontage the housing is of a standard suburban design with frontages defined by landscaping. This is considered to be an acceptable approach in this location as the distinctive local character is mainly confined to the Beighton Road frontage. Housing has been designed to overlook the estate access roads with a variety of frontage and side parking and defensible rear garden boundaries. In some locations there is a little more frontage car parking than is desirable which will take from the aesthetics of the scheme but not to the extent that it will have a significantly harmful visual impact.

The self-build plots are located adjacent to the western boundary in an area where the clearly defined plot boundaries will ensure the units will sit comfortably within the agreed site layout. A design guide has been submitted which will allow flexibility for individual designs whilst establishing a framework that will ensure the housing is integrated with the remainder of the scheme.

Given that that the site is currently open land the development will result in the loss of green fields. However this is an allocated housing site and there is a national need to increase the supply of housing. Meeting this need on a sustainably located site within the urban area reduces the pressure for releasing less sustainable sites on the edge of the urban area or in the Green Belt. There are not enough deliverable brownfield sites for housing but housing policy continues to give priority to previously developed sites which still make up over 90% of the city's capacity.

The fact that the density is at the lower end of the range for this type of site and given that the scheme meets the normal development criteria of separation between properties, with some on site open space and a buffer to the Green Belt, it is concluded that the scheme is not overdevelopment.

Overall the site layout and design is considered to respond successfully to the key constraints and opportunities that this site offers.

#### Access Issues

The full application shows how each of the plots will be accessed and shows the parking arrangements. The outline application shows how the self-build plots will be connected to the existing public highway via the estate roads forming part of the full application.

The application site will be accessed by a simple priority junction from Beighton Road. The transport assessment concludes that the site access can easily accommodate the predicted vehicle movements generated by the development. The location and design of the site access is considered to be satisfactory and will enable vehicles to safely enter and leave the site.

There are bus stops directly outside the site served by two services that stop either 3 times or 2 times an hour. These will provide bus access to Woodhouse District Centre, Crystal Peaks Shopping Centre and the City Centre. Therefore the site is considered to be reasonably well served by public transport. Dropped crossings are proposed outside the site either side of Beighton Road which will facilitate pedestrian access to the bus stops. The traffic flows and number of predicted pedestrian movements does not justify the provision of additional pedestrian crossing facilities.

Footpaths will be provided to the estate access roads except for the shared surface areas which will be designed to allow pedestrians and vehicles to share the space safely. The opportunity has been taken to provide a footpath connection to the existing path that runs down the west side of the site. A new bridle/footpath/cycle link will be formed from the south east corner of the site to connect to the existing national cycle route in the Shirebrook Valley to the south of the site. A second connection will also be provided from the estate road to the existing footpaths into and along the edge of the Shirebrook Valley at the south west corner of the site. It is concluded that the site layout has been designed to facilitate pedestrian/cycle connections to the surrounding services and facilities. It should be noted that the improved footpath/cycle connections to the Shirebrook Valley will also benefit



existing residents of the surrounding area and improve pedestrian and cycle connectivity. Woodhouse District Centre, Brunswick Primary and a local nursery are all within walking distance of the site.

The three and four bedroom properties have at least 2 off street parking spaces and the two bedroom units have 1 space. The parking provision is considered to be satisfactory. The estate access road layout is also considered to be satisfactory and designed to control vehicle speeds to 20 mph.

### Sustainability

The site is approximately 600 metres from Woodhouse District Centre and close to local services and open space. As described below it is also reasonably served by public transport. The site is not vulnerable to climate change and sustainable surface water drainage proposals should help to enhance the biodiversity of the Shirebrook Valley.

The houses will be designed to incorporate higher standards of insulation than required under the building regulations. The predicted Carbon Dioxide emissions will be reduced below the target rate contained in the building regulations. The applicant has provided information on their procurement policy for the sustainable sourcing of materials and they will operate a site waste management plan in order to minimise waste and promote recycling. The scheme will incorporate low flow sanitary ware which will result in predicted water consumption marginally below the Government's higher water efficiency target contained in the Technical Housing Standards Review. Given the above the scheme is considered to be consistent with Core Strategy Policy CS 64 which seeks to encourage sustainable design.

The applicant is proposing to provide Photo Voltaic panels on the roofs of the houses to generate renewable energy. These will generate approximately 8% of the predicted energy needs. This is below the 10% target in Core Strategy policy CS 65. The energy efficiency measures and the Photo Voltaic panels will reduce the Carbon Dioxide emissions by 20% over Part L of the building regulations. This is slightly above the standard set out in the Government Housing Standards Review. Whilst the proposal does not fully meet Policy CS 65 it is only slightly short. Given this and as it meets the Government's Housing Standards Review it would not be reasonable to require further renewable energy when the applicant is resistant to providing this.

### Landscaping

An arboricultural report has been submitted in support of the application. This covers the application site and part of the Shirebrook Valley to the south of the site. The survey categorises the individual trees and groups of trees in terms of their quality, value and life expectancy. Most of the trees are scattered Hawthorn, Oak and Goat Willow and are young or semi-mature. The hawthorn hedge adjacent to the western boundary has been unmanaged recently and is overgrown and degraded. The report says that the hedge could be pruned to create a more formal managed hedge feature. The report refers to a line of trees within the adjacent St

Anne's complex which overhang the site. It comments that they create a prominent linear feature and offer good screening.

The survey shows that most of the trees in the central portion of the site are of low or medium quality although there are also approximately 8 good quality trees. The hedge along the western boundary and the trees within the St Anne's complex are classified as being of good quality. There are no high value trees and hedges within the area to be developed for housing.

The vast majority of the individual trees within the site will be removed to facilitate the new housing except for a few trees on the east side of the Beighton Road frontage. The hedgerow adjoining the western boundary is to be retained and managed with appropriate species to fill in gaps. The existing trees within the St Anne's site which overhang the site are to be pruned and protected during construction. Existing tree planting and part of an existing hedge in the south east corner of the site is to be retained as part of the new public open space to be created on that part of the site. The scheme will provide new ornamental shrub planting, trees and hedges within the front gardens of the houses facing on to the new access roads. The two open space areas will have areas of wildflower grass, amenity grass, tree and hedge planting.

As the site is currently undeveloped there will inevitably be a reduction in trees and landscaping. However the landscape features being lost are not of particularly high value and the new planting in the scheme will compensate for some of the losses. Reasonable compensations have been made to retain the most important landscape features such as the hedge along the western boundary and management of the hedge should help to secure its long term health.

#### Flood Risk and Drainage

The application site is greenfield land and lies within flood zone 1. The flood risk assessment concludes that the development will not be at risk of flooding. The ground levels within the site will need to be designed to avoid localised low spots where water could accumulate.

The foul drainage will drain to the public sewer in Beighton Road. The National Planning Policy Framework Practice Guidance states that sustainable drainage systems should be provided unless demonstrated to be inappropriate. The drainage supporting statement concludes that soakaways are not viable for the site. Therefore it is proposed that surface water will drain via adopted public sewers within the site. These will then drain to the south of the site by a sustainable drainage system into the Shirebrook Valley. The surface water will be taken via an open ditch which is likely to be linked into a detention basin located in a relatively level area that has a less wooded character in the Shirebrook Valley. The detention basin will be sized to accommodate the run-off from the site including a 1 in 100 year rainfall event with an allowance for climate change. The indicative drawings show a basin of approximately 60m by 30m which is likely to be 0.6 to 0.75m deep with some areas of standing water. After the detention basin the surface water drainage will discharge into the Shirebrook approximately 300m south of the site at a greenfield run-off rate. The off-site drainage scheme to be

provided in the Shirebrook Valley will be adopted by the Council and financial arrangements will need to be agreed for the long term management of the infrastructure. The detailed design of the surface water management system within the Shirebrook Valley will be controlled by a planning condition. The design will consider safety issues and include a landscaping scheme. It is considered that the scheme will enhance the biodiversity of the site. It is understood that the Countryside and Environment Department that manage the Shirebrook Valley open space are supportive of the scheme in principle. The Lead Local Flood Authority and the Environment Agency have no objections to the drainage proposals.

#### Noise

A noise assessment has been submitted which indicates that road traffic noise is the main influence on the noise climate. It concludes that standard double glazing trickle ventilation is sufficient to provide a satisfactory internal noise climate. Therefore noise is not a significant determining factor for this application.

#### Ecology

The Site supports a mosaic of semi-improved grassland, scrub and tall-herb habitats. A species poor hedgerow is present on the western site boundary. A row of trees is present on the eastern site boundary; a row of holly trees, which is likely to be a defunct hedgerow, is present running into the site from the eastern boundary. No protected species were found on the site.

The ecological supporting statement says the habitats present within the site are fairly common and widespread habitats. Those within the centre of the site are likely to be lost as a result of the proposed development although the retention and creation of boundary hedgerows is recommended. A buffer area along the southern site boundary, which is adjacent to a Local Wildlife Site, is also recommended which could include grassland habitat which will be lost as a result of the development. It is recommended that clearance work takes place outside the bird breeding season.

The landscape master plan shows that the hedge along the western boundary and also a small part along the eastern boundary is to be retained. A minimum 6m deep buffer strip is proposed between the areas of hard works within the site and the nature reserve to the south, with areas of both amenity grassland and wildflower grassland to be planted adjacent to this boundary.

#### Ground Gas

Given the proximity of the site to the former Beighton Tip, a gas assessment supporting document has been submitted with the application. This concludes that satisfactory protection for ground gas can be incorporated into the design of the housing. The Environmental Protection Service has recommended a condition to ensure that appropriate mitigation is incorporated into the detailed design.

## Archaeology

An archaeology assessment has been submitted in support of the application. It indicates that the site was partly occupied by Nissan huts used for training miners at the Birley East Colliery. These were demolished in the 1970s. The evaluation concludes that the archaeological potential of the site is low and the South Yorkshire Archaeological Service concurs with this.

## Coal Mining

The site lies within a high risk coal mining area. The Coal Authority is satisfied that the supporting submission demonstrates that the site can be made safe and stable for the development and therefore have no objections to the proposed development.

## Amenity

The houses are positioned sufficient distance from existing houses so that they will not have a significant harmful impact on the amenity existing residents.

Conditions are proposed requiring vehicle cleaning facilities to be provided and details of contractors parking to be submitted for approval. A condition is proposed limiting construction works audible outside the site boundary.

## RESPONSE TO REPRESENTATIONS

The telecommunications mast located close to the south east corner of the site is located at a similar distance from the proposed housing as it is to the homeless centre within the grounds of which it stands. Telecommunications masts have to be designed to comply with international guidelines to ensure the public are not at risk. The Council has no reason to assume that the equipment does not comply with the relevant guidelines and it is not for the Local Planning Authority to determine health safeguards when a facility complies with the relevant guidelines. Should there be TV reception problems on the site this will be a matter for the developer and BBC which is responsible for investigating complaints of interference to domestic radio and television.

There are no overhead power lines that cross the site. There are also no restrictions on electric and magnetic field grounds on building close to overhead power lines.

The NHS Clinical Commissioning Group can commission a new medical of health service where a need arises in response to market demand.

Demand for places at Brunswick is high and forecast to remain so; currently around a quarter of pupils on roll at Brunswick come from out of catchment. Overall demand could be accommodated within schools across the wider area. There is a continuing surplus of places forecast at secondary level in South East Sheffield so no problems are expected, provided that the strategy for expansions

elsewhere is implemented. There may be scope for funding for additional capacity from the Community Infrastructure Levy where required.

## SUMMARY AND RECOMMENDATION

The proposal is supported by development plan policy and development that accords with an up-to date Local Plan should be approved unless other material considerations indicate otherwise. The site is considered to be sustainably located for housing development and the fact that it will help to meet the city's housing need weighs heavily in favour of the proposal.

The housing layout and design is considered to be satisfactory and responds well to the constraints and opportunities offered by the site. It will deliver a scheme that contributes positively to the character of the area. The scheme provides safe access for vehicles and pedestrians and the design facilitates pedestrian and cycle access. The improved connections through the site to the Shirebrook Valley are welcomed and will deliver wider benefits to the local community.

The green open character of the site will be lost and there will be a reduction in trees and landscaping. However the development will not have a significantly harmful ecological impact and the trees and planting which will be removed are not considered to be of high value. These negative impacts are significantly outweighed by the benefits of providing a sustainable housing development including affordable housing.

It is therefore recommended that full planning permission be granted for application 16/01784/FUL subject to a Section 106 agreement to secure the following Heads of Terms:

The provision of 9 dwellings as shown on the approved layout plan at a transfer price to be agreed and which will ensure the total affordable housing contribution is in accordance with the Council's affordable housing policy and subject to the proposed conditions

It is recommended that outline planning permission is granted for application 16/01787/OUT subject to the proposed conditions.

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Case Number	16/01549/FUL PP-05064363
Application Type	Full Planning Application
Proposal	Use of land and existing barn for erection of 4 camping huts with associated facilities, to be used from April to October
Location	Padley Farm, Dungworth Green, Sheffield, S6 6HE
Date Received	21/04/2016
Team	West and North
Applicant/Agent	Andromeda Architecture Ltd
Recommendation	Refuse
Date of Recommendation	20 September 2016

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Refuse for the following reason(s):

- 1 The proposed development involving the erection of new buildings in the Sheffield Green Belt comprises inappropriate development for the purposes of paragraph 87 of the National Planning Policy Framework which would cause harm to the Green Belt. In this instance there are no very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness and the Local Planning Authority consider the proposal to be contrary to the Government's planning policy guidance contained in the National Planning Policy Framework and Policy GE3 of the Unitary Development Plan.
- 2 The Local Planning Authority consider that the proposed development would cause significant harm to the living conditions of nearby residents due to the noise and general disturbance that would be generated by the movement and activities of people using the proposed huts.

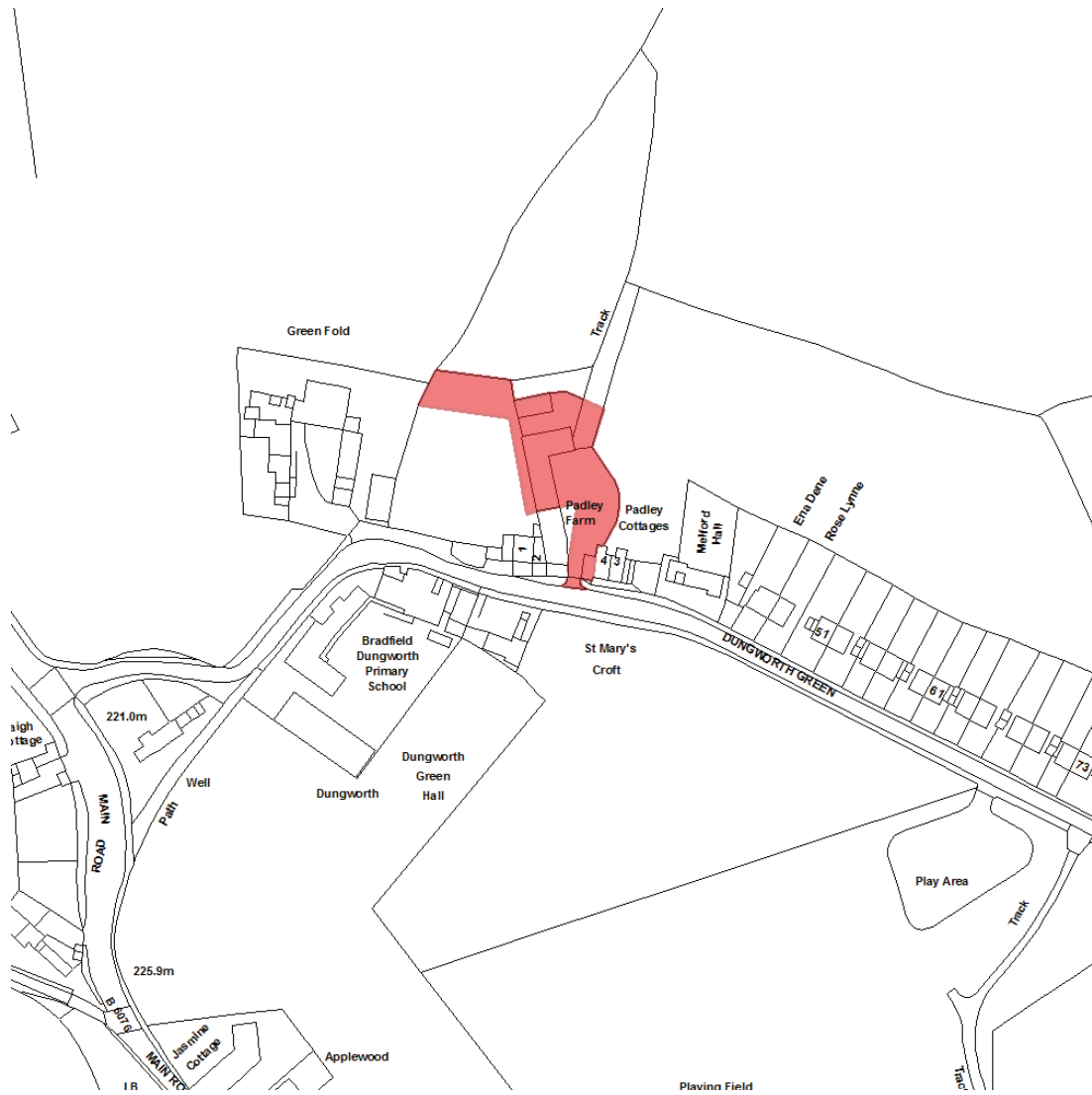
Attention is Drawn to the Following Directives:

1. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:  
Drawing nos.  
03/0216/SK1.1 Ground Floor Plan As Proposed  
03/0216/SK1.2 Section A-A As Proposed  
03/0216/SK1.3 South Elevation As Proposed

03/0216/SK1.4 North Elevation As Proposed  
03/0216/SK1.5 West Elevation As Proposed  
03/0216/SK1.6 East Elevation As Proposed  
03/0216/SK2.1A Floor Plan As Proposed  
03/0216/SK2.2A Section A-A As Proposed  
03/0216/SK2.3A Elevations As Proposed  
03/0216/SK3.1 Floor Plan As Proposed  
03/0216/SK3.2 Section A-A As Proposed  
03/0216/SK3.3 Elevations As Proposed  
03/0216/SK4D Site & Location Plan

2. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirements, and, there being no perceived amendments that would address these shortcomings the Local Planning Authority had no alternative but to refuse consent.

## Site Location



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## LOCATION

Padley Farm is located on the north side of Dungworth Green at Dungworth.

The property comprises Padley Farm House (an end terraced house in a row of three terraces) which is two-storey and fronts towards the road, together with an adjoining two-storey range of buildings running northwards behind the house used as bed and breakfast accommodation, a smaller detached single-storey building just to the north of this range formerly a barn and currently used as a games room and for storage, a surfaced car park and a small lean-to building on the east side of



these buildings and a large lawn on the west side. A stone wall runs along the southern boundary of the lawn alongside Dungworth Green.

On the frontage to Dungworth Green between the front boundary wall and Padley Farm House is a walled parking area, two flat roofed garages and the two other terraced houses in this row (nos. 1 and 2 Padley Cottages). All three houses in this row have walled front gardens.

To the east of the application site are houses fronting Dungworth Green with open fields behind. To the west of the site is a group of agricultural buildings and Greenfold Farm House.

Dungworth Primary School and a residential property are opposite the site.

Padley Farmhouse, nos 1 and 2 Padley Cottages and Greenfold Farmhouse are all grade 2 listed buildings. The gate piers to Padley Farmhouse are also grade 2 listed structures.

## PROPOSAL

The application site area includes the bed and breakfast building, the detached games room/storage building, the north part of the lawn and the vehicular access and parking area.

The proposal seeks full planning permission to change the use of land and an existing building to a site for 4 camping huts with associated facilities

The 4 camping huts would be sited on the northern part of the lawn separated from the rest of the lawn by a proposed new hedge of native species and trees. Additional hedges and trees would be planted along the west and northern boundary of this part of the lawn. The applicant has stated that wooden fencing could be constructed to the boundary of Greenfold Farm to protect their privacy.

The proposed camping huts comprise 3 'Shieling' type huts and a 'Shepherd Hut'. The 'Shieling' type huts are each designed to accommodate a family of up to 5 people with each hut being approximately 3.5 metres wide, 5.5 metres long and 3.4 metres high with sides curving up to its central ridge and faced in horizontal natural larch boarding with metal trimmed windows. The 'Shepherd Hut' is designed to accommodate two people and would be 2.7 metres wide, 4 metres long and 3 metres high and has a dark green matt painted weatherboarding finish, timber effect upvc windows, dark brown verge and fascia boarding and a shallow pitched mineral felt roof.

The alterations to the detached former barn would provide a wash up area, showers and toilet facilities. The remaining part of the building would be used as a games room. 4 additional on-site parking spaces would be provided next to the former barn.

The applicants have stated that the proposed camping huts would be available for rental from April to October and that the management of the site and the guests will

be integrated within that of the existing bed and breakfast operation, and will require two part time staff to clean and service the ancillary accommodation.

The applicant has submitted a design and economic statement, a business development statement and a design and access statement in support of this application.

These statements include that the local economy other than agriculture is mainly focused on visitors with a few businesses offering bed and breakfast and self-catering accommodation (The Royal Hotel offers 3 rooms, Padley Farm currently offers 8 rooms, and Ricket Field Farm offers accommodation for up to 6 people), that the proposal provides an additional type of accommodation that is mobile, rustic in character and will extend the appeal of the locality to visitors, and that it will bring wider economic benefits to the community. The applicant examples fishermen, cyclists, walkers and touring families as those who would be attracted to this type of accommodation. The applicant has stated that there is no view of the garden from the school, that there will be no camp fires or barbeques allowed on the site, and that the applicant would have a strict no noise policy.

The applicant has also subsequently stated that they have a policy of refusing bookings with profile characteristics indicating that they may be stag/hen parties which will be extended to include the proposed glamping huts.

#### RELEVANT PLANNING HISTORY

There have been two relevant applications on this site.

In 1998 planning permission was granted for alterations to barns to form 2 dwellings. This application related to the adjoining range of buildings on the north side of Padley Farm House and was not implemented (application no. 98/0375P refers).

In 2001 planning permission was granted for alterations to barn for use as bed and breakfast accommodation. This application also related to the adjoining range of buildings on the north side of Padley Farm House and was subsequently implemented (application no. 01/01403/FUL refers).

On the adjacent land at Greenfold Farm, there have been several planning and listed building consent applications. The farmhouse and two stone barns on the north and east side of the farmhouse form a 'U-shaped' layout around the farm yard. To the east of these buildings is a detached agricultural building faced in cladding.

In 2008 planning permission and listed building consent was granted to convert the two stone barns into two dwellings (application nos. 08/00715/FUL and 08/00724/LBC). An application to extend the time limit for the implementation of the 2008 permission was granted in 2011 (application nos. 10/04096/FUL and 10/04096/LBCR refer). Commencement works were subsequently carried out to the eastern barn and these permissions remain extant.

In 2014 planning permission was granted for alterations and extensions to a barn to form a dwellinghouse with annexe. This application related to redundant stone barn on the north side of the yard (application no. 14/02064/FUL refers). This permission is also currently extant.

## SUMMARY OF REPRESENTATIONS

The application has been publicised by notification letters to neighbouring properties and by display of site notice.

12 representations of objection have been received relating to the following matters:

- totally inappropriate, owners of Padley Farm already run a bed and breakfast, there are no shops in Dungworth;
- the proposed campsite will change the dynamic of the area and will have a detrimental effect on the neighbourhood;
- school and houses in close proximity;
- extra traffic on a country lane, roads can barely cope with the current traffic flow, create additional disruption in the area, the road after school is already hectic let alone more traffic arriving on a Friday afternoon, add unnecessary safety risk to children leaving school as it is already too busy;
- parking is limited in the area, not enough parking for additional cars;
- disturbance from bed and breakfast at night with cars and people coming and going; the proposal will add to this;
- going to ruin a peaceful setting, increase in noise pollution and possibly noise late at night, noise would detract from peaceful country location, concerns about noise levels at all times of the day as will attract stag and hen parties, encourage outdoor socialising, music, people smoking, late night taxis, do not want the rural feel of the village to be spoiled in the summer months by noisy thoughtless people passing through;
- close proximity to residential garden and neighbouring houses;
- loss of privacy, will overlook land at Greenfold Farm, a high fence to screen the site would lead to a loss of light;
- gardens are not suitable locations for such sites;
- could be the beginning of a bigger scheme in future;
- not in keeping with Greenfold Farm and Padley Farm which are grade 2 listed buildings or the village as a whole;
- would be an encroachment into local landscape, appearance is wrong when viewed long range in the landscape, whole scheme feels incongruous;
- other glamping sites are in more isolated areas well away from where people live keeping disturbances away from where people live;
- the campsite will deter purchase and restoration of the barns in the adjacent property which will continue to deteriorate and bring down the visual appearance of the area;

2 representations of support have been received relating to:

- there is little self catering accommodation around the area;
- glamping pods are of natural materials so look very natural in their surroundings which doesn't upset or affect the wildlife and natural habitat, structures not unattractive;
- won't be seen even from Loxley Rd;
- Padley Farm has its own car park, would not affect local residents parking;
- stag and hen parties and other groups of young noisy people will not be interested in staying in Dungworth, it will appeal to young family groups;
- this would bring in outside business to many of the local businesses which is much needed in the development of the community;

Bradfield Parish Council has no objections to this planning application providing that all planning rules are followed.

## PLANNING ASSESSMENT

The main policy issues in this instance will be the impact of the development on the Green Belt and the local environment, its impact on the amenities of nearby residents and highway considerations.

### Policy Issues

The relevant development plan is the Sheffield Local Plan which includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP). The UDP Proposals Map identifies the site as being within the Green Belt and within the Dungworth Area of Special Character.

The Pre-Submissions version of the Draft City Policies and Sites Document (CPS) and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State. The Draft Proposals Map maintains the Green Belt designation.

The Government's planning policy guidance on green belts and the rural economy is contained in the National Planning Policy Framework (NPPF).

### Impact on the Green Belt

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence (NPPF, paragraph 79). The purposes of the Green Belt are to check unrestricted sprawl of large built-up areas, to prevent neighbouring towns merging, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns, and to assist in urban regeneration by encouraging the recycling of urban land (paragraph 80, NPPF).

Once defined local planning authorities should plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities to provide access, to provide opportunities for outdoor sport and recreation, and to retain and enhance landscapes, visual amenity and biodiversity or improve damaged or derelict land (paragraph 81, NPPF).

The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF, paragraph 87). The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF, paragraph 88).

The NPPF further states that construction of new buildings in the Green Belt should be regarded as inappropriate except for, amongst others: buildings for agriculture and forestry; appropriate facilities for outdoor sport, outdoor recreation and cemeteries as long as it preserves the openness of the Green Belt; extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; replacement of a building providing the new building is in the same use and not materially larger than the one it replaces; limited infilling in villages and limited affordable housing for local community needs; and limited infilling or redevelopment of previously developed sites (brownfield land) (NPPF, paragraph 89).

The NPPF also identifies certain other forms of development that are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it which includes the re-use of buildings provided that the buildings are of permanent and substantial construction (NPPF paragraph 90).

The proposed conversion of the games room/storage building to include ancillary facilities would comply with the criteria in paragraph 90 of the NPPF and as such the proposed conversion of this building would not be inappropriate development.

However, the proposed huts comprise new buildings. They would provide short stay living accommodation for visitors and as such do not fall within the uses highlighted in the exceptions described in NPPF paragraph 89 nor do they comprise extensions, alterations or replacement buildings.

The proposed huts would be sited on the northern part of the existing lawn generally between the existing detached games room/storage building at Padley Farm and the stone barns at Greenfold Farm albeit they would be slightly further north than these buildings.

This existing lawn is characteristic of the open gaps between groups of buildings in Dungworth. The lawn varies in width from approximately 45 metres wide close to its southern boundary to approximately 23 metres wide at its northern end. Whilst the houses at nos. 1 and 2 Padley Cottages and the garages encroach across the southern part of the lawn, the size and width of the lawn is such that it is beyond

what is considered to be an infill site within the village or within the existing development at Padley Farm.

It is therefore considered that the proposed huts do not satisfy the exceptions described in paragraph 89 of the NPPF and as such they would comprise inappropriate development for the purposes of paragraph 87 of the NPPF.

As noted above the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The Council's planning policy on the Green Belt is contained in the Core Strategy and the UDP.

Core Strategy Policy CS71 states that countryside and other open land around the existing built-up areas of the city will be safeguarded by maintaining the Green Belt, and that development needs will be met principally through the re-use of land and buildings rather than through expansion of the urban areas and villages.

UDP Policy GE1 of the UDP states that in the Green Belt development will not be permitted except in very special circumstances, where it would (a) lead to unrestricted growth of the built-up area, (b) contribute towards merging of existing settlements, (c) lead to encroachment of urban development into the countryside, or (d) compromise urban regeneration.

In this instance criteria (c) is relevant as the proposal will involve development which whilst generally being sited between existing buildings slightly projects beyond them.

UDP Policy GE3 states that in the Green Belt new buildings will not be permitted, except in very special circumstances, for purposes other than agriculture, forestry, essential facilities for outdoor sport and outdoor recreation, cemeteries and other uses which would comply with policy GE1.

The proposed development is not for any of the uses identified in UDP Policy GE3 and as such would not comply with this policy unless there are very special circumstances.

Impact on the Openness of the Green Belt

The UDP and the NPPF also seek to protect the openness and character of the Green Belt. Relevant UDP policies are Policies GE2 and GE4.

UDP Policy GE2 seeks to maintain and enhance those areas with a high landscape value and improve poor landscapes in priority areas.

UDP Policy GE4 states that the scale and character of any development which is permitted in the Green Belt should be in keeping with the area and wherever possible conserve and enhance the natural environment.

The village of Dungworth is characterised by groups of buildings separated by areas of open space resulting in an irregular built up edge to the village. The proposed site is typical of this characteristic.

The proposed siting of the huts on the existing lawn to Padley Farm House slightly projects beyond the buildings to either side of the lawn. The nature of the surrounding landscape is such that the proposed huts would not appear particularly intrusive into the open countryside when viewed from the west and east. The proposed huts will be visible when viewed across the valley from the north. In this context whilst the existing character of the open lawn and adjacent buildings can be distinguished, the proposed huts would be seen against the backdrop of the school buildings and would not appear particularly intrusive into the surrounding open countryside.

The design and appearance of the proposed huts is considered to be of a good quality using materials appropriate to a rural environment. The proposal is restricted to 4 huts of limited size, which would be faced in timber thereby subduing their impact on the openness of this part of the Green Belt. The proposed additional tree planting along the boundary would help enhance the site but would not screen the huts from distant views.

It is considered that the siting of the 4 huts on the grassed area on the western side of Padley Farm would not significantly harm the openness and character of this part of the Green Belt. This lack of harm on the openness of the Green Belt has a neutral impact on the case for very special circumstances.

#### Impact on the Historic Environment

UDP Policies BE15, BE17, BE18 and BE19 seek to protect the special architectural and historic interest of listed buildings and the appearance of Areas of Special Character.

In this instance there would be sufficient separation between the proposed huts and the listed buildings to ensure that the proposed development would not harm the special architectural and historic interest of listed buildings.

The proposal would be of limited scale retaining a significant part of the lawn and would not harm the character and appearance of the Dungworth Area of Special Character.

Whilst the listed building at Padley Farm has benefited from previous investment following changes in the use of part of these buildings, the listed barns at Greenfold Farm have yet to be refurbished following the granting of planning permission and listed building consent. The proposed huts would provide further investment to Padley Farm, however the proposal if seen to be harmful to the amenities of the future occupants of the barn conversions could deter investment into those buildings.

On balance it is considered that the impact of the proposal on investment in the historic environment is neutral.

#### Impact on the Rural Economy

Both the UDP and the NPPF seek to promote the rural economy.

UDP Policy GE7 states that the rural economy and agriculture will be maintained and enhanced. UDP Policy LR1 seeks to encourage Sheffield's tourism industry by generally supporting developments which promote tourism where they would be in keeping with the environment and character of the area. The reasoning for this policy includes emphasising the need to encourage growth and diversification of the rural economy and that tourism can make an important contribution to this aim.

The NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development, and amongst other matters, support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres (NPPF, paragraph 28).

These policies support the principle of the proposed development.

The proposal would be operated in conjunction with the existing business on the site and would provide beneficial income to this local business. The proposal would attract visitors to this rural area and the resultant expenditure would have a beneficial effect on the wider local economy.

It is considered that whilst these impacts would be beneficial to the local economy they are not so significant in this instance to amount to very special circumstances that would outweigh the harm caused by the inappropriateness of the development.

#### Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development. The site lies within CIL Zone 3 where the contribution is £30 per sq m. The funds generated through CIL will be used in connection with strategic infrastructure needs.

#### Conclusion on Very Special Circumstances

The proposed huts comprise inappropriate development for the purposes of paragraph 87 of the NPPF.



In considering whether there are very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness, regard has been had of the economic and business case submitted by the applicant, the impact on the local economy, and the impact on the Green Belt and the local environment.

In this instance it is considered that on balance the circumstances are not considered to be so significant that they amount to very special circumstances that would outweigh the harm to the Green Belt by reason of inappropriateness of the proposed development.

#### Highway and Transportation Issues

The existing access to Padley Farm is satisfactory. The footpaths along Dungworth Green are intermittent. There is a footpath on the north side of the road along of Dungworth Green outside Padley Cottages, Padley Farm and the houses to the east, and a footpath on the south side outside the school running to the west.

The proposal seeks to provide 4 off-street car parking spaces in addition to the existing car parking area serving Padley Farm House and the existing bed and breakfast facility.

It is considered that whilst the proposal would generate additional traffic movements, these can be accommodated on the existing highway and sufficient provision for off-street parking is proposed.

There are no highway objections to this proposal.

#### Impact on the Amenities of Residents

There are residential properties to the west, south and east of the site.

The proposed development would involve arrivals and departures mainly by car, movements of people to and from the huts as part of their use of the huts as short stay accommodation. There would be a potential for using the land outside the huts for both passive and active leisure. These movements and activities could generate noise and disturbance to various extents.

The proposed use would not be an all year round use being limited to the period from April to October. The applicant has also submitted that the proposed use would be managed in association with their existing bed and breakfast facility to reduce impact and noise.

The intentions of the applicant to control the potential adverse impacts of the use are welcomed and it is recognised that the imposition of planning conditions could prevent some of these impacts (such as erecting screen boundary fencing and landscaping, and preventing camp fires and outside cooking using barbecues), however there would remain the potential for disturbance from vocal noise and general activities including possibly children's play. Whilst similar activities are common in residential gardens and normally raise no significant concerns for

neighbouring residents, in this instance the proposed use of the land would be more intensive than a single residence as it would involve up to 20 people and the potential for causing harm to the living conditions of neighbours is much more significant. The neighbouring properties at nos. 1 and 2 Padley Cottages and Greenfold Farm are those most likely to be impacted upon.

It is therefore considered that the proposal would result in noise and disturbance causing significant harm to the living conditions of nearby residents.

## SUMMARY

The property comprising Padley Farm House includes an existing bed and breakfast business and is located within the Green Belt.

The proposed huts comprise inappropriate development for the purposes of paragraph 87 of the NPPF.

The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

In considering whether there are very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness, regard has been had of the economic and business case submitted by the applicant, the impact on the local economy, and the impact on the Green Belt and the local environment.

It is considered that the siting of the 4 huts on the grassed area on the western side of Padley Farm would not significantly harm the openness and character of this part of the Green Belt. This has a neutral impact on the case for very special circumstances.

In this instance whilst it is considered that the siting, design and appearance of the proposed huts and the conversion of the detached buildings will not harm the setting or special interest of the listed buildings or the Dungworth Area of Special Character the proposal could however deter future investment in the adjacent dilapidated listed barns. On balance it is considered that the impact of the proposal on investment in the historic environment is neutral.

UDP Policy GE7 and LR1 and the NPPF seek to promote the rural economy and support the principle of the proposed development. The proposal would be operated in conjunction with the existing business on the site and would provide beneficial income to this local business. The proposal would attract visitors to this rural area and the resultant expenditure would have a beneficial effect on the wider local economy. However, it is considered that whilst these impacts would be beneficial to the local economy they are not so significant in this instance to amount to very special circumstances that would outweigh the harm caused by the inappropriateness of the development.

The Community Infrastructure Levy (CIL) is applicable to this development.

In this instance it is considered that on balance the circumstances are not considered to be so significant that they amount to very special circumstances that would outweigh the harm to the Green Belt by reason of inappropriateness of the proposed development.

There are no highway objections to this proposal.

The Local Planning Authority consider that the proposed development would cause significant harm to the living conditions of nearby residents due to the noise and general disturbance that would be generated by the movement and activities of people using the proposed huts.

#### RECOMMENDATION

It is recommended that planning permission is refused for the reasons given.

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Case Number	16/01339/FUL
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of two dwellinghouses
Location	Sales Direct Services Ltd, 15 Moor View Road, Sheffield, S8 0HH
Date Received	06/04/2016
Team	South
Applicant/Agent	Ralph Woods
Recommendation	Grant Conditionally
Date of Recommendation	20 September 2016

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#### **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:

The drawings numbered:

15/02/02 Revision 03  
15/02/03 Revision 02  
15/02/04 Revision 02

Reason: In order to define the permission.

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

3. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been 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).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

4. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with.

5. Any remediation works recommended in the Phase II Intrusive Site Investigation Report 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 being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

6. The surface water discharge from the site shall be reduced compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres / hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to mitigate against the risk of flooding.

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

7. Before construction works commence, a management plan of all construction traffic shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality.

8. Details of all boundary treatments, including cross sections identifying locations, 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 occupied unless such means of site boundary treatments have been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of the visual amenities of the locality.

9. 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.

10. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

11. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation 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.

Reason: In order to ensure that any contamination of the land is properly dealt with.

## Other Compliance Conditions

12. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

13. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

14. As indicated on drawing numbers 15/02/03 revision 02 and 15/02/04 revision 02, those first floor bedroom windows on the elevation of the dwellings facing south and indicated to be obscurely glazed shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

Reason: In the interests of the amenities of occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. 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 seeks permission to demolish existing commercial premises to allow for the erection of two dwellings. The site is situated between two rows of terraced dwellings on Tyzack Road, Marshall Road and Moor View Road. The site is relatively flat and is accessed via a vehicle entrance between no's 13 and 17 Moor View Road.

The commercial units are set within a defined Housing Area and the residential character of the street is defined by red brick terraced, and semi-detached properties.



Amended drawings have been received in connection with this application. The amendments have removed access to the site/ proposed car parking off Tyzack Road and re-arranged the first floor bedroom windows to improve privacy levels.

## PLANNING HISTORY

A pre-application enquiry was received in 2015 and the advice outlined the planning policies and guidance that would have to be adhered to. The proposal sought consent for the demolition of the existing premises and the erection of three dwellings.

The advice stated that three dwellings may be problematic and overdevelopment, but that the site would suit a residential scheme, given that the current use for commercial purposes would have more of an impact upon the neighbouring properties, should it be brought back into use. The advice stated that any proposal should have a scale and massing that is respectful of the wider area, whilst being mindful of the living conditions of all the neighbouring properties.

## REPRESENTATIONS

The proposal was publicised, as outlined in the Council's statement of community involvement. Twelve representations have been received in connection with this application. They object to the proposal and can be summarised as raising the following concerns:

- Tyzack Road is a cul-de-sac that is often parked up with vehicles and the access to the new entrance on this side would not be safe due to the dimensions of the access and the nature of the street;
- The access from Moor View Road is too narrow and would be dangerous for neighbouring occupants;
- The proposal would overbear upon the neighbouring properties and affect privacy levels;
- The proposal would be an overdevelopment of the site;
- Noise disturbance from car movement along the drives;
- The proposed access is not big enough for construction traffic.

The letters outline other matters that are either to be dealt with under separate legislation should the development go ahead, or that are not material planning considerations that can be given weight in any planning assessment.

Queries regarding the boundary treatments that are proposed and how the shared boundaries are going to be repaired/ looked after, should the development go ahead, have been raised. Disputes regarding damages to boundary walls are civil matters that would need to be resolved by all relevant parties. Exact details regarding the specification of the boundary treatments to be provided, could be made subject to planning conditions, should the application be granted consent.

## PLANNING ASSESSMENT

The main issues to be considered are whether the principle of development is acceptable; what the effect on the character and appearance of the area will be; the impact of the proposal on all neighbouring properties, and; whether suitable highways access and off-street parking is provided.

### Principle

The proposed development of the site for housing is in line with the preferred use for the area and so complies with Unitary Development Plan (UDP) policy H10. The previous B8 storage and distribution use is listed within policy H10 as an unacceptable use within Housing Areas and the proposed dwellings would provide a more suitable development for this residential area.

The National Planning Policy Framework (NPPF) and Core Strategy Policy CS24, seek to maximise housing on previously developed sites. The proposal is considered to be satisfactory in this respect. Although the development will only achieve a density of approximately 31 dwellings per hectare, against policy CS26's target density of 40 to 60 dwellings, the site's configuration would not allow for a development that is any more intensive.

### Layout and Design

The loss of the commercial buildings is not considered to be detrimental to the overall character of the area. They are not of any architectural or historic interest and are currently in poor condition. The replacement dwellings would use materials to match the surrounding properties and the two storey height would be similar to others within the area.

The proposed dwellings would have more than 50 square metres of external amenity space. Although SPG guidance is not strictly relevant to new dwellings, the guidance does support UDP policy H14, which states that proposals should not be an overdevelopment of a site. The area of rear garden space provided accords with guideline 4 of the SPG and it is not therefore considered that the proposal is an overdevelopment of the plot as defined in UDP policy H14.

Subject to conditions being attached to any approval, which require full details of the boundary treatments and material samples, the proposal is considered to be acceptable in terms of its design and affect upon the character of the area. In this respect, the proposal is acceptable in terms of UDP policies BE5, H14 and CS74.

### Living Conditions

The proposal is set back from the properties on Moor View Road by over 21 metres and away from the properties on Marshall Road and Tyzack Road by more than 10 metres; furthermore, the properties to the rear are set at an angle.

Amended drawings have been received that have re-arranged the first floor bedroom windows so that there are two very small windows serving the first floor

bedrooms. The windows closest to the gable ends of the properties would have obscure glass and the windows that are most central would allow a reasonable outlook for the occupants of the dwellings.

The rear windows either look onto the boundary treatments or are small first floor windows that have direct outlooks onto the 10 metre rear garden, rather than directly over the neighbouring properties rear gardens/ yards. However the angle of view is not such that views of neighbouring gardens will not be possible. This however is a characteristic of the current situation with neighbouring properties, and this shortfall against the guidelines in guideline 6 of the SPG, should be considered in this context.

The proposal has a similar overall height to the neighbouring properties. It is set at an angle to the properties on Tyzack Road and Marshall Road and 12 metres from the closest aspect of 63 Tyzack Road. The property is not considered to be overbearing to the neighbouring properties and it is not considered that the proposal would severely restrict natural light and outlook to any neighbouring property. Consequently, in this respect, the proposal is considered to be acceptable in terms of UDP policy H14.

The use of the site at present has potential to create frequent vehicular movements that could be detrimental to the living conditions of the neighbouring residents. The scale and nature of the proposed use would reduce the amount of potential vehicular traffic movement. It is for this reason that it is considered that the proposal would not increase noise and disturbance to an unacceptable level. Again, UDP policy H14 is considered to be satisfied in this regard.

## Highways

In line with the comments raised by residents and the Local Highway Authority, an amended plan has been received indicating that the proposal will only have 4 car parking spaces for the proposed dwellings and these will be accessed from Moor View Road. The site plan is considered to be acceptable.

Due to the use of the existing premises, it is considered that the proposal would have less vehicular traffic associated with it and be a better alternative than a use that could potentially have large vans entering and existing on a frequent basis. Although the access point is fairly narrow, this factor will reduce vehicles speeds and together with the reduced number of potential car visits, the safety of the entrance is considered to be satisfactory.

The proposal has given rise to concerns that access to the site will not be able to accommodate construction traffic. It is acknowledged that the site entrance is of a size that would not be suitable for certain large scale lorries; however, it is considered that a condition could be attached to any approval that would request a management plan to be submitted and that would restrict construction traffic around the site to a level that would be safe.

Subject to conditions, the development will provide sufficient and safe off-street parking provisions and the development is in accordance with UDP Policy H14 (d).

## Community Infrastructure Levy (CIL)

The proposal is liable to a CIL charge. As the proposed floor space exceeds the floor space of the buildings to be demolished. At this stage no claim for relief has been made.

## SUMMARY AND CONCLUSION

The proposed development is acceptable in design terms, will provide suitable living conditions for future occupiers and provides safe access to the highway with appropriate off-street parking. The arrangement of the proposed dwellings has been amended to minimise any impact upon the living conditions of neighbouring properties, and shortfalls in the guidance for privacy distances are acceptable in the context of similar levels of overlooking between neighbouring properties, and the overall improvement in living conditions that will result from the development by the removal of the existing buildings and their commercial uses. The scheme complies with Unitary Development Plan Policies H10, H14 and BE5 and Core Strategy Policies CS24, CS26 and CS74.

The proposal is therefore recommended for approval.

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Case Number	16/00480/FUL PP-04818387
Application Type	Full Planning Application
Proposal	Demolition of working mens club and erection of 27 apartments in 1 x 3 storey block with the provision of underground car parking accommodation and associated landscaping works
Location	Handsworth Working Mens Club And Institute, 445 Handsworth Road, Sheffield, S13 9DD
Date Received	08/02/2016
Team	City Centre and East
Applicant/Agent	Max Design Consultancy
Recommendation	Grant Conditionally Subject to Legal Agreement
Date of Recommendation	20 September 2016

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#### **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:

1473-01 Revision C - Basement Floor Plan  
1473-02 - Ground Floor Plan  
1473-03 - First Floor Plan  
1474-04 - Second Floor Plan  
1473-05 Revision D - Elevations  
1473-08 Revision C - Section AA & Section BB  
1473 - Covered Bin Store & Bike Park Details

Reason: In order to define the permission.

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

3. The works of demolition hereby authorised shall not be carried out before evidence of a contract for the carrying out of the works of redevelopment of the site hereby approved as part of this application has been submitted to and approved by the Local Planning Authority.

Reason; To ensure that premature demolition does not take place and result in an undeveloped site, sometime before rebuilding, which would be detrimental to the visual character of the locality.

4. No development shall commence until a construction management plan has been submitted to and approved by the Local Planning Authority. The plan shall include details of:

- Construction vehicle routes;
- Means of ingress and egress for construction vehicles. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.;
- Parking for vehicles involved in construction;
- Provision for contractor parking; and
- Confirmation of dilapidation survey of the highways immediately adjoining the site, which shall have been carried out and agreed with the Local Planning Authority.

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

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

6. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been 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).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

7. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with.

8. The development shall not commence until full details/design calculations of the proposed surface water drainage has been submitted to and approved by the Local Planning Authority, including the arrangements for surface water infrastructure management for the life time of the development. This should be achieved by sustainable drainage methods. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site.

Reason: To ensure surface water flooding and pollution management.

9. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs relating to that phase being obtained from decentralised and renewable or low carbon energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

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

10. Any remediation works recommended in the Phase II Intrusive Site Investigation Report 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 being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11

(Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

11. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation 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.

Reason: In order to ensure that any contamination of the land is properly dealt with.

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

Typical windows - including a minimum of 200mm reveals  
Typical bay window design  
Typical external door design  
Garage door design  
False window infill detail  
Entrance canopies  
Balconies  
Eaves, verges and ridges  
Rain water goods  
Boundary treatments

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

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

13. 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.

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



14. 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.

15. Before any construction work is commenced, a comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

16. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality.

17. The building shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

Reason: In the interests of the safety of road users.

18. Notwithstanding the details on the approved plans, before the development is commenced final details of the proposed car parking layout in the basement area shall be submitted to and approved by the Local Planning Authority. The building shall not be used unless the agreed car parking has been provided in accordance with the approved details and thereafter the parking shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

19. The building shall not be used unless the cycle parking accommodation has been provided on the site in accordance with the agreed details and thereafter the cycle parking accommodation shall be retained for the sole use of the occupiers and visitors of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

20. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

a) Be based on the findings of approved noise survey (ref: NIA/6428/15/6310/v2/Former Working Mens Club, Handsworth, dated: 20/01/16, prepared by ENS)

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the building.

21. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

a) Be carried out in accordance with an approved method statement.

b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

NB. The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

Reason: In the interests of the amenities of the future occupiers of the building.

22. No externally mounted and/ or fixed plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

23. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

24. The building shall not be used unless a management strategy covering the following points has been submitted to and approved by the Local Planning Authority:

- The management of the car parking area, including further information about the tandem car parking spaces and the flats that these spaces will be allocated to;
- The management of the public and private landscape space; and
- The management of the bin storage area, including details of the strategy for bin collection days.

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

Reason: To ensure satisfactory management of facilities in the interests of the amenity of future and existing residents

25. The proposed green/brown roof (vegetated roof system) shall be provided on the bin store and cycle store roof areas, as shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of these buildings commencing on site. The green/brown roof(s) shall be provided prior to the use of the building commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

26. Notwithstanding the details on the approved plans, before the development is commenced, or an alternative timeframe to be agreed, full details of the proposed site boundary treatment shall be submitted to and approved by the Local Planning Authority. The building shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of the visual amenities of the locality.

#### **Other Compliance Conditions**

27. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

28. All development works, including any demolition works, shall proceed in accordance with the Construction Method Statement (ref: Construction Method Statement, Residential Development to 445 Handsworth Road, Sheffield, prepared by: Max Design).

Reason: In the interests of the amenities of the surrounding residential occupiers and other neighbouring land uses.

29. Construction and demolition works that are audible at the site boundary and site deliveries shall only take place between 0800 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

Reason: In the interests of the amenities of the surrounding residential occupiers and other neighbouring land uses.

30. The ensuite windows of Apartment 24 and 25 on the side elevation of the two storey part of the building facing No. 16 Medlock Drive shall be fully obscured to a minimum privacy standard of Level 4 Obscurity and at no time shall any part of the glazing revert to clear glass.

Reason: In the interests of the amenities of occupiers of adjoining property.

31. The surface water discharge from this brownfield site shall be reduced by at least 30% compared to the existing peak flows into existing discharge outlets. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 3.5 litres (to public sewer) should be demonstrated.

Reason: To ensure surface water flooding and pollution management.

Attention is Drawn to the Following Directives:

1. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980, and dealt with by:

Development Services  
Howden House  
1 Union Street  
Sheffield S1 2SH

For access crossing approval you should contact the Highway Development Control Section of Sheffield City Council on Sheffield (0114) 2736136, quoting your planning permission reference number.

2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group

Development Services  
Sheffield City Council  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

For the attention of Mr S Turner  
Tel: (0114) 27 34383

3. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council  
Town Hall  
Penistone Street  
Sheffield  
S1 2HH

For the attention of Mr P Vickers

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

4. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [epsadmin@sheffield.gov.uk](mailto:epsadmin@sheffield.gov.uk).
5. The Applicant is advised that the following mitigation measures would assist in reducing vehicle exhaust emissions and should be adopted where practicable, they include:
  - a) Construction phase - The developer should have regard to the mitigation measures in and adopt the London Councils' Best Practice Guidance, November 2006, "The Control of Dust and Emissions from Construction and Demolition". This Guidance should be used as a guide to evaluate and manage dust emissions during this phase.

- b) Ensure vehicles delivering to the proposed site to be Euro VI standard minimum or are fitted with exhaust after treatment technologies such as continuously regenerating traps or other non primary NO2 emitting catalysts systems: a recommendation.
- c) Promote the use of public transport and the need for efficient public transport links into the area: a recommendation.
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
8. The Applicant is advised that the South Yorkshire Police Architectural Liaison Officer has provided the following advice:
1. Entrance into the basement Car Park should be access controlled by a quick release roller shutter entrance door.
  2. The basement area should be well lit with no dark areas. Access from within the basement into the building should also be access controlled.
  3. The main entrances into the building should be access controlled via audio/visual means. All external doors and the internal flat doors should be to PAS 24:2012.
  4. All ground floor and accessible windows and glazing should be to PAS24:2012 incorporating laminated glass.
  5. The bin store should be lockable to avoid attempted arson.
  6. The stairwells should be well lit and as open as possible, so the user can see who is coming up/down.
  7. To secure the private garden area and cycle storage, 1.8m gates and boundary treatment should be used.
  8. Landscape should be planted so as not to block CCTV or Lighting. It should be kept low below 1m and trees to have no foliage below 2m.
9. The Applicant's attention is drawn to part 6.3.1.5 and 6.3.1.6 of the Phase 1 Habitat Survey Report (RDF Ecology, May 2015) in relation to the need for a new bat survey of the site if demolition works do not occur within a set timeframe and in relation to the appropriate months (September to March) and methods of demolition.

10. 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.
11. The applicant should be aware that a legal agreement has been completed in respect of this proposal.



## Site Location



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## LOCATION AND PROPOSAL

Planning permission is sought to demolish the club of Holme Lea (formerly the Handsworth Working Men's Club and Institute) and replace it with a residential apartment scheme of 27 apartments comprising of 4 x 1 bedroom and 23 x 2 bedroom units with associated basement car parking and landscaping works.

The site is located on Handsworth Road (B6200), a busy classified road running through Handsworth which carries traffic to areas including Darnall, Richmond and Woodhouse Mill. Specifically, the site is situated at the junction of Handsworth Road and Medlock Drive, where Medlock Drive is a "U" shaped residential street comprising of post-war semi-detached housing that provides access to other residential streets.

The site currently contains the club of Holme Lea, which is positioned on the southern half of the site and fronts Handsworth Road. It is predominantly two storeys in height with a slate pitched roof and rendered finish. There is a single storey element used as a large function room, which is a later extension and has a footprint extending along the eastern elevation of the main building. The northern half of the site is hardstanding and used as a car park.

The site is rectangular in shape and has an area of approximately 0.18 hectares. The topography of the site is flat having been built up on the eastern side in order to overcome the level of Handsworth Road, which slope downwards in a west to east direction.

A variety of land uses surround the application site and in addition to the residential properties on Medlock Drive to the north, other land uses include a Nursery School to the east (on the opposite side of Medlock Drive) and the Challenger vehicle repair garage to the west. The existing residential properties in this part of Handsworth vary between semi-detached housing and terraced houses, and they are predominantly constructed from brick or natural sandstone.

#### RELEVANT PLANNING HISTORY

There is no history relevant to this proposal.

#### SUMMARY OF REPRESENTATIONS

In accordance with statutory requirements, this application has been advertised by site notices, press advert and neighbour notification letter.

12 letters of objection have been received. This includes a letter from Councillor Mick Rooney who has registered his objections/observations on behalf of his constituent, and comments from Councillor Dianne Hurst.

A petition containing 517 names and individual comments has also been received. The names on the signatures come from a variety of postcodes and their comments discuss the loss of the Club and its impact on Handsworth.

The local representations have been supported by Clive Betts MP.

In summary, the objections relate to:

#### Loss of the Holme Lea Club and Impact on Handsworth

- The demolition would be a major blow to the community and be contrary to paragraph 70 of the NPPF and UDP Policy CF1 and CF2. The Council has, in the past, recognised the valuable role that working men's clubs play in the fabric of Sheffield's neighbourhoods, namely, by refusing the demolition of the Shiregreen WMC (08/02770/FUL).
- The application states that the club is unviable to run, however this is clearly not the case.

- The Holme Lea provides free function room facilities catering for all age groups and people rely on it as a safe meeting place offering a variety of family and children’s events as well as supporting local charities (including Amy’s House) who have benefited from funds raised by events. Other options (i.e. The Old Rectory) can be expensive.
- Handsworth is slowly losing its community facilities. Pubs have already been lost and pub chains are increasing the rent / leases to other public houses making them unviable. How long will it be before other pubs are demolished and turned into flats?
- Is the council hell bent on turning Handsworth into an uncaring concrete jungle?

#### Traffic and Parking Concerns

- More homes and cars will exacerbate pressures on Handsworth Road, which is already congested and at a standstill at peak morning / afternoon rush hours. Traffic along Medlock Drive will also be increased.
- The current access to the city centre bound traffic from the development is inadequate and will require as a minimum a controlled junction to allow traffic to freely join and not be blocked by queuing traffic. Handsworth Road is not suited to access from the opposing sides due to its central reservation
- You have to live here to truly appreciate the difficulty faced on a daily basis. Existing residents are already compromised.
- The proposed car parking will not be sufficient. Planning policy is out of touch and most households will have two cars. Residents will be more inclined to park somewhere that is more benefit to themselves rather than a specific allocation. This will increase on-street parking problems.
- The proposed cycle parking is merely paying lip service to planning policy. Cycling infrastructure for the area is poor and does not encourage people to take this up as an alternative method of transport. It is a tick box exercise to justify less car parking and satisfy the Council.
- Access from the underground garage on to Medlock Drive will create problems as non-residents use this area as a free “park and ride” area.
- The parking spaces will most probably be provided at an extra cost which prospective buyers will not bother to do. This will then increase parking in the area.
- The development will impact on air quality given its proximity to a local school and nursery.
- The Dominos Pizza development close to the application site has already made the highway situation worse for pedestrians as both customers and delivery drivers park their cars all over the pavement.
- Staff from the nearby Sunny Meadows nursery currently uses the car park as parking in the area is very limited. The application would change this.

## New Homes

- There is no need for new housing. There are sufficient properties being built in the area over the past few years (Gateway and Waverley). To build the flats at the expense of a local community facility is wrong.
- More homes will exacerbate pressures on local facilities such as doctors' waiting lists and local school numbers.

## Amenity Concerns

- Concern that the development is imposing and will block the light from No.15 Medlock Drive (the house and conservatory) and will impact on the privacy of surrounding properties. The proposal is overdevelopment, contrary to UDP Policy BE5 and H14.
- Concern about the longevity of the wooden fence proposed between the application site and No.15 Medlock Drive. A brick wall would be preferred at the same height as existing or slightly higher.
- The proposed location of the bins is a concern. They will be left on the pavement on collection days, which will be a hazard for pedestrians.

## Advertisement and Notification Concerns

- Concern that there are some residents who live close-by but do not know about the application. There has been no correspondence.
- During what hours will the building work take place? Bearing in mind there is a nursery directly opposite and lots of school children in a morning walking to local schools, what measures are going to be place to minimise/reduce incidents/traffic?

## Coal Mining Concerns

- The site is situated in an old mining area and a mine was situated nearby on Finchwell Road. Therefore, a coal mining risk assessment needs to be completed before the application can be considered.

## CIL

- Is there any CIL expected to control traffic access onto Handsworth Road?

## PLANNING ASSESSMENT

### Loss of Public House and Community Impact

UDP Policy CF1 (Provision of Community Facilities) states that community facilities will be promoted particularly where they would (a) be for disadvantaged people; or (b) be located where there is a shortage; and would (c) be easily accessible by public transport; (d) be located within the community they are intended to serve. Furthermore, 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.

The loss of the existing club and the impact that this will have on the local community is a concern that many objections discuss. It is stated that the Holme Lea offers a wide range of different activities and facilities for the community and wider public. The objections received suggest that there is a demand for the facility however the application submission contradicts this by stating that the Club is currently commercially unviable.

Whilst there is substantial support for the retention of the Holme Lea, and the building provides a variety of functions, the closure or sale of the pub is a commercial decision to be taken by the Owner. This could occur at any point and all facilities would be lost, regardless of whether planning permission has been granted for a new use or not. With this in mind, it is possible for local community organisations to nominate land or a building as an Asset of Community Value which, if registered, gives those communities the time to put together a bid to buy the Asset if it comes up for sale. It is confirmed that there is no such nomination in relation to this building at the time of writing this report.

The existing club is a 'Sui Generis' use. The prime use of the building would have originally been to allow working people to use the premises to enjoy a social drink, however such establishments have had to evolve and offer other entertainment facilities for use by members of the public. Such change is evident at the application site with the addition of the function room and the variety of activities held over the years.

The proposed development does not propose replacement or equivalent facilities so any functions currently provided at the club will be lost from the site. However, an audit of the area suggests that there are buildings that offer similar licenced and/or function facilities. Those situated closest to the application site include:

- Handsworth Social Club – licenced premises including a lounge bar, games room, and concert room with capacity for 200 people.
- Handsworth Methodist Church – has 4 rooms available for hire with seating capacities for 30 to 130 (restrictions apply).
- The Handsworth Inn – licenced premises including a function room with seating capacity for 50 people and 120 overall.
- The Old Rectory – licenced premises including space for events, conferences, meetings, and community classes.
- The Sword Dancer Public House – including function room.
- The Cross Keys Public House – licenced premises.
- Old Crown Public House – licenced premises.

In light of the above, it is evident that there are other buildings available for hire and public use within close proximity of the application site which offer very similar facilities to the Holme Lea.

Therefore, although it is regrettable that the proposed development would result in the loss of what appears to be a well-used club and facility, it is considered that the development does not conflict with UDP policies CF1 and CF2 and, therefore, refusal of this application on such grounds cannot be justified.

#### Land Use Issues

The National Planning Policy Framework (NPPF) sets out the Government's planning policies. It does not contain specific policies but its statements form part of the overall framework of national planning policy and they are a material consideration in decisions on planning applications. The key principle of the NPPF is the pursuit of sustainable development and the following assessment will have due regard to these overarching principles.

The application site lies within a Housing Policy Area as defined in the Unitary Development Plan (UDP), where housing is the preferred use. The principle of the development is therefore acceptable.

The Sheffield Development Framework (SDF) Core Strategy provides the overall spatial strategy for the city over the period 2009 to 2026.

Policies CS 22 'Scale of the Requirement for New Housing', CS 23 'Locations of New Housing', CS 24 'Maximising the Use of Previously Developed Land for Housing', and Policy CS 25 'Priorities for Releasing Land for New Housing' all promote new residential development in the city - at appropriate and sustainable locations - in order to assist the delivery of suitable sites for housing over future years.

Policy CS 41 (Creating Mixed Communities) seeks to encourage a mix of housing – including prices, sizes, types and tenures.

The proposed housing development will help towards achieving a 5 year supply of deliverable sites and will enhance the range of house types available in the area. The site is also in a sustainable location, in an urban area and on previously developed land. Therefore, the proposals are considered to meet the city's housing policy aspirations.

#### Design Issues

UDP Policy BE5 (Building Design and Siting) and Core Strategy Policy CS 74 (Design Principles) seek high quality design and materials which complement the scale, form and architectural style of the surroundings.

As the site lies in an Area of Special Character, UDP Policies BE15 (Areas and Buildings of Special Architectural or Historic Interest) and BE18 (Development in Areas of Special Character) are also relevant. These policies seek to retain features that contribute to the heritage of the Area and encourage development that respects it. Harmful development will not be permitted.

## Proposed Demolition

It is considered that the existing buildings on this site do not have any architectural or historic qualities that contribute to the character of the Area. As such, and for the reasons discussed below, it is considered that the new development will improve and enhance the site's appearance.

It is also considered that the demolition of the existing buildings will not adversely affect the special character or appearance of the Area. However, given the prominence of the site on Handsworth Road, and in order to safeguard the amenities of the locality, it is recommended that any grant of planning permission should be conditioned so that a contract of works is required as evidence to prove that development will follow swiftly after demolition. Demolition will not be allowed to happen before this condition has been discharged in order to ensure that the site is not left empty for an extended period of time as this would be harmful to the appearance and character of the Area.

## Proposed Layout

The proposed development comprises of an 'L' shaped building positioned on the south and east portions of the site, with its front elevations addressing Handsworth Road and Medlock Drive. The building is set back on each frontage in order to respect adjacent building lines, which is welcomed.

Internally, the development will be built across four floors, comprising of three floors of apartments and a basement area containing ancillary car / cycle parking and storage facilities. The apartments will be accessed on foot via three communal entrance points; one on Handsworth Road and two on Medlock Drive.

A large soft landscaped area is situated in the north-west portion of the site, which will provide communal garden space as well as areas for covered cycle / bin stores and two light wells serving the basement. The position of this space, behind the building, represents a logical design approach as it will provide a secure private area for residents to use. There are also smaller soft landscaping pockets shown in front of the building to soften the spaces adjacent to road boundaries and create a front garden setting. The development will be contained by a new boundary wall (brick/railing) to the front elevations.

Overall, it is considered that the proposed layout responds well to the character of the site and respects surrounding streets in accordance with the relevant policies.

## Proposed Scale

Large detached two and three storey stone built properties already exist in this part of Handsworth Road and they form part of the Area's Special Character designation. The new building responds to this character by proposing three storeys at the prominent Handsworth Road end of the site, stepping down to two storeys to reflect the suburban scale of the adjacent two storey dwellings on Medlock Drive. It is considered that this scale is satisfactory as it reinforces the

corner position of the site and responds to the hierarchy of adjacent streets and the scale of the buildings that surround it.

### Proposed Design

The proposed building has a traditional architectural style to ensure that it sits comfortably within the surrounding context. Whilst a contemporary design could have been considered at this location, there is no objection to the traditional approach given the quality of the designs proposed.

Good design is achieved through the hierarchy of building heights and strong, repetitive detailing, setbacks and projections (including recessed balconies). The generously sized windows are a particularly positive element of the design, improving the visual appearance and most likely the internal qualities of the development.

The building's main material palette will be natural sandstone, brick and natural slate. These are acceptable and compatible with the materials already used in the area. Appropriately, stone is intended to be heavily used for the part of the building that is adjacent to Handsworth Road, whilst brick will be used for the Medlock Drive frontage and internal elevations. Other materials within the palette include uPVC windows, wrought iron railings and stone heads/cills, which are also considered to be appropriate on this site.

Overall, it is considered that the proposed design is an acceptable aspect of the development, responding well to the character of the site and respecting surrounding streets and the Area's special characteristics. It is therefore concluded that the proposals comply with policies BE5, BE15, BE18 and CS 74. Conditions are recommended to ensure that the details achieve the high qualities expected.

### Density Issues

This site is previously developed and therefore the new housing proposed will contribute towards meeting the aim of Core Strategy policy CS 24 (Maximising the Use of Previously Developed Land for New Housing). Core Strategy policy CS 26 (Efficient Use of Housing Land and Accessibility) sets out appropriate density ranges for new homes depending on location and accessibility. This site is near to a high frequency public transport route and therefore the appropriate range is 40 - 60 dwellings per hectare. The proposal for 27 apartments on this site (of 0.19 hectares) represents a density of around 141 dwellings per hectare, which is considerably above the listed range.

However, exceptions to CS 26 can be made where the proposal represents good design, reflects the character of an area or protects a sensitive area. Firstly, it should be recognised that this is an apartment development and as a consequence the density will always be higher than a scheme comprising of individual houses. Secondly, and for the reasons discussed above, it is considered that this new housing development is well designed and will enhance the appearance and character of the site. On this basis, it is considered that the high density proposed



does not represent over development and should not be resisted given the exceptions allowed in Policy CS 26.

It is therefore concluded that the proposals are consistent with the aims of Policies CS 24 and CS 26.

#### Highway Issues

UDP Policy H14 (Conditions on Development in Housing Areas) expects new development to provide safe access to the highway network, appropriate levels of off-street parking and to not endanger pedestrians.

Core Strategy Policy CS 23 (Locations for New Housing) states that new development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure.

Core Strategy Policy CS 53 (Management of Demand for Travel) (b) encourages the promotion of good quality public transport and routes for walking and cycling to broaden the choice of modes of travel.

There have been objections received in relation to traffic and parking impacts, with local residents concerned that the extra traffic generated will have a significant negative impact on Handsworth Road, Medlock Drive and the wider area. There is also concern that the loss of the Holme Lea would lead to a shortage of parking spaces for the community (including the adjacent nursery who are allowed to use the car park). However this is not a planning issue, it is a private agreement that could be withdrawn by the owner/operator of the site at any point.

To clarify, the Holme Lea currently has car parking facilities positioned at the rear, accessed via Handsworth Road, and the application indicates that there is capacity for at least 20 cars.

This application proposal includes 29 car parking spaces in a basement area (including 2 disabled spaces), which equates to 1.07 spaces per flat. The amended car parking layout includes no visitor spaces because these have been removed in order to increase the number of resident spaces. The removal of visitor spaces is not objected to because, in reality, it is not practical for visitors to use the basement spaces from a convenience and security/access point of view.

The new arrangement also includes the provision of tandem spaces, which will be allocated to some of the two bedroom units. As a result of this, there is now car parking for 23 flats rather than all 27. However, changes to the layout of the car park were necessary in order provide easy access to all of the spaces within the basement.

The inability to provide parking for all 27 units is considered to be acceptable because of the nature of the Council's car parking standards (which are maximum rather than minimum guidelines). Furthermore the sustainable location of the site has also been taken into account, which is only a short walk from the local amenities and bus stops on Handsworth Road. There are 7 bus services which

stop at the closest stops and provide access to the City Centre as well as to outlying areas including Crystal Peaks, Woodhouse, Hillsborough, Wisewood, Rotherham and Dinnington.

Given the scale of development proposed, and because the site access has moved from Handsworth Road to a new entrance on Medlock Drive, it is likely that a small increase in traffic around this part of site will occur. However, it is reasonable to expect traffic movements to be spread throughout the day and be more irregular than the existing use, with small peaks during rush hours, rather than the concentration of movements that currently take place when functions / events are being held at the Holme Lea. It is therefore considered that the impact of the development on the local highway networks (including surrounding roads and junctions) will not be so negative as to warrant the refusal of the application. Furthermore, the amount of traffic being generated by the scale of development does not raise any significant concerns and the position of the access is considered to be acceptable in terms of distance from the junction with Handsworth Road (approximately 30m) and the adjacent dwelling (approximately 16m) as well as pedestrian intervisibility at the entrance point onto Medlock Drive.

The proposal provides areas for secure cycle parking in the rear amenity area and at basement level, which is welcomed. The quantity proposed will ensure that there is parking for residents as well as any visitors. Final design details of the shelter and the quantity of spaces will be secured by condition.

South Yorkshire Passenger Transport (SYPT) has been consulted and recognises the sustainable location of the site, thus they raised no concerns about the application.

However, a number of conditions have been requested that relate to highway matters and are intended to ensure that the development is constructed and operated in an acceptable manner.

In light of the above, and subject to conditions, it is considered that the proposal complies with the relevant aspirations of the UDP and Core Strategy policies identified.

#### Amenity Issues

UDP policies H5 (Flats, Bed-Sitters and Shared Housing), H14 (Conditions on Development in Housing Areas), and H15 (Design of New Housing Developments) encourage residential development that provide high quality conditions and environments for existing and new residents.

- Amenity Impact for Existing Residents

#### Proposed Demolition and Construction Works

The proposed works will generate HGVs and traffic movement as well as dust migration and noise. The works will take place with sensitive uses in close proximity and there is potential for disamenity during the development phase. A

planning application cannot be refused on such concerns but it is necessary to ensure that mitigation is adequately addressed.

A Construction Method Statement has been submitted with the application and is considered to be acceptable in principal. Dust mitigation is appropriately addressed and the hours of construction (8am to 5pm Monday to Friday and 8am to 1pm Saturday) are acceptable. The proposed hours of site deliveries lacks clarity and, therefore, it is recommended that they mirror the operating hours.

#### Privacy Issues

The relationship between the proposed apartments and the existing surrounding properties is considered to be acceptable. Privacy distances in excess of 30m are achieved between the side boundary of the closest properties rear garden (No.15 Medlock Drive) and the apartment rooms in the section of the building which faces north and directly towards this shared boundary. Normally, a main elevation to side elevation relationship (at equal height and level) would warrant a separation distance of 21m, with greater distances encouraged depending upon the site characteristics and increases in building height. The distance achieved is consistent with this general advice and, therefore, the overlooking relationship is concluded to be acceptable.

Following comments raised by the occupier of No.15 Medlock Drive, the applicant has agreed to substitute the original timber wall for a brick wall along the shared boundary and final details will be secured by condition.

#### Overshadowing and Overdominance Issues

Owing to the layout of the proposed development and position of existing dwellings – including the good separation distances described above and the scale of the proposals (which reduce from three to two storeys) – it is considered that there will be no detrimental overshadowing and overdominance issues caused to neighbouring properties by this development.

The proposed development will be visible from properties close to the site. Whilst this change could be considered to be an enhancement, a change in view is not a material planning consideration.

#### Noise and Disturbance Issues

The proposed development will not cause a significant nuisance or disturbance to existing residents. The proposed residential use is more compatible than the existing use of the site.

It is concluded that the proposed development is acceptable and will not have a significantly detrimental impact on the living conditions of existing surrounding residents, in accordance with the relevant UDP policies.

## - Amenity of Future Residents

### Outlook

All habitable rooms within the development have clear openings overlooking either adjacent roads or the amenity space at the rear. It is considered that internal living environments will be well lit and will enjoy a good outlook.

### Privacy

The layout and design of the scheme creates a circumstance whereby habitable room windows do not face each other and, therefore, overlooking between units will not occur. This is considered to be a positive aspect of the scheme.

### Outdoor Amenity Space

The development includes a variety of outdoor private amenity spaces, which is welcomed. There is also a communal landscaped rear garden area which measures approximately 300 square metres. In addition, 5 of the ground floor apartments will also have small outdoor patio spaces, and some of the upper level apartments have balconies.

Direct pedestrian access to the surrounding streets is proposed on both boundaries of the site to give residents and visitors alternative access points into the site and help enliven the site frontages.

### Noise and Disturbance

The site is located within an existing residential area but the supporting noise impact assessment indicates that the surrounding ambient noise climate is dominated by road traffic. All other noise sources (including from the garage to the west) were negligible during the course of the survey. The assessment concludes that a scheme of sound attenuation will be able to achieve good internal noise levels and these will be secured by condition.

For these reasons, it is concluded that the proposed development will provide an acceptable living environment for future residents in accordance with relevant UDP policies.

### Sustainability Issues

Core Strategy Policy CS 64 (Climate Change, Resources and Sustainable Design of Developments) and Policy CS 65 (Renewable Energy and Carbon Reduction) require all new buildings to be energy efficient and use resources sustainably, including the provision of 10% of their energy needs from decentralised and renewable or low carbon energy.

Given the scale of the development, it is expected that the proposed development achieves 10% of its overall energy needs from renewable energy sources and this will be secured by condition.

## Ecology Issues

UDP Policy GE11 (Nature Conservation and Development) aims to protect and enhance the natural environment, and potentially harmful effects on natural features should be reduced.

The Phase 1 Habitat Survey identifies that existing habitats on the site are not protected or of notable ecological value. It is also identified that there are no issues in relation to protected species (i.e. badger, amphibians, reptiles, and breeding birds). With regard to the impact upon bats, the Survey found that the buildings have low potential for supporting bats and that bat activity was very low. However, in accordance with the Survey, which states that demolition should be completed within one calendar year of its recommendations (May 2015), it is considered necessary to secure a further survey of the buildings prior to any demolition works occurring in order to re-confirm that no bat roosts are present.

Therefore, it is concluded that the proposal will not have a negative impact on the natural environment and is acceptable in terms of Policy GE11, subject to conditions.

## Drainage Issues

Core Strategy Policy CS 67 (Flood Risk Management) (a) expects all developments to significantly limit surface water run-off and (b) requires the use of Sustainable Drainage Systems (SuDS) or sustainable drainage techniques on all sites where feasible and practicable.

The SuDS information and the wider drainage details provided are minimal. However, the site is presently developed and, therefore, it is likely to currently drain at a brownfield run-off rate. The existing drainage arrangement will have to be proven through a detailed survey (including existing peak flows into existing discharge outlets) ahead of any demolition works occurring on site. Once this is known, and in order to achieve the expectations of Policy CS 67, it is recommended that full details/design calculations of the proposed surface water drainage system are submitted, including demonstration that the surface water run-off rate will be reduced by at least 30%. It is normal for this information to be secured by condition and, subject to this occurring, it is concluded that proposal will not have a detrimental impact on flood risk management in the locality, in accordance with Policy CS 67.

## Affordable Housing Issues

The application site is within the South East Affordable Housing Area. In accordance with the Core Strategy Policy CS 40 (Affordable Housing) and the Affordable Housing Interim Planning Guidance (2014), a contribution towards affordable housing is expected (equivalent to 10% of the units on the site being transferred at the Transfer Price).

The applicant has agreed to provide a financial contribution of £130,325 towards the provision of affordable housing in the South East Affordable Housing Area. This

is considered to be equivalent to 10% of the units' value and is an appropriate level of contribution. Therefore, subject to the completion of a Section 106 legal agreement, the application is compliant with relevant policy and guidance.

#### Community Infrastructure Levy (CIL)

The site is within Charging Zone 3 therefore the charge that is levied upon this application equates to £30 per square metre.

With reference to the representations received about CIL, the money from this development will be pooled to help the city's strategic infrastructure needs, as set out on the Regulation 123 List. For example, they may go towards open space and education provision.

CIL monies are not spent on site specific highway improvements. If works are required to make the development acceptable in planning and highways terms, they are secured via a Section 278 Highway Agreement. In this case, such improvements are not considered necessary from a highway point of view.

#### Refuse Storage

The position of bin storage facility at the rear is welcomed as it will be hidden from public areas of the development. The bin and cycle stores will be constructed from timber and have a green roof, the final details of which will be secured by condition. A refuse collection point is proposed on Medlock Road, at the furthest point from the junction with Handsworth Road, for use on collection days. A refuse strategy will be conditioned in order to ensure the satisfactory management of this space.

#### Public Art

UDP Policy BE12 (Public Art) encourages the provision of public art where it would be readily seen by the public and integral to the design of major developments. Given the size and nature of the proposal it is considered that there are opportunities to integrate public art within the scheme. This will be secured by condition.

#### Air Quality Issues

Core Strategy Policy CS 66 (Air Quality) seeks to protect air quality and promotes further action to improve it across built-up areas and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

The proposed development does not trigger the requirement for an Air Quality Assessment given the amount of vehicle movements anticipated in any hour (which is unlikely to exceed 60+) and the existing authorised use of the site, which already has the potential to generate a similar volume of traffic. Therefore, it is concluded that the proposed development will not be contrary to Policy CS 66 and will not cause additional harm to air quality or subject sensitive uses to harmful air quality.

## SUMMARY OF REPRESENTATIONS

### 1. Loss of the Holme Lea Club and Impact on Handsworth

The main objections received have been addressed in the report.

With regard to decision made on other applications (i.e. the Shiregreen WMC application - 08/02770/FUL), it is the case that each site must be assessed on its individual merits and these decisions do not set a precedent for the subject application.

### 2. Traffic and Parking Concerns

The main objections received have been addressed in the report.

The cost of the parking spaces at the point of sale is not a material planning consideration.

The car parking obstructions caused by Domino's Pizza is a Police matter.

### 3. New Homes

The main objections received have been addressed in the report.

### 4. Amenity Concerns

The main objections received have been addressed in the report.

### 5. Advertisement and Notification Concerns

The application has been advertised by neighbour notification letter, site notices and press advertisement in accordance with the Council's Statement of Community Involvement.

### 6. Coal Mining Concerns

The site is not within a Coal Mining High Risk Area and therefore it is not necessary for a Coal Mining Risk Assessment to be submitted with the application.

### 7. CIL

The question raised has been addressed in the report.

## SUMMARY AND RECOMMENDATION

The proposed development will provide 27 new apartments in Handsworth. It is known that the loss of the existing building is a significant concern and objected to by local people and customers but, for the reasons set out in this report, it is considered that the Club's closure and the subsequent loss of the facilities it provides is not a sufficient reason to justify the refusal of this application.

The current proposals are considered to have an acceptable architectural style that will enhance the appearance of the site and the Area of Special Character in which it is located. Furthermore, it is expected that the development will enhance the mix and amount of housing in this designated Housing Area, which will aid the city-wide shortage.

The site overall is expected to achieve 10% of its energy needs from renewable energy as well as a reduction in surface water run-off by 30%. It is considered that it will not have a detrimental impact on the setting of the existing neighbourhood

and the amenity implications for existing/future residents will be acceptable owing to the design of the scheme.

There are considered to be no significant highway implications generated by the proposal to justify the refusal of this application. The car parking levels proposed are acceptable and there are sufficient cycle parking facilities. Furthermore, the site is considered to be in a sustainable location given the high frequency bus route running immediately adjacent to the site on Handsworth Road.

In terms of landscaping, the proposals can only enhance the existing environment given that the site is currently void of any attractive planting. The requirement to provide public art as part of the development will further enhance the public appearance and interest of the development.

Overall it is concluded that the development will make a positive contribution to the site and the surrounding area.

Members are therefore recommended to grant planning permission subject to the proposed conditions and to the completion of the approved Planning Agreement under Section 106 with the following Heads of Terms identified below.

#### Heads of Terms

1. The Owners shall pay the Council [on or before the commencement of Development] the sum of £ £130,325 to be used by the Council towards the financing of new Affordable Housing (as defined by reference to the National Planning Policy Framework) by new building or the purchase, refurbishment or conversion of existing private housing within Sheffield.



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Case Number	15/02851/FUL PP-04376419
Application Type	Full Planning Application
Proposal	Erection of 17 dwellinghouses
Location	Land Between Railway Tracks And Junction Road, Woodhouse, Sheffield, S13 7RP
Date Received	29/07/2015
Team	City Centre and East
Applicant/Agent	Axis Architecture
Recommendation	Grant Conditionally
Date of Recommendation	20 September 2016

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#### **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:

26695 A (01) 01 Rev A - overall site plan  
26695 A (01) 02 - site plan  
26695 A (01) (03) 00 - site plan as amended by site plan showing turning head  
26695 A (03) 01 Rev C - site plan with turning head  
D267 101 P03 - Drainage 2  
D267 101 P04 - Drainage 1  
26695 A (21) 01 Rev B - Type A1  
26695 A (21) 02 Rev B - Type B1  
26695 A (21) 03 Rev A - Garages  
26695 A (21) 04 Rev B - Type B2  
26695 A (21) 05 - Type A3  
26695 A (21) 00 Rev B - Type A2

26695 A (03) 02 - Junction Road elevation  
26695 A (03) 03 - Side Road elevation  
26695 A (03) 04 - Side Road elevation  
26695 A (38) 04 - Front boundary detail  
26695 A (38) 01 - Gabion detail  
26695 A (38) 02 - Window/Eaves detail  
26695 A (38) 03 - Fence detail

Reason: In order to define the permission

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

3. No development shall commence until a report has been submitted to and approved by the Local Planning Authority of further site investigations to assess the risk to the development from the coal mining legacy. In the event that these investigations identify the need for remediation works to the mine entry a remediation strategy shall be submitted to and approved by the Local Planning Authority and the approved remediation scheme shall be implemented before the construction of the houses commences.

Reason: In order to ensure the safe development of the site.

4. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been 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).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

5. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with

6. Any remediation works recommended in the Phase II Intrusive Site Investigation Report 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 being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

7. The Development shall not commence until full details/design calculations of the proposed surface water drainage system have been submitted to and approved by the Local Planning Authority including the arrangements for surface water infrastructure management for the life time of the development. The approved details shall be carried out concurrently with the development and be fully operational before the development is brought into use.

Reason: To ensure surface water flooding and pollution management

8. No development shall commence until the off site sewer shown on plan D267 110 P01 has either;
  - a) been provided; or
  - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that the sewer will be provided before the houses are brought into use.

Reason: In the interests of minimising the risk of flooding and providing satisfactory drainage arrangements.

9. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

10. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

11. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

12. No development shall commence until details of a site compound have been submitted to and approved by the Local Planning Authority for the storage of construction materials and the accommodation of delivery, construction and employee/visitors vehicles. Thereafter the site compound shall be provided and retained throughout the construction period and used for the above purposes until agreed with the Local Planning Authority that the compound is no longer required.

Reason: In the interests of the amenities of adjoining occupiers and in the interests of traffic safety.

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

13. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works and vibration attenuation works has been installed and thereafter retained. Such scheme of works shall:
  - a) Be based on the findings of an approved noise and vibration survey of the application site, including approved method statements for the noise and vibration surveys.

- b) Be capable of achieving the following noise levels: Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours); Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours); Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours); Bedrooms: LAFmax - 45dB (2300 to 0700 hours); External amenity areas LAeq (16 hour) - 55dB - (0700-2300 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation and vibration attenuation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the buildings

- 14. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

- a) Be carried out in accordance with an approved method statement.
- b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

Reason: In the interests of the amenities of the future occupiers of the houses.

- 15. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

16. The above landscape scheme shall include proposals to supplement the Birch planting strip adjoining the railway boundary.

Reason: In the interests of the amenities of the locality and compensating for the loss of trees that will result from the proposal.

17. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality.

18. Prior to construction of the houses commencing an ecological restoration plan for the Birch woodland and retained woodland to the west of the housing area and a maintenance scheme for the landscaping areas adjoining Junction Road shall be submitted to and approved by the Local Planning Authority. This ecological restoration plan shall incorporate the mitigation measures recommended in the ecology report and include a scheme for the maintenance of these areas.

Reason: In the interests of mitigating the ecological impact of the development and enhancing the biodiversity of the site.

19. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation 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.

Reason: In order to ensure that any contamination of the land is properly dealt with.

20. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

21. 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.

22. Before construction of the houses commences, details of improvements to Junction Road along the site frontage, including surfacing, lighting, pedestrian facilities and turning facilities shall be submitted to and approved by the Local Planning Authority. Thereafter the improvements shall be implemented before any of the houses are occupied.

Reason: In the interests of traffic and pedestrian safety.

### **Other Compliance Conditions**

23. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

24. The landscape strip between the house boundary walls and the back edge of footpath on Junction Road shall be permanently retained with native tree and hedge planting and if any plants/trees die or are removed they shall be replaced with a similar species.

Reason: In order to maintain the semi-rural character of Junction Road which is considered to be an important part of the character of the area and of local amenity value.

25. Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. The applicant will need to secure a Great Crested Newt Mitigation Licence from Natural England before development commences.
2. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
3. 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.
4. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

5. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council  
Town Hall  
Penistone Street  
Sheffield  
S1 2HH

For the attention of Mr P Vickers

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

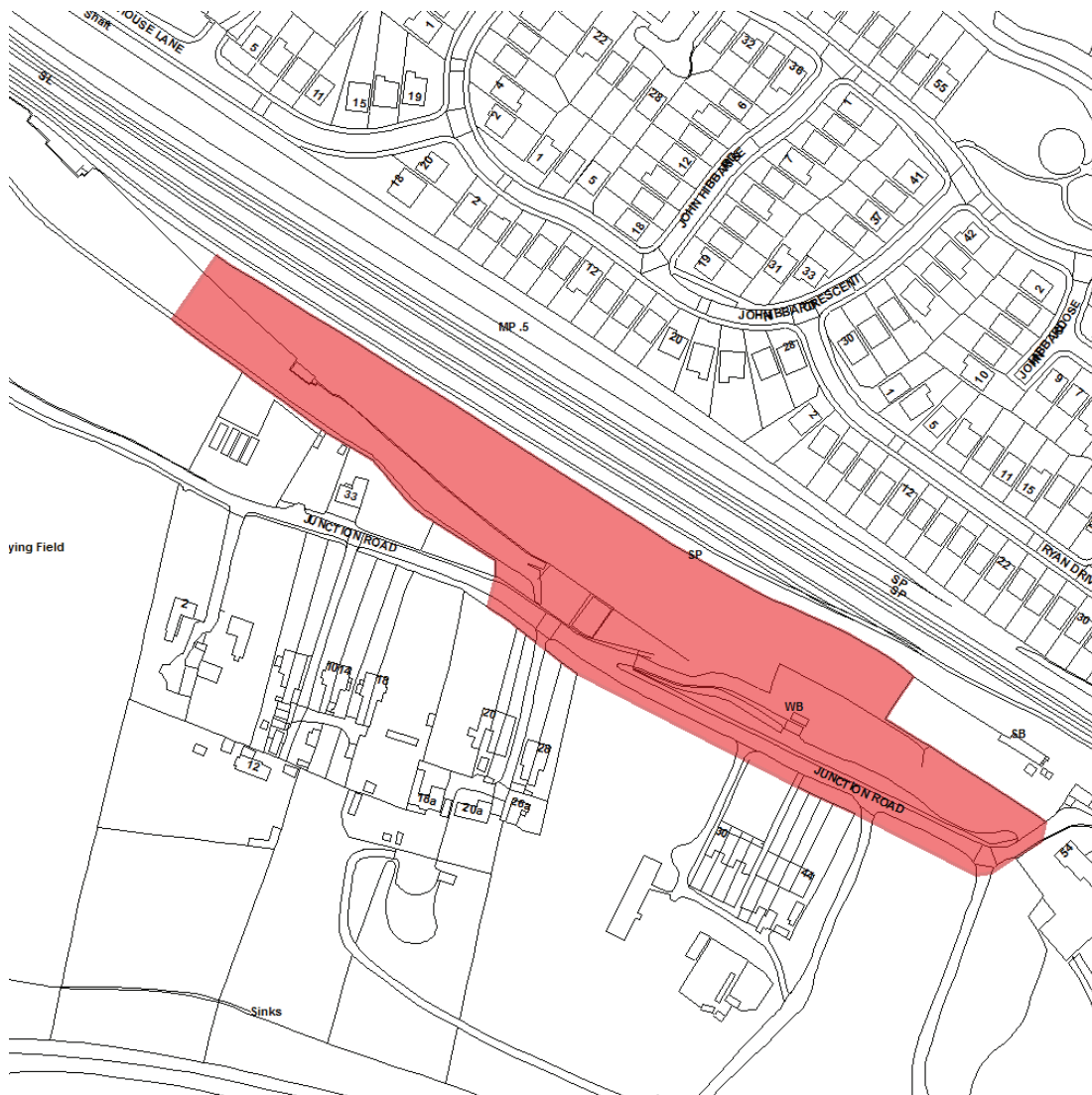
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114



2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

7. 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, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

## Site Location



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## LOCATION AND PROPOSAL

The application site is located in Woodhouse some 350m along Junction Road from the point where it meets Station Road. The total site area is approximately 1.6 hectares of which approximately 0.57 hectares are to be developed for housing. The remainder comprises of a woodland buffer strip adjoining the railway line which will remain as woodland, and part of Junction Road that it is incorporated into the site so that it can be improved.

It was last used as a scrapyard site but has been unused for some years. The part of the site to be developed for housing is long and narrow, approximately 190m long by 35m wide. It has a long frontage to Junction Road which is an unadopted highway with no footpaths, it has the character of a rural lane. To the north is the Sheffield to Worksop railway line with a modern housing estate beyond. To the south and on the opposite side of Junction Road are terraced houses and semis which are faced in stone or brick and have long front gardens. To the east is a small network rail depot and to the west a single dwelling house and unused naturally regenerating land.

The site was originally used as railway sidings and is level with the railway to the north but falls below Junction Road as it rises to the west. There is a belt of naturally regenerating Birch Woodland adjacent to the northern boundary with the railway line. The site also incorporates an area of steeply sloping woodland to the west of the area to be developed for housing.

The application is seeking permission for 17 houses on the eastern part of the site. The houses are arranged in two cul de sacs of 5 houses on the western part of the site whilst the houses on the eastern part face onto Junction Road. Six detached and eleven terraced or semi-detached 3 and 4 bedroom properties are proposed. A buffer of existing Birch woodland approximately 12m deep is to be retained between the housing and the railway line. On the western part of the site a diminishing height retaining wall is proposed at the rear of the site adjacent to the Birch woodland in order to accommodate the level differences between Junction Road and the site.

The housing is to be developed on the former scrap yard. An area of steeply sloping embankment covered in woodland to the west of the site is to be retained as existing.

#### RELEVANT PLANNING HISTORY

Planning permission was refused for a development of 52 houses and 35 flats on a larger site that incorporated the application site and land to the west up to the intersection with Station Road, 05/04573/FUL. It was refused on the grounds that-

1. The development would be out of keeping with the character of the area;
2. The highway impact;
3. Poor design of the houses;
4. Loss of greenfield/open space land considered to be of visual and ecological value;
5. Harmful impact on wildlife due to the erosion of the green corridor.

#### SUMMARY OF REPRESENTATIONS

One representation in favour of the scheme and five against have been received.

The comments in favour are:

- the scheme is better than the previous larger development proposals which would have had a greater impact on the surroundings and infrastructure
- residential use is more appropriate than the alternative industrial use or the site being vulnerable to fly tipping

The comments against the scheme are:

- the development will ruin the rural character of Junction Road which is used for walking, cycling and horse riding
- if development is to take place it should be at the western end of the road where it would have less impact on the character and should focus on much needed affordable housing
- the proposed development is denser than existing development on the north side of Junction Road and sited closer to the road which erodes its rural character
- the scheme is over development and inappropriate in a Green Corridor and off a semi-rural lane
- Junction Road cannot accommodate the increase in traffic, the road is not adopted and the surface is deteriorating. The surface and drainage is inadequate and will become dangerous with additional traffic
- the ground conditions are unsuitable for housing, light industry is most appropriate. It will not be suitable for housing if HS2 uses the adjoining railway line to access the city centre
- there has been enough development in the area
- the site should not be developed until the new Local Plan sites have been produced
- the developer has already removed existing trees that were supposed to be retained. The development will drive away the bird and wildlife that the site attracts. The site was cleared without regard to Great Crested Newt habitat. Grass snakes and lizards have used the site. As recommended by the ecological report an ecological restoration method statement should be drawn up given that the site is within a Green Corridor
- there has never been any fly tipping on the site

## PLANNING ASSESSMENT

### Policy

The application site lies within a Housing Policy Area in the Unitary Development Plan (UDP). Within this area preferred uses are housing.

The application site is part of a Green Corridor along the railway line. UDP Policy GE10 is concerned with the Green Network. It says that Green Corridors will be protected from development which would detract from their mainly green and open character or which would cause serious ecological damage.

The National Planning Policy Framework (NPPF) states that there is a presumption in favour of sustainable development which for decision making means approving development proposals that accord with the development plan without delay. It seeks to significantly boost the supply of housing and to achieve this Local Planning Authorities should maintain a 5-year housing supply. Sheffield does not have a 5-year supply of housing and as such relevant policies for the supply of housing will be considered out of date.

Core Strategy (CS) policy CS24 seeks to maximise the use of previously developed land for housing. The majority of the site area is previously developed land and therefore the proposal will meet the objective of this policy.

Policy CS26 promotes the efficient use of housing land. Subject to the character of the area densities will vary according to the accessibility of the location. The density range for this site would be 30-50 dwellings per hectare. The site area is approximately 0.57 of a hectare and the density is 30 dwellings per hectare. This just meets the policy and it is considered to be acceptable on this site as it feels like a semi-rural site where a lower density is to be expected.

Policy CS40 says that in all parts of the city, developers of new housing will be required to contribute towards the provision of affordable housing where practical and financially viable.

Policy CS41 seeks to create mixed communities it promotes a broad range of housing for smaller households in the City Centre and requires a greater mix of housing in other locations including housing for large households especially families.

UDP policy GE15 states that trees and woodland will be encouraged and protected, mature trees, copses and hedgerows will be retained where possible and lost trees replaced.

In the Sheffield Development Framework Pre Submission Proposals Map the part of the site that is proposed to be developed for housing is identified as a Housing Area. The railway corridor is identified as a Green Link and the part of the site that is to be retained as green space is identified as Open Space. In Housing Policy Areas the preferred use is housing and in Open Space Areas proposals have to be determined in accordance with Core Strategy Policy CS47.

The application site is also an allocated site for housing in the Pre-Submission document and required uses are housing or residential institutions. The conditions on development are that the Green Link next to the railway line be retained and that there be no adverse effect on features of ecological value. The justification for the allocation says that it is in a relatively sustainable location for residential development and part of the site is previously developed. It says the site is within reasonable walking distance of local services and the Core Public Transport Network. The railway corridor forms a significant green link and there are features of ecological value including some rare flora on the adjacent open space. As the Council is preparing a new Local Plan these policies have little weight.

In summary the development plan and emerging policies support development of the site for housing. National planning policy gives high priority to increasing the supply of housing and the lack of a 5 year supply of housing in Sheffield adds further weight in favour of the scheme. The 3 - 4 bedroom units proposed are consistent with policy which seeks to provide for larger households outside the City Centre.

The housing will largely be developed on cleared previously developed land and consequently it should not have a significant harmful impact on the Green Corridor. The ecological assessment shows that the ecological impact will be minor. The rare flora referred to in the site allocation policy is not affected by the development as it is located in the retained woodland.

#### Affordable Housing

Policy CS 40 says that in all parts of the city, developers of new housing will be required to contribute towards the provision of affordable housing where practical and financially viable.

The site lies within the south east housing market area where the affordable housing contribution is 10% subject to viability.

The applicant has produced a viability appraisal which draws attention to the abnormal costs associated with highway improvements to Junction Road, drainage, and land contamination. This has been considered by the District Valuation Office (DVO) and, after extended discussions, the DVO has agreed that the scheme is unable to provide an affordable housing contribution.

#### Community Infrastructure Levy (CIL)

The CIL levy for this site is £30 per m<sup>2</sup> for housing.

#### Design/Character issues

Unitary Development Plan Policy H14 states that new buildings in housing areas should be in scale and character with neighbouring buildings. Core Strategy Policy CS74 states that high quality development is expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods.

The part of the site to be retained as open space has a heavily wooded appearance. The part which is to be developed for housing has a run-down unkempt appearance. There is a belt of birch woodland adjacent to the railway line which is 8-10m deep and some scrub vegetation and some low quality trees along the Junction Road frontage. The rest of the site has a loose gravel/crushed brick finish remaining from the former industrial uses with an area of tarmac surfacing providing access to the tarmac yard associated with the signal box. There is some dilapidated fencing on the Junction Road frontage and some rusty skips block a former access into the site and prevent fly tipping. Although Junction Road at its

eastern end has a rural character the site of the proposed housing has a despoiled unattractive appearance.

Development around the site is of mixed character. There are some traditional terraced stone cottages opposite the site which have long front gardens some of which incorporate unsympathetic modern garages fronting Junction Road. There are Victorian semis further west along Junction Road faced in stone, brick and render also with long front gardens. Towards the western end of Junction Road there are some more compact 1950/60s semis. In addition there are a few modern detached dwellings of one and two storeys to the east of the site on Junction Road and a large 1990s suburban housing estate on the opposite side of the railway line.

The quantum of development proposed for the site strikes a reasonable balance between delivering a viable scheme and responding to the more rural character of this part of Junction Road. The density is at the bottom end of the range as recommended in the Core Strategy policies. The houses are set back a little from Junction Road, allowing some hedge planting and walled gardens designed to respond to the semi-rural character of Junction Road. A footpath will be provided on the development side of the frontage whilst maintaining the soft green informal edge to the existing housing opposite. A reasonable balance has been struck between setting the housing back from Junction Road, retaining the green link tree planting buffer to the railway line and achieving enough housing to deliver a viable scheme.

By designing cul de sacs perpendicular to Junction Road for the western part of the site it has been possible to set back the garden boundaries and provide a 2m planting zone which can be planted with native trees and hedge plants which will help to maintain the semi-rural feel to Junction Road. Further east where the depth of the site means that housing has to front on to the road a 1m high brick wall will provide the frontage to the properties with small front gardens. Garages and car parking are set back into the site so that parking appears less dominant in the street scene. The mixture of short cul de sacs and houses facing on to Junction Road will create variety and interest so that the scheme will appear as a sensitive small scale scheme which would not be the case with a homogeneous design.

The house designs adopt a rural cottage style aesthetic. There are two basic house types with differing footprints which allows variety to be created with wider and narrower frontages. The housing has been designed with steeper roof pitches associated with traditional cottages with dormers being located on rear roof slopes. The windows are of Edwardian proportions and will have timber frames with brick cills and lintels. Gates are to be timber boarded and drives block paved. Front gardens facing Junction Road are to be bounded with a 1m high brick wall whilst rear gardens facing Junction Road will be bounded by a 2m brick wall. The cul de sacs and drives facing on to Junction Road are to be faced in blockwork. The garages are set back behind the house fronts and are to be faced with red/orange bricks with blue brick lintels. They have been designed with steeply pitched roofs and vertical boarded doors. Given the mixed character of the surroundings the farm cottage style proposed is considered to be acceptable and is reasonably sensitive to the semi-rural setting.

## Access Issues

Unitary Development Plan Policy H14 says that new development should be well laid out with all new roads serving more than five dwellings being of an adoptable standard. Development should provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

Junction Road will be widened along the site frontage and brought up to an adoptable standard with a footpath provided along the front of the site. This will leave a section of approximately 250m of shared highway between the site and June Road. This section of highway should ideally be improved; however it would be unreasonable for this small site to be liable for the costs of upgrading the full length of Junction Road. This means that additional traffic will be generated on the substandard section of Junction Road which is shared by vehicles and pedestrians. Whilst this is not ideal, in your officer's view it does not create a severe highway safety problem and therefore it would be unreasonable to resist the application on this basis.

In all likelihood the western section of Junction Road will be developed for housing in the future at which point this section of highway will also be brought up to modern highway standards.

Whilst the highway along the site frontage will be improved to adoptable standard the Council is not able to adopt it until the western section to June Road is also brought up to standard. This will mean that at least in the short term the existing and new residents will be responsible for the maintenance of the road along the site frontage.

The intersection of Junction Road with Station Road is considered to be adequate to serve the existing traffic and that would be generated by the development.

A turning head is proposed at the eastern end of Junction Road to allow refuse and service vehicles to turn.

Eleven of the houses have a garage and 2 parking spaces in front whilst six have a garage and 1 parking space in front. The proposed parking provision is considered to be accepted.

It is approximately 350m walking distance from the site to the Junction Road bus terminus and a further 150m to train station. Therefore it is concluded that public transport is reasonably accessible from the site.

It is concluded that the access and parking arrangements are acceptable with some reservations regarding standard of the western part of Junction Road. However given the circumstances referred to above these concerns are considered to be outweighed by the benefits of developing the site for housing.



## Landscaping

Along approximately half of the Junction Road frontage a 2m deep landscape strip is to be provided between the back of the new footpath and the garden boundary wall. The existing birch woodland between the housing and the railway line is to be retained along with an area of steeply sloping woodland to the north west of the site.

## Ecology

An ecology report has been submitted in support of the application. Much of the site to be developed for housing is the former scrap yard site which has recently been disturbed and is defined as ephemeral/pioneer grassland. On the northern part of the site is an area of early mature silver birch woodland. Sycamore, Ash and Silver Birch and species poor grassland were identified adjacent to Junction Road. Whilst none of the individual habitats within the site are considered to be of high nature conservation priority, together they provide important shelter, foraging and/or breeding for a range of wildlife including many terrestrial invertebrates, small mammals, birds and amphibians. In addition as the habitats are linked to Local Nature Sites their collective value can be considered of low local conservation value.

A search for protected species was undertaken and no bat roosts or badger setts were recorded although birch/oak woodland will provide an important source of food for bats and there is evidence that the various habitats will provide suitable foraging material for badgers. No great crested newts were observed within the site although there are known breeding ponds in the locality. The mosaic of habitats within the site is assessed as providing good quality terrestrial habitat for great crested newts. The submission advises that there is a high risk outside of the breeding season, great crested newts being present within suitable terrestrial habitats of the proposed residential development.

The ecological assessment concludes that the overall impact of the development taking into account the mitigation would be mainly be minor negative.

The assessment recommends the following mitigation measures:

- Avoid removing vegetation during the bird breeding season.
- As a minimum erection of a great crested newt protection fencing during site construction. Additional measures may be required but these would be controlled under a mitigation licence from Natural England.
- Protection of the retained vegetation with fencing that allows animals to pass beneath.
- Retention and management of the birch/oak woodland adjacent to the railway line.
- Creation of native species rich hedgerow along the Junction Road frontage of the houses.
- Erection of bat and bird boxes in the retained birch woodland.
- Installation of sensitive lighting to limit light spill.

The ecology assessment concludes that the impact on great crested newts will be neutral given the retained buffer by the railway line and the measures to protect them during construction.

Natural England has raised no objections to the proposal providing a list of standard comments. These state that the proposal is unlikely to affect any statutorily protected sites or landscapes. The impact on protected species should be assessed against their standing advice.

The development should not have a harmful ecological impact and the existing birch woodland and woodland planting to the west of the housing area is to be retained, maintaining a green link by the railway line. The new planting should add to the biodiversity of the site. The City Ecologist has raised no objections to the proposal and the Great Crested Newt mitigation will be controlled by Natural England.

#### Amenity

Unitary Development Plan Policy H14 says that new housing should not suffer from unacceptable noise and where appropriate there should be an environmental buffer to shield sensitive land uses. It also states that the site should not be over-developed or deprive residents of light or privacy.

There is plenty of physical separation between the proposed houses and existing houses around the site so that the development will not have a significant adverse impact on the privacy of existing householders.

All the new houses have sufficient private amenity space for family housing. The outlook distances between the new housing meets the Council's normal guidelines for protecting privacy except across the two cul de sacs at the western end of the site where the front to front distance between habitable room windows is 12m. However it is considered that householders are more tolerant of reduced outlook distance between the fronts of properties and in this case the close proximity of houses across the streets helps to create a pleasing cottage aesthetic. Therefore in this case the reduced outlook distances are considered to be acceptable.

The site adjoins a railway line and there is some concern that there may be noise disturbance from passing trains. However this is not expected to be of level that would make the development unacceptable in principle therefore conditions are proposed requiring specified internal noise levels to be achieved.

#### Drainage

The applicant has submitted a Sustainable Urban Drainage Strategy. The preliminary drainage submission states that percolation tests have shown that the site is unsuitable for soakaways and there is no convenient watercourse near the site. The surface water is to be stored on site within cellular storage crates which are located under the rear gardens and within the shared surface drives. The amount of storage has been calculated to limit the run-off to the greenfield rate with an allowance for climate change. The surface water would then discharge via a

new public sewer to the south of the site the indicative route of the new sewer being along an existing track.

The Lead Local Flood Authority has no objections in principle to the surface water drainage arrangements subject to further development of the detailed design. This could be controlled by condition. As the drainage scheme requires an off-site sewer a condition is proposed preventing any development commencing until either the sewer is in place or arrangements are entered into to ensure it will be in place before the development is brought into use. Yorkshire Water has confirmed that they are satisfied with the proposed drainage arrangements.

#### Coal Mining Risk

The coal mining risk assessment identifies the potential for a shaft on or close to the site and the need to consider shallow coal workings and mine gas. Further investigations are recommended and the report recommends that the shaft is investigated prior to the planning application being implemented.

The Coal Mining Authority has raised no objections to the proposal subject to a condition being attached requiring further investigations prior to development commencing.

#### Land Contamination

The site was previously used as railway sidings and a scrap yard and therefore is likely to be contaminated. Conditions are proposed which will require the contamination to be assessed and remediated.

#### SUMMARY AND RECOMMENDATION

The development plan supports the provision of housing on the site and the lack of 5 year supply of housing adds further weight in favour of the scheme. The site is mainly previously developed, vacant industrial land and redevelopment of the site will regenerate this despoiled site. The proposed housing scheme is considered to be well designed and of an acceptable density for this semi-rural location and the cottage aesthetic is an appropriate design response to the local character. The site is reasonably sustainably located with public transport services within reasonable walking distance.

The birch woodland and green link adjoining the railway line will be retained. Ideally the access road should be improved between the site and the adopted highway at June Road. However this would be too great a burden for a relatively small development site such as this to bear. The improvement of the access road along the site frontage is considered to be a reasonable compromise. It is concluded that the additional traffic generated by the development would not create a severe highway safety problem. The improvements to the access road and the construction of the new housing will undoubtedly erode the rural character of Junction Road. However this is inevitable if new housing is developed off this road. Given the sensitive design proposed and the benefits of regenerating the

site and providing new housing it is concluded that these significantly outweigh the impact on the rural character.

It is recommended that planning permission be granted subject to the listed conditions.

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Case Number	14/04039/FUL
Application Type	Full Planning Application
Proposal	Revised restoration scheme (Application under Section 73 to vary/remove condition No 3. Details/Environmental Statement, 4. Landfill/restoration detail drawings, 18. Surface water management programme, 19. Landscaping/restoration details; as imposed by planning permission 05/02877/FUL - Re phasing of the landfill operations and amendment to the restoration scheme for the site (amended/additional information received 26th March 2015) (Amended plans and details received 10th May 2016)
Location	Parkwood Landfill Ltd, Tipping Site, Parkwood Road North, Sheffield, S5 8UN
Date Received	04/11/2014
Team	West and North
Applicant/Agent	Wardell Armstrong
Recommendation	Grant Conditionally
Date of Recommendation	20 September 2016

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**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:

VI/PA/07-05/12298a	
VI/PA/07-05/12298b	
VI/PA/07-05/12298c	
VI/PA/07-05/12298d	
VI/PA/07-05/12298e	
VI/PA/07-05/12298f	
VI/PA/07-05/12298g	
LE12088-001	Site Location
LE12088-002 Rev G	Lower Level Landscape Restoration Masterplan
LE12088-005	Phasing Plan
LE12088-006	Site Setting
MO3139.10	Concept Restoration Proposals (May 2005)
LE12088-010	MJCA Approved Restoration Scheme Contours
LE12088-011	Cross Sections A-A' to C-C'
LE12088-12a	
LE12088-12b	
LE12088-013	Location of exposed rock slope
LE12088-014	Phase 1 Proposed Access
LE12088-015	Phase 2 Proposed Access
LE12088-016	Track and Footpath Sections
LE12088-019	Topographical Survey of Site as at November
2014	
LE12088-020a	Cross Sections 1-3 Through Proposed Restoration
Scheme	
LE12088-020b	Cross sections 4-5 Through Proposed Restoration
Scheme	
LE12088-021 Rev B	Environmental Infrastructure Overlaid on Lower
Level Restoration Masterplan	
LE12088-022 Rev B	Path and Track Details
LE12088-023	Proposed Realignment of Footpath
LE12088-025P2	Revised Restoration Scheme Contours and
Indicative Surface Water Management Plan	
LE12088-026P2	Detention Basin A Layout & Construction Details
LE12088-027P2	Detention Basin B Layout & Construction Details
LE12088-SK-001	Cut & Fill Areas

Reason: In order to define the permission.

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

3. Full and final details of the network of public footpaths, cycle tracks and bridleways (including connections to existing routes; horizontal and vertical alignment; final specification/materials; and a route suitable for use by the disabled, shall be submitted to and approved by the Local Planning Authority prior to the commencement of these works and prior to the final restoration works commencing in 2018. The paths shall be constructed and laid out in accordance with the approved details.

Reason: To ensure the satisfactory restoration and landscaping and provision of public access to the site in the interests of the amenity of the area.

4. No development approved by this permission shall be commenced until any suitable structures that are to be demolished, have been surveyed by a suitably experienced and licensed surveyor for evidence of use by bats. Results of the survey shall be submitted to the Local Planning Authority. If evidence of bats is found a scheme for the conservation of the species must be agreed with the Local Planning Authority prior to the commencement of any construction works. Where necessary the applicant shall also obtain a licence approved by DEFRA to carry out the work detailed in the application.

Reason: To protect bats and their roost sites. All species of bat in Britain are protected under UK and European legislation (Wildlife and Countryside Act 1981, the Conservation (Natural Habitats &c.) Regulations 1994). It is illegal to kill, injure or disturb bats, obstruct access to bat roosts or damage or disturb bat roosts.

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

5. A 50m wide buffer area and a 3m high bund on the western edge of the buffer area shall be constructed in the north eastern area of the site in accordance with drawing reference VI/PA/07-05/12298a in the Environmental Statement dated 21 July 2005 in the first suitable season after commencement of development. During the construction of the buffer area controls shall be implemented as prescribed in Appendix R of the Environmental Statement.

Reason: To protect the amenities of local residents.

6. All trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained and any plants which within five years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory restoration and landscaping of the site in the interests of the visual amenity of the area.

7. All appropriate controls will be in place to minimise the potential for nuisance associated with the site operations. The controls shall include those listed in Tables 8 to 11 inclusive and Section 22 of the Environmental Statement submitted as part of the 2005 application.

Reason: To prevent disturbance to local residents from nuisance associated with the operations at the site.

### **Other Compliance Conditions**

8. At all times all operations including the construction of the inert buffer area hereby approved at this site shall be carried out in a manner to minimise the generation of dust. Roads and haul roads shall be watered as necessary in dry conditions to control the generation of dust. At such times as any operation gives rise to unacceptable levels of dust leaving the site, that operation shall be temporarily suspended until it can be resumed without causing nuisance.

Reason: To protect the amenities of local residents.

9. All plant and machinery shall operate only during the permitted hours, except in emergencies, and shall be silenced at all times in accordance with the manufacturer's recommendations.

Reason: To protect the amenities of local residents.

10. During the operational hours approved under condition 17, the noise levels arising from the development shall not exceed 55dB LAeq, 1 hour at any of the noise sensitive properties identified in the Environmental Statement dated 21 July 2005.

Reason: To protect the amenities of local residents.

11. Where operations which are noisy and temporary are necessary, the noise limit in Condition 10 may be exceeded for periods not exceeding eight weeks in any period of twelve months throughout the duration of the development as measured at any of the stated noise monitoring locations. During these periods the noise levels shall not exceed 70 dB LAeq, 1 hour.

Reason: To protect the amenities of local residents.



12. Prior to being discharged into any watercourse, surface water sewer or soak away system all surface water drainage from parking areas and hard standings shall be passed through a petrol/oil interceptor designed and constructed in accordance with details to be approved by the Local Planning Authority.

Reason: To protect the quality of the water environment.

13. Surface water management programme shall be in accordance with the details submitted in the application, the Site Drainage and Hydrology Report dated May 2016 and Environmental Statement dated 21 July 2005.

Reason: To ensure the satisfactory restoration and landscaping of the site in the interests of the visual amenity of the area.

14. No plant, machinery, buildings or other works introduced for the purposes of the development shall be left on the site after completion of the restoration operations other than that required for the long term control of leachate and landfill gas.

Reason: To ensure the satisfactory restoration and landscaping of the site in the interests of the visual amenity of the area.

15. No soil shall be stripped except during suitable conditions. All topsoil, subsoil, clay and soil making materials shall be retained on site and none shall be sold off or removed from site. Top soil and sub soil shall be stored separately.

Reason: To protect the soil resource.

16. The restoration and aftercare management plan, including approved drawings, shall be implemented as approved.

Reason: To ensure that the restored land is correctly husbanded and to bring the land to the standard required for woodland and amenity.

17. Except in emergencies to maintain safe landfill working, which shall be notified to the Planning Authority as soon as possible, no operations other than gas and leachate control, operation of pollution prevention and control equipment, servicing, essential maintenance and testing of plant shall be carried out except between: 0630 to 1730 Mondays to Friday and 0630 to 1300 Saturdays. No waste material shall be delivered to or disposed of within the site between 0630 and 0700 and 1630 and 1730 Monday to Friday and between 0630 and 0700 and 1230 and 1300 on Saturdays and no disposal operations shall take place on Sundays or Bank and other Public Holidays.

Reason: To protect the amenities of local residents.

18. No mud or other debris shall be carried from the site onto the public highway.
- Reason: To ensure that material is not carried onto the public highway in the interests of highway safety.
19. The surfacing of the site access shall be maintained in a solid bound material and repaired as necessary and the access and all permanently surfaced internal roads shall be kept clean and free of mud and other debris until completion of site restoration, landscaping and aftercare.
- Reason: In the interests of highway safety and the amenities of local residents.
20. The sole vehicular access to the site shall be via Parkwood Road.
- Reason: In the interests of highway safety.
21. Unless otherwise agreed in writing by the Planning Authority the site shall be landfilled and restored in the manner consistent with drawing references VI/PA/07-05/12298b to VI/PA/07-05/12298g inclusive presented in the Environmental Statement dated 21 July 2005.
- Reason: For the avoidance of doubt and to maintain planning control over the form of development.
22. The development shall be in accordance with the details submitted in the application and Environmental Statement dated 21 July 2005 reference VI/PA/LBR/1314/01 only or as otherwise required by the other conditions attached to this permission unless otherwise agreed in writing with the Local Planning Authority.
- Reason: For the avoidance of doubt and to maintain planning control over the form of development.
23. All infilling operations approved or required under the terms of this permission shall be completed by 31st December 2018 and all restoration shall be completed by 31st December 2020 unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To provide for the completion and progressive restoration of the site within the approved timescale in the interests of the amenity of the area.

24. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10% whichever is the greater. All filling points, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow outlets shall be detailed to discharge downwards into the bund.

Reason: To protect the quality of the water environment.

25. Full details of the works required to ensure the stability of the rock face/cliffside shall be submitted to and approved by the Local Planning Authority and the works required shall be carried out in accordance with the approved details.

Reason: In the interests of the safety of persons using the site.

26. The fence line to the southern boundary of the site and to the rear of the Standish Estate shall be set back within 1 year of the final restoration of the site, or sooner if feasible.

Reason: In the interests of the amenities of the locality and the improvements to the public path network.

27. Prior to the completion of the restoration works , full details of the permanent surface water treatment measures including works to the culvert under the land to the east (former Ski Village site) shall be submitted to and approved by the Local Planning Authority and the works shall be carried out in accordance with the approved plans.

Reason: In the interests of the proper drainage of the site.

28. The site shall be restored and landscaped in accordance with the details submitted and approved in plans set out in condition 2 of this approval, the updated Environmental Statement and any details required to be submitted and approved by the Local Planning Authority as part of a conditions application.

Reason: In order to define the permission

29. The applicant shall submit to the Local Planning Authority for approval a scheme setting out how and where public access into and through the site can be safely accommodated and extended ('the Public Access Scheme'). The applicant shall work with the Local Planning Authority to ensure that the Public Access Scheme is approved by the Local Planning Authority no later than two years following the date of this permission. Within three months of the Local Planning Authority giving approval to the Public Access Scheme the approved access arrangements shall be provided and thereafter retained. By the second anniversary of the Local Planning Authority's approval of the Public Access Scheme, and every two years thereafter until the Local Planning Authority are satisfied that full public access has been provided across the site, the applicant shall obtain approval for an updated scheme extending those public access arrangements within the site ('the Extended Public Access Scheme(s)'). Within three months of the Local Planning Authority's approval of the Extended Public Access Scheme(s) the applicant shall provide and forever retain the approved updated access arrangements. At all times when submitting a scheme pursuant to this condition the applicant shall have regard to the reasonable views of the Access Liaison Group established pursuant to condition 30.

Reason: In order to ensure safe public access into the site is provided at the earliest opportunity

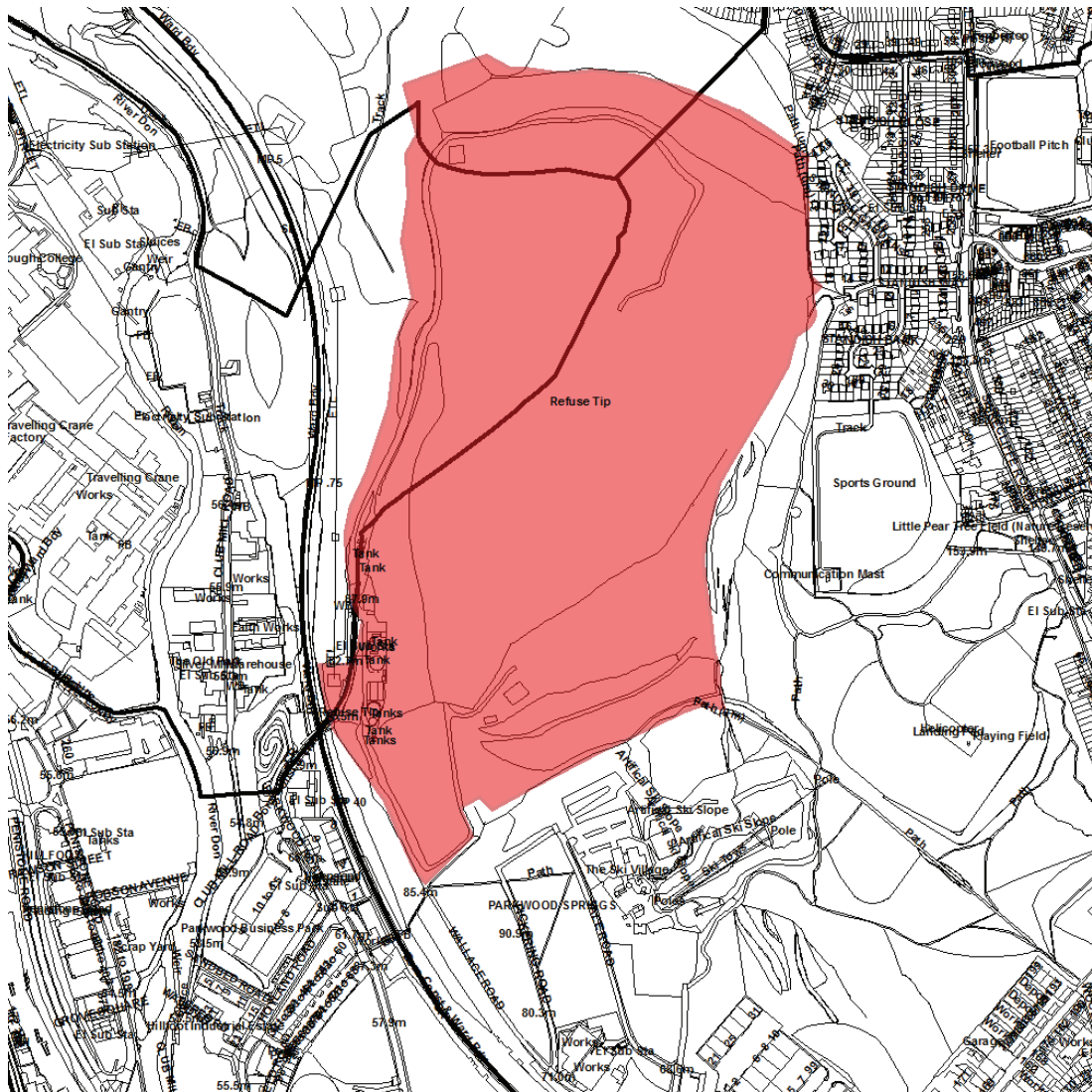
30. No later than six months from the date of this permission the applicant shall have established a liaison group consisting of, but not exclusively, the applicant and their agents, local interested residents and resident groups, local Ward Councillor(s) and interested agencies with a remit to consider the extent of public access into and around the site and how this can be safely increased over time ('the Access Liaison Group'). The Access Liaison Group shall meet at regular intervals to enable it to sufficiently input its ideas into the Public Access Scheme and Extended Public Access Scheme(s) to be submitted to the Local Planning Authority pursuant to condition 29.

Reason: In order to ensure local interested parties views are taken into account in the review of public access into and around the site.

Attention is Drawn to the Following Directives:

1. 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.
2. The applicant is advised that prior to any works being carried out on adjoining land owned by the City Council to provide a permanent drainage solution, the proper consents and licences must be obtained. Please contact [CorporatePropertyStrategy@sheffield.gov.uk](mailto:CorporatePropertyStrategy@sheffield.gov.uk) to arrange these. The work involves substantial engineering works and the applicant is advised that planning permission may be required for this.

## Site Location



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## INTRODUCTION

The application before members relates to the Parkwood Landfill site in the Shirecliffe/Neepsend area the city. The site occupies a large section of the hillside rising up from Neepsend and is visible from across the Valley and forms a prominent landscape feature in the City. The Site also serves to divide Parkwood Springs Open Space Area which sits across the hillside.

Overall the landfill area occupies a plot just less than 39ha. The landfill site is accessed via Parkwood Road, and there is an internal haul road providing access to the side along the western boundary.

Within the boundary of the landfill site there are reception facilities to the West, which comprises a number of mobile buildings and provide site offices, mess room and store facilities. Within this area there is also car parking accommodation, a weighbridge and wheel wash facility in addition to a plant compound, maintenance and fuel storage area. The overall landfill site is kept secure through the provision of fencing and gates.

Immediately to the North of the site is a restored landfill site, which is under the control of Sheffield City Council. Beyond this and to the East is the residential area of Shirecliffe. The former Sheffield Ski Village forms the southern boundary of the site, whilst to the west are industrial and commercial units, and beyond this the currently unauthorised New Age Traveller Site.

The landfill site is a historic feature of this landscape and there are a number of historic permissions relating to its operation. The application of relevance to this application is the 2005 consent which allowed for the re-phasing of the landfill operations. As part of the justification put forward for this application, was the offer that the timescale of landfill operations would be reduced and the restored landscape would be available to the local community sooner than the previous permission required.

This application was granted on 29th August 2006, and was subject to a number of conditions, several of which this application is now seeking to vary. As part of this application, it is also proposed that additional conditions are added to the consent in order to address outstanding issues that the previous permission and its conditions did not allow for.

The site situation has changed over the last year, in that landfill operations have now ceased. Waste for landfill rates have fallen and in 2014 it was announced that the landfill site would close to non-hazardous, biodegradable waste. The site will however, still remain operational in that restoration soils will need to be imported in order to close and restore the site. The reduced fill and the re-profiling of the land form part of this application.

This application seeks to vary condition numbers 3) Details and the Environmental statement; 4) the landfill/restoration detail drawings; 18) surface water management programme and 19) landscaping/restoration details.

As part of this submission revised land profiles, restoration strategy and environmental statement have been submitted.

Viridor are seeking to update the approved restoration scheme, as well as the overall land profiles, in order to take account of existing site infrastructure, and particular soil and microclimate systems encountered at the site.

Surface water management will be affected as a result of the revised profile and includes management proposals for this.

It should be noted that some restoration has already commenced on site; as the earlier cells for tipping were completed by the operator. There has been no formal approval of this landscaping scheme, but the LPA does not wish to raise any objection to those works undertaken.

#### RELEVANT PLANNING HISTORY

The application below records the re-phasing of the operations and restoration to which this application refers. All other planning applications can be viewed on the planning file.

05/02877/FUL	Re-phasing of the landfill operations and amendment to the restoration scheme for the site (Application accompanied by an Environmental Impact Assessment) Granted Conditionally 29.08.2006
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#### REPRESENTATIONS RECEIVED

David Blunkett, whilst Local MP, made the following comment:

It is pleasing that the Parkwood landfill site is now closed to active waste, as are local residents, understandably given how long they have had to live with the site.

The priority now is to ensure that the site is made safe as quickly as possible, so that when it is safe to do so members of the local community can enjoy it for its views over the city and for wider recreation.

The principal concern is the potential for a lengthy delay before the site can be opened for public use. I understand the need to maintain security for the methane gas and leachate infrastructure, but there are examples of sites (such as the closed Beighton tip) which have similar infrastructure but which also have the relevant security in place to allow public access.

In terms of access, Mr Blunkett would like to stress that the pathways linking the northern and southern parts of Parkwood Springs should be improved, as the benefits to be gained from the site will only be realised if people are able to move around it freely. Two-yearly reviews on whether to grant access provided for in the application should be held without preconditions.

Given that the site has real potential as a unique community asset, an overcautious approach which meant local people were unable to access it for years, and possibly decades, would be an utter waste.

Councillor Jackie Drayton has raised the following points of objection:

The safety of the site should be paramount with the site being well maintained and monitored by the owner, Environment Agency and City Council. This should include the membranes sealing the waste and the top soil amounts. It is requested that the Planning Committee require as a condition an after care and risk management plan for the site.

The current offer of public access to the site as stated in the application is too slow. It is possible, with commitment, to seal and re-locate well heads as the gas dries up to implement a phased redesign and a withdrawal of the perimeter fence. (As per the Beighton Landfill site – where gas and leachate collection are still in place and operational and at the same time the public have access to the area).

It is requested that committee consider adding a condition that the phasing plan proposed should be accompanied by a linked Phased Access Plan which should include a commitment to working towards incrementally opening up the pathways across the site to the public the end of Phase 1, within 5 years.

Councillor Drayton also requests that members consider not accepting any application that included a presumption that public access to the site should only be allowed when the gas and leachate infrastructure has been removed. This could mean that the site would not be open for at least 20 years.

Phase 1 Improvements proposals for the pathways. The pathway behind the Standish Estate, (marked orange on the Drawing No LE12088/015 Phased 2 Proposed Access) is a concern. It was clear from the first discussions, over 20 years ago that the Standish Estate was being affected by the landfill, this was acknowledged by Viridor on those first drawings which showed improvements to the land directly behind the Estate and building the bund as a priority.

The pathway proposed on the drawing is very narrow and it appears only to be on Council land. Cllr. Drayton believes that we all assumed that this pathway would be broad, to enable walkers, cyclists, pushchairs and wheelchair users to access the link between the Shirecliffe/Herries Road end of the site to Rutland Road and the City. It had been assumed that the proposals would be an improvement to the existing narrow path by using some of the Viridor land to widen it – this is not clear from the planning application. Clarification is sought as to who is paying for this improvement to the pathway, Viridor or the City Council.

There are no proposals in the plans for any pathways running east/west on the site, from Infirmary Road to Shirecliffe Road. It is requested that the committee consider whether it would be possible for Viridor to identify some and include them in the Phase 2 Proposed Access Proposals.

The proposals for the pathways are not defined for usage, it would be good to designate some pathways for cyclist, some for walkers and maybe also to include a bridleway. It is requested that committee consider asking Viridor to define pathway usage in the Phase 2 Proposed Access Proposals.

There appears to be nothing in the application regarding the landscaping work continuing on site over the 20 years. It would be excellent if the landscaping and development of the site could continue until the site is 100% open to the public.



It is requested that the Committee make a condition that Viridor has a responsibility to maintain and improve the landscaping of the site, in a way that speeds up the opening of the whole site and in consultation with the Friends Group, the City Council and the Environment Agency, until the site is open to the public.

The application proposes a programme of reviews every two years, to consider public access to the site (text on Drawing No LE 12088/015Phase 2 Proposed Access). Cllr Drayton believes that reviews should take place more frequently. Cllr Drayton also strongly opposes that these reviews could make decisions about delaying the access to the site or that access should only be allowed when the gas and leachate infrastructure has been removed. It's clear that any changes to the plans agreed at the Board should come back to the Board or officers for agreement. It is vital too, that the terms of reference, membership, frequency of the meetings should be clear and included in the proposal. I would propose too that it should also include the list of items to be reviewed need to be listed and that these should reflect the planning permission and conditions within this. The committee is requested to specify that such conditions for the Two Yearly Reviews should be included in the permission and that the membership of the review meetings should include representatives from the Friends Group as well as officers of the City Council, the Environment Agency and Viridor. Cllr Drayton also asks Planning Board members, if they would consider not accepting any application that included a presumption that public access to the site should only be allowed when the gas and leachate infrastructure has been removed. This could mean that the site would not be open for at least 20 years and the review meetings would be meaningless.

It is felt that the overall application lacks clear timetables for the closure, restoration and after care and risk management for the site – the various phases of the planning application. Members are requested to consider asking Viridor to tighten up on the timetable for the 3 Phases of the Restoration Plan, the Closure, After Care and Risk Management Plans, especially Phase 1 the Proposed Access Proposals (0 – 5 years). Also regarding access to the site, the Committee would agree that there should be regular 'supervised' public access onto the site, before unrestricted access is allowed.

Friends of Parkwood Springs have made the following comments on the application:

Friends of Parkwood Springs are pleased that Viridor has already closed the site to active waste, ahead of the deadline set by the current planning permission; say that they will provide an amenity that will be an asset to the local community, fitting in with the wider Parkwood Springs plans, and to the wider environment; plan in the first 5 years of restoration to open up an area that has not been tipped, (part of Area D) and to make some small improvements at the same time to north-south footpaths. This includes moving by a small distance the site boundary fence to improve the path running north-south at the back of the Standish estate (SHE162). It is also hoped that Viridor will do this as soon as possible, to a clear timetable.

The Friends Group do however, wish to formally object to the application on the following grounds:

It is strongly supported that there is a need to make sure that the site is safe. In the past hazardous waste was tipped on the site, and although since then substantial amounts of non-hazardous waste have been tipped on top, it is important that the site is well-maintained. It must be monitored closely, both by Viridor and the Environment Agency. This includes monitoring the membranes used to seal the rubbish.

There is concern at the planned slow pace of opening up the site to the public. The application says that only in Phase 2 – i.e. some indeterminate time after 5 years of restoration - after the majority of the gas and leachate infrastructure has been removed will Viridor provide access to the pathways and space. (Text on Drawing 'Phase 2 Proposed Access', drawing no. LE12088/015.) We consider that it should be possible as the gas dries up and well-heads are sealed or re-located, and with monitoring by the Environment Agency, to implement a phased redesign and withdrawal of the perimeter fencing. We consider that the Phasing Plan for restoration (Drawing LE12088-0005), with its three restoration phases, should be accompanied by a linked phased access plan.

The Friends group have visited the closed Beighton tip in Sheffield, and have seen how the public have access, on a managed basis, to a network of excellent paths across the site, even though gas and leachate infrastructures are in place and operational. (Methane gas is being collected and used for electricity generation there in just the same way as it is at the Parkwood Springs landfill site)

Tipping stopped at Beighton in 1999, and capping took place between 2005 and 2008. Public access was allowed after that. In 2012 the main gas field was enclosed within field areas, with agricultural-style fences, which seems to provide adequate security. A network of pleasant paths, including a section of the Trans-Pennine Trail, now criss-crosses the site, even though gas collection, leachate treatment, and electricity generation continue to take place. This is all in an area with housing and estates nearby.

It is recognised that no two landfill sites are identical. However the group consider that a much more positive approach should be taken to access by the public. As a starting-point, the group would have hoped that Viridor would have committed to working towards opening paths across the site to the public at the end of Phase 1 – i.e. in five years. That is still the preferred outcome.

The Friends group recognise that Viridor will continue to own the site. That carries with it rights and responsibilities. Nevertheless it is hoped that Viridor will recognise that there are benefits to them in moving to early public access. As experience on the rest of Parkwood Springs has shown, as well as on many other sites, public presence can play a big part in reducing anti-social behaviour through 'self-policing'. Therefore access has the potential to improve site security.

Furthermore, the group hope that Viridor will recognise the beneficial effect on their reputation if they work positively to allow reasonable access. The company has already recognised the role of their site in the wider Parkwood Springs plans. The group feel that the slow pace of access envisaged in the application could well

scupper the City Council's 'Outdoor Capital' strategy, which envisages a major hub on Parkwood Springs. The group do not see how Parkwood Springs could fulfil this role with a high visibility fence sealing off a major part of the overall Parkwood Springs adjacent to the hub. The group do not imagine that Viridor would want to be seen to obstruct the development so completely.

The group's preferred outcome would be a commitment from Viridor to work towards opening up paths across the site within five years. If this is not possible we want early progress to improve north-south paths, in order to improve the links between the northern and southern parts of the overall Parkwood Springs site. The Phase 1 improvements proposed to the path running behind the Standish Estate (paragraph 3 above) are very small indeed. We want to see a pleasant broad path which allows walkers and cyclists to enjoy walking or cycling between the two parts of the overall Parkwood Springs.

The group welcome the proposed improvements to form a path down the western side of the site above the railway line (marked in orange on Drawing 'Phase 2 Proposed Access', drawing no. LE12088/015.) However, this is not on Viridor land and is not within the planning application boundary. Nor is it clear that Viridor are offering to fund it. So it is not clear that it forms part of this application. However, the group welcome Viridor's consideration of paths on the greater Parkwood Springs site, and hope that they will continue to work with the City Council to improve them.

The group also want pathways across the site running east west. With appropriate site security it is not understood why it should not be possible to find pathways through.

During the time that the site is not open to the public, the group would want consideration to be given to opening it on a regular and supervised basis – say one day a week. This would be a step towards the access many people are hoping for, and would allow walkers and nature-lovers such as bird-watchers some enjoyment. This would be comparable to how some Ministry of Defence sites are occasionally open to walkers.

The group recognise that a programme of reviews every two years is proposed, to allow for possible public access to be considered. (Text on Drawing 'Phase 2 Proposed Access', drawing no. LE12088/015.) Whether Viridor make the five year commitment we have suggested or not, these two yearly reviews would be very important, and the way that they would work needs to be specified in the planning permission. We consider that the permission should set out:

- the date by which the first meeting should be held (within two years of the grant of the planning permission?) and that thereafter a meeting should take place within two years of the last meeting
- who should attend – we assume Viridor, the City Council and the Environment Agency
- the right of appropriate community groups (such as the Friends Group) to be informed of the date and agenda of meetings, to make written input, and to receive minutes

The terms of reference. These need to include reviewing:

- experience of management of the closed Landfill site to date
- experience on other closed landfill sites, including ones which have allowed public access
- current gas, leachate and security technology, and how that might be used on the site to allow more public access
- site security on the overall Parkwood Springs area, and whether that might be improved to benefit the closed Landfill site
- the potential for other approaches to managing anti-social behaviour, including vegetation planting and public 'self-policing'.

Specifically, the group strongly oppose any reference or presumption in the revised planning permission that access should only be allowed when gas and leachate infrastructure has been removed. Otherwise the two-yearly reviews would become a pure formality, with no real meaning. It is not considered that such a requirement is justified.

- The group are concerned whether sufficient attention has been paid to footpaths and cycle-paths. The key to the map shows primary and secondary routes but does not say who they are for. The group would like to see separate paths for people on foot and with push-chairs and wheelchairs on the one hand, and cyclists on the other. (Provision for horses may also be needed.) To recognise proper security and safety concerns, the group would accept and encourage from the beginning fencing of the paths, as long as reasonable areas are left alongside the paths.
- The group note the contours and planting proposals and support the use of native species, the provision of a wetland area and planting and plans for an area of heathland.
- The permission must be much clearer on dates and timetables than the application is. Paragraph 1.7 of the Planning Application Statement and supporting updated environmental information says 'Viridor still working towards fully closing the site in 2018 and the site being restored by 2020.' It is important to be clear on the timelines of the three phases of the Restoration Plan (set out in the Restoration and After-care Management Plan document), and the five-year management plan thereafter. The planning permission needs to be absolutely clear on the dates of the Phase 1 of the proposed access ("0 to 5 years").

Specific issues are also raised for the Planning and Highways Committee and these are set out below:

- It is hoped that it will be possible to work constructively with Viridor to improve these proposals and it is welcomed where Viridor has been able to take on board our concerns. Nevertheless the group are looking for substantial further improvements.

- There should be no statement in the permission that access will only be allowed when gas and leachate infrastructure has been removed. This could make the biennial reviews pointless. What is required is for everyone to work towards making access safe and compliant with environmental regulations.
- the group wish to confirm that they are not asking the Committee to refuse permission outright, but hope that the Committee will require a number of clear conditions. These should cover:
  - a requirement to move the boundary fence and open up a broad band running north-south down the eastern edge of the site behind the Standish Estate. It is suggested this should be a band 10 metres wide, in place by the end of 2020. Within this band there should be a footpath and a cycle-path. (The proposals in the application to improve this path are completely inadequate.
  - a clear timetable for opening up the area which has not been tipped ('Area D'), as proposed by Viridor in the application, and for the new footpath in it.
  - a requirement to implement an improved after-care plan. The after-care plan is very important. It must include path maintenance, planting, and a phased action plan for public access to paths, as environmental regulations allow and using current best practice for managing risk. It should include processes for monitoring by the City Council and the Environment Agency.
  - It is noted that there is an intention to source plants from 'in and around' the Forestry Commission's region 302, and we think this should be tightened up and monitored. It is important that plants are sourced locally.
  - clear and specific arrangements for the proposed biennial reviews of access, including terms of reference, membership and the right of community groups to see papers and make written input.
  - a requirement to implement regular supervised public access before unrestricted access is allowed.
  - a clear timeframe for all conditions. The application is very unclear on when things will happen.

Finally, the group hope that the Committee will ask officers to investigate further the possibility of the path running north-south down the western side of the site, which is proposed in the application. This is outside the area covered by the application, but would be a big step to improving the access between the northern and southern parts of Parkwood Springs.

The former leasee of the adjacent Ski Village site has made the following comments. (It is relevant to note however, that since the consultation process was undertaken, the leasee of the ski village has subsequently relinquished the lease and the ski village site is now wholly under the control of the City Council):

- The existing landfill access (Parkwood Road) provides unrestricted HGV access, along with access to the A61, and this should become the main access to the Parkwood Springs Area.

- The final contours of the site should allow for a road to be created from the access to the landfill site through to the end of Vale Road (adjacent to the ski village site). This would improve access to ski village and allow coaches to access it.
- The removal of the bund, referred to in the statement is now shown on the plans.
- The ski village suffered from unregulated surface water run-off from the landfill site and there is a non-maintained sewer pipe under the line of the former Douglas Road which flows with a large volume of water from the landfill site. In 2008 Vale Road looked like a river due to storm water discharge from the landfill site.
- This application should be accompanied for the plan of surface water discharge from the completed restoration profile. There is now a limit on surface discharge with on site water storage and flow control devices. The landfill site could include permanent ponds to prevent storm water discharges. The existing earth bund between the landfill site and the lower former ski village and adjacent Council owned land currently creates a barrier for the natural flow of surface water. The removal of the bund will theoretically allow a natural flow of surface water onto the lower level adjacent land. The existing boundary cut off trench is incapable of carrying a storm water discharge and in any event has no clear discharge arrangements off site.
- There should be clarification as to the retention or removal of gas/leachate treatment infrastructure. There are gas monitoring sites within the former ski village and the records of gas measurement should be included in the planning application together with a programme for monitoring subsequent to the closure of the landfill. There is a risk of methane gas migration from the waste into adjoining land. A monitoring report from 2005 together with anticipated future effects should be provided.
- There is no current master plan and this proposal should be moulded to suit the long term aims of the City Council.
- There is a clear need for access tracks and bridleways
- There should be a network of linked footpaths for example linking the upper River Don to the existing park.
- The site could also be used for allotments
- An area of the site could be levelled and left for future commercial opportunities such as a garden centre, stabling blocks, highway maintenance depot, waste transfer station.
- Neepsend could become a transition zone and be used as a business park to enable some capital return.

- Whilst the site is closed to the public, the hillside could be used as a solar farm for energy generation
  - A new alpine centre with access directly off Parkwood Road would be far better than the current restricted access than is provided at the moment.
  - The site could also be used as a quad bike track or dirt track. The gradient and surface treatment should be designed to allow for this in the future.
  - The site will require capping, where is this material to come from and what will its nature be?
- Sheffield Ramblers Association has made the following comments:

Whilst the role of safety is noted they are disappointed that under the approach proposed in the planning application it will be so long – probably decades before walkers and others can enjoy the views and countryside on the site. The group's walks go from time to time over Linley Bank Meadow, the former Beighton Tip, and we cannot understand why there cannot be similar managed access over the Parkwood Springs site after a reasonable period of time.

The group particularly want to see improvements to the paths between the Herries Road and Rutland Road end of Parkwood Springs. The only path at present, runs north-south along the Shirecliffe boundary of the site (behind the Standish Estate). We use it from time to time on our walks, but it is so narrow that people find it quite unpleasant. The application proposes a slight improvement in Phase 1, but the path needs to be very much broader, suitable for walkers and cyclists, and with 'buffer' areas between the path and fences or hedges.

The group support the path proposed in the application down the western side of the site, but see that it is not within the planning application boundary, nor are Viridor proposing to fund it. This is despite the revenue that they will earn for many years from generating electricity on Parkwood Springs.

The group also welcome the plans for biennial reviews of possible access to further parts of the site. However, it is important that those reviews are real, and not just token gestures. The whole concern of these reviews should be to see how access for walkers and others can be made safe and to comply with environmental regulations.

Cycle Sheffield make the following comments:

Cycle Sheffield support the redevelopment and restoration of Parkwood Springs as a green leisure and recreational area and 'lung' for the city.

Cycle Sheffield object on the grounds that there is insufficient provision for cyclists, insufficient detail of how this restoration could possibly link to any future development of the site of the ski village, insufficient detail of how this restoration will fit with current and future developments of the whole of the Parkwood Springs site .

We support a Cycle Sheffield member comments, In my humble opinion, to reach an easy solution, especially when considering it has taken nearly ten years to reach this point, there are three areas of concern all relating to what should be bridleways, being labelled as footpaths. Firstly, the routes marked in purple are labelled as existing footpaths, although they look like the bridleways that are marked on the cycle map of Parkwood. Therefore, they should be clearly labelled, so there is no possibility of any bridleways being downgraded to footpaths. Secondly, for the aforementioned reason, the proposed primary routes should be marked as bridleways. Thirdly, the routes marked in orange, should be clearly marked as bridleways.

This is a simple solution when SCC still want to build a cycle route the other side of Parkwood Landfill Site, adjacent to the River Don. B. The area concerned is to the North of the ski village site. It is unclear from the drawings how this proposal links to the ski village site.

Cycle Sheffield believe that there is the possibility to develop the ski village site for recreational and leisure use with off-road/BMX cycling, both training and a track and also a cycle downhill course(s). If the ski lift could be re-installed as a bike lift then it could be used to service the downhill course and also provide a link to the off-road cycle track and the paths/routes at the top of the ridge. This could be used by both pedestrians and cyclists both for transport and leisure. The drawings do not seem to link the restoration with the ski-village site and the possibilities there. Cycle Sheffield thinks the drawing does not place the site for redevelopment into the overall context of Parkwood Springs and it is difficult to evaluate how these proposals will blend with present provision and the rest of the landfill site. It does not anticipate how present provision could be developed in the future or how it will link with rest of Parkwood Springs when it is redeveloped, eg a city/urban walking/cycling route for leisure and utility from Castlegate (grey-to-green to Millsands/Nursery St (R Don path) up Chatham St across Stanley Fields into Woodfold Lane, across Rutland Rd and into Parkwood Springs to walk up to the viewpoint on the top of the ridge a walking /cycling route round the ridge on Parkwood Springs from Rutland Rd to the back of the recycling site nr Herries Rd and across the fields and down the slope at Wardsend to the bridge over the railway and through Wardsend Cemetery to link up with Club Mill Rd/Livesey St and a possible path through to Owlerton.

Sheffield Local Access Forum (LAF) have made the following comments:

They would like to see the footpath along the east side of the site widened and improved to bridleway standard to allow for better and safer use by more users. It could also be part of Sheffield's Green Ways multi user network linking Woodside, Pye Bank with Shirecliffe and beyond.

The proposed footpath on the western side of the site, outside the fence, is an excellent addition to the footpath network from the cemetery, above the railway line towards the site of the Former Ski Slope. The group would very much like to see this progress.



We are pleased to see improved opportunities for greater public access across all the site but recognise there are difficulties and possible security issues with pipe lines etc. However we would welcome an approach similar to the one taken on the former Beighton Tip where public access is improved by wide routes between possible vulnerable areas. Such areas are fenced in.

Subsequent to this and the revised notification procedure the following further comments have also been made:

The LAF reaffirms its position about the need to introduce public access as soon as it is safe to do so, while at the same time looking for opportunities to increase such access. Any biennial review should include improved access and be carried out jointly between Viridor and the Council (with an input from the LAF). The forum also supports the case for Rights of Way to have a width of 2.5 metres (two and a half metres).

Parkwood Landfill Liaison Group makes the following comments. It should be clarified that the purpose of the Parkwood Landfill Site Liaison Group is to provide an open channel of communication between Viridor, local residents, Sheffield City Council, the Environment Agency and other relevant parties. This response just sets out the views of the community representatives on the Group. It does not set out the views of Viridor, Sheffield City Council or individual Councillors who attend the Group, or the Environment Agency. We do not ask for permission to be refused, but are making a formal objection so that our concerns can be addressed.

The group is very aware that in the past highly hazardous materials have been tipped on the site. Therefore everything should be done to make sure that the site is and continues to be safe, forever. The group want to be assured that responsibility for the safe management, monitoring and regulation of the site is clear and legally-binding, and that there is continuing accountability to the local community for their safety and well-being. In particular

a) Viridor must be responsible for the health and safety consequences of the site – forever, or at least until there is no possibility whatsoever of further risks. If Viridor should at any time sell the site or cease to function, there must be arrangements in law for those responsibilities to be transferred. Ultimately the Environment Agency must guarantee those arrangements, so that someone is, and can be held, responsible.

b) The Environment Agency must continue to monitor and regulate the site, and ensure that action is taken to remedy any shortcomings. This needs to include soil and the stability of the site, the condition of the membrane used to seal the site, gas and leachate. They must be accountable to the local community for the monitoring, regulation, and site safety.

The group have specific concerns about:

c) the depth of covering soils and inert materials used to restore the site. The group would like a clear statement of the depth of these soils and inert materials to be included in the planning permission, and assurance that this depth of cover is adequate on the basis of independent scientific evidence.

d) the nature of the soils and inert materials that are being used to restore the site. In view of both site safety and the future amenity use of the site, the planning permission should specify that as far as possible natural soil is used. The group would like to see a limit on the proportion made up of inert material that is not natural soil. The materials being brought onto the site as part of the restoration process need to be properly monitored. It is understood that only 1 in 1,000 wagons are checked; this is not considered adequate.

Access by the public to areas of the site which have not been tipped should be opened up to the public as soon as possible. This should not be delayed until 2020. Other areas should be opened up as soon as they become safe. The timescale for access to new areas should be kept under constant review. Proposed biennial reviews are welcomed, but they must be real. Paths across the site need to be suitable for cyclists and people on foot or with pushchairs and wheelchairs. It would prefer different paths for cyclists and people on foot, but if not they should be broad bridle-ways with plenty of room for different users. It is hoped that Viridor will be involved as an active partner in developing opportunities for leisure use as time goes on.

The planning permission should specify that the Landfill Site Liaison Group must continue indefinitely, with the involvement of Viridor (or any other body responsible for the site), local residents, Sheffield City Council, and the Environment Agency. In particular it is important that the Environment Agency account to the local community for their monitoring and regulation through the Group.

Sheffield and Rotherham Wildlife Trust have made the following comments:

The Parkwood Springs site falls within the River Don Living Landscape area, and is a valuable connecting feature along the river corridor. We believe that it is important to create and expand these ecological connections so that the landscape is better able to support more wildlife as it adapts to climate change. The Trust agree with the majority of the details but believe it would benefit from the inclusion of a work programme with each of the restoration, management and monitoring actions clearly laid out and a timescale showing what will be done in year 1, year 2, year 3 etc so that it is easier to ensure that actions/targets are met.

The trust would also like to see a clear commitment to and clarity about the ongoing monitoring of the site, both in years 0-5 and beyond and how will the delivery of the plan be ensured?

Individual neighbour letters have also been received raising the following points:

- The application should be rejected and the licence not renewed for another term. The air is often smelly and the use should be moved away.
- The application is inaccurate and can be seen from a public road and public footpath and most of Sheffield.
- The site has three toxic and hazardous cells which are meant to be contained and this was not enough to stop the migration of gases and leachate.
- A composite topping and one metre of inert soils is not adequate, when residents have previously been advised that there would be a liner and 100feet of inert soils at restoration level.
- In March 2014 the Liaison Group was told that there was 40metres of soils on top of the toxic hazardous cells but the representation advises that leachate and gases have been recorded by Camera at the level.
- It is alleged that there is no other licensed site on earth that has put as many chemicals and toxic contaminated materials and radioactive contaminated material altogether.

## PLANNING ASSESSMENT

Members are advised that there are several elements of the landfill site which are not within the control of the City Council, and therefore information and requirements cannot be imposed which would result in a duplication of duties. The Environment Agency (EA) issue an environmental permit for the landfill works, and which covers matters such as contamination, leachate, gas monitoring etc. This permit will also continue once the landfill is closed and restored, and the EA will continue to monitor the site and issue permits.

For the record the Environment Agency have been consulted on this application and have made the following response in relation to the Environmental Permit: "In accordance with an Environment Permit variation that is about to be issued for Viridor (Parkwood Landfill), the Environment Agency will need to see and approve a restoration plan. This will also include the details of the waste types that are to be used in the restoration. It is advised that the applicant seeks approval from the Environment Agency before any importation of waste for the restoration of the landfill. Section 3.6 of the Restoration and Aftercare management Plan makes reference to the use of soil improvers within the restoration soils. It is advised that the applicant seeks guidance from the Environment agency regarding these matters."

Consent is sought for the following conditions to be varied:

Current Wording of Condition 3: The development shall be in accordance with the details submitted in the application and Environmental Statement dated 21 July 2005 reference VI/PA/LBR/1314/01 only or as otherwise required by the other conditions attached to this permission unless otherwise agreed in writing with the Local Planning Authority.

This application to vary to the conditions applied to the 2005 permission, means that this application is accompanied by revised landform and topographical plans,

revised ecological appraisal, a revised landscape and visual impact appraisal and a restoration and aftercare management plan.

In considering the acceptability of the proposed development, the following planning policies are relevant, material considerations in considering the revisions. The NPPF seeks to encourage sustainable development, underpinned by the three core principles of economic, social and environmental. The NPPF seeks to enable the effective re-use of land, high quality design, mitigation from the impacts of climate change as well as the protection and enhancement of the natural environment.

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by....minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land , where appropriate.

The following Sheffield policies are also relevant to the overall consideration of the application.

Policy CS69 'Safeguarding Major Waste Facilities' states that the energy recovery plant at Bernard Road and the landfill site at Parkwood Springs will be retained to meet the city's long term requirements for waste management.

The extant planning consent requires tipping to finish by 2018 and therefore the ability to fully meet this policy is limited. However, it is not considered that the closure of the site to waste is wholly detrimental and there are wider benefits to the early closure of the site to waste, not least to the local community.

CS45 'Quality and Accessibility of Open Space' states that the safeguarding and improvement of open space will take priority over the creation of new areas, and priority for the improvement of open spaces and related sports and recreational activities will be given to districts parks and opens spaces, including Parkwood Springs. Policy CS46 'Quantity of Open Space' states that opportunities that arise to complete links in the green network should be taken through the determination of planning applications.

Policy CS50 'Parkwood Springs and the Parkwood Landfill Site' states that, 'Over the medium to long term Parkwood Springs' will be develop into a city park. Sport and Leisure uses could also be located at Sheffield Ski Village if they are needed to support the development of sport and recreation facilities there." The supporting text for the policy also refers to the landfill site occupying a large section of it and that it is expected that tipping operations will cease within the lifetime of the policy. The policy also refers to access to some elements of the site for public use before the site is full.

Saved UDP Policy MW5 'Waste Disposal Areas' states that, in the Parkwood Springs waste disposal area, waste disposal is the preferred use in the short terms and that long term uses would comply with Green Belt or Open Space Area policies as appropriate.

Saved UDP policy MW7 'Environmental Impact of Mineral Working and Waste Disposal Operations states that mineral working and waste disposal will only be permitted where disturbance to the environment would be kept to an acceptable level and where they would: comply with other policies for the built and green environment, not disturb or cause a nuisance for other land uses, not cause an unacceptable disturbance to the local environment, not involve unacceptable duration, phasing , methods, standards of working for excessive active areas or hours of working; provide for screening of the site; provide restoration and aftercare of the site for uses appropriate to the area; provide for the use or control of landfill gas, not give rise to levels of traffic that would make roads unsafe or harm the character of the area.

All these policies relate to the over-arching principles of the site as a landfill site and the future use of the site. The nature of the application proposals is such that it will not compromise or counter these aims, and therefore considered to be in accordance with the principles of these policies.

#### Revised Profile

Policy CS74 Design Principles seeks to ensure high quality development which will take advantage and enhance the distinctive features of the city including topography, landforms, river corridors, green network, important habitats, waterways, woodlands and other natural features and open spaces along with views and vistas to landmarks and skylines in and out of the city centre and across the city to the surrounding countryside.

BE4 'Environmental improvements' states that priority for environmental improvements will be given in areas where the environment is unsatisfactory in... areas which have existing or potential value for nature or informal recreation.

BE6 'Landscape Design' states that good quality landscape design will be expected in new developments achieved by providing appropriate details, creating an interesting and attractive environment , integrates existing landscape features into the development and promotes nature conservation and uses native species where appropriate.

BE11 'Public Spaces' states that public spaces will be protected and enhanced where they make an important contribution will be protected and enhances where they make an important contribution to the character or appearance of an area or provide places for people to walk or relax.

The revised contours submitted reflect the reduced level of tipping. For example, the MJCA approved contours show a maximum height of approximately 176

metres at a peak, approx. 64metres into the site from the rear of Standish Way, whilst the revised contour plans show that this will have an approximate height of 162, with a smaller peak of 164 metres, the overall revised landform will be slightly domed to allow for surface water run-off.

A more general theme to the revised site contours is that the hillside will be a gentler gradient, for example on the originally approved plans there was an average distance of approx. 4metre between each 2metre contour line, whilst on the proposed new plans the distance is 12 metres between each contour line. The submitted sections through demonstrate the difference between the proposed and existing land levels.

As one of the areas, identified as Phase Three on the submitted plan ( LE12088-005) will no longer be tipped the gradient to this area (the area to the rear of the Sports Ground) will be significantly lower and the existing cliff feature will be retained. Section 4:4 shows the extent of this difference in levels at this point. As part of the works to accommodate a revised drainage strategy this area has been amended in the landscape plan to show a larger area of seasonal wetland linked to the drainage ditches.

The revised profile of the site, as indicated on the submitted plans is not considered to be unacceptable in terms of its visual impact. From across the City the overall impact of the revised landform will be limited, and in its 'greened' form it will be a considerable improvement on that which currently exists. There will be some settlement of the site as the infill degrades and settles and the submitted plans show the levels post settlement. In terms of the impact of the revised landform, it is also not considered that this will have an unacceptable impact upon the amenities of the properties which face onto the site. It is noted that the restoration will result in a changed landform, but equally the height of the landform and the distance to the nearest neighbouring properties is considered to be such that it will not result in unacceptable overbearing or over dominance to these properties.

The overall visual impact of the revised proposals is that the scheme, in its restored and final form will be satisfactory with regards the aims of Policy CS74 of the Core Strategy and policies BE4, BE6 and BE11of the Unitary Development Plan.

### Rock Stability

The revised profile will see rock slopes retained towards the eastern edge of the site. (see drawing LE12088-013 CHECK number) As these will be retained and form part of the future Parkwood Springs Open Space Area, it has been necessary to undertake a rock slope stability assessment. At the current time it is found that the slopes appear to be stable, and that the potential for a global slope failure to occur is low. However, there is the potential for local rock slope failure. It is the broad recommendation of the assessment that rather than an engineering solution, the mitigation of this potential risk should be in the form of the provision and maintenance of secure fencing behind the toe of the slope and the construction of catch ditches and secure fences in front of the toe of the slope, together with

appropriate signage. The assessment does however, also recommend that a more detailed stability assessment be undertaken, and which considers that the hazards and remedial works options appraisal and final design are conditioned as part of any planning consent. The LPA agrees with these recommendations and it is therefore recommended that members apply a new condition to the permission which requires the aforementioned more detailed stability assessment and associated information/supporting submissions by suitability qualified persons, be submitted and approved by the LPA before works in respect of this rock slope commence.

#### Noise and Odour

MW7 'Environmental Impact of Mineral Working and Waste Disposal Operations states that mineral working and waste disposal will only be permitted where disturbance to the environment would be kept to an acceptable level and where they would: comply with other policies for the built and green environment, not disturb or cause a nuisance for other land uses, not cause an unacceptable disturbance to the local environment, not involve unacceptable duration, phasing , methods, standards of working for excessive active areas or hours of working; provide for screening of the site; provide restoration and aftercare of the site for uses appropriate to the area; provide for the use or control of landfill gas, not give rise to levels of traffic that would make roads unsafe or harm the character of the area.

The site has previously operated to an 'Operations, Development and Management Plan' which includes a noise and odour monitoring and action plan; and again the Environment Agency monitor noise and odour.

As the site is no longer receiving non-hazardous biodegradable waste the potential for odour is significantly reduced.

In respect of noise, the potential for this will still continue as a result of continued tipping operations as part of the filling, capping and restoration works. These works on site would still be covered by the management and operational plans and the same monitoring and receipt of complaints procedures along with appropriate corrective actions are considered to still be appropriate. There is no objection to the principle of this approach and colleagues in the Environmental Protection Team have agreed with this approach.

#### Pollution and Nuisance

MW7 'Environmental Impact of Mineral Working and Waste Disposal Operations' states that mineral working and waste disposal will only be permitted where disturbance to the environment would be kept to an acceptable level, and where they would: comply with other policies for the built and green environment, not disturb or cause a nuisance for other land uses, not cause an unacceptable disturbance to the local environment, not involve unacceptable duration, phasing , methods, standards of working for excessive active areas or hours of working; provide for screening of the site; provide restoration and aftercare of the site for uses appropriate to the area; provide for the use or control of landfill gas, not give

rise to levels of traffic that would make roads unsafe or harm the character of the area.

GE25 'Contaminated Land' states that where contaminated is identified, development will not be permitted unless the contamination problems can be effectively treated so as to remove any threat to human health or the environment.

Policy CS66 'Air Quality' seeks to protect air quality in all areas of the City.

It is not considered that the implementation of the proposed lower profile and restoration scheme will result in a greater risk of pollution than currently occurs under the existing extant consent. Existing controls will remain in place, and the monitoring of the site by the Environment Agency will still occur. In respect of pollution and nuisance there are no objections in principle.

In respect of air quality impact then the revised proposal is not considered to have a greater impact upon air quality than the extant permission. It is noted that as waste imports have declined then so have vehicle numbers, and vehicular numbers will not increase as a result of this proposal.

Current practices in respect of dust and litter are proposed to remain unchanged and it is not considered that the proposed revised landform will alter this and no amendments are proposed under the Environmental Statement.

#### Water and Leachate Management / Drainage and Hydrology

Policy CS67 'Flood Risk Management' seeks to reduce the extent and impact of flooding through a variety of means including reducing surface water run-off and using sustainable drainage techniques.

Matters relating to surface water have been considered by both SCC Land Drainage Team and Yorkshire Water who consider that the details submitted in the Site Drainage and Hydrology document are satisfactory. The report indicates that the majority of the site surface water will be directed to the culvert to the south of the site and a smaller section will continue to drain to the combined sewer in Parkwood Road. Surface water discharge will be restricted with storage up to and including 1 in 100 + 30% event and the discharge to the combined sewer is to be restricted to 17.6 litres per second.

In respect of leachate management this will be unchanged by the revised profile. The LPA are advised that the current system comprises of managed collection. There are engineered sumps in each landfill cell and leachate is treated within the existing onsite leachate treatment plant. This leachate is treated prior to being discharged to sewer under an existing discharge consent.

The monitoring of the leachate is undertaken in accordance with the Environmental permit issued by the Environment Agency. The Environment Agency have issued no objection to this application and the continued status quo in respect of leachate management



## Landfill Gas Management

MW7 'Environmental Impact of Mineral Working and Waste Disposal Operations' states that mineral working and waste disposal will only be permitted where disturbance to the environment would be kept to an acceptable level and where they would: comply with other policies for the built and green environment, not disturb or cause a nuisance for other land uses, not cause an unacceptable disturbance to the local environment, not involve unacceptable duration, phasing, methods, standards of working for excessive active areas or hours of working; provide for screening of the site; provide restoration and aftercare of the site for uses appropriate to the area; provide for the use or control of landfill gas, not give rise to levels of traffic that would make roads unsafe or harm the character of the area.

As with leachate management this will remain unchanged from the process that is currently permitted on site.

Landfill gas is currently managed on site via an active gas extraction system which draws the gas to an existing gas utilisation plant, again on site. This plant comprises as engines for electricity generation and a flare for treating any excess gas.

In accordance with the Environmental permit, regular gas monitoring is undertaken and this is reviewed by the Environment Agency.

## Ecology

GE10 'Green Network' states that a network of green corridors and green links will be...b) enhanced by encouraging development which increases their value for wildlife or recreation and c) extended by creating new open space in areas of desired Green Links.

GE11 'Nature Conservation and Development' states that the natural environment will be protected and enhanced and that the design, siting and landscaping of development should respect and promote nature conservation.

The restored site will add to the overall Green Network of the area by infilling a large space which currently disconnects the two existing green space elements of Parkwood Springs. In this respect the development proposal and revised restoration proposal will be satisfactory with regards the aims of GE10.

In respect of the ecological aspect of the revised site restoration, it is not considered that the revised profile and restoration plan will have an adverse impact upon the existing ecology on site, and it will also have a positive impact upon the future ecology of the site. The planting schedules proposed include native species, and will create areas of woodland, heathland, grassland and wetland, all of which will add to the existing landscape and add to the overall biodiversity of the future site.

Overall the proposed ecological element of the proposed revised scheme is satisfactory with regards the overarching principles of the NPPF in respect of biodiversity and the natural environment and the policies of the Unitary Development Plan.

#### Landscape and Visual Intrusion (and Impact upon Residential Amenity)

MW7 'Environmental Impact of Mineral Working and Waste Disposal Operations' states that mineral working and waste disposal will only be permitted where disturbance to the environment would be kept to an acceptable level and where they would: comply with other policies for the built and green environment, not disturb or cause a nuisance for other land uses, not cause an unacceptable disturbance to the local environment, not involve unacceptable duration, phasing, methods, standards of working for excessive active areas or hours of working; provide for screening of the site; provide restoration and aftercare of the site for uses appropriate to the area; provide for the use or control of landfill gas, not give rise to levels of traffic that would make roads unsafe or harm the character of the area.

A revised landscape and visual Impact appraisal has been submitted with the application and has sought to consider the existing situation, the impact during construction and completion and then an assessment against the currently permitted scheme.

The submitted appraisal states that the landscape effects of the proposed lower level profiling would be experienced over the same extent and time period as the existing extant landfill scheme.

The overall landscape impact effects are considered to be very similar to those assessed and approved in the 2005 application. There is not considered to be a material change in circumstance in site circumstances or policy stance. Indeed policy CS50 now specifically encourages the regeneration and enhancement of Parkwood Springs and the proposal would not be contrary to these aspirations. Whilst the scheme will result in a reduction in land form, the extent of working and timescales are broadly similar and therefore a similar level of adverse visual impact will occur, but this is not a new impact that will occur as a result of this application.

The main change in terms of the landscape impact will be the southern boundary of the site where the spoil bund will be removed, but the impact will be short term impact within the context of the overall development of the site. The final restoration of the site will however, result in a cessation of adverse visual impacts and the creation of a parkland style landscape will be an improvement upon the landscape.

The LPA agrees with the overall assessment and conclusions of the Landscape and Visual Impact Appraisal and is satisfied that the impact of the proposed revisions will result in no greater impact than currently exists.

The revised landform is also not considered to have an unacceptable impact upon the amenities of the neighbouring residential properties within the Shirecliffe Area, and whose properties face onto the site. The landform will not result in any unacceptable overbearing or over dominance to these properties and which is in accordance with MW7.

#### Restoration and Aftercare

Policy CS74 Design Principles seeks to ensure high quality development which will take advantage and enhance the distinctive features of the city including topography, landforms, river corridors, green network, important habitats, waterways, woodlands and other natural features and open spaces along with views and vistas to landmarks and skylines in and out of the city centre and across the city to the surrounding countryside.

BE4 'Environmental improvements' states that priority for environmental improvements will be given in areas where the environment is unsatisfactory in areas which have existing or potential value for nature or informal recreation.

BE6 'Landscape Design' states that good quality landscape design will be expected in new developments achieved by providing appropriate details, creating an interesting and attractive environment, integrates existing landscape features into the development and promotes nature conservation and uses native species where appropriate.

BE11 'Public Spaces' states that public spaces will be protected and enhances where they make an important contribution will be protected and enhances where they make an important contribution to the character or appearance of an area or provide places for people to walk or relax.

CS54 Pedestrian Routes states that the pedestrian environment will be improved and that walking routes will also be developed along the corridors of the strategic green network.

Policy CS63 'Responses to Climate Change' seeks to reduce the impact of the city upon climate change by promoting walking and cycling and through promoting biodiversity and the green network.

BE10 'Design of Streets, Pedestrian Routes, Cycleways and Public Spaces' states that the design and environmental improvement of streets, pedestrian routes and areas, cycleways and public spaces where appropriate and practicable, should amongst others make them safe and convenient to use, maximise the personal safety, create welcoming attractive and useable open spaces

The restoration will be carried out on a progressive basis in 3 phases, with 4 areas of land already having been restored post fill. According to the restoration aftercare and management plan submitted, landfill capping will be complete by 31st December, in accordance with the extant planning consent and that the site restoration will be completed by 31st December 2020. The restoration work will be completed in 3 phases, noting that some areas of the site have already been

restored. The three phases are indicated on drawing number LE12088-005. Phase One will be restored during the planting season of 2015/2016 and Phases 2 and 3 will be completed at the earliest available planting season following the completion of capping and soil placement operations( at the end of 2018). The restoration works will then be subject to a 5 year aftercare programme. The overall management scheme will depend upon the overall management objective for the landscape type.

As part of the restoration works, it will be necessary for soils to be imported into the site. Soil sampling and analysis will be required and the strategy states that restoration soils will be in accordance with appropriate guidance and that the minimum soil depths for restoration areas will be 1.0metres for grassland areas and 1.5metres for woodland area, though these may be increased. It should be noted that these depths are restoration soils and not just the capping of the infill. The depth and nature of capping to the landfill is a matter which is controlled by the Environment Agency.

A detailed proposed management plan for the proposed management of the overarching landscape elements (Grassland Restoration, Woodland Restoration, Waterbodies and Ditches) has been submitted and the details contained within this are all considered to be acceptable.

Similarly, details of general maintenance operations have been submitted covering matters relating to fencing, maintenance, footpath and access tracks, invasive species and noxious weeds and wildlife including actions relating to European Protected Species.

The most controversial of these maintenance details are fencing and footpath and access tracks and these are discussed in more detail below.

The details submitted in respect of the remaining matters are all considered to be acceptable and appropriate.

#### Restoration and Aftercare - Public Access/Path Networks/Fencing

In terms of the connectivity of the paths, then it should be made clear that those paths which are shown as Phase One, and are outside of the red line boundary are indicative only and the provision of these is not guaranteed, as it is subject to other funding regimes not within the control of either Viridor or the Local Planning Authority; and as such these should not be considered by members as part of this application.

In relation to the fencing, the updated RAMP (June 2015) states that once the restoration has been completed, the existing security fencing to the southern section of the site will be repositioned within the first year following the completion of restoration. This will help facilitate greater access to the site. In addition to this, an amended plan has been submitted showing the fence line to the rear of the Standish estate being set back to allow a more pleasant access route and bridleway corridor.

The remainder of the site will however, remain inaccessible until the risk from the landfill has been assessed to be sufficiently low and the majority of the gas and leachate infrastructure has been removed. It is proposed that the assessment of risk will be reviewed on a biennial basis.

The operator proposes a biennial review, the results of which will be reported to the LPA. The benefit of this is that it will help to keep the matter of public access on the public agenda. The LPA does not however, have the power to challenge the findings and force access to the site against the landowners consent for the aforementioned reasons. The requirement to submit this biennial review can be conditioned but the power of the LPA beyond this requirement is limited. It is noted that there are strong calls for this to be a public and accountable process, controlled by the LPA and planning condition, but this is not considered to be enforceable in planning terms.

It is noted that this limited access is disappointing for the local community, as demonstrated by the number and nature of representations received. However, in terms of the position the LPA finds itself in, the previous application did refer to the opening of the site post restoration, but there were caveats to this contained within Volume 1 of the Environmental Statement, and the actual date of public access was not conditioned as part of the previous application, which limits the potential of the LPA to deal with this matter now, as part of this section 73 consent.

To clarify this caveat for the benefit of members, paragraph 4.7 of the aforementioned original Environmental Statement states that "On completion of the restoration operations the site will be available for public access". However, paragraph 5.12 states that, "When the vegetation is adequately established and subject to site management considerations the land will be available for public access." Paragraph 23.20 states "as the site is progressively brought into public use the boundary fences will be removed" and paragraph 24.8 states that, "the site will be restored progressively to a community woodland park. The site will be made available to local residents as soon as the vegetation is sufficiently well established to support public use subject to health and safety considerations." Paragraph 25.9 states that pollution control infrastructure will be retained in site until it is agreed with the Environment Agency that it can be removed from the site and paragraph 25.10 states that, "The site will be restored progressively to ensure that the area where landfilling operations are complete will be vegetated quickly. Public access to the site will be granted progressively when vegetation is established and subject to safety and security considerations."

As members can see from the above text quotes there was never a formal commitment to providing access immediately post completion of restoration in 2020. Indeed there was a direct avoidance of the matter and caveating throughout the submitted Environmental Statement, which makes it very difficult for the LPA to argue for immediate access on the basis of the previous permission.

The LPA also cannot ignore that the site is for the majority within private ownership (Viridor own the majority of the site, SCC own the southern portion which is to be opened up to the public sooner, as it will not be subject to tipping, as per this application) and that there are known liabilities associated with the landfill infrastructure which exists on site.

Over recent years a number of discussions have been had with Viridor regarding the opening up of the site sooner, burying infrastructure, changing the fencing to just be around the infrastructure points at a point in the future, using stock fencing and agricultural animals to discourage access to well heads and infrastructure. At all stages these measures have been resisted by Viridor on cost and liability grounds. Issues of animal welfare have also been raised in relation to using these as a means of security onsite. The privately owned nature of the site and the unwillingness of the operator/owner to expose itself to liabilities, and the extant permission as a fall-back, is a significant restriction on the ability of the LPA to seek greater access to the site.

Whilst the proposed access may be disappointing for the local community and members, it is considered that the proposal for public access and the path network, as put forward as part of this application to vary the condition is acceptable, in the simplest of planning terms.

The layout of paths has been amended since the original submission and access paths for the site are divided into 3 categories. Primary access which will be suitable for maintenance vehicles, secondary access suitable for pedestrian usage and tertiary access in the form of mown grass paths. The overall management regime for these paths, as detailed, is considered to be acceptable.

The paths shown within phase one and within the red line boundary show that the site works will result in enhanced access from south to north via the rear of the Standish estate and from west to east via the edge of the ski village. This is considered to be an improvement on the existing situation, and will help with the overall connectivity of the site.

The paths within the fence line, and which are shown to be available for public use, when the site is deemed to be safe, are all considered to be acceptable in terms of the principle of their siting and the connectivity and accessibility they will offer. The path network will offer a mix of uses from pedestrians to cycles, but the final designation of these will be dealt with through the imposition of a condition in order to ensure that there will be designated footpaths and bridleway access rather than just permissive paths, as per the terms of the original consent.

## Summary

Overall, it is not considered that the proposals for the revised landform and the associated alterations and revisions to the previously approved Environmental Statement will have an adverse effect upon either the environment, or amenity of local residents/businesses and users, and the proposal is considered to be in accordance with the aims and policies of the NPPF, Sheffield City Council's Core Strategy and Unitary Development Plan. Whilst there may be some elements of the

scheme that may not be desirable, such as the restricted access provision, it is not considered that it would be appropriate or justifiable to refuse this application, given that it is to vary the conditions of an extant permission.

It is therefore recommended that the wording of condition 3 be amended to refer to the updated Environmental Statement.

Current Wording of Condition 4: Unless otherwise agreed in writing by the Planning Authority the site shall be landfilled and restored in the manner consistent with drawing references VI/PA/07-05/12298b to VI/PA/07-05/12298g inclusive presented in the Environmental Statement dated 21 July 2005.

As is discussed earlier in this report the revised drawings are considered to be acceptable in terms of both the principle of the proposal and the impact of the revisions. It is therefore recommended that this condition be varied to reflect the updated drawing numbers.

Current Wording of Condition 18: Surface water management programme shall be in accordance with the details submitted in the application and Environmental Statement dated 21 July 2005.

Yorkshire Water has stated that the site drainage and hydrology document dated May 2016 is satisfactory. The majority of the surface water will be directed to the culvert to the south of the site. A smaller section will continue to drain to the public combined sewer in Parkwood Road. Surface water discharge to both the culvert and the public combined sewer will be restricted with storage up to and including 1 in 100+30% event. The discharge to the public combined sewer will be limited to 17.6litres per second.

It is therefore recommended that this condition be varied to refer to the revised details.

Current Wording of Condition 19: The site shall be restored and landscaped in accordance with a scheme, submitted by the operator, which has the written approval of the Planning Authority. A scheme for this purpose for the areas shall be submitted not later than twelve months from the date of this permission and thereafter shall be implemented as approved. The scheme shall be based on the indicative strategy shown on M03139.10 in the Environmental Statement dated 21 July 2005 which makes provision for the progressive restoration of the site.

The condition can no longer be complied with in respect of the dates listed as these are now passed and no formal approval of the scheme has been issued by the Local Planning Authority. However, this current application includes an updated restoration strategy and as discussed earlier in this report, it is considered that the details of the strategy are acceptable. Therefore, it is recommended that the condition be deleted and that the requirements of this be included in an overall compliance condition relating to the restoration scheme.

The following wording is suggested: The site shall be restored and landscaped in accordance with the details submitted and approved in plans set out in condition 2 of this approval, the updated Environmental Statement and any details required to be submitted and approved by the Local Planning Authority as part of a conditions application.

## RESPONSE TO REPRESENTATIONS

Concerns which relate to the safety of the site in respect of the filled materials, capping layer, ongoing maintenance liabilities for the tipped materials, leachate and gas migration and infrastructure etc. are matters covered by the environmental permit and are not for consideration as part of this planning application, as this would be a duplication of roles and restrictions, not within the remit of the planning service. The responsibility for this will remain with the Environment Agency.

Matters relating to paths outside the application boundary, the availability of access and the timescale for this, along with the integrity and control over the biennial reviews are covered within the main body of this report. It is noted that there are disappointing elements in respect of the timescale for access and the biennial review, but it is not considered that the LPA has any further control over this matter than that which is established as part of this application.

It is noted that there is some concern regarding the clarity of timescales as a principle. The nature of the site and proposal does however, mean that the exact timescales will be difficult to set out. The settlement of the tipped material and capping combined with the associated movement of the ground gas and leachate infrastructure with settlement of the landform means that whilst approximate timeframes may be given, the exact timeframe cannot. The existence of this infrastructure will also be dependent upon the time taken for the landfilled material to breakdown and stop emitting gas and producing leachate, which makes it difficult to give an exact timeframe.

In respect of the concerns regarding the mix of paths (including their designation and suitability for a variety of users) and the phased access, it is recommended that conditions be applied to the consent which will ensure that these matters are addressed and appropriate access provided.

The width of the path at the rear of the Standish Estate has been shown as being widened on the amended plans in response to a number of concerns regarding this access. Similarly, a network of paths which seek to connect the landfill site to the wider area are also shown on the phased access plans, and which seek to address concerns raised. It should be noted however, that those paths which are outside the red line boundary are not within the gift of this application and will require on future funding. As it is outside the red line boundary, the provision of these cannot be required.

Beighton is an often cited example, as to how Parkwood Springs Landfill could operate. The key difference here is that the Beighton site is in City Council ownership and the Parkwood site is within private ownership. The LPA cannot force a private landowner, if they are unwilling, to adopt a particular stance in



respect of liability. There have been a number of discussions seeking to achieve a more favourable position in respect of the infrastructure and access but the landowner has confirmed the position that greater access will be provided to the southern section of the site, outside of the landfill area within the first year following the completion of restoration but that full site access will only be provided once the risk from the landfill has been assessed to be sufficiently low and the majority of gas and leachate infrastructure removed. The assessment of risk to take place on a biennial basis. As such, the proposal put before members is considered to be the best available solution.

The provision of regular supervised access to the site, prior to full public access being available, is at the discretion of the landowner and the LPA does not have the powers to require this.

The plans allow for future connectivity to the ski village and wider area and in this respect it is considered reasonable in response to concerns raised. Given that the future of the ski village site is currently undetermined, it is difficult to develop this any further than to allow for a future connection through to be made.

A major cause of the delay in determining the application has been addressing the concerns relating to surface water on the site. It is considered that the revised proposals will serve to address the concerns raised in relation to surface water during the neighbour consultation period.

It is noted that a number of future uses of the site have been suggested for the site, but the aim for the site, in accordance with the Core Strategy, is that the site should form part of a new City Park. The extant permission also requires the restoration of the site to a landscaped state rather than as provision for a future development site or other use.

The management plan submitted is considered to be acceptable for the purpose intended.

The inaccuracies on the application forms, such as that the site is visible from public footpaths are noted and officers have assessed the application based on the situation on site rather than based purely on the circumstances set out on the application forms.

Allegations regarding the fill of this site and its toxic or hazardous nature are not considered to be matters for consideration as part of this section 73 planning application to vary the conditions.

## SUMMARY AND CONCLUSION

Overall, it is recommended that the conditions requested be varied to accommodate the revised profile, restoration plans, environmental statement and drainage details. The proposal ultimately remains satisfactory with regards planning policy at both a national and local plan level. The timescale for the closure of the site will be brought forward, which is a positive factor for the local community, and the principles of the restoration proposal are similar to that which was previously approved. The details in respect of surface water will result in an enhancement of the current situation and best practice drainage, in that surface water should not be discharged to the public sewer, and will also serve to enhance the biodiversity on site. Overall, it is considered that the proposed changes are satisfactory with regards the aims of the NPPF, Core Strategy and Unitary Development Plan. It is therefore recommended that the conditions applied for be varied and that new conditions be applied as appropriate and as required by the amended scheme put forward.



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Regeneration & Development Services

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**Date:** 20<sup>th</sup> September 2016

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Claire Woods 0114 2734219

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**Summary:**

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO PLANNING &  
HIGHWAYS COMMITTEE  
20 SEPTEMBER 2016

### 1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

### 2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for 1x internally illuminated free-standing sign at Unit 5A Leopold Square Sheffield S1 2JG (Case No 16/01664/ADV)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a two/single-storey rear extension to dwellinghouse including glass balustrade at upper ground floor level (Resubmission of 15/03157/FUL) at 112 Westwick Crescent Sheffield S8 7DJ (Case No 16/01439/FUL)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the decision of the Council at its meeting of 15/03/2016 to refuse with enforcement action planning consent for siting of a log cabin to rear of garden (Retrospective Application) at 38 Sandy Acres Close Sheffield S20 7LT (Case No 16/00263/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that the building dominates the appeal garden and detracts from the open layout of the neighbourhood, appearing unacceptably out of scale and obtrusive. She concluded that the cabin appears overbearing and to cause a loss of outlook from the garden at number 32 adjacent, as well as overshadowing due to the orientation of the garden, thus unacceptably reducing the ability of the occupier of 32 to make reasonable enjoyment of their garden. She therefore dismissed the appeal.

(ii) An appeal against the delegated decision of the Council to refuse advertisement consent for a freestanding 48 sheet LED advertising unit at Motorpoint Arena Broughton Lane Sheffield S9 2DF (Case No 16/00108/HOARD) has been dismissed.

Officer Comment:-

The Inspector considered that, due to its size and height, the hoarding would be a prominent feature in views from the surrounding area, particularly along the adjacent major highway. It would appear an isolated and alien feature intruding into the street scene, exacerbated by the proposed illuminated LED screen. For this reason he considered the sign to be in conflict with UDP policy BE13 and the National Planning Policy Framework and dismissed the appeal.

(iii) An appeal against the delegated decision of the Council to refuse planning permission for the erection of a bungalow at the curtilage Of 351 Hall Road Sheffield S9 4AF (Case No 15/03189/FUL) has been dismissed.

Officer Comment:-

The Inspector concluded that the footprint of the proposed bungalow and its single storey nature would be at odds with the character of the area, which consists of the rear gardens of neighbouring properties where built development is restricted to small scale ancillary buildings (sheds and garages) giving a generally undeveloped appearance where there are no other dwellings. As a result the dwelling would appear incongruous with the existing pattern of development and the street scene. It would therefore cause harm to the character and appearance of the area, contrary to UDP, Core Strategy and national policies.

The Inspector also concluded that the lack of adequate vehicular turning facilities on the site would result in vehicles reversing onto Handsworth Road which would be detrimental to road safety.

For these reasons the Inspector dismissed the appeal.

(iv) An appeal against the delegated decision of the Council to refuse planning permission for the conversion of part of flower shop to flat (re-submission of 14/04166/FUL) at Katie Peckett 884 Ecclesall Road Sheffield S11 8TP (Case No 15/04040/FUL) has been dismissed.

Officer Comment:-

The Inspector noted the main issue was the effect on the living conditions of future occupiers, particularly with regard to outlook, light and ventilation.

She considered that the bedroom would be poorly served with natural light, and the outlook from the lounge kitchen area, at a fence only 2m away would provide a poor outlook for future occupants.

She did not consider the proximity of domestic bins storage to adversely affect opportunities for ventilation, nor did she feel the scheme represented overdevelopment, feeling that adequate external amenity space was provided.

She therefore dismissed the appeal as harming living conditions of future occupants in respect of outlook and light, contrary to UDP policies H5 and S10 and paragraph 17 of the NPPF.

(v) An appeal against the delegated decision of the Council to refuse planning permission for the erection of a boundary wall at 2 Knowle Croft Sheffield S11 9SR (Case No 15/04566/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the boundary wall on the character and appearance of the area.

She identified the main characteristic of boundary treatments in the area was low, mainly stone walls and hedges, and considered the proposed wall's 1.8m to 2.1m height, along a length of over 12m would be intrusive and out of character with the street scene, in conflict with policy CS74 of the Core Strategy and dismissed the appeal.

(vi) An appeal against the delegated decision of the Council to refuse planning permission for a three-storey/single-storey rear extension, first and second floor side extension to form two flats above shop at Age UK 221 Fulwood Road Sheffield S10 3BA (Case No 15/02668/FUL) has been dismissed.

Officer Comment:-

The main issues were (i) whether the proposals would preserve or enhance the character or appearance of the Broomhill Conservation Area (CA), and (ii) the effect of the proposal on the living conditions of neighbouring occupiers, having regard to odour and light.

The Inspector agreed with officers that the cumulative effect of alterations to the roof of the building would appear as an awkward and incongruous feature, detracting from the special character of no's 213-219 Fulwood Road, so would fail to preserve or enhance the character and appearance of the CA. He was mindful of the provision of two flats in an area of demand for housing but although the harm to the CA was less than substantial, this benefit did not outweigh the harm.

He agreed with the Council that the proposal would leave adjacent flats with a poor level of natural light and that despite lack of objection from the residents, this would represent unacceptable living conditions, contrary to the aims of UDP policy S10.

He did not agree however that the proposal would result in unacceptable odours from bin storage areas adjacent to the flats.

(vii) An appeal against the decision of the Council at its meeting of 19/01/2016 to refuse planning permission for the change of use from retail (Use Class A1) to a betting shop (Sui Generis) including minor external alterations (as per amended plans received 06.11.15) at Site Of Pasha 190 London Road Sheffield S2 4LT (Case No 15/03286/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect the change of use would have on the vitality and viability of London Road District Shopping Centre (LRDSC).

He noted the unit was currently vacant and the balance of uses within the LRDSC was 42% retail 58% non-retail and agreed that retail uses were not

dominant as required by UDP policy S10.

The policy allows for further loss of retail units where there is no prospect of a preferred A1 retail use coming forward, but the Inspector did not consider that the extent of evidence submitted by the appellant, or the period of unsuccessful marketing (7-8 months) was sufficient to demonstrate there was no prospect of future retail use.

The Inspector noted the potential benefits of reuse of the building and associated improvements in its condition, but felt there was no evidence to suggest these would be any greater than those associated with a preferred retail use. He gave little weight to a similar case in Doncaster raised by the appellant, and dismissed the appeal for failure to comply with policy S10.

#### 4.0 APPEALS DECISIONS - ALLOWED

(i) To report that an appeal against the delegated decision of the Council to grant conditionally planning consent for application to amend with condition 2 (Approved plans) imposed by planning permission 12/02972/FUL (Erection of 27 apartments in 1 x 3/4 storey block with associated car parking accommodation (Application under Section 73)) at The Hill (Former Uppertorpe School) Daniel Hill Walk Sheffield (Flats, 59-63, 63A, 65, 67 And 69 Daniel Hill Mews) (Case No 15/01727/FUL) has been allowed.

Officer Comment:-

The appeal was made over the wording of a number of the conditions. And the Inspector considered whether each of the disputed conditions continued to fulfil a necessary and reasonable planning purpose. As a result, a number of conditions were refined, a number amended to take into account the current circumstances and a number discharged or removed as they were no longer necessary

A costs application was made by the appellant but unreasonable behaviour resulting in unnecessary expense was not demonstrated so the award of costs was not justified.

(ii) An appeal against the delegated decision of the Council to refuse planning permission for the erection of first-floor side extension to dwellinghouse (re-submission of 15/02725/FUL) at Barnes Green House Elliot Lane Sheffield S35 8NR (Case No 16/00454/FUL) has been allowed conditionally.

Officer Comment:-

The main issues were whether the proposal would be inappropriate development in the Green Belt, the effect on the openness of the Green Belt and the effect on the character and appearance of the area.

The National Planning Policy Framework (NPPF) in para 89 states that extensions would not be inappropriate development provided that it does not result in disproportionate additions over and above the size of the original

building. This is more flexible than the Council's UDP policy GE6 and Guideline 9 of the "Designing House Extensions" Supplementary Planning Guidance which seek to restrict extensions to 33% volume over and above the volume of the original house and for larger properties, a more modest increase.. Taking this into account, The Inspector was of the view that the proposed extension was to a larger house but was not disproportionate and therefore not inappropriate.

As the proposal was not inappropriate, it could not be harmful to the openness of the Green Belt.

The Inspector also considered that the proposed extension would not be widely visible and the setting of Banes Hall, a listed building, would not be adversely affected. The removal of a flat roof would be a visual benefit.so there would be no detrimental impact on the character of the area. Accordingly, the appeal was allowed.

## 5.0 RECOMMENDATIONS

That the report be noted

Mike Hayden  
Head of Planning

*20 September 2016*