

Planning and Highways Committee

Tuesday 19 February 2019 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

Councillors Dianne Hurst (Chair), Peter Rippon (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Alan Law, Robert Murphy, Zahira Naz, Peter Price, Chris Rosling-Josephs and Andrew Sangar

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

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. 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 Simon Hughes on 0114 273 4014 or email simon.hughes@sheffield.gov.uk.

FACILITIES

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.

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
19 FEBRUARY 2019**

Order of Business

- 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 29 January 2019
- 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 - 10)

Report of the Director of City Growth
- 8. Harrison Fisher & Co Ltd, Eye Witness Works, Milton Street, Sheffield, S3 7WJ (Case No. 18/04237/LBC)** (Pages 11 - 16)
- 9. Harrison Fisher & Co Ltd, Eye Witness Works, Milton Street, Sheffield, S3 7WJ (Case No. 18/04236/FUL)** (Pages 17 - 44)
- 10. Site Of Sheffield Testing Laboratories Ltd, 58 Nursery Street, Car Park On Johnson Lane, Sheffield, S3 8GP (Case No. 18/04146/FUL)** (Pages 45 - 70)
- 11. Land Between Skye Edge Road, Skye Edge Avenue, Sheffield (Case No. 18/03851/FUL)** (Pages 71 - 104)
- 12. Land At Rear Of 79 Dore Road, Sheffield, S17 3ND (Case No. 18/02607/FUL)** (Pages 105 - 126)

13. **37 Nethergate, Sheffield, S6 6DH (Case No. 18/01888/FUL)** (Pages 127 - 144)
14. **Land Adjacent 14 Park Drive Way, 6 Patterson Close And At Rear Of 8 To 26 Paterson Close Park Drive Way, Sheffield, S36 1JF (Case No. 18/00162/FUL)** (Pages 145 - 168)
15. **Hare And Hounds, 77 Church Street, Stannington, Sheffield, S6 6DB (Case No. 17/03904/FUL)** (Pages 169 - 196)
16. **Record of Planning Appeal Submissions and Decisions** (Pages 197 - 200)
Report of the Director of City Growth
17. **Date of Next Meeting**

The next meeting of the Committee will be held on Tuesday 12th March 2019, at 2pm, in the Town Hall.

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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 Audit and 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.

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Planning and Highways Committee

Meeting held 29 January 2019

PRESENT: Councillors Dianne Hurst (Chair), Peter Rippon, David Baker, Jack Clarkson, Michelle Cook, Roger Davison, Alan Law, Robert Murphy, Zahira Naz, Peter Price, Chris Rosling-Josephs and Andrew Sangar

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Tony Damms, but no substitute was 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 Councillors Jack Clarkson and Alan Law declared personal interests as local Ward Councillors in an application for planning permission for erection of single-storey rear extension to dwellinghouse at 10 Pen Nook Drive, Sheffield, S36 2TW (Case No. 18/03709/FUL). Councillors Clarkson and Law declared that they had not given an opinion on the application prior to the meeting and would therefore take part in the discussion and vote.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the Committee held on 18 December 2018 were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Chief Planning Officer, 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. TREE PRESERVATION ORDER 424: 124 CAUSEWAY HEAD ROAD, SHEFFIELD

6.1 The Director of City Growth submitted a report seeking to confirm Tree Preservation Order No. 419A at land at 124 Causeway Head Road, Sheffield. A copy of the Order and the Tree Evaluation Method for Preservation Orders were attached to the report now submitted.

6.2 **RESOLVED:** That no objections having been received, Tree Preservation Order No. 424, made on 12 September 2018, on land at 124 Causeway Head Road, Sheffield, be confirmed unmodified.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7.1 **RESOLVED:** That 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 and as amended 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.

8. ELECTRICITY SUBSTATION ADJACENT 33 BROWN LANE, SHEFFIELD S1 2NH (CASE NO. 18/02533/FUL)

7a.1 Following consideration of a clarification to the report, as outlined in a supplementary report circulated at the meeting, and having heard representations at the meeting from the Planning Consultant speaking in support of the application, an application for planning permission for alterations and extensions to substation to form bar/restaurant (Use Class A3/A4) including outdoor seating area (as per amended drawings dated 07/01/19) at Electricity Substation adjacent to 33 Brown Lane, Sheffield, S1 2NH (Case No. 18/02533/FUL) be granted, conditionally, for the reasons detailed in the report, now submitted.

9. ENTERPRISE HOUSE SITE ADJACENT TO 1 HUNSHELF PARK, SHEFFIELD S36 2BT (CASE NO. 17/05131/FUL)

7b.1 Following consideration of additional information, and subject to the inclusion of an additional directive, as outlined in a supplementary report circulated at the meeting, and having heard representations at the meeting from the Planning Consultant and applicant speaking in support of the application an application for planning permission for the erection of 10no dwellings with ancillary parking and access works at Enterprise House Site adjacent to 1 Hunshelf Park, Sheffield, S36 2BT (Case No. 17/05131/FUL) be granted, conditionally for the reasons detailed in the report, now submitted.

10. 10 PEN NOOK DRIVE, SHEFFIELD, S36 2TW (CASE NO. 18/03709/FUL)

7c.1 An application for the erection of a single-storey rear extension to dwellinghouse at 10 Pen Nook Drive, Sheffield, S36 2TW (Case No. 18/03709) be granted, conditionally for the reasons detailed in the report, now submitted.

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 8.1 The Committee received and noted a report of the Chief Planning Officer detailing the outcome of a recent planning appeal, along with a summary of the reasons given by the Secretary of State in his decision.

12. DATE OF NEXT MEETING

- 9.1 It was noted that the next meeting of the Committee would be held at 2.00pm on Tuesday 19 February 2019.

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date:

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond, Chris Heeley and Adam Chapman 2039183

Summary:

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

Recommendations:

Background Papers:

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.

Category of Report: OPEN

Application No.	Location	Page No.
18/04237/LBC (Formerly PP-07261219)	Harrison Fisher & Co Ltd Eye Witness Works Milton Street Sheffield S3 7WJ	
18/04236/FUL (Formerly PP-07261219)	Harrison Fisher & Co Ltd Eye Witness Works Milton Street Sheffield S3 7WJ	
18/04146/FUL (Formerly PP-07319381)	Site Of Sheffield Testing Laboratories Ltd And 58 Nursery Street And Car Park On Johnson Lane Sheffield S3 8GP	
18/03851/FUL (Formerly PP-07319519)	Land Between Skye Edge Road And Skye Edge Avenue Sheffield	
18/02607/FUL (Formerly PP-07112188)	Land At Rear Of 79 Dore Road Sheffield S17 3ND	
18/01888/FUL (Formerly PP-06976873)	37 Nethergate Sheffield S6 6DH	
18/00162/FUL (Formerly PP-06660143)	Land Adjacent 14 Park Drive Way And 6 Patterson Close And At Rear Of 8 To 26 Paterson Close Park Drive Way Sheffield S36 1JF	
17/03904/FUL (Formerly PP-06369569)	Hare And Hounds 77 Church Street Stannington Sheffield S6 6DB	

Case Number	18/04237/LBC (Formerly PP-07261219)
Application Type	Listed Building Consent Application
Proposal	Part demolition and extension of existing buildings, conversion of existing buildings and erection of a six-storey building to create a total of 97 residential units, ground floor commercial unit and associated landscape works
Location	Harrison Fisher & Co Ltd Eye Witness Works Milton Street Sheffield S3 7WJ
Date Received	08/11/2018
Team	City Centre and East
Applicant/Agent	Mr Andy McMullan
Recommendation	Grant Conditionally

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 Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Approved/Refused Plan(s)

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

EWW SKM (00) 100 site location plan

EWW SKM (00) 110 proposed site boundary plan

EWW SKM (00) 111 proposed basement plan

EWW SKM (00) 112 proposed ground floor plan

EWW SKM (00) 113 proposed first floor plan

EWW SKM (00) 114 proposed second floor plan

EWW SKM (00) 115 proposed third floor plan

EWW SKM (00) 116 proposed fourth floor plan

EWV SKM (00) 117 proposed fifth floor plan
EWV SKM (00) 118 proposed roof plan

EWV SKM (00) 210 proposed elevations - sheet 01
EWV SKM (00) 211 proposed elevations - sheet 02
EWV SKM (00) 212 proposed elevations - sheet 03
EWV SKM (00) 213 proposed elevations - sheet 04
EWV SKM (00) 214 proposed elevations - sheet 05

EWV SKM (00) window justification statement
EWV SKM (00) design and access statement
EWV SKP 01- 05 cycle storage plan / schedule
EWV SKP 06 retained features plan - ground floor
EWV SKP 07 retained features plan - first floor
EWV SKP 08 retained features plan - second floor
EWV SKP 06 retained features plan - ground floor

Reason: In order to define the permission.

Pre-Commencement Condition(s)

Pre-Occupancy and Other Stage of Development Condition(s)

3. Before any works on the building(s) commence a full Schedule of Works, identifying all of the works inside and outside the building(s) including drawings and specifications, shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved Schedule of Works.

Reason: In order to protect the character of the original building as, if works commence without this in place, there is potential for unacceptable harm to occur.

4. 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.

5. 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 before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

6. 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:

Windows, window reveals and window surrounds;
Doors and door surrounds;
Rooflights
Abutment of new internal and external walls to existing fabric

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

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

7. Masonry shall be pointed or bedded using a lime mortar mix that is weaker than the surrounding masonry. The colour of the new mortar should match the original mortar before weathering. No proprietary coloured mixes of pigments shall be used. A sample panel of proposed pointing shall be approved in writing by the Local Planning Authority before that part of the works commences.

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

8. Details of the extent and specification of brick/stone repair and cleaning shall be submitted to and approved in writing by the Local Planning Authority prior to that part of the works commencing and the works shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure that the fabric of the building is not damaged.

9. The design and location of all new internal and external light fittings shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to protect the character of the original building.

10. Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason: In order to protect the character of the original building.

Other Compliance Conditions

11. There shall be no replacement, alteration or repair of any part of the original roof structure without the prior written approval of the Local Planning Authority of details of timbers to be removed, altered and repaired and details and specifications of all replacement timber members.

Reason: In order to ensure that inappropriate alterations are avoided.

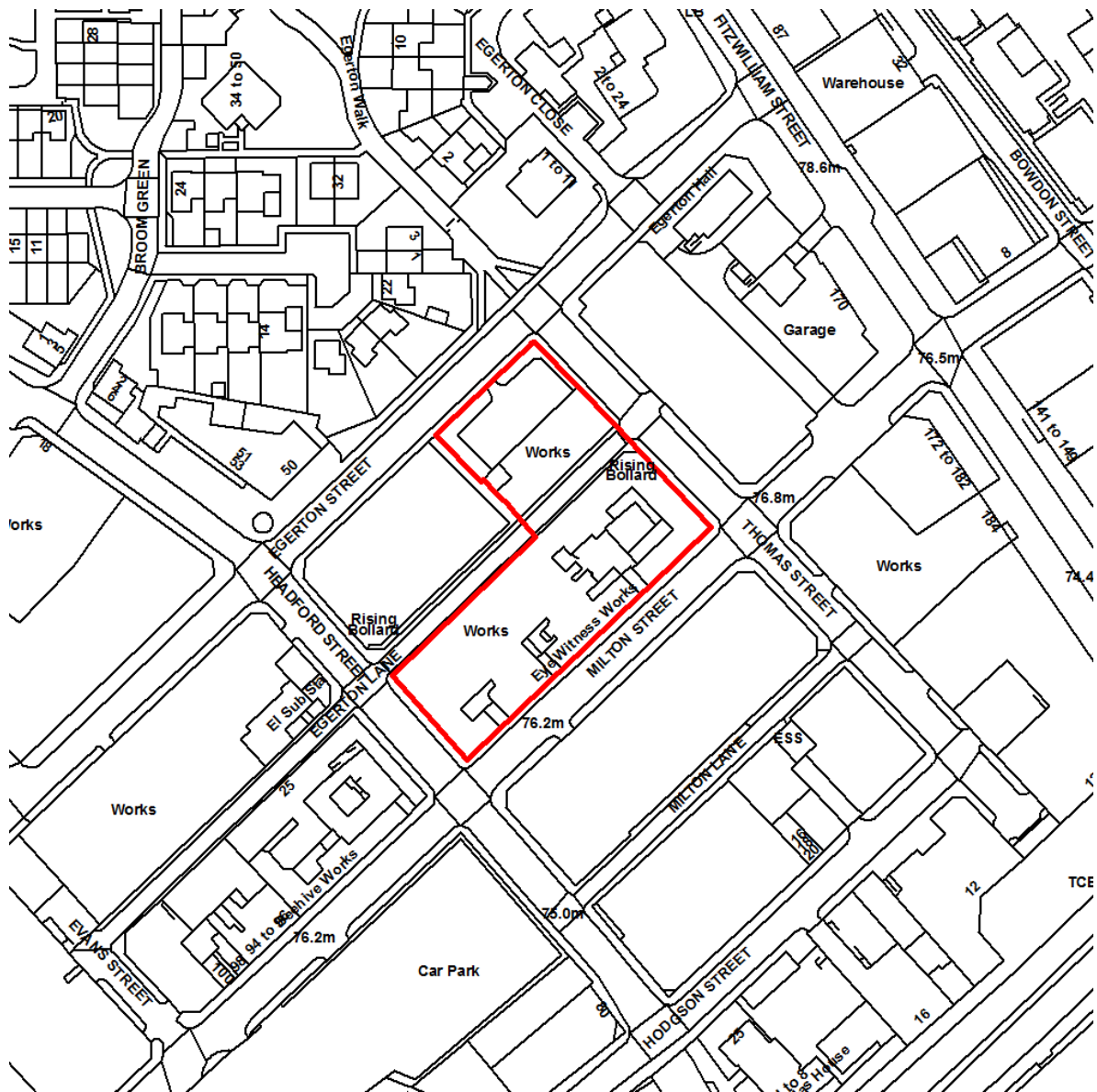
12. All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

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

13. Chimney stacks and pots shall be retained in situ and, where repaired, should be reinstated to their original appearance using materials to match existing.

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

Site Location



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For main report see 18/04236/FUL

Case Number	18/04236/FUL (Formerly PP-07261219)
Application Type	Full Planning Application
Proposal	Part demolition and extension of existing buildings, conversion of existing buildings and erection of a six-storey building to create a total of 97 residential units, ground floor commercial unit and associated landscape works
Location	Harrison Fisher & Co Ltd Eye Witness Works Milton Street Sheffield S3 7WJ
Date Received	08/11/2018
Team	City Centre and East
Applicant/Agent	Mr Andy McMullan
Recommendation	Grant Conditionally

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:

EWW SKM (00) 100 site location plan

EWW SKM (00) 110 proposed site boundary plan

EWW SKM (00) 111 proposed basement plan

EWW SKM (00) 112 proposed ground floor plan

EWW SKM (00) 113 proposed first floor plan

EWW SKM (00) 114 proposed second floor plan

EWW SKM (00) 115 proposed third floor plan

EWW SKM (00) 116 proposed fourth floor plan

EWW SKM (00) 117 proposed fifth floor plan

EWW SKM (00) 118 proposed roof plan

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EWW SKM (00) window justification statement
EWW SKM (00) design and access statement
EWW SKP 01- 05 cycle storage plan / schedule
EWW SKP 06 retained features plan - ground floor
EWW SKP 07 retained features plan - first floor
EWW SKP 08 retained features plan - second floor
EWW SKP 06 retained features plan - ground floor

Reason: In order to define the permission.

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

3. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
 - The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.
 - The provision to be made for deposition of the archive created.
 - Nomination of a competent person/persons or organisation to undertake the works.
 - The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

4. Intrusive investigations as recommended in the approved Phase 1 Desk Study Report No. 7943/G/01 (Jan 2018) 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 construction works commencing. 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 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

7. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to

be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

8. 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 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 an 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

9. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document plans and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual environmental or amenity impacts that cannot be adequately controlled at source.

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

10. 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.

11. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local

Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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.

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

12. 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.

13. No construction work shall commence until a detailed Employment and Training Strategy, which is designed to maximise local opportunities for employment from the construction phase of development, has been submitted to and approved by the Local Planning Authority.

The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

14. No above ground works shall commence until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The

footways shall be reconstructed using secondary palette materials in line with Sheffield City Council's Urban Design Compendium.

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

15. No above ground works shall commence, or an alternative timeframe to be agreed in writing by the Local Planning Authority, until full details of proposals for the inclusion of public art within the development 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.

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 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 before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

18. 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:

Windows, window reveals and window surrounds;
Doors and door surrounds;
Rooflights

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

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

19. 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 any above ground works commence, 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.

20. Prior to the installation of gates or barriers at either end of Egerton Lane, details of the gates or barriers shall first be submitted and approved in writing by the local planning authority.

Reason: To ensure access is available at all times.

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

a) Be based on the findings of approved the Noise Assessment report ref. P17-609-R01v2 (Aug 2018).

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); normally achieved.

External Areas: LAeq (16hour) 55dB

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.

22. 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.

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

23. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the Controlled Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

Reason: In the interests of highway safety and the amenities of the locality it is essential for this scheme to be in place before the use commences.

24. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Details showing the location of the external flue ducting and termination, which should include a low resistance cowl
- b) Acoustic emissions data for the system.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the systems required cleaning and maintenance schedule.
- e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

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

25. 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.

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.

Other Compliance Conditions

27. The development shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

28. The development shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

29. No customer shall be permitted to be on the premises of any commercial use adopted within the building outside the following times: 0700 hours to 2330 hours Monday to Saturday, and 0800 hours to 2300 hours on Sundays and Public Holidays.

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

30. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

31. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

32. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building 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.

33. No amplified sound or live music shall be played within the commercial use(s) hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be subject to written approval by the Local Planning Authority prior to installation.

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

34. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. The applicant is advised that, where development commences more than two years from the date of the original protected species surveys, an additional survey should be carried out to ensure that the ecological interests of the site are maintained and that no offence is committed in respect of protected species legislation.
2. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
 - (i) Reference to permitted standard hours of working: 0730 to 1800 Monday to Friday; 0800 to 1300 Saturday; and no working on Sundays or Public Holidays.
 - (ii) Prior consultation procedure (EPS & LPA) for extraordinary working hour's arrangements.
 - (iii) A communications strategy for principal sensitive parties close to the site.
 - (iv) Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.

- (v) A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
- (vi) A noise impact assessment - this should identify principal phases of the site preparation and construction works and propose suitable mitigation measures in relation to noisy processes and/or equipment.
- (vii) Details of site access & egress for construction traffic and deliveries.
- (viii) A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.admin@sheffield.gov.uk.

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, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
4. 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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email 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.

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:-

Highway Co-Ordination
Sheffield City Council
Town Hall
Sheffield
S1 2HH

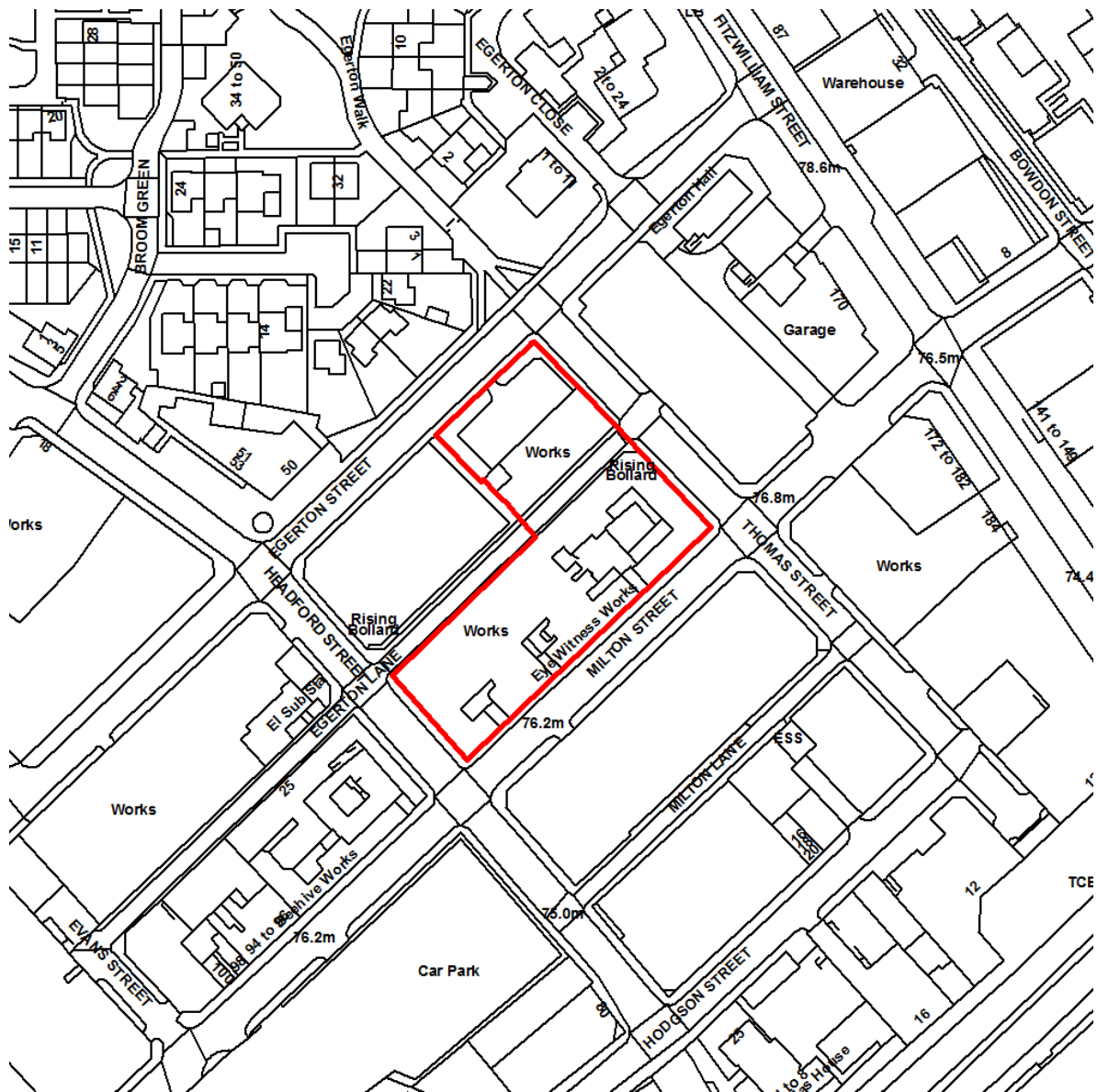
Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

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.

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

6. 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.
7. 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.
8. 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

Located on the north-western side of Milton Street, between Headford Street and Thomas Street, the L shaped application site comprises of Eye Witness Works and Ceylon Works, two grade II listed former cutlery works which form part of an important cluster of former cutlery works that also includes Beehive Works and Milton Works (both grade II*) to the west.

Plots to the south east and north east, on the opposite sides of Milton Street and Thomas Street respectively, are currently vacant, used only for car parking and the storage of materials.

To the north of the application site, on the opposite side of Egerton Street and partially screened by a row of mature trees, is two and three storey family housing. To the west is the car park and premises of Pryor Marking Technology (makers of marking and identification solutions).

The aforementioned Beehive Works has been divided up into small offices and workshops, plus a small sandwich shop at its eastern end, whilst Milton Works is now in residential use.

Planning and listed building consent are sought for the partial demolition and extension of the existing buildings, the conversion of existing buildings and the erection of a six storey building to create a total of 97 residential units and 1 ground floor commercial unit (classes A1 – A5).

RELEVANT PLANNING HISTORY

18/04214/ADV & 18/04207/LBC letter In January 2019, advertisement and listed building consent were granted for 2 internally illuminated individual name signs and 4 non illuminated painted letter signs in association with the applications for conversion.

18/02342/ADV & 18/02349/LBC In September 2018, advertisement and listed building consent were granted for a temporary period of 3 years for the erection of non-illuminated banner sign in association with the applications for conversion.

SUMMARY OF REPRESENTATIONS

The application was advertised by way of press and site notice and neighbour letters. No representations were received.

Historic England

In their consultation response, Historic England welcome the proposals to reuse the existing buildings, which are nationally important and make an important contribution to the story of the metal trades industry in Sheffield.

They consider the proposals to have developed out of an understanding and appreciation of the special character and significance of the buildings, but offered the following advice on aspects of the scheme which involve demolition and those which may impact upon the setting of the Grade II* listed Beehive Works.

- Removal of roof covering to south-west courtyard: originally the courtyards would have been used for loading and unloading, general circulation and to provide light into the narrow workshop ranges. Over time structures were constructed in the yards to meet the needs of the expanding business. The south-west courtyard is now entirely covered. The structure dates from the twentieth-century and so there is no objection to its removal, which could actually enhance the appreciation of the workshop ranges.
- Removal of structures from central courtyard: these structures are of greater interest with their pitched roofs and segmental brick arch headers to the windows. Their removal would therefore cause some minor harm to the significance of the listed building which would need to be justified in the context of facilitating the conversion of the spaces within the surrounding workshops.
- Retention of building in north-east courtyard: this is a positive aspect of the scheme. The primary contribution this structure makes to the significance of the listed building lies in its location, scale and form. We would not have any objection to some alteration of the structure to facilitate its reuse and the application drawings appear to be sympathetic to the scale and character of the complex.
- Internal alterations to Eyewitness Works: from the plans provided the proposals appear to work with the existing building structure. Any reuse of the buildings is likely to result in some harm due to subdivision, removal or relocation of historic features, but this has been minimised by taking a bespoke approach to each part of the building. Another positive aspect of the proposals is the layout of most of the units allows an appreciation of the full width of the ranges within the apartments.

The proposed townhouses at the north of the Milton Street range will create a 'bookend' with the Grade II listed terraces and back-to-backs at the south end of the street (adjacent to Beehive Works). The area surrounding the works would historically have been densely covered by terraces and back-to-backs and the reintroduction of this type of dwelling would be of benefit to the area.

The rhythm of the multiple windows along the front range of Eyewitness Works, which then continues into Beehive Works, is a key feature of both buildings and the impact on this should be carefully considered, whilst recognising that there is a desire to provide a contemporary intervention to differentiate these dwellings. At pre-application stage we saw an option for the treatment of the fenestration on the townhouses which retained the existing sash windows and introduced a contemporary door surround at ground floor level. We were supportive of this option as it retained the existing windows and the rhythm of fenestration along Milton Street. This would be our preferred option.

- Internal alterations to Ceylon Works: the proposed plans indicate there is little demolition proposed which we welcome.

- Proposed new build block: the principle of a new build block in the location proposed is acceptable. This area would historically have been very densely developed with back-of-pavement industrial and residential buildings and the existing use of the site for surface car parking is detrimental to the setting of the listed buildings.

The Thomas Street elevation shows that the existing buildings step up from Eyewitness Works to Ceylon Works. However we are concerned that the height of the proposed new build will overshadow Ceylon Works, particularly the rear ranges and in the view along Thomas Street. Large, deep and flat-roofed blocks of development are uncharacteristic of metal trades buildings and the height of the proposed block is increasing the impact.

The proposed open access decks would reduce the overshadowing impact to an extent and the exposed staircases are reminiscent of the external access stairs of the metal trades complexes which we welcome. The height of the proposed new build element should be justified, as a building with one less storey would sit more comfortably with the listed buildings in townscape terms.

Historic England refer to paragraph 192 of the National Planning Policy Framework, which highlights the "desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation". Overall they are supportive of the scheme for the repair, conversion and reuse of Eyewitness and Ceylon Works and consider that the proposals have considered the significance and character of the buildings. They believe some aspects of the proposals would cause less than substantial harm to the significance of the buildings and that this harm should have a "clear and convincing justification" and be weighed against the public benefits of the scheme

Conservation Advisory Group

Sheffield's Conservation Advisory Group (CAG) considered the proposals at their meeting on 11 December 2018. The Group welcomed the proposal to bring the listed Works back into use, but expressed concern at the height and scale and, especially, the facades of the new development on Milton Street and the treatment of the building to the rear. The Group considered that the landscaping proposals, for the internal courtyard, were inappropriate and should be reconsidered. They also opposed the use of aluminium windows within the new development.

PLANNING ASSESSMENT

Land Use

The revised National Planning Policy Framework (NPPF) reinforces the general presumption in favour of sustainable development as well as the Government's objective to significantly boost the supply of housing.

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing

against their housing requirement with an additional 5% buffer. This scheme will contribute towards the 5 year supply.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

The statutory development plan for Sheffield currently comprises of the Core Strategy (2009) and saved policies from the Unitary Development Plan (1998).

The site lies in a Fringe Industry and Business Area as defined in the Unitary Development Plan (UDP). Policy IB6 of the UDP (Development in Fringe Industry and Business Areas) relates to development in such areas and advises that business (B1), general industry (B2) and warehouse uses (B8) are the preferred uses of land but that housing is also considered to be acceptable in principle.

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) expects the preferred uses of land to remain dominant. However, general industry and warehouse uses are no longer preferred in this location, the UDP having been superseded by the more up to date Core Strategy.

Policy CS6 (f) of the Core Strategy (Manufacturing and the City Centre – Transition Areas) identifies the area as one from which manufacturing should be encouraged to relocate, while policy CS17(f) (City Centre Quarters) which now promotes a wide mix of uses in the area including city living, niche shops, restaurants and bars and a variety of business uses.

The application site is classed as previously developed and so the proposed development will help to achieve the aims of Core Strategy policy CS24, which seeks to maximise the use of previously developed land for new housing.

Core Strategy policy CS41 (Creating Mixed Communities) (a) aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. Typically this means that no more than half the new homes in larger developments should consist of a single house type. In this city centre location it is considered that provision should be made for a wide range of smaller households and the proposal for 42 one bed, 43 two bed and 12 three bed dwellings in a mix of apartments, duplex and town houses is considered to meet the aims of the policy.

Design and Impact on Heritage Assets

The National Planning Policy Framework (NPPF) advises that good design is a key aspect of sustainable development that creates better places in which to live and work and helps make development acceptable to communities (para. 124).

Policy BE5 of the UDP (Building Design and Siting) advises that good design and the use of good quality materials will be expected in all new developments while policy CS74 of the Core Strategy (Design Principles) advises that high-quality development is expected which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

In relation to the buildings listed status and its proximity to grade II* listed Beehive and Milton Works, chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies for the historic environment. Paragraph 193 states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' It goes on to say that any harm to the significance of a heritage asset requires 'clear and convincing justification' and that, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal' (para. 196).

A similar duty is required by Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, which states that that the local planning authority shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy BE15 of the UDP (Areas and Buildings of Special Architectural and Historic Interest) advises that buildings and areas of special architectural or historic interest will be preserved or enhanced and development that would harm their character or appearance will not be permitted. Similarly, policy BE19 (Development Affecting Listed Buildings) expects proposals for internal or external alterations, which would affect the special interest of a listed building, to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest.

Both Eyewitness Works and Ceylon Works are grade II listed buildings which together are an important and extensive example of a metal trade's complex, a form of development for which Sheffield is nationally renowned. The surrounding streets, though compromised by some large vacant plots, have a distinct character, with the streets set out in a gridded pattern with a clear hierarchy – i.e. wider streets alternating with narrower lanes.

The list description for Eye Witness Works states that it was constructed in phases between the early 1850's and c. 1890 and it continued to evolve until the mid-1900s. The complex comprises of a series of largely three storey red brick buildings arranged around three courtyards with Ceylon Works, a smaller red brick building, located across Egerton Lane and close to the corner with Thomas Street. The principal elevation, to Milton Street, houses the site's office and financial functions, packing rooms and a tool shop. A key feature of this elevation is the strong rhythm of the multiple windows, which also incorporates classical motifs, such as the Venetian windows that were fashionable at the time and used to reinforce a sense of status.

The courtyards are accessed from Milton Street via arched and gated cart entrances. The southern courtyard is flanked to the north-east by the tallest part of the complex, a four storey range with adjoining chimney. It is now fully enclosed and houses a number of machinery items.

The central courtyard incorporates a series of ancillary extensions, now dilapidated, whilst a two storey detached building occupies much of the northern courtyard, which again has been altered over time. The north-eastern end of Eye Witness Works, fronting Thomas Street, comprises of a 1950s range which is of little historic interest, but is nicely proportioned with large window openings and characteristic detailing.

Ceylon Works comprises of two distinct building types, a three storey frontage to Thomas Street that was designed to look like a pair of semi-detached houses with two doors and sash windows and a workshop and warehouse range to the rear. The land at the corner of Thomas Street and Egerton Street, adjacent Ceylon Works and within the site boundary is vacant.

The external fabric of the complex has been subject to some damage and has suffered from a lack of maintenance; however the building is understood to be in a reasonable condition having been in full time use up until a year ago. A number of openings have been in-filled and some original windows have been replaced. The south facing elevations of both Eyewitness Works and Ceylon Works have areas of cracking, with the elevation on Eyewitness Works having been rendered in recent times.

Most of the original structural fabric of the building – floors, columns, roof trusses - remains largely intact and some internal features of interest also remain, including fireplaces, chimney breasts and coving in the administrative block, a range, work benches and machinery.

The proposed development comprises of the conversion of the existing buildings and the erection of a six storey building to create a total of 97 residential units, including duplex apartments and townhouses and a ground floor commercial unit (classes A1 – A5) within the 1950s range fronting Thomas Street. The windows within the commercial unit will be lowered to ground level to create a shopfront like appearance and increase interaction with the street. In addition, a rooftop extension to the 1950's range will provide 2 two bedroom apartments with private terrace areas. It is considered that the form and finish of the rooftop extension, which is to be clad in aluminium, sits comfortably against the host building and wider complex.

The internal layouts have been designed to re-use as many of the existing walls and structures as possible but, in order to facilitate the conversion, there is a need to remove some existing structures and internal partitions, particularly at ground floor level and in the southern and central courtyards.

Many of the structures identified for removal are later additions and so do not raise any concerns in relation to the impact on the significance of the heritage assets.

Historic England commented that the removal of some structures from the central courtyard would cause some minor harm to the significance of the listed building. However, it is considered that the level of demolition, particularly within a complex of this scale, has been kept to a minimum, that the courtyards will benefit from an enhanced sense of space and that the resulting bespoke dwellings will retain a strong sense of the character of the original Works.

In Eye Witness Works the existing cart horse entrances will become points of entry for residents, though the townhouses will have their own front doors. The courtyards will be landscaped to provide shared outdoor amenity space and it is the applicant's intention to display existing machinery within the courtyards as art installations.

Dwellings within the converted buildings will feature exposed brickwork, timber beams and trusses and existing staircases will be re-used despite providing access to only a handful of apartments in each case.

In order to distinguish between the apartments and townhouse units, the applicant proposes to insert new steel sleeve surrounds to some doors and window openings within the townhouse facades. The 6mm thick steel plate surrounds which will project approximately 150mm beyond the building facades will act as a new, contemporary layer celebrating the building's new lease of life. While there is no objection to these additions along Headford Street, a relatively short elevation which has been subject to much change, concerns were raised by Historic England that they would interfere with the rhythm of windows along the long Milton Street elevation, which then continues along Beehive Works.

Historic England appreciate the desire to provide a contemporary intervention to differentiate these dwellings, but stated a preference for a simpler scheme which provides surrounds to the doors only. However, it is considered that the proposed window and door surrounds do not interrupt the strong linear proportions of the Milton Street façade and, because they are removable and located at the north-eastern end of the range, furthest away from Beehive Works, it is felt that their impact would not cause significant harm to the significance of the listed building or the setting of its grade II* listed neighbour.

As submitted, a large number of roof lights were proposed within the front slope of the pitched roof to Milton Street. These roof lights would have been visible from the adjoining streets and it was considered that they would have a detrimental impact on the character of the listed building. The applicant agreed to reduce the number of roof lights and they are now located on inward roof slopes only.

Also as submitted, the wholesale replacement of existing windows with new aluminium windows was proposed. While there are some metal windows within later additions of the complex, the wholesale introduction of new aluminium windows was not supported and it was felt that, in order to protect the character of the listed buildings, original windows should be re-used where possible and any new windows should be constructed from timber and reflect the original design.

The applicant submitted a revised window strategy which identified a number of problems with the existing windows including the high number of styles and patterns, reflecting the evolution of the complex but also the subsequent poor replacements, a large number of very thin profile metal and timber frames which are difficult to adapt, many timber frame windows beyond reasonable repair or altered beyond the point of reasonable reconstruction, warped windows which have twisted out of vertical alignment and windows which do not provide adequate weatherproofing, offer very poor thermal performance, air tightness and acoustic integrity.

The revised strategy therefore proposes the removal all of the existing windows, replacing them with high-performance double glazed aluminium windows in a style to match the relevant period, with the exception of the Milton Street elevation and its return gable onto Thomas Street and the elevation of Ceylon Works facing onto Thomas Street and the return gable onto Egerton Lane, which will receive new double glazed box-sash or casement timber framed windows (painted grey).

Replacement windows to internal courtyards are proposed to be aluminium casement windows suitable for the size/shape of the existing openings.

Whilst it would have been desirable to retain the original windows, only a small number appear to be capable of retention. The revised strategy retains timber windows on the key facades and all replacement windows will be designed to reflect the appropriate era, with cills, rails and window sections matching the dimensions of the originals as far as possible. Installing new windows will also have significant environmental benefits. The revised strategy is therefore considered to be acceptable.

The existing parcel of land to the north of Ceylon Works is the site of the new build residential block. It reaches 6 storeys in height and comprises of a simple flat roofed brick building which will house 37 apartments and townhouses. As previously noted by Historic England, this area would historically have been densely developed with back-of-pavement industrial and residential buildings and the existing use of the site as a car park is harmful to the setting of the listed buildings. Building on this plot would repair the fragmented streetscape and so is considered to be acceptable in principle.

The new building is clad in brick to reflect the prevalent material in the locality, while the simple detailing – large window openings, horizontal brick banding and soldier coursing – has been designed to add visual interest but not compete with the slightly more ornate listed buildings. The use of a grey multi-brick identifies this element of the scheme as a contemporary addition to the complex and ties it in to other modern interventions including the grey roof top extension to the 1950s block, the new grey timber and aluminium windows and the new grey/black render to Headford Street.

Most residents will access the new building and the converted Ceylon Works, from Thomas Street via a new glazed entrance featuring a yellow surround. This leads into a small landscaped courtyard which allows the listed building some breathing space and creates a secure and pleasant route to the individual units. A northern

bank of townhouse units will be accessed directly from Egerton Lane, providing activity and surveillance to the street. Some of the townhouse windows will feature the projecting steel surround, creating some additional depth and rhythm across the facade.

Whilst controlled and subtle facing the street, the rear elevation of the new building is more playful with a striking yellow balustrade to the staircases serving the steel framed access decks and a green wall to the otherwise blank gable wall closest to Thomas Street. The introduction of deck access has helped to reduce the depth of the building and allow more light to penetrate the entrance courtyard space and the units themselves.

Historic England are concerned that the height of the proposed new build will overshadow Ceylon Works, particularly the rear ranges and in the view along Thomas Street.

The new build block occupies a corner plot at the junction of Thomas Street and Egerton Street and it is considered appropriate for the architectural response to mark this position. The gradient of the land rises slightly from south to north and existing buildings and roof lines step up Thomas Street. Whilst the step up to the new build is a more significant 2 storeys, the visual impact is reduced by setting it back from Ceylon Works to create the courtyard entrance. The scale of the new build, which is similar in height to the chimney towards the southern end of the complex, also benefits from the context of a line of mature trees on the northern side of Egerton Street.

It is therefore considered that, at 6 storeys, the height of the new build block is not inappropriate. The ability to appreciate Ceylon Works as an important metal trades building would not be harmed by the change to its setting and the significance of the building would be preserved.

It is also considered that the new build block would not impact on the strong sense of enclosure created by the frontages of the Eye Witness and Beehive Works along Milton Street, a key characteristic of this collection of metal trades buildings. Indeed, the proposed new building would not be visible from Milton Street, other than at the junction of Thomas Street.

Similarly, while the new building may creep into view from the western side of the courtyard serving the grade II* listed Beehive Works, this is a distant view that would likely be obscured if Pryor's car park is redeveloped.

Therefore, while the new building will result in some change to the settings of neighbouring listed buildings, it is considered that change would not harm the ability to appreciate or experience their significance and would preserve their special architectural and historic interest.

Thus it is considered that the character and appearance and thereby the significance of the listed buildings will be preserved that the proposed works accord with Policy BE15 and BE19 of the UDP and guidance within the NPPF.

Residential Amenity Considerations

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) states that new development and changes of use will be permitted provided that they do not cause residents to suffer from unacceptable living conditions.

This scheme largely involves the conversion of former metal trades buildings, which are grade II listed. It could be expected that their conversion to residential use might raise some issue in terms of the amenities of future residents. However, the building form, which comprises in large part of a series of narrow floorplate three storey buildings arranged around three courtyards, appears to be capable of conversion and provide appropriate levels of outlook and privacy. Separation distances across the internal courtyards fall short of the standard 21 metre privacy distance, but this is considered to be acceptable given the listed nature of the building and its urban setting, where residents do not expect the same levels of privacy.

The one area where there was an issue was the relationship of the retained detached two storey building in the northern courtyard with the rear of the 1950s block as only 3 metres or so separate the two. In order to address this, openings within the detached block are to be infilled on the north-east facing elevation, with windows in the courtyard facing elevation providing the bulk of the outlook.

At ground floor level, habitable room windows face directly onto streets, communal courtyards and entrance areas. While this is not ideal and will have some impact on residential amenity, it is a consequence of the building's location and listed status as well as the desire to not introduce more commercial uses at ground floor level. Again it is considered that future occupants are likely to forgo levels of amenity to live in a building of considerable character and historic interest.

The main noise source affecting the site is traffic, though there is also some light industrial noise from surrounding properties to the east. The Environmental Protection Service (EPS) is satisfied that noise can be adequately mitigated by good acoustic design and a suitable scheme of sound insulation works, which can be secured by condition.

The proposed commercial unit is unlikely to have a harmful impact on the amenities of proposed residents or the occupiers of neighbouring buildings subject to appropriate hours of use and controls on the playing of live music and amplified sound.

Sustainability

Policy CS63 of the Core Strategy (Responses to Climate Change) gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings and conversions of existing buildings to

be energy efficient and to use resources sustainably, while policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources, with 10% of predicted energy needs provided from decentralised and renewable or low carbon energy.

The application site is located within the city centre, in very close proximity to a wide range of services within the Devonshire Quarter and on the Moor. The site is also very well served by public transport with a busy bus corridor to the south on Charter Row and the tram running along West Street to the north.

The proposed works to Eye Witness and Ceylon Works, which include the installation of high performance double glazed windows, will result in improvements to the building's thermal performance. In addition, photovoltaic (PV) panels are to be incorporated on the flat roof of the new build element of the scheme, which will provide over 20% of that building's predicted energy needs (which equates to 5% of the entire development's energy needs).

Whilst the District Heating Network runs close to the application site and there is an existing connection to Eye Witness Works, the constraints of the building's listed status and the costs of upgrading the connection make this solution unviable.

The proposals are considered to be acceptable and in the spirit of policies CS63, 64 and 65, given the constraints of working with listed buildings.

Highway Matters

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) expects new development to be adequately served by transport facilities, provide safe access to the highway network and appropriate levels of off-street car parking, while the City Council's Car Parking Guidelines, which are to be interpreted as maximum standards, states that in the city centre up to one space per dwelling is appropriate.

Egerton Lane, the narrow cobbled lane that runs along the rear of Eye Witness Works, separating it from Ceylon Works and Pryor's car park, is not public highway. Adopting a one-way system, the applicant intends to provide 10 parking spaces along the southern edge of the lane, made secure by installing gates or bollards at either end. Whilst unconventional, the proposed parking arrangements are considered to be acceptable.

The level of parking provision is low (approximately 10%), but further provision within the application site is not possible or desirable given that it would impact on the setting of the listed building range.

Because of the low provision, the development will remain car free and the applicant will be required by condition to ensure that future occupiers are aware that they will not be eligible for resident parking permits within the designated Permit Parking Zone. However, as described above, the site lies in very close proximity to the full range of city centre facilities and public transport options and, as on street parking adjacent the site is already controlled by parking restrictions

and pay and display parking spaces, it is considered unlikely that any demand for parking space by residents will be displaced onto the local highway network.

The development can be adequately serviced from the adjoining streets and no alterations are proposed to the layout of the adjoining highway, however the resurfacing of all adjoining footways will be reserved by condition.

As submitted, the applicant proposed a single wall mounted cycle rack within each dwelling, where possible. However, in many cases this is considered to be impractical, particularly above ground floor level where cycles would have to be carried up narrow staircases.

Whilst the applicant still intends to provide cycle mounts within dwellings where requested, they have amended the scheme to provide communal parking stores at ground level – two within the existing footprint of Eye Witness Works and one beneath the staircase serving deck access to the new build block. The dedicated stores will provide space for 43 cycles, which is considered to be acceptable given the limitations of working with this listed complex.

Archaeology

In the most part, the proposed development involves the conversion of listed buildings and so there is limited potential to consider below ground archaeological remains. However, the submitted archaeological assessment has identified areas of potential archaeological interest, including the site of a former crucible furnace as well as the area proposed for new build block on Egerton Street which was a residential court and pub (the Brunswick Hotel) when this area was first developed in the 19th century. Further investigations will be secured through condition.

Ecology

The application site was subject to a daytime bat survey and ecological scoping survey, which accompanied the application for planning consent. Whilst potential bat access points were found on the exterior of the buildings, rainwater ingress has made the entire upper floors damp and it was concluded that the buildings offer negligible suitability for a bat roost. No evidence of other protected species was found on site.

Impact on Adjoining Land

The proposed development abuts the eastern boundary of the surface level car park which serves Pryor Marking Technology. The south west facing elevation of the new building block is built up to this boundary and features a number of habitable room windows.

During pre-application discussions the applicant was advised that introducing habitable room windows along the common boundary was unacceptable and that they ought to be removed. Whilst the applicant would not be able to invoke rights to light until these windows have received natural daylight for 20 years or more (unless granted by deed), it is likely that they would prejudice the development of

the adjoining land – ruling out a continuous frontage to the back edge of the footway along Egerton Lane, which would be the most characteristic form of development on this plot.

Case law suggests that, as there are no local development plan policies requiring development on one piece of land not to prejudice development on an adjacent piece of land; the principle is simply one of good planning practice.

Moreover, while the proposed development would limit the form of development on the adjoining land, it would not prevent the development of the site.

It has had to be concluded, therefore, that we cannot insist on the removal of the proposed windows along the common boundary and that the applicant's insistence that they be retained, in order to provide appropriate levels of light and outlook to the correspondence dwellings, is not in itself a reasonable reason for refusal.

Affordable Housing

Core Strategy policy CS27 (f) (Housing in the City Centre) supports further expansion of City Centre living, with a mix of tenures and sizes of unit, including affordable housing, as part of a mix of uses in the CIQ.

Policy CS40 sets out the Council's specific policy approach to the provision of affordable housing, together with the Supplementary Planning Document on CIL and Planning Obligations. The application site falls in an area of the city centre where there is a requirement to provide 10% of the units as affordable housing, subject to a viability assessment.

The Council's independent viability expert undertook an assessment and concluded that, even allowing for what could be regarded as optimistic sales values, reduced build costs and a reduced benchmark land value, the scheme cannot afford any affordable housing provision.

Community Infrastructure Levy (CIL)

The site lies within an area of the city centre where CIL is charged at £30 per square metre.

SUMMARY AND RECOMMENDATION

This application seeks planning permission and listed building consent for the conversion of existing buildings and the erection of a six storey building to create 97 residential units and 1 ground floor commercial unit. It is considered that the proposals, as amended, will make a positive contribution to the visual amenities of the local area and will secure the buildings' long term future. It is also considered that the proposals have developed out of an understanding and appreciation of the special character and significance of the listed buildings and that the special character and thereby the significance of the listed buildings will be preserved.

As per paragraph 15(1) of DETR Circular 01/2001: Arrangements for Handling Heritage Applications-Notification and Directions by the Secretary of State and Circular 08/2009: Arrangements for Handling Heritage Applications Direction 2015, this application is not subject to referral to the Secretary of State as it does not involve the demolition of the principal building, the demolition of a principal external wall of the principal building, or the demolition of all or a substantial part of the interior of the principal building.

Members are therefore recommended to grant planning permission and listed building consent, subject to the listed conditions.

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Case Number	18/04146/FUL (Formerly PP-07319381)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of a mixed use development including three interconnected blocks, two at 12 storeys and one at 7 storey, incorporating 268 residential units and two commercial units at ground floor (A1/A2/A3/B1(a) & D1 uses), with associated car parking, landscaping, servicing and access
Location	Site Of Sheffield Testing Laboratories Ltd And 58 Nursery Street And Car Park On Johnson Lane Sheffield S3 8GP Sheffield S3 8GP
Date Received	01/11/2018
Team	City Centre and East
Applicant/Agent	Zerum Consult Ltd
Recommendation	Grant Conditionally

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:

Site Location Plan 170109-A-PL-000 Rev P01
Existing Site Plan 170109-A-PL-001 Rev P01
Existing Site Levels 170109-A-PL-002 Rev P01
Proposed Demolition Plan 170109-A-02-100 Rev P01
Proposed GA Ground Floor Plan 170109-A-PL-100 Rev P04
Proposed GA First Floor Plan 170109-A-PL-101 Rev P02
Proposed GA 2nd - 5th Floor Plan 170109-A-PL-102 Rev P02
Proposed GA 6th and 7th Floor Plan 170109-A-PL-106 Rev P03

Proposed GA 8th - 10th Floor Plan 170109-A-PL-108 Rev P03
Proposed GA 11th Floor and Roof Plan 170109-A-PL-111 Rev P03
Proposed Site Plan 170109-A-PL-113 Rev P01
Proposed Levels Plan 170109-A-PL-114 Rev P01
Proposed Block A-B-C Elevation - Nursery Street & Nursery Lane 170109-A-PL-200 Rev P02
Proposed Block B & C Elevations 170109-A-PL-201 Rev P02
Proposed Block A Elevations - Johnson Street & Internal 170109-A-PL-202 Rev P02
Proposed Block A-B-C Elevation - Nursery Street 170109-A-PL-250 Rev P02
Proposed Block C Elevation - Joiner Street 170109-A-PL-251 Rev P02
Proposed Block A-B-C Elevation - Nursery Lane 170109-A-PL-252 Rev P01
Proposed Block A & B Section A-A & C-C 170109-A-PL-300 Rev P02
Proposed Block A, B, & C Section B-B & D-D 170109-A-PL-301 Rev P02
Proposed Block C Section E-E 170109-A-PL-302 Rev P02
Typical Façade Details 170109-A-SK501
Typical External Wall Build-Ups for Steel Frame 170109-A-SK502

Reason: In order to define the permission.

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

3. Intrusive investigations as recommended in the approved Clancy Consulting Phase I Preliminary Risk Assessment Ground Condition Report ref. 10/1100/002 (Nov. 2018) 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 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 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 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. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a

Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

6. 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.

7. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local

Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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 commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document plans and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual environmental or amenity impacts that cannot be adequately controlled at source.

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

9. Excluding demolition, no development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 50% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event, have been submitted to and approved in writing by the Local Planning Authority. Discharge shall be to the River Don unless a suitable case can be made that this would involve disproportionate investment to achieve this. Allowance in storage should be made for a submerged outfall when high river flows. Approval to discharge to the combined sewer as an alternative will require approval from Yorkshire Water.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

10. Excluding demolition, no development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include

sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

11. No construction shall commence in the relevant area (s) of the site until the 225mm public sewer has been abandoned in accordance with details (including but not exclusive to evidence that the closure has been agreed with the relevant statutory undertaker) that have been submitted to and approved in writing by the Local Planning Authority .

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

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

7. 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.
12. No construction work 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 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 an 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

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. 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.

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. No construction work shall commence until a detailed Employment and Training Strategy, which is designed to maximise local opportunities for employment from the construction phase of development, has been submitted to and approved by the Local Planning Authority.

The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

18. No above ground construction works shall commence until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The footways shall be reconstructed using secondary palette materials in line with Sheffield City Council's Urban Design Compendium.

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

19. 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 an approved noise survey of the application site, including an approved method statement for the noise survey.
- 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);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours)
External Amenity Areas: LAeq (16 hour) 55dB (0700 to 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 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.

20. 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.

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

21. 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 any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority. The scheme shall include the following details:

- all hard materials;
- tree and plant species, sizes, numbers, locations, planting methods (for trees) and soil depths; and
- future maintenance strategy.

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

22. The development shall be carried out in accordance with the submitted flood risk assessment (ref. 1st October 2018/1691/Clancy Consulting Limited) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 47.15m above Ordnance Datum (AOD).
- Flood Resilience and resistance measures shall be incorporated into the proposed development as stated in the FRA (detailed in section 7.0, page 20).
- The ground floor shall be for less vulnerable uses only (no residential apartments).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

23. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building 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.

24. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include: a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl. b) Acoustic emissions data for the system. c) Details of any filters or other odour abatement equipment. d) Details of the systems required cleaning and maintenance schedule. e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building). The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

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

25. No amplified sound or live music shall be played within the commercial use(s) hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be subject to written approval by the Local Planning Authority prior to installation.

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

26. No above ground construction work shall commence until 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.

27. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the Controlled Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

Reason: In the interests of highway safety and the amenities of the locality it is essential for this scheme to be in place before the use commences.

Other Compliance Conditions

28. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

29. The development shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

30. The commercial food and drink uses hereby approved (Class A3) shall only be used between the hours of 0800 and 2330 Mondays to Saturdays, and 0800 hours and 2300 hours on Sundays and Public Holidays.

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

31. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

32. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 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. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6301 or 273 6125
Email: highwayrecords@sheffield.gov.uk

2. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
 - (i) Reference to permitted standard hours of working: 0730 to 1800 Monday to Friday; 0800 to 1300 Saturday; and no working on Sundays or Public Holidays.
 - (ii) Prior consultation procedure (EPS & LPA) for extraordinary working hour's arrangements.
 - (iii) A communications strategy for principal sensitive parties close to the site.
 - (iv) Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - (v) A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - (vi) A noise impact assessment - this should identify principal phases of the site preparation and construction works and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - (vii) Details of site access & egress for construction traffic and deliveries.
 - (viii) A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.admin@sheffield.gov.uk.

3. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
4. 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 on the Council website here:

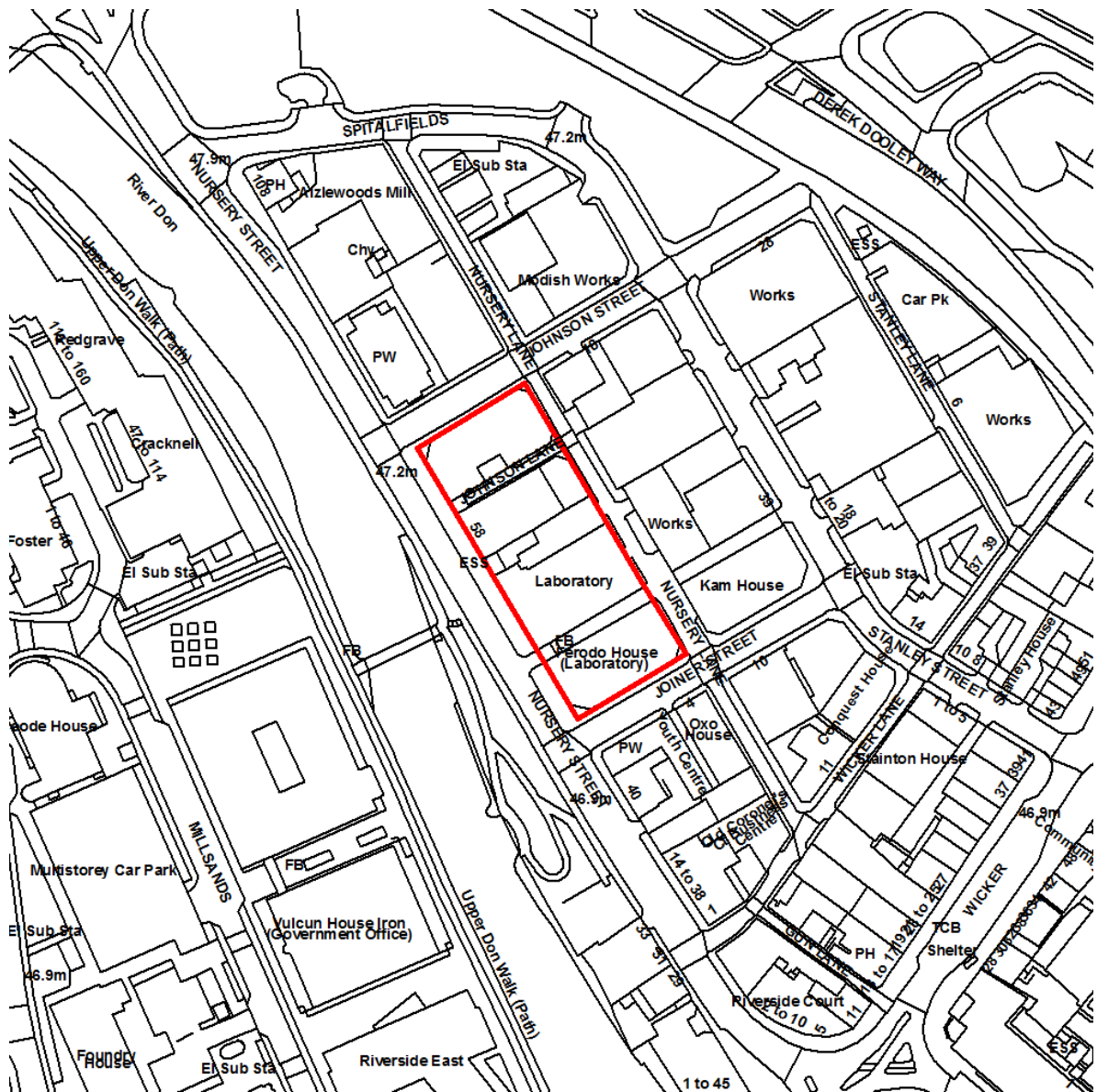
<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email 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.

5. 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.
6. You may need a Premises Licence under the Licensing Act 2003. You are advised to contact Sheffield City Council's Licensing Service for advice on Tel. (0114) 2734264 or by email at licensing@sheffield.gov.uk.

Site Location



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LOCATION AND PROPOSAL

The application site comprises an urban block to the east of Nursery Street, bound by Johnson Street to the north, Nursery Lane to the east and Joiner Street to the south, on land designated as a General Industry Area as defined in the Unitary Development Plan (UDP). The block is dissected by Johnson Lane, a cul-de-sac providing access to a surface level car park which occupies the northern end of the site. The remainder is occupied by two and three storey largely brick built industrial/office buildings which have been vacant for some time.

To the north of the application site, on the opposite side of Johnson Street, is a grade II listed stone built church and boundary wall (the New Testament Church of God) which was built in 1948 by William Flockton in a Gothic Revival style. Beyond the church is the grade II listed Aizlewoods Mill, also by Flockton, a 4 to 6 storey former corn mill, now offices and industrial units, built in 1847 in red brick with hipped and gable slate roofs. Both the church and mill lie within the Kelham Island Conservation Area which bounds the site to the north.

The block to the east of the application site is occupied by 1 and 2 storey brick built industrial buildings and associated car parking. To the south, fronting Nursery Street is a two storey red brick building occupied by a church group and a five storey Art Deco style building known as Oxo House, which has been converted into office accommodation.

On the opposite side of Nursery Street, adjacent the River Don is a pocket park which was created as part of a flood defence scheme (14/03199/RG3). From here a pedestrian footbridge provides access across the river and to the 6 storey office blocks which front the western riverbank.

Planning permission is sought for the demolition of the existing buildings and the erection of 268 apartments in three interconnected blocks, two reaching 12 storeys and one reaching 7 storeys in height, with ancillary accommodation, two commercial units (A1/A2/A3/B1(a) and D1 uses) and car parking at ground floor level.

RELEVANT PLANNING HISTORY

The proposals under consideration were the subject of a pre-application enquiry ref: 17/02892/PREAPP

SUMMARY OF REPRESENTATIONS

Four representations were received in relation to the proposed development, all raising objections. The representations were received from Cllr Anne Murphy, Hallamshire Historic Buildings, a local business and the Sheffield Cooperative Development Group. The latter two are based in Aizlewood's Mill.

The concerns raised by objectors include:

- The height of this 12 storey complex will have a detrimental impact on the appearance of the two, nearby Grade II listed buildings - Aizlewood's Mill and the church.

The church and mill are valued not only for their quality as buildings but also as a surviving fragment of the nineteenth century streetscape, which has been largely lost owing to war damage and subsequent unsympathetic development.

The proposed seven storey block, in close proximity to the church, will be taller and much bulkier than the church tower, immediately and significantly detracting from the setting and reducing the church to a subsidiary role in the streetscape.

The cumulative effect of the much larger 12-storey blocks entirely changes the appearance of the street.

The building heights are also in clear breach of local planning policy.

The proposal appears to be over-dominant, overbearing and to overshadow the listed buildings, possibly even denying light to the church.

The proposal also blocks views of the listed buildings when looking north along Nursery Street.

The Heritage Statement acknowledges that the setting of listed buildings will be harmed, but reaches very questionable conclusions about the degree of harm.

NPPF 194 states that any harm or loss should require clear and convincing justification. As it would be possible to develop this site in such a way that the harm to the setting of listed buildings is much less than that proposed, no such justification exists.

In order to reduce the harm to the setting of listed buildings, the seven storey block should be reduced by at least one storey, so that it becomes subservient to the adjacent church tower. It should also be set back from the street or the corner to Johnson Street canted, or both, so as to preserve the prominence of the church tower.

In order to comply with policy on building height and reduce the harm done to the setting of listed buildings, the 12 storey blocks should be reduced to around 6 storeys, maintaining the scale established by the recent buildings on the south side of the river and creating an appropriate sense of enclosure.

- The number of proposed car parking spaces is too low. On-street parking and local car parks are used by local workers in the Irwin Mitchell and Home office buildings as well as churchgoers, and every piece of available scrap land is also parked upon, whether legal or not.

One space per 6.6 apartments (some of which have 3 bedrooms) is far too low and will make illegal parking and the impact on local businesses much worse.

Loss of the existing private car park and an increase in the number of dwellings by another 268 will make the local roads impassable.

- Is flood mitigation sufficient? There have been improvements to flood protection on Nursery Street, but the maps still show part of the site within the 'high probability of flooding' area and the rest in the 'developed floodplain'. The proposed commercial units and hard landscaping are likely to increase run-off and, therefore, the potential for flooding.

PLANNING ASSESSMENT

The site lies within a General Industry Area as defined in the Unitary Development Plan (UDP) in which policy IB5 of the UDP (Development in General Industry Areas) describes industrial and warehouse uses as the preferred use of land and residential uses as unacceptable. However, the adopted Wicker Riverside Action Plan (2007-2017) identifies Nursery Street as a key area for regeneration and supports a mix of uses including retail and food and drink uses at ground floor level with office and residential above.

Similarly Core Strategy policy CS6 (c) (Manufacturing and the City Centre) describes parts of Wicker and Riverside as transition areas where manufacturing will not be allowed to expand and will be encouraged to relocate to more suitable sites, while policy CS17 (I) (City Centre Quarters) identifies the area as suitable for riverside housing. Consequently the proposed mix of uses is considered to be acceptable.

The application site is classed as previously developed and so the proposed apartment scheme will help to achieve the aims of Core Strategy policy CS24 which seeks to maximise the use of previously developed land for new housing. Core Strategy policy CS26 (Efficient Use of Housing Land and Accessibility) sets appropriate density ranges in different locations according to accessibility. This site lies within the City Centre where the appropriate density range is at least 70 dwellings per hectare. The proposal for 268 apartments represents a density of 447 dwellings per hectare, which is considered to be acceptable in this location.

Core Strategy policy CS41 (Creating Mixed Communities) (a) aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. Typically this means that no more than half the new homes in larger developments should consist of a single house type. In this City Centre location it is considered that provision should be made for a wide range of smaller households and the proposal for 80 studios, 72 one bed apartments, 106 two bed apartments and 10 three bed apartments is considered to meet the aims of the policy.

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing

against their housing requirement with an additional 5% buffer. The development of this scheme will contribute to the Council's 5 year housing supply.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Flood Risk

Paragraph 163 of the NPPF advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Policy CS67 of the Core Strategy (Flood Risk Management) states that, where there is an overriding case for developing in a zone with a high probability of flooding, development will only be permitted if more vulnerable uses, including housing, are located above ground level, the building is designed to be resilient to flood damage and adequate on and off-site flood protection measures are provided.

The application site lies largely within flood zone 3a, which has a high 1 in 100 year annual probability of flooding, and partially within flood zone 3a(i), the developed floodplain, which has a higher 1 in 25 year annual probability of flooding.

The applicant submitted a Flood Risk Assessment (FRA) as well as Sequential and Exception Tests with the original submission. The Sequential Test concluded that there are no sequentially preferable sites, i.e. no other reasonably available sites in lower flood risk areas to which this development could be directed, and this accepted.

The Exception Test requires the applicant to demonstrate that the regeneration benefits of the development outweigh the flood risks and that it will be safe for its life time, without increasing flood risk elsewhere.

The proposal for 268 apartments and ground floor commercial units is acceptable in principle as described above. It will replace vacant buildings and a surface level car park on a key riverside site and is considered to accord with the vision for the Wicker riverside area as described in the Wicker Riverside Action Plan: *'...a new mixed use neighbourhood within the City Centre with a distinctive character and identity. More than 3000 residents live in a mix of waterfront apartments and residential conversions of existing buildings. ... The area is a centre for local employment with new offices and commercial premises taking advantage of the good links to the City Centre and the Inner Relief Road.'*

The FRA notes that the new flood defence wall along Nursery Street was designed for a 1 in 100 year flood event with a 400mm allowance for climate change) to the year 2039 and is, therefore, likely to offer protection in the area for events well in excess of the 100 year plus climate change levels. It is understood that the proposal may not be fully protected from extreme events, i.e. to the 1 in 100 year standard plus 30% for climate change, but the development has been designed to take flood risk into account, with residential properties located approximately 2.5m above extreme flood event levels (at first floor level) and less vulnerable uses such as commercial units, car parking and storage located at ground floor level, but raised above the average external ground level to provide protection from residual risk.

The Environment Agency raised no objection to the proposed development subject to a condition requiring it to be carried out in accordance with the submitted flood risk assessment and a range of mitigation measures including finished floor levels being set no lower than 47.15m above Ordnance Datum (AOD) and no vulnerable uses at ground floor level.

On the basis of the above, the development is considered to comply with Core Strategy Policy CS67 and the NPPF.

Design and Conservation

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124).

Policy BE5 of the UDP (Building Design and Siting) expects good design and the use of good quality materials in all new buildings. It encourages original architecture, but states that new buildings should complement the scale, form and architectural style of surrounding buildings. Similarly, though perhaps less relevant given the changing nature of the area, policy IB9 (Conditions on Development in Industry and Business Areas) of the UDP states that new development should be well designed with buildings of a scale and nature appropriate to the site.

The northern boundary of the application site is bound by the Kelham Island Conservation Area. Policy BE16 (Development in Conservation Areas) advises that development in conservation areas should preserve or enhance the character or appearance of the area, and that the same principle applies when considering proposals which would affect the setting of a conservation area or significant views into, or out of, the area.

The site also lies in close proximity to listed buildings. Paragraph 193 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

It goes on to say that any harm to the significance of a heritage asset (from its alteration or destruction, or from development within its setting) requires 'clear and convincing justification' and that, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal' (para. 196).

In addition, when considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses,' while UDP policy BE19 (Development Affecting Listed Buildings) requires developments which affect the setting of a listed building to preserve the character and appearance of the building and its setting.

The site lies within the Riverside Quarter as identified in the Sheffield City Centre Urban Design Compendium. A manufacturing hub during the 19th century which retains many fine buildings, today the Riverside Quarter has benefitted from pockets of development, the rationalisation of the highway network and the formation of a riverside pocket park, but it remains disparate and suffers from its lack of connection with the city centre.

The application site is considered to be of strategic importance, in terms of its potential to bring about transformational change within the area, and while the Compendium suggests that development in the Quarter will be of the scale of riverside works and warehouses, it acknowledges that more dominant forms may be appropriate on gateway sites.

The site's character is informed by:

- The listed church, Aizlewoods Mills building and the conservation context to its northern edge;
- Its south facing orientation and a significant frontage to the river/ riverside park along Nursery Street;
- The characteristic gridded street pattern with streets and lanes of different width providing north south connectivity.

At ground level the proposed development occupies the entire site footprint with active frontage along Nursery Street, returning along Johnson Street and Joiner Street. It is considered that this arrangement will strengthen the gridded street pattern and the active uses will reinforce existing and emerging pedestrian movement in the area and establish a strong connection with the riverside park.

Three residential blocks are elevated above the ground floor. The blocks to the south (B and C) reach 12 storeys in height, forming a prominent gateway into the Riverside Quarter via the pedestrian bridge that crosses the River Don in this location. At 7 storeys, the northern block (A) defers to the scale of the listed church and mill building – the top of Block A is the same height as the church tower – while to the rear of the site, adjacent Nursery Lane, all three blocks acknowledge

the narrow street width and the limited opportunity for height on neighbouring blocks by stepping down to 6 storeys.

The character of the area is mixed, but the neighbouring conservation area and listed church have rightly influenced the architectural approach. All three blocks are contemporary in appearance but Block A, across from the church, has a more restrained masonry grid, with deeply recessed fenestration, a vertical emphasis and a clearly defined ground floor to reflect the strong verticality established by the church buttresses. Block A is finished in a buff/brown multi brick, featuring splays and soldier courses, to compliment the stone church, whilst also referencing the prevalence of brick in the conservation area.

Blocks B and C are larger in scale and form a pair or gateway. Due to their scale they have more clearly defined tops, expressed in a contrasting material, and greater variation in the facades to create interest and definition. Strip windows emphasise their verticality, but these are then staggered to create a random pattern that contrasts with the more formal layout of Block A. To subtly differentiate blocks B and C, they feature different cladding materials and different window patterns, but their primary facades are finished in a crisp buff/brown brick with a similar tone to the brick to be used on block A. The lower elements to the rear of all three blocks will be clad in a dark brown brick, which will help to reduce the perceived massing of the development as a whole.

Whilst new and different, it is considered that the proposed development responds positively to the setting of the neighbouring heritage assets as well as the site's riverside location.

At present the setting of both listed buildings and the conservation area suffers from a fragmented streetscape, including the inner relief road, a number of surface level car parks and poor quality 20th Century development. It is considered that the reduced scale of block A and its strong architectural references to the church create a positive relationship that it is considered will enhance the setting of both the listed buildings and the conservation area.

The two taller towers create a prominent new gateway into the Riverside Quarter from the city centre via the pedestrian bridge which it is considered the wide river corridor can support. It is acknowledged that the proposals will limit some views of the church tower, particularly when looking north-west along Nursery Street, and that the church and mill will no longer be the most prominent buildings along this section of Nursery Street, arguably resulting in some harm to the setting of these heritage assets. However, because of their riverside setting, many views of the listed buildings, particularly key views from the city centre and from within the conservation area, are retained. It is therefore considered that any harm caused to the setting of the designated heritage assets is not substantial. Moreover, the proposed development has the potential to bring about the transformational change needed to kick-start the regeneration of the part of the Riverside Quarter, creating jobs and helping to meet the city's housing needs in a convenient and easily accessible location.

Consequently, it is considered that the proposed development complies with the requirements of Policies BE5, BE16 and BE19 of the UDP as well as guidance within the NPPF and the Planning (Listed Building and Conservation Areas) Act.

Residential Amenity

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) states that new development and changes of use will be permitted provided that they do not cause residents to suffer from unacceptable living conditions.

Window to window distances between blocks are in excess of 18 metres, which falls short of the standard 21 metre privacy distance for suburban locations but which is considered to be acceptable in this urban setting where residents cannot expect the same levels of privacy given the need to use land efficiently.

The main noise source affecting the site is traffic, though there is some light industrial noise from properties to the east of the site. Noise was recorded from vehicles on streets adjoining the site, including Nursery Street, but as vehicle movements in the immediate vicinity are limited, in part due to the bus gate to the south, distant road traffic on the nearby Inner Relief Road was also audible. The Environmental Protection Service (EPS) has confirmed that environmental noise is not regarded as a barrier to development on this site, and that it could be adequately mitigated by good acoustic design and a suitable scheme of sound insulation works, which can be secured by condition.

The proposed range of commercial units is unlikely to have a harmful impact on the amenities of proposed residents or the occupiers of neighbouring buildings subject to appropriate hours of use and controls on the playing of live music and amplified sound.

Sustainability

Policy CS63 of the Core Strategy (Responses to Climate Change) gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings and conversions of existing buildings to be energy efficient and to use resources sustainably, while policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources, with 10% of predicted energy needs provided from decentralised and renewable or low carbon energy.

The proposed development will make more efficient use of the land and deliver economic regeneration by creating jobs as part of the construction works, the on-going management of the facility and through future commercial uses. The applicant has confirmed that they are willing to support local employment initiatives as part of the development and a condition is proposed to secure an employment and training strategy.

The development is located within walking distance of the Central Shopping Area and close to a range of public transport options. The submission indicates that the building has been designed with a highly efficient thermal envelope to reduce primary energy requirements and that CO₂ emissions will be minimised through the use of mechanical ventilation heat recovery (MVHR) units in each apartment, which recycles waste heat. Any additional heating requirement will be provided by electric panel radiators.

These proposals are considered to comply with policies CS63 and CS64, but a condition is proposed to secure the generation of decentralised and renewable or low carbon energy as is required by policy CS65.

Landscape

The building form creates a podium which provides an opportunity to create residential amenity space in the form of two generously sized first floor gardens accessible via steps from Nursery Street and Nursery Lane or from blocks A, B and C.

Footways surrounding the site will be resurfaced in an agreed palette of materials and a row of trees will be introduced along the Nursery Street frontage to enhance the setting of the building, create shade for potential commercial spill-out spaces and relate to the riverside park on the opposite side of the road.

Highways

Policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) expects new development to be adequately served by transport facilities, provide safe access to the highway network and appropriate levels of off-street car parking, while the City Council's Car Parking Guidelines, which are to be interpreted as maximum standards, states that in the city centre up to one space per dwelling is appropriate.

The Guidelines also note that the provision of car parking is important to many developments for operational and commercial reasons, but that the over provision of car parking can be wasteful of expensive land, encourage unnecessary car use and does not always look attractive.

The proposed development incorporates a ground floor car park, split into 2 by the central core, with 42 parking spaces (including 2 accessible parking spaces with clearance zones on both sides) as well as cycle storage for 268 bikes (256 within an internal store plus 12 external spaces). The car park and cycle store occupy a little over half of the site footprint, with the remainder taken up by the two commercial units as well as ancillary living accommodation (e.g. a resident's lounge), plant rooms, bin stores and circulation space. It is accessed from Johnson Street and Joiner Street, from where servicing will also take place in newly formed service bays.

The level of parking provision is relatively low (almost 16%), but further provision would result in the loss of the active frontage to Nursery Street, which is not desirable. Because of the low provision, the development will remain car free and the applicant will be required by condition to ensure that future occupiers are aware that they will not be eligible for resident parking permits within the designated Permit Parking Zone. However, occupants will be within walking distance of a range of facilities and public transport options and, as on street parking adjacent the site is controlled by parking restrictions and pay and display parking spaces, it is considered very unlikely that any demand for parking space by residents will be displaced onto the local highway network.

The site is currently occupied by vacant but usable industrial/office buildings that could generate many vehicle movements, and a pay and display car park with approximately 25 spaces. While the development will generate trips such as taxis, home deliveries, servicing and refuse collections, vehicle movements to and around the site are unlikely to increase significantly and so it is considered that the impact of the development on the local highway network will not be substantial.

No alterations are proposed to the layout of the adjoining highway, however the resurfacing of all adjoining footways will be reserved by condition. A concern was raised that the footway to Nursery Lane falls short of the standard 2 metre width. However, it will be increased from approximately 0.8 metres to 1.2 metres and, as Nursery Lane is unlikely to become heavily trod – with emergency and some plant/store access only in this location – and no and no desire to move the building forward towards Nursery Street, the reduced footway width is considered to be acceptable in this instance.

In addition, the proposed development will require the Stopping Up (i.e. permanent closure) of the all-purpose Adopted Public Highway known as Johnson Lane, and also a small corner of the footway of the all-purpose Adopted Public Highway known as Nursery Lane, near its junction with Joiner Street, under Section 247 of the Town and Country Planning Act.

Johnson Lane is currently promoted as a cycle route and a small section of cycle path at the southern end of Johnson Lane, which is approached via the shared pedestrian/cycle route which runs over the adjoining bridge, will be removed as a result of the proposed development. It is considered that the impact of this on cyclists will be minimal as Johnson Lane leads only to Nursery Lane. Moreover, as the long term aspirations for promoting cycle routes along Nursery Street are not yet known, the existing pedestrian/cycle crossing on Nursery Street will remain as it may facilitate new connections in the future.

Land Quality

As a past industrial site it is possible that contamination may be present, with the most significant sources being potential asbestos containing materials from the demolition of historical buildings, heavy metals and hydrocarbons from historical activities, disused fuel tanks and PCBs from an electricity substation.

Following requests for further information, an amended version of the Phase 1 Ground Condition Report was submitted. EPS have since been able to confirm that it is unlikely that contamination issues will be a barrier to development, but further intrusive investigations will be required and are secured through condition.

Archaeology

The submitted desk-based assessment makes it clear that this area has the potential to contain buried archaeological evidence relating to the former orchard/nursery of Sheffield Castle and associated features, as well as the remains of development in this area of the city from the 18th century onwards.

Trial trenching is recommended as the first step and the South Yorkshire Archaeology Service have advised that this work should proceed on the part of the site that has already been cleared; with the results help inform our understanding of the archaeological potential of the whole site. A condition is proposed to secure the appropriate investigations and recording, including making a record of the standing buildings prior to any demolition.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Initial discussions indicate that public art will be integrated into the building's ground floor frontage along Nursery Street. Full details will be secured by condition.

Community Infrastructure Levy (CIL)

The proposed development lies in residential zone 2 and does not attract a CIL charge.

Affordable Housing

The site lies within an area of the city centre with no affordable housing requirement.

SUMMARY AND RECOMMENDATION

The use of the site as apartments with active ground floor frontages complies with policy CS17 of the Core Strategy (City Centre Quarters) and the aims of the Wicker Riverside Action Plan. It will bring a large, strategic, riverside site back into use and help to meet the city's housing needs by providing high quality homes in a convenient and easily accessible location.

The site lies adjacent to the River Don, but flood risk concerns have been addressed through a range of mitigation measures including raising vulnerable uses above ground floor level. Subject to these measures, the Environment Agency raised no objections.

To the north of the site is the grade II listed New Testament Church of God, the grade II listed Aizlewoods Mill and the Kelham Island Conservation Area. It is considered that the proposed development, which comprises of 3 residential blocks above a ground floor podium, responds positively to the setting of the neighbouring heritage assets as well as the site's riverside location. Blocks B and C reach 12 storeys in height, but the reduced scale of block A (7 storeys) and its strong architectural references to the church create a positive relationship that it is considered will enhance the setting of both the listed buildings and the conservation area. To the rear, adjacent Nursery Lane, all three blocks respond appropriately to the narrow street width and the limited opportunity for height on neighbouring blocks by stepping down to 6 storeys.

It is considered, therefore, that the proposed development complies with the provisions of the UDP, the Core Strategy and the NPPF and it is recommended that Members grant planning permission subject to the proposed conditions.

Members are also requested to confirm that they:

- a. Raise no objection to the proposed Stopping Up of the areas of highway shown heavy black hatched and edged on the plan 18/04146/FUL_Stopping_Up, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected.
- b. Authorise Legal Services to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town and Country Planning Act 1990.

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Case Number	18/03851/FUL (Formerly PP-07319519)
Application Type	Full Planning Application
Proposal	Erection of 113 dwellings including site enabling works, public open space, hard and soft landscaping, highway infrastructure, parking and the stopping up of adopted highway at Starling Mead, Partridge View and Wren Bank
Location	Land Between Skye Edge Road And Skye Edge Avenue Sheffield
Date Received	12/10/2018
Team	City Centre and East
Applicant/Agent	Mr James Litherland
Recommendation	Grant Conditionally

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:

Planning Layout 18042-01 rev K

Site Sections 18042-04

Bin/Cycle stores 18042-06 rev B

Highways Stopping Up Plan YK5616-104 Rev A and as amended by email dated 30.01.2019

Level Access Route rationale 18042-08 rev B

Type A - Grey Facing Brick A3 1:100 18042_HT_01

Type A - Red Facing Brick A3 1:100 18042_HT_02

Type C1 - Grey Facing Brick	A3	1:100	18042_HT_03
Type C1 - Red Facing Brick	A3	1:100	18042_HT_04
Type C2 - Grey Facing Brick	A3	1:100	18042_HT_05
Type C2 - Red Facing Brick	A3	1:100	18042_HT_06
Type E - Grey Facing Brick	A3	1:100	18042_HT_07
Type E - Red Facing Brick	A3	1:100	18042_HT_08
Type F - Grey Facing Brick	A3	1:100	18042_HT_09
Type F - Red Facing Brick	A3	1:100	18042_HT_10
Type G - Grey Facing Brick	A3	1:100	18042_HT_11
Type H1 - Grey Facing Brick	A3	1:100	18042_HT_12
Type H1 - Red Facing Brick	A3	1:100	18042_HT_13
Type H2 - Grey Facing Brick	A3	1:100	18042_HT_14
Type H2 - Red Facing Brick	A3	1:100	18042_HT_15
House Type F - Front Elevation (showing rain water pipes)	A3	1:50	18042 F-(05)-01
House Type G - Front Elevation (showing rain water pipes)	A3	1:50	18042 G-(05)-01
Window Reveal Detail	A3	1:5	10842-sk01

Biodiversity Management Plan

Revised Highways Drainage Layout

Geo-environmental Appraisal: Land at Skye Edge, Sheffield, ref: 2845/1, dated October 2017 (Lithos)

Specification for the stabilisation of shallow mine workings and associated mine entries rev 4 (Sirius)

Reason: In order to define the permission.

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

3. 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 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.

4. No development shall commence until full details of measures to protect the existing trees and shrubs 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, 2005 (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.

5. Prior to commencement of development, including any works of demolition, details shall be submitted to and approved by the Local Planning Authority specifying measures to monitor and control the emission of dust during construction works. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

6. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

7. 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.

8. Prior to commencement of development, including any works of demolition, details shall be submitted to and approved by the Local Planning Authority specifying measures to monitor and control the emission of dust during demolition and construction works. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

9. No development shall commence unless the intrusive site investigation works described in the coal mining risk assessment, produced by Sirius, have been carried out as recommended, as well as the recommendations of the Geo-Environmental Site Investigation prepared by Lithos (Oct 2017) and a report of the findings arising from the intrusive site investigations is submitted to and approved in writing by the Local Planning Authority. Where the investigations indicate that remedial works are required, a validation report setting out the remedial works undertaken on site, in respect of coal mining legacy issues, once completed, shall be submitted to and approved in writing by the Local Planning Authority before the occupation of the dwellings.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

10. 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.

11. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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.

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

12. The development shall not be occupied unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport it is essential for these works to have been carried out before the use commences.

13. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a revised Travel Plan which consolidates the information provided in the supporting submission 'Skye Edge - consolidated parking Note 07.01.19' shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield and the Core Strategy.

14. The development shall not be occupied unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

15. Prior to their installation, full details of the artist designed bollards shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure inclusive access around the site.

16. Before any above ground works commence, or within 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.

17. Details of the location, specification and appearance of all new services to the dwellings (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason: In order to protect the character of the original building.

18. Notwithstanding the details submitted no above ground works shall commence until an amended Landscape and Ecological Management Plan, which includes short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

Reason: In the interests of protecting the biodiversity of the site.

19. Notwithstanding the details submitted 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 any above ground works commence, 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.

20. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

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

21. 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.

22. 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.

23. 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:

Doors
Windows
Brickwork Detailing
Capping/Roof parapet details
Eaves, verges and ridges
Dormer Windows
Balustrading to roof terraces

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

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

24. 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 before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

25. Notwithstanding the details on the submitted plans details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority

and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such boundary treatments shall be retained.

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

26. 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.

27. Prior the commencement of the foundations for the dwellings, final details of the land levels (inc. finished floor levels) for the new dwellings, shown in the context of existing dwellings shall be submitted to and approved in writing by the local planning authority.

Reason: In order to define the permission.

28. Surface water run-off from hard standing (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 49 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and protect the public sewer network.

29. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to the means of restricting the discharge to public sewer to a maximum of 11 litres up to and including 1 in 100 year storm events.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

30. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access within the development site, shall have been submitted to and approved in writing by the Local Planning Authority and the

dwellings shall not be occupied unless such inclusive access has been provided in accordance with the approved plans. Thereafter such inclusive access shall be retained. (Reference should also be made to the Code of Practice BS8300).

Reason: To ensure ease of access and facilities for disabled persons at all times.

31. Prior to the commencement of development, a detailed Employment and Training Strategy, designed to maximise local opportunities for employment from the construction of the development shall have been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

32. 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 12356.01.v4 dated 10/18).

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.

Other Compliance Conditions

33. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

34. 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.

35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the elevations of the properties hereby permitted without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property and the visual amenity of the properties and streetscene.

36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the (variable) shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage.

Attention is Drawn to the Following Directives:

1. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6301 or 273 6125
Email: highwayrecords@sheffield.gov.uk

2. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

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 Turner
Highway Adoptions
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 4383
Email: stephen.turner@sheffield.gov.uk

3. 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 formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

4. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

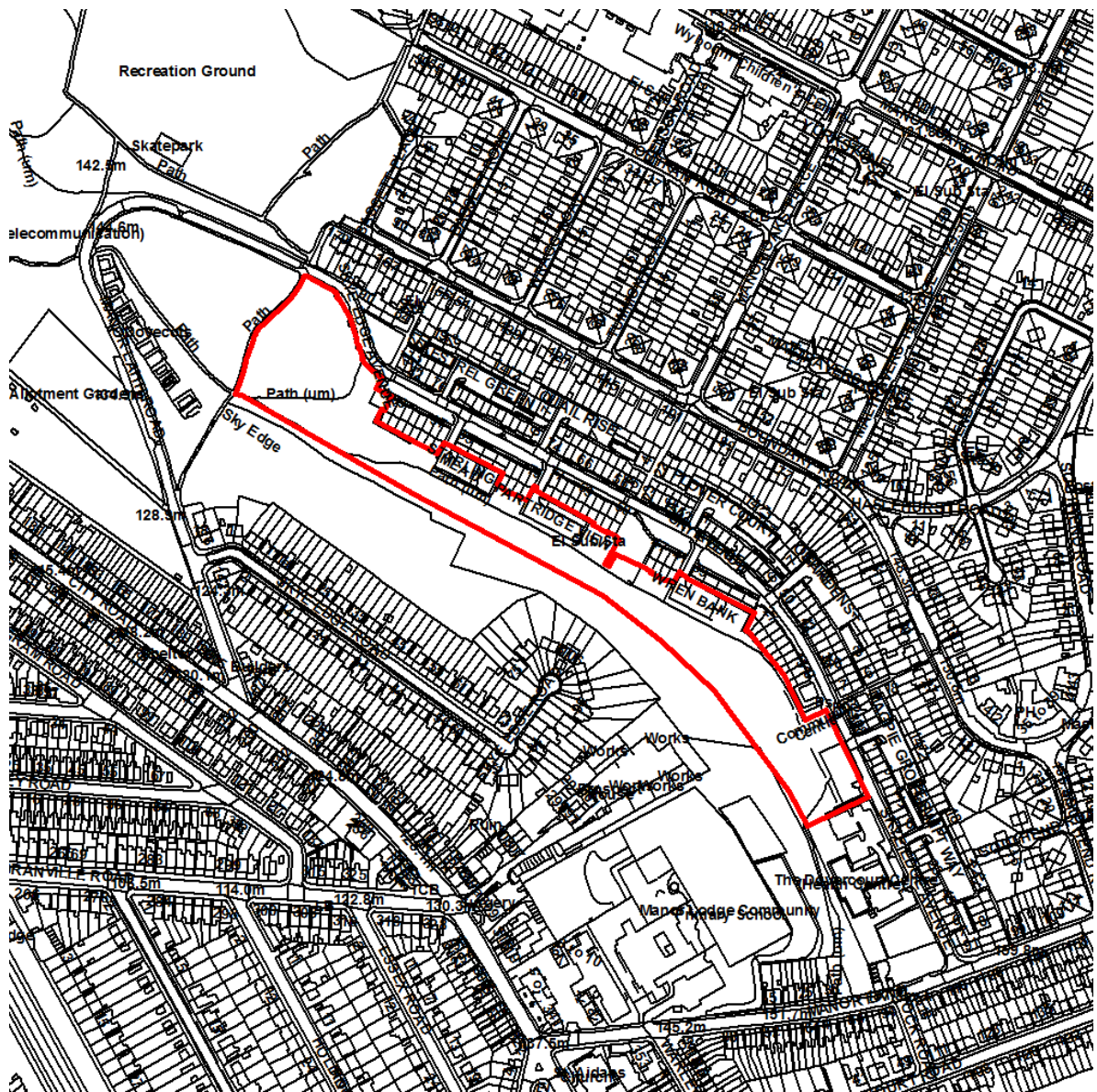
To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

5. 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.
6. 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, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
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.
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.

Site Location



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LOCATION AND PROPOSAL

The application relates to a previously developed parcel of land, approximately 2.5ha in size. The land is located to the south of Skye Edge Avenue, which is to the east of Sheffield city centre.

The site was formerly occupied by housing, demolished in 2006, and has subsequently been used as informal open space. The land is now grassed and there are a number of trees on site. There also remains evidence of the former use for housing in the form of parking courts and access paths.

The site is designated within the Sheffield Unitary Development partly as a Housing area and partly as an area of Open Space.

The immediate context to the site is housing on Skye Edge Avenue, comprising both bungalows and two storey terraced and semi-detached properties, and beyond this to the North/North East of Skye Edge Avenue is further housing. The south/south western boundary of the site comprises open space, which is predominantly mature trees and shrubs and here the land drops away significantly leading to more residential properties to Skye Edge Road and a trading estate to City Road. To the west of the site boundary is more open space, adjacent to Manor Laith Road, where there are also a number of allotment plots. To the south eastern boundary is a medical practice and associated parking area.

There is pedestrian access to the site via Manor Laith Road, in the form of stepped access and through existing access points from Skye Edge Avenue including through the parking courts.

This application seeks consent for the erection of 113 dwelling-houses and associated works which includes site enabling works such as drilling and grouting, to allow development to proceed. A number of works associated with the new residential development are also proposed including open space, hard and soft landscaping and new highway infrastructure and parking. As part of this application consent is also sought for the stopping up of adopted highway at Starling Mead, Partridge View and Wren Bank.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SUMMARY OF REPRESENTATIONS

There have been letters of representation from 6 properties regarding this application.

The following comments have been made:

- There is insufficient parking provision already, and the proposed development will result in new householders parking in the parking courts where residents currently park and which are also used by people with disabilities.
- The development will result in the loss of a green area and wildlife.
- The building works will result in disturbance for residents including babies.
- The development will result in increased traffic from workmen and increased pressure for parking.
- The development process will result in dust and debris.
- The development will result in a loss of privacy with the new builds facing over the garden areas and into bedrooms.
- Putting up a fence will result in a loss of light to the garden.
- The development is selfish and does not take into account the impact upon existing residents.
- The proposal will result in the devaluation of property.
- The proposal will result in a loss of view.
- There is a lot of wildlife in the Green Belt that will have nowhere to go as a result of the development.
- The visual impact of the proposed development is unacceptable.
- The noise pollution is unacceptable.
- The green space is currently used by children and families to play, learn to ride bikes and socialise - so the destruction of this green zone is unacceptable.
- The development will affect residential amenity of neighbours by noise, disturbance, overlooking, loss of privacy and overshadowing.
- The proposal is of an unacceptably high density and results in the overdevelopment of the site. It also results in the loss of garden land and the open aspect. It is garden grabbing.
- The development will affect the character of the neighbourhood.
- The development is over bearing, out of scale and out of character in terms of its appearance compared with existing development in the vicinity.
- The development will adversely affect highway safety and the convenience of other road users.
- A disabled resident is concerned about the availability of parking, as currently the rear car park is used, as there are parking problems to the front of the bungalows on Skye Edge Avenue. It is queried what the provision will be for elderly residents who reside in Starling Mead and who drive?
- The majority of residents facing these new houses are elderly and don't want this disruption in their lives.
- The previous flats (now demolished) resulted in a loss of sunlight and antisocial behaviour.
- The open space is a peaceful place for residents and there must be better places for houses to be built.
- Existing residents who have electric cars need to charge their car and it is parked directly in front of their house – will there be allocated parking spaces available, and will there be enough for everyone?
- There is support for the development and the hope that increased presence will deter fly tippers and that tenants will be managed well.
- Skye Edge is an asset and the Council should use this development opportunity to improve the wider area if they can do so by working with the developer.
- The comments made by the developer at the public consultation do not match what is stated in the documents in respect of parking provision, for example.

- The area is not convenient for shops and it is necessary to travel to Manor or town for a supermarket. Whilst some journeys will be made on foot or bus, it is likely that residents will need at least one car to get about.
- Skye Edge is already a chicane for buses due to second car ownership by existing residents and it is likely that second car ownership from new residents will add to the problem.
- At the public consultation event the developers referred to improving the local environment outside the development plot. Can the Council pin them down on this, as there is no specific mention online.
- It is understood that the land purchase agreement with the Council allows buyback with no penalty if development does not go ahead and if the Committee feels that the application is not right other developers would be interested in this prime opportunity.
- The proposed plans will overpopulate the area and create extra traffic on a road that is already potentially dangerous.
- The proposed houses are not in keeping and resemble 'crammed cardboard boxes' which would blight the view.
- The council has suggested that the site is suitable for 85 dwellings but 113 dwellings exceeds that amount and with 1.6metre screen fencing and lockable gates to parking areas it would feel like a separate community that it's kept away from locals.
- The development will result in the loss of the only safe green space for children to play in an area affected by violent crime and add extra pressure on already stretched local services which will face problems given other recent new builds, such as at Seaton Crescent.
- A query is made as to whether it is worth submitting comments as there are workmen digging holes who said that it is for the new houses but as there has been no decision it is not understood why this work is being carried out.

A representation has been made by Sheffield Wildlife Trust who have commented that:

Whilst not objecting to this development in principle, robust precautions must be put in place to ensure that the adjacent Skye Edge Local Wildlife Site is robustly protected from any pollutants or excess surface water run-off during the construction phase. In particular:

- It is requested that further consideration be given to SuDS
- It is also requested that a buffer zone for the LWS is put in place with appropriate protection measures.
- It is requested that an area of natural green corridor is retained within the development layout to allow continued movement of wildlife and for a funded management plan to be established for the site, potentially through CIL funding, section 106 and/or an annual levy from householders.
- The developer should provide significant investment for high quality ecological enhancements that will deliver biodiversity net gain for the site.
- The wildlife trust agree with the ecology report's recommendations for habitat creation to the north west and south west boundaries of Skye Edge LWS, including native wildflower species and for a natural hedgerow to provide a natural buffer but make some suggestions for further amendments.

- Further surveys are also suggested as the survey period was carried out in a sub-optimal period, and any vegetation clearance should take place outside of the breeding bird season.
- The provision of bird and bat boxes as suggested in the ecology report is also supported.

PLANNING ASSESSMENT

Principle of Development and Housing Supply

The National Planning Policy Framework (2018) sets out the Government's aims and objectives for the planning system with the purpose of the planning system being to contribute to the achievement of sustainable development.

The principle of developing the area of land which is designated as Housing land in the Unitary Development Plan for residential development is acceptable in principle and is in accordance with the aims of Policy H10 of the Unitary Development Plan, which sets out that housing is the preferred use in Housing Areas.

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement with an additional 5% buffer. The development will contribute positively towards the Council's need for a 5 year housing land supply.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Principle of Development and Loss of Open Space

Part of the site is also located on land designated as Open Space in the adopted Unitary Development Plan.

Policy CS45 of the adopted Core Strategy requires that the safeguarding and improvement of open space takes priority over the creation of new areas, whilst Policy CS47 sets out that development of open space will not be permitted where:

- a) It would result in a quantitative shortage of either informal or formal open space in the local area; or
- b) It would result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or
- c) People in the local area would be denied easy or safe access to a local park

or

to smaller informal open space that is valued or well used by people living or working in the local area; or

d) It would cause or increase a break in the city's Green Network.

Policy CS47 goes on to state that development that would result in a loss of open space will only be permitted where:

- a) as soon as practicable, equivalent or better replacement open space would be provided in the local area; or
- b) the site is identified as surplus for its current open space function and:
 - i. a proposed replacement would, as soon as practicable, remedy a deficiency in another type of open space in the same local area; or
 - ii. a proposed replacement would, as soon as practicable, remedy a deficiency in another type of open space in the same local area; or
- c) the development would be ancillary to the open space and have a minimal impact on the use or character of the open space.

In terms of the principle of developing Open Space, the proposed development will result in a loss of 2 hectares of open space.

An open space assessment has been undertaken which shows that even with the loss of 2ha of open space, there would be sufficient informal open space within the local area at 4.75ha per 1000 population within the local area, which compares well against the target provision of 2.70ha per 1000 population. The loss of this open space is not therefore contrary to CS47 (a).

The 2017 Open Space study notes that the open space in question is of poor quality, and therefore it is not considered that the development would be contrary to CS47 (b).

It is acknowledged that there is a shortage of outdoor sports provision within the local area. This location is however, unlikely to be suitable for new outdoor sports provision.

In terms of criteria c), it is noted from the representations received that the proposal will result in the loss of a well-used area. However, the principle of development on the open space is long established - indeed the site was formerly occupied by housing and has for many years been earmarked for new housing development. The planning statement submitted with the application states that opportunities for play and outdoor activity have been included, with fixed play and a trim trail - and this is shown on the plans submitted. Overall, this is considered of be a benefit of the development and will help ensure that the revised area of amenity greenspace proposed as part of the new development is well used.

The site is adjacent to a wildlife site and areas of green space will remain, it is not therefore considered that the proposal will result in an unacceptable break in the green network, in accordance with criteria d).

The revised open space offer as part of the overall development proposal is considered to be appropriate in meeting the aims of CS47 to counter the loss of open space on site and in particular noting that the proposal is not considered to be inappropriate under criteria a) to d). Therefore, it is concluded that the principle of development on this parcel of land is acceptable and in compliance with the aims of the NPPF, the UDP and the Core Strategy.

Housing Density

Policy CS26 requires housing developments to make efficient use of land, but the density of new development should be in keeping with the character of the area and support the development of sustainable, balanced communities. Development near to Supertram stops and high frequency bus routes in the urban areas - which is the location of the subject site - is expected to achieve a density of 40 to 60 dwellings per hectare. The 113 units in the current proposal represents a density of 46 dwellings per hectare, which is in line with Policy CS26 and therefore acceptable.

Mixed Communities

Policy CS41 seeks to promote mixed communities through the encouragement of the development of housing to meet a range of housing needs including a mix of prices, sizes, types and tenures and the requirement of a greater mix of housing in other locations, including homes for larger households, especially families. Part (b) states that no more than half of new homes in large developments should consist of a single house type (i.e. the same number of bedrooms and the same design).

The proposed housing mix for the Skye Edge site will see the provision of 113 dwellings, comprising 69 x 3 bedroom dwellings and 44 x 4 bed dwellings. There will be six house types - 3 per dwelling size - including townhouses and back to back properties. These are spread across the site.

The mix is considered to be appropriate in terms of creating a community and consistent with the expectations of Policy CS41.

Affordable Housing

Policy CS40 states that developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and viable.

The Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) guidance GAH1 advises that a contribution to affordable housing will be sought on all new housing developments with capacity for 15 or more dwellings.

The site is located within the Manor/Arbourthorne/Gleadless Housing Market Area where the contribution towards affordable housing is nil. No affordable housing is required as part of this application.

Design, Layout and Accessibility

The NPPF recognises the value of good design and this is set out in paragraphs 91, 124 and 127. Paragraph 127 in particular states that new development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space). Developments should support local facilities and transport networks; along with creating safe, inclusive and accessible places which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The aims of the NPPF in respect of design and accessibility are also supported by policy CS74 'Design Principles' of the Core Strategy which sets out that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods and should also contribute to place-making, be of a high quality, that contributes to a healthy, safe and sustainable environment, that promotes the city's transformation; help to transform the character of physical environments that have become run down and are lacking in distinctiveness...and contribute towards creating attractive, sustainable and successful neighbourhoods.

Unitary Development Plan policy H15 also requires the design of new housing developments to: a) provide easy access to homes and circulation around the site for people with disabilities or with prams; and b) provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents; and c) provide uniform walls or fences around rear gardens next to roads, footpaths or other open areas; and d) provide pedestrian access to adjacent countryside where it would link with existing public open space or a footpath.

Policy BE5 of the UDP also states that good design and the use of high quality materials will be expected in all new and refurbished buildings and that proposed development should complement the existing built form, human scale and architecture.

Layout

The linear nature of the subject site means that the format of development has been relatively constrained. The prominent skyline location of the site also means that the design of the development and its impact upon long range views from

across the City has been a key design consideration. Also key to the site's development has been the provision of sufficient off street parking, the provision of routes through from Skye Edge Avenue in order to maintain connectivity through the site and the provision of ancillary open space and landscaping for the benefit of both existing and future residents of the site.

To the west of site will be two blocks of back to back houses, with mews houses along the crest of the ridge leading to a further block of back to back properties at the eastern end of the site. This arrangement of properties is considered to be acceptable in principle. The layout results in outward facing blocks which take advantage of the expansive views from the site, screen the existing parking courts and maximise the opportunities for rear gardens which back onto one another. This layout also creates an openness that is intended to engage with the open space and this will, in part, be achieved through the creation of a promenade element, which will be occupied by Mews housing. The promenade is a strong design concept and has been included to help develop the overall identity and cohesion of the site. Indeed, it is hoped that this will be a well-used and overlooked open space which will become a safer and more desirable area.

The back to back housing is also proposed to create a setting and focal point for development at the corner of the site, but it is acknowledged that this has the potential to create a relatively car dominated environment. Whilst this is not desirable in principle, this concern has had to be balanced against the competing highway demands of needing to provide sufficient parking. The provision of trees and landscaping has been utilised to try and minimise the impact of the car parking which is welcomed, but it is not considered that the further loss of parking to landscaping could be reasonably justified. Ultimately, given the need to balance issues, the impact of the car parking and layout to this area of the site is considered to be acceptable in design terms.

House Type Design

The prominent position of the site on the skyline means that through the design process there has been a concern that the use of a continuous ridgeline would appear as overly stark and oppressive, particularly when contrasted with the undulating profile of the vegetation. The outcome of the design development is a now a scheme which introduces sufficient variation in rooflines through the introduction of gables and flat roofs to sufficiently break up the form of the terraces. Roof terraces overlooking the public open space will also be utilised to a number of the properties which will break up the elevations further. The back to back dwellings will combine 2 and 3 storey elements to create further variation.

All the properties will be constructed in brick, with decorative brickwork features to break up the elevations. The openings are well proportioned for the elevations with suitably deep reveals. The overall elevations are relatively simplistic, which is considered to be a positive design feature. The proposed new dwellings are considered to be appropriate to the local context.

In order to ensure the appropriate quality of development, it is however, necessary that the detailing that is proposed and the quality of materials is high. This is secured by conditions.

Site Wide Infrastructure

A variety of boundary treatments are proposed across the site, and are to be utilised to define public and private space – particularly where this abuts with open space and the promenade. Similarly parking courts and access paths will also be gated in order to provide security for the site. It is considered that there are some further revisions to this which are required in order to fully balance the need for boundaries against the design quality of the development. These details are secured by condition.

The South Yorkshire Police Architectural liaison officer has also commented on the scheme from a security perspective and has advised that the proposal is acceptable in principle.

In terms of the accessibility through the site, there are some existing topographical constraints to achieving full level access throughout the site. The nature of the parking courts mean that there will need to be a short walk to access the properties and similarly bin storage facilities - particularly those that are located on the promenade. There will be three plots (51, 52 and 53) which will not have level access and will be served by existing steps. There are also some points where there are steps to the access and parking courts and it is simply not feasible to design all of these out. There are also areas of shared surfaces across the site, where segregated pedestrian access will not be provided. The overall accessibility of the environment, in consideration of the existing topographical and development constraints of the scheme, is considered to be acceptable in principle however subject to the final details being secured by condition.

In light of the above, the overall design and layout of the development is concluded to meet the aims of paragraphs 94, 124 and 127 of the NPPF, Policy CS74 of the Core Strategy and H15 of the UDP.

Residential Amenity - Existing and Future Occupiers

Policy H14 'Conditions on Development in Housing Areas' refers to the conditions placed on new development to ensure that new buildings or uses do not lead to an unsatisfactory environment for people living in the area. The policy states that new buildings need to be well-designed and in scale and character with neighbouring buildings.

Policy H14 also states that sites should not be overdeveloped or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood. In terms of the impact upon the amenity of existing residents, it is noted that the proposed dwellings will back onto a mix of bungalows and two storey dwellings. Therefore, there exists the potential for overbearing, particularly as the proposed new dwellings will be set at a higher level than the existing properties.

Overbearing Issues

The Council's guidance recommends that a distance of at least 21 metres should be achieved between the main window facing elevations of two storey properties in order to ensure that no unreasonable overbearing occurs. The submitted plans indicate that in some areas of the site there will be existing bungalows facing new 3 and 2.5 storey properties, in locations where there will be a level difference between existing and proposed properties. Following assessment and the submission of cross-sections to demonstrate the relationship, it is considered to be acceptable because the proposed separation distance will be approximately 29 metres.

In terms of the relationship between the existing two storey dwellings and the proposed new dwellings, the proposed separation distances vary. For example, there is a distance of approximately 17.5 metres between No.9 Skye Edge Avenue and Plot 91, and 33 metres between No.61 Skye Edge Avenue and plot 65. Whilst there are clearly some variances in the separation distance which are in some cases below the recommended 21 metres, in taking into account the cross sections supplied, the character of the site and the wider area and its previously developed nature, together with the wider benefits of this development, it is not considered that the slightly adverse impact for some existing residents that is created by the development would be such that the refusal of planning permission could be reasonably justified on this basis.

Overlooking Issues

In terms of the potential for loss of privacy, it is accepted that a distance of around 21 metres is desirable to reduce the potential for loss of privacy. As per the aforementioned distances, there are some plots where this is not achievable. Instead the design of the house types seek to minimise the impact in order to provide an acceptable relationship.

For example, the rear elevation of House Type A, which is the dwelling type positioned at a reduced distance facing these existing properties, has been designed with only two windows to the rear elevation comprising of french doors /windows to the ground floor kitchen/dining area and a window serving the 3rd bedroom at first floor level. Furthermore, the ground floor windows will be screened by boundary treatments. The upper floor bedroom window will have a view to the properties beyond but this is not an unusual relationship and it is considered that the impact on privacy is not so severe as justify a refusal on this basis.

In terms of those proposed properties which do not directly face existing properties, it is considered that the relationship between the existing dwellings is acceptable because they are positioned a sufficient distance away to not result in any direct impact.

Amenity Provision

The amenity offer of the proposed dwellings for future occupiers is considered to be acceptable. The main habitable rooms have sources of natural light and outlook, with well-proportioned openings.

Positively, all the properties will have external amenity space and the sizes vary. The back to back properties have the smallest spaces and these consist of yard areas to the front of the dwellings. Whilst this design of a back to back property with yard area is not typical for Sheffield, it is also recognised that there are many people who do not wish to maintain a garden, and that this provides a different residential offer. The proposed back to back dwellings do not result in any identifiable harm to amenity and are considered to be acceptable in principle. Officers are also mindful that there are viability issues associated with the site and that there is a necessity to provide the number of units to make the development viable on what is a previously developed site. It is not therefore considered reasonable to require the removal of the back to back units simply on the grounds of lack of amenity space when there is no identifiable harm to existing residents and the benefits / dis-benefits of the limited space on offer will be a choice for future residents. It is also noted that this is just one House Type proposed and that there are other dwellings with varying curtilage sizes provided elsewhere within this development.

In light of the above, it is concluded that the amenity implications of the development for both existing and future occupiers of the site are acceptable and compliant with the aims and expectations of Policy H14.

Highways, Parking and Cycling

Paragraph 108 of the Framework states that in assessing development applications it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 of the NPPF also states that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

Paragraph 111 requires that all developments that will generate significant amounts of movement should be required to provide a travel plan and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

The application is supported by a Transport Statement and Travel Plan and further information has been submitted during the course of the application which deals with the impact of the proposed development on the surrounding highway network,

assesses the proposed access and vehicle movements through the site and the mechanisms in place, through the operation and management of the site, to encourage sustainable modes of travel.

In addition to the NPPF, local Core Strategy policy CS53: Management of Demand for Travel sets out that increasing demand for travel will be managed through a number of measures.

The maximum parking standards for this type of development (C3) are set out in Information Sheet 3: Car Parking Guidelines which states that for dwellings of 2-3 bedrooms, 2 car parking spaces should be provided per dwelling and for 4-5 bedroom dwellings, 2-3 spaces per dwelling should be provided. Visitor parking would expect to be 1 space per 4 units.

Policy BE9 of the Unitary Development Plan requires that new developments should provide a safe, efficient and environmentally acceptable layout for all vehicles (including cycles) and pedestrians.

Policy BE10 sets out a number of aims for the design and environmental improvement of streets and pedestrian routes. These include improving the convenience and safety for all users and minimising conflict between pedestrians, cyclists and motorised traffic. Policy T22 requires developers to make provision for sufficient off-street parking to meet the needs of their development.

Policy T28 refers to new development which would generate high levels of travel, but it is not considered that the proposal will generate high levels of travel and in any case the site is considered to be suitably served by existing transport services and infrastructure.

The development proposes 5 points of access, which includes existing access points to Starling Mead, Partridge View and Wren Bank, a widened junction and a new junction to link with the internal loop road. These accesses are considered to be acceptable in principle.

An assessment has been made of car ownership data within the area, based on census data. This sets out that it is anticipated that potential parking demand would equate to 136 spaces - but it is accepted that the output area was predominantly 1 and 2 bedroom dwellings and therefore, accounting for an uplift based on the current application being for 3 and 4 bedroom properties, 188 spaces are proposed.

It is acknowledged that based on council parking standards, the parking provision could be up to 299 spaces, but this does not reflect the assessment based on census data.

188 parking spaces are proposed. This equates to the 44 x 4 bedroom dwellings having two allocated parking spaces per dwelling whilst the 69 x 3 bedroom dwellings will have one allocated parking space per dwelling. In addition to this will be a managed pool of 23 spaces which could be let to either three bedroom

properties, or if unallocated, used for additional vehicle parking. 8 visitor parking spaces are also proposed. The parking spaces will be provided either in gated parking courts or within curtilage.

In order to minimise the on-site parking demand for residents the following package of measures is proposed – a Place First reservation Agreement, the imposition of a travel plan and a monitor and manage approach to parking post completion. The intention of the reservation agreement is that all residents agree and sign a reservation agreement prior to moving in and signing a formal tenancy agreement. It is intended that at Skye Edge the reservation agreement would outline exactly what on-site parking would be available to residents. Potential occupiers of four bedroom dwellings will be advised that they have two allocated spaces whilst potential three bedroom property occupiers will be advised that they have only one space and that if they have a requirement for an additional space they can secure a further space by an additional fee until the pool allocation of 23 spaces is exhausted. Place First have also submitted draft wording within the reservation agreement which will advise that residents should avoid parking on Skye Edge Avenue and surrounding roads and that regular monitoring of parking will be undertaken by Place First and if on street parking is identified then measures will be put in place to restrict this.

It is noted that a number of representations refer to the loss of the parking courts and the existing parking problems on Skye Edge Avenue. Having considered the parking provision on site as part of the proposed development scheme, the car ownership levels within the area and the generally sustainable location of the site it is considered that the parking provision proposed as part of the development is appropriate.

Officers have therefore taken an ‘on balance’ approach that, parking provision based upon census data is a reasonable approach and that when combined with other measures proposed to mitigate parking, as detailed above, that the proposed parking provision on site is considered to be acceptable.

The site is located within walking distance of a bus stop and is relatively close to city centre facilities and the Supertram and railway network.

Paragraph 110 of the Framework provides that applications should give priority first to pedestrian and cycle movements and second facilitate access to high quality public transport services and facilities that encourage public transport use. Paragraph 110 also states that developments should create places that are safe, secure and attractive, minimising scope for conflicts between pedestrians, cyclists and vehicles avoid unnecessary street clutter and respond to local character and design standards.

The layout of the site responds to the aims of the NPPF with a number of pedestrian routes through the site from Skye Edge Avenue to encourage both journeys on foot and interaction between the site and the surrounding area. The ‘promenade’ to the front of the site will also be pedestrian access only for a short stretch of this, which will also serve to improve the quality of this space. Parking provision within the site has also been designed to be a suitable mix of communal

parking areas, which will be gated and in curtilage parking in order to minimise the potential for pedestrian and vehicle conflicts.

Ultimately, the highways impact of the development combined with the level of parking provision is considered to be acceptable in light of the aims and guidance contained within national policy as the implications are not considered to be so severe as to justify the refusal of planning permission, which is the test in the NPPF. The proposal is also considered to accord with the aims of the Core Strategy and Unitary Development Plan.

Land Enabling Works – including Coal Authority comments

The NPPF paragraph 170 sets out that planning decisions should contribute to and enhance the natural environment by e) preventing new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The proposed development site is located within a defined Development High Risk Area and there are coal mining features and hazards on site which require consideration in relation to this application.

There are two mine entries (shafts) within the site and a mine entry (adit) just outside the site boundary which runs through the site. The site is also within an area of recorded and likely unrecorded coal mine workings at shallow depth.

As part of the planning application a report has been submitted which is suitably informed and sets out the details of the remedial works proposed for the site in respect of the shallow mine workings and the mine entries - which includes drilling and grouting works. The layout of the development has also been informed by the presence of mine entries (and their zones of influence) on the site. It is therefore considered that, subject to the completion of the works specified in the supporting submissions and the submission of a validation report following the completion of the remedial works (to be required by condition) there is no objection to the proposed development by the Coal Authority.

As part of the application, a Geo-Environmental Appraisal has been submitted. This report identifies that there are no remedial works required to protect human health, but the report allows for the possibility of importing topsoil where necessary and it is recommended that suitable conditions are applied to ensure this.

Accordingly, it is considered that the proposed development meets the aims of the NPPF.

Noise

The NPPF paragraph 170 sets out that planning decisions should contribute to and enhance the natural environment by e) preventing new and existing development

from contributing to, being put at risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

The proposed development is located within an established residential area and a noise report has been submitted as part of the application. It is not considered that future occupiers will suffer from unacceptable amenity by reason of noise subject to the imposition of a suitably worded condition requiring the installation of a scheme of sound insulation. Therefore, there are no policy concerns in relation to noise.

Drainage and Flood Risk

Paragraph 157 of the NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

Policy CS67 of the Core Strategy sets out the measures by which the extent and impact of flooding will be reduced.

The site is located in Flood Zone 1 on the Environment Agency's Flood Map and is therefore not considered to be at risk of flooding.

Yorkshire Water have commented that they have no objection to the proposal subject to the imposition of appropriate conditions which secure appropriate drainage solutions.

In terms of the drainage arrangements for the site, whilst an initial proposal has been put forward including utilising a drainage basin, there are some concerns with this approach and therefore it is considered to be appropriate that a condition be applied requiring further details of drainage, including sustainable drainage methods where appropriate.

Subject to the recommended conditions being applied, it is concluded that the proposal is compliant with the NPPF and Policy CS 67.

Sustainability

Policy CS64: Climate Change, Resources and Sustainable Design of Development requires all new buildings to be designed to reduce greenhouse gas emissions and function in a changing climate. All developments are required to:

a) Achieve a high standard of energy efficiency; and b) Make the best use of solar energy, passive heating and cooling, natural light, and natural ventilation; and c) Minimise the impact on existing renewable energy installations and produce renewable energy to compensate for any loss in generation from existing installations as a result of the development.

Policy CS65: Renewable Energy and Carbon Reduction requires all significant developments, unless it can be shown not to be feasible and viable, to:

a) Provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy; and b) Generate further renewable or low carbon energy or incorporate design measures sufficiently to reduce the development's overall predicted carbon dioxide emissions by 20%. This would include the decentralisation and renewable or low carbon energy required to satisfy (a).

These policies are supported by the Climate Change and Design Supplementary Planning Document (SPD) and Practice Guide (adopted 2011)

In terms of sustainability, the statement accompanying the application sets out various measures that the scheme will incorporate in order to meet CS64. These include exceeding the current Building Regulations standards for energy efficiency and achieving a high standard of water efficiency, in excess of the current Building Regulations requirement. However, the scheme is not proposed to meeting CS65 (a) as no renewable/low carbon energy is proposed and the fabric energy efficiency measures will only reduce the site's energy requirement by 4.99%. The applicants have cited that it is unviable to provide this and have referenced the submission of a claim for CIL Exceptional Relief as proof of the viability issues associated with this development scheme. Officers are aware that there are a number of abnormalities associated with the development of the site and this has resulted in the site remaining undeveloped for several years. It is therefore considered that, on balance, the proposal, as submitted, is acceptable.

Ecology

Paragraph 175 of the NPPF sets out that local planning authorities should apply the following principles in determining applications: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and c) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Policy GE11 'Nature Conservation and Development' of the UDP sets out that the natural environment will be protected and enhanced and that siting, design and landscaping should respect and promote nature conservation and measures to reduce any potentially harmful effects of the development on natural features of value.

The site is located adjacent to a Local Wildlife Site and in accordance with both national and local policy it is therefore relevant to consider the implication of the proposed development on this site, as well as the impact upon the biodiversity of the development site, as a result of the proposed development.

The proposed development site is not considered to have such ecological value as to preclude the development of the site for housing. The proposed development is also not considered to have an unacceptable impact upon the adjacent local wildlife site.

As part of this application a biodiversity management plan and a landscape and planting plan has been submitted. The proposal includes the creation of a number of features such as wildflower rich grassland, bat boxes, swift bricks, sparrow terraces, log pile refugia and hedgehog holes. Subject to the imposition of appropriate conditions securing the biodiversity mitigation measures, the proposal is considered to be in line with the aims of paragraph 175 of the NPPF and GE11 of the Unitary Development Plan.

Landscape and Trees

Paragraph 127 of the NPPF sets out that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Policy BE6 'Landscape Design' sets out that, 'good quality landscape design here will be expected in new developments and refurbishment schemes. Applications for planning permission for such schemes should, where appropriate, include a suitable landscape scheme which: a) provides relevant information relating to new planting and/or hard landscaping and of existing vegetation to be removed or retained; and b) provides an interesting and attractive environment; and c) integrates existing landscape features into the development, including mature trees, hedges and water features; and d) promotes nature conservation and uses native species where appropriate.

Policy GE15: Trees and Woodland also sets out that the protection of trees and woodlands will be encouraged and protected by a) planting, managing and establishing trees and woodland, particularly in the South Yorkshire Forest; and b) requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost; and c) not permitting development which would damage existing mature and ancient woodlands.

The development proposal will necessitate the removal of a number of existing trees on site as earmarked on the submitted plans. The trees to be removed have been assessed for their quality and none are considered to be of such value that their retention can be reasonably required. Where existing trees are to be retained, conditions requiring appropriate tree protection measures to be implemented are recommended. It is also noted that there will be some replacement tree planting across the site as part of the overall landscape strategy.

The wider landscape strategy for the site seeks to introduce both existing and proposed open space to the benefit of both existing and future residents. Informal open space is proposed which will include wildflower planting, seating and natural play equipment and there are proposals, subject to further details regarding its acceptability for an attenuation basin - which will add further landscape interest.

The overall impact of this development proposal, in terms of both landscape design, and the loss of trees is considered to be acceptable in principle, meeting the aims of para 127 and policies BE6 and GE15 subject to the imposition of conditions to secure the works.

Public Art

Policy BE12 of the Unitary Development Plan states that the provision of works of public art in places which can be readily seen by the public will be encouraged as an integral part of the design of major developments.

The proposal identified includes a strategy that includes detailed house numbers alongside street furniture and landscape features which are intended to create a sense of place for residents and acknowledge the special location and views that can be enjoyed by a wider audience.

The principle of this is considered to be acceptable and in order to fulfil the policy expectations it is recommended that the public art be secured by condition.

Air Quality

The application site is not located within an area where the threshold for an Air Quality Assessment to be submitted has been met.

Community Infrastructure Levy

The site is within CIL Charging Zone 3 where the charge is levied at £30 per square metre. The applicant has submitted an application for Exceptional Relief on viability grounds but this is subject to process separate to the determination of this planning application and can have no bearing on its outcome.

Employment and Training

In order to build upon the outcomes of the development, the applicant has committed to developing an employment and training strategy, the submission of which will be secured by condition.

Archaeology

South Yorkshire Archaeology Service have advised that there is likely to be little archaeological merit to the site and therefore no further consideration or conditions relating to this are required.

Legal Agreement

The applicant has submitted a draft unilateral undertaking in order to secure the land stabilisation works. Your officers do not consider that the undertaking is necessary as conditions are recommended which require the works to be undertaken, together with a post-validation report. The legal agreement does not

place any obligations on the Council and as such there is no objection to the submission of this agreement alongside the application. For the avoidance of doubt the submission of this legal agreement is not a material consideration in the determination of this application and should be given no weight.

RESPONSE TO REPRESENTATIONS

It is noted that the majority of representations relate to concerns about parking provision and the highway impact of the development. The merits of the application in relation to parking and highways have been addressed within the highways section of this report. Existing residents of Skye Edge Avenue will need to park on Skye Edge Avenue. It is not possible to provide allocated parking spaces for existing residents with electric cars.

The principle of developing the area of open space and the impact upon ecology is also discussed within the report. The site is not within the Green Belt.

In relation to disturbance a condition will be applied restricting construction hours. Whilst this will result in some disturbance during the day, this is considered to be reasonable and unavoidable on any construction site but the impact is short-lived.

In relation to the impact of dust and debris, a condition requiring details of how the impact of this shall be minimised is recommended. It is acknowledged that local residents do not wish to see the disruption of building works however, the construction works will be temporary and whilst we can apply conditions to minimise disturbance it is not possible to block development for this reason.

Matters relating to amenity including loss of privacy, overbearing, design, density of development have been discussed within this report.

The design merits of the proposed development have been discussed within the main report and are considered to be appropriate to the local context.

The devaluation of property and the loss of view are not material planning considerations. It is also not considered that the impact of the previous developments on site (now demolished) are a material consideration.

The consultation event carried out before the application was submitted was an event held by the applicant and the local planning authority can only consider the details submitted as part of the planning application. It is not possible to consider matters outside the red line boundary.

In respect of work being undertaken, it is understood that this was undertaken to inform site investigation works and does not imply that planning permission will be approved.

In respect of the comments made by Sheffield Wildlife Trust, the ecological impact and assessment of the scheme are considered earlier in this report.

SUMMARY AND RECOMMENDATION

The proposed residential development on this predominantly previously developed site is considered to be acceptable in principle. Whilst there will be some loss of Open Space, the majority of the site is within a designated Housing Area and the loss of open space is considered to be acceptable in this case given that there is sufficient alternative provision within the area.

The highways arrangements including the stopping up of existing highway, reuse of parking courts, the overall provision of parking and the impact upon the existing highway are all considered to be acceptable.

The design and layout of the development proposal is considered to be acceptable and will result in a quality development which creates a new character on a prominent site, whilst also being respectful of the local context. The amenity implications of the development on existing residents and the living conditions for future occupiers are also deemed to be acceptable.

The development proposes to satisfactorily address matters in relation to landscape, drainage and ecology.

In conclusion, the development proposal is considered to meet the aims of the NPPF, Core Strategy and Unitary Development Plan policies.

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

Stopping Up

This development will require the Stopping Up (i.e. permanent closure) of the pieces of Adopted Public Highway shown on the plan attached with reference YK5616-104 RevA and as amended by email dated 30.01.2019

Accordingly, if Members are minded to approve this application, they are also requested to confirm that:

- a. No objections are raised to the proposed Stopping Up of the areas of highway shown on the plan YK5616-104 rev A and as amended by email dated 30.01.2019, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected.
- b. Legal Services are authorised to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town & Country Planning Act 1990.

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Case Number	18/02607/FUL (Formerly PP-07112188)
Application Type	Full Planning Application
Proposal	Erection of seven apartments in a three storey building with basement car parking and associated landscaping (amended description)
Location	Land At Rear Of 79 Dore Road Sheffield S17 3ND
Date Received	06/07/2018
Team	South
Applicant/Agent	Mrs Kate Gray
Recommendation	Grant Conditionally

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:
 - Red Line Plan published on 30 January 2019 (Ref: 179/P/0.01/A)
 - Context Plan published on 24 January 2019 (Ref: 179/P/1.02/B)
 - Site Plans published on 30 January 2019 (Ref: 179/P/1.03/C & 179/P/1.04/C)
 - Lower Ground Floor Plan published on 30 January 2019 (Ref: 179/P/1.05/C)
 - Upper Ground Floor Plan published on 30 January 2019 (Ref: 179/P/1.06/C)
 - First Floor Plan published on 30 January 2019 (Ref: 179/P/1.07/B)
 - Second Floor Plan published on 24 January 2019 (Ref: 179/P/1.08/B)
 - Roof Plan published on 24 January 2019 (Ref: 179/P/1.09/B)
 - Tree Constraints Plan published on 30 January 2019 (Ref: 179/P/1.10/B)
 - West Elevation published on 24 January 2019 (Ref: 179/P/2.01/B)
 - East Elevation published on 24 January 2019 (Ref: 179/P/2.02/B)

- North Elevation published on 24 January 2019 (Ref: 179/P/2.03/B)
- South Elevation published on 24 January 2019 (Ref: 179/P/2.04/B)
- Section Plans published on 24 January 2019 (Ref: 179/P/2.05/B - 179/P/2.06/B - 179/P/2.07/A & 179/P/2.08/A)

Reason: In order to define the permission.

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

3. The surface water discharge from the site shall be reduced by at least 30% 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. 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 litres/second 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)

4. No 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.

5. 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.

6. Large scale details, including materials and finishes, at a minimum scale of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before the relevant part of the development commences:
 - a) External walls associated with the undercroft car parking area/raised amenity area, including the material.
 - b) Windows, including reveals.
 - c) Doors.
 - d) Eaves, verges and parapets.

- e) Soffits.
- f) Rainwater Goods.
- g) Balustrades.
- h) 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.

7. Within three months of development commencing details of cycle parking accommodation serving the apartment block shall have been submitted to and approved in writing by the Local Planning Authority. The cycle store shall be secure and include a roof. Before first occupation the approved details shall be in place and thereafter such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

8. Before development commences a report shall have 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 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 development 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 of the development. 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.

9. No externally mounted plant or equipment, including rooftop plant, shall be fitted to the building unless full details thereof, including screening and acoustic emissions data as relevant, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment should not be altered.

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

10. A comprehensive and detailed hard and soft landscape scheme shall be submitted to and approved in writing by the Local Planning Authority within three months of the development commencing.

The approved landscape works shall be implemented prior to the development being brought into use, or within an alternative timescale to be first approved in writing by the Local Planning Authority.

Thereafter the soft 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.

11. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority.

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.

12. Within three months of the development commencing, details of privacy screens serving the balconies and external amenity space in the following locations shall have been submitted to and approved in writing by the Local Planning Authority:

a) The southern boundary of the raised external amenity area set to the west of the apartment building.

a) The southern side of the first floor balcony serving Apartment 6.

a) The southern side of the southernmost second floor balcony serving Apartment 7.

Before first occupation of the development the approved details/screens shall be in place and they shall thereafter be retained.

Reason: In the interests of delivering a suitable form of development from an amenity perspective.

Other Compliance Conditions

13. None of the following roofs/external areas of the building shall not be used as a balcony, roof garden or similar amenity area and these spaces shall be accessed for maintenance only.

a) With the exception of the Lower Ground Floor units, any roofs/external areas of the building serving the remaining apartments and which are set on the eastern elevation facing towards the Thornsett Gardens properties.

b) Any roofs/external areas of the building which are set on the northern and southern elevations facing towards Dore Road and Dore Lodge Gardens respectively.

c) The northern roof/external area on the western elevation associated with Apartment 7 and shown as 'No Access' on the approved plans.

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

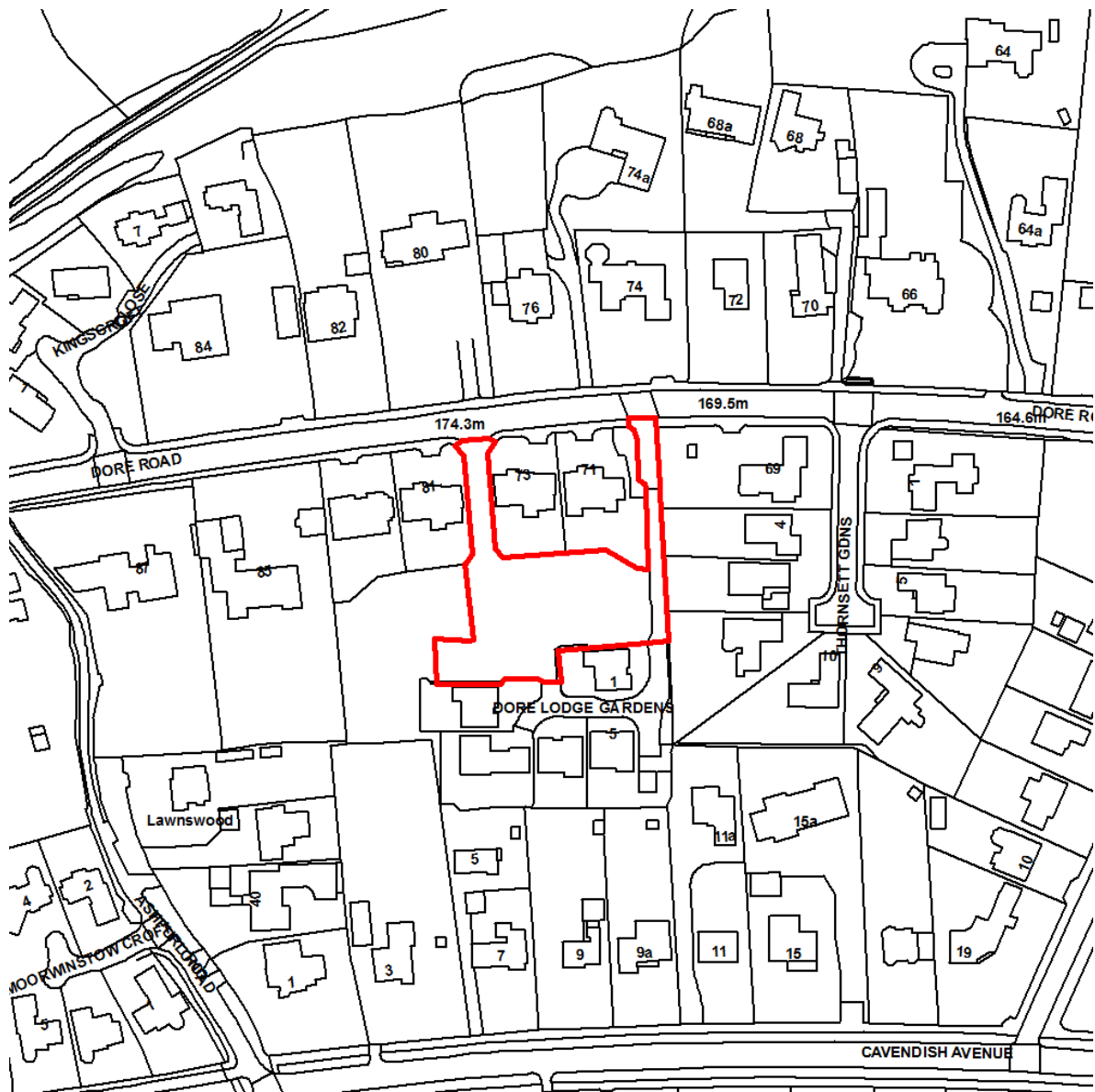
14. The hereby approved car parking accommodation within the site, as indicated on the approved plans, shall be provided before any unit is occupied and shall thereafter be retained for the sole use of the occupiers.

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

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. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
3. 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. 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.
4. 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.
5. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/coalauthority.

Site Location



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LOCATION

The application relates to a site of approximately 0.2 hectares in area, which is located in the Dore area of the city and is entirely within an allocated Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP).

The site is currently vacant and cleared, having previously been part of the curtilage of one large property. It does not benefit from a principal road frontage but does have an established vehicle access from Dore Road. In terms of topography the land falls from north to south and west to east.

The surrounding area has a strong residential character with housing set to the east across Dore Lodge Gardens, which acts as an access road to a small residential cul-de-sac of five houses that sits to the south. Dore Road is set to the north and separated from the application site by two recently completed detached houses. To the west of the application site is an additional area of cleared land, beyond which are further residential properties.

Three trees that are subject to Tree Preservation Orders (TPOs) are set within the application site and sit along the eastern boundary adjacent to the access road known as Dore Lodge Gardens.

PROPOSAL

The proposed scheme is for the erection of seven apartments (5 two bedroom and 2 three bedroom) in a single block that will range between two and three storeys and also provide additional accommodation within the roof space.

The proposal will follow a relatively traditional approach to the building form, including the incorporation of a pitched roof, but there are also some more contemporary elements such as larger windows within the principal elevations. The main external materials will be brick and stone and the roof is proposed to be slate.

Externally the proposal will see several apartments provided with separate amenity areas and further communal amenity is also provided on a podium to the west of the block. Vehicle and pedestrian access into the site is taken from the existing access point along Dore Road with 18 car parking spaces provided across the scheme. This car parking will be provided by an in part undercroft space that will sit below the podium amenity area.

RELEVANT PLANNING HISTORY

Permission was granted conditionally for 13 dwellinghouses under planning reference 08/04870/FUL. Approximately eight of these units would have been provided within the current red line with the remainder either provided on the land to the west or fronting Dore Road.

SUMMARY OF REPRESENTATIONS

There have been 20 representations received in respect of this application, following notification to residents of the original and later amended submission.

Those in Objection

17 representations have been received in objection to the proposals, including two from the Dore Village Society and these raise the following points:

- Detached family housing would be much more in keeping with the area.
- The height of the block should be substantially reduced as it is excessive for the plot and does not reflect adjacent housing.
- Approving this scheme would set a dangerous precedent for similar sites in terms of density and scale.
- The proposal is an overdevelopment of the plot and is out of character with the adjoining housing which reaches two storeys in height.
- The application does not follow the pattern of development previously approved for the site.
- The site is not well laid out and does not relate well to surrounding highways.
- The garage/podium would form an unsympathetic appearance from the internal street.
- The proposed density is excessive and should not be supported.
- The proposal would be a massive intrusion of privacy. Of particular note is the impact for the residents of Thornsett Gardens owing to the scale of overlooking created from the windows and balconies within the east facing elevation and this infringement also relates to neighbouring gardens.
- Amending the floor plans to place main living room windows in the west elevation and bedroom windows in the east elevation does go some way to alleviate overlooking, but this remains a notable issue.
- The eastern building line for the apartment block is closer to the Thornsett Gardens properties than was the case for the previous scheme on the site (approved in 2008 (08/04870/FUL)).
- Can screening be utilised to the balconies to aid with privacy issues.
- Following revisions the balconies on the east facing elevation will not have access to them, how will this be monitored in the future and how will these areas be maintained.
- The height and scale of the building will result in an overbearing and shadowing effect on the surrounding properties.
- No sunlight analysis has been submitted with the application.
- Removing trees on the eastern boundary would heighten the negative amenity impact as these create much needed screening for the Thornsett Gardens properties.
- Can trees be planted between the gable wall and 71 Dore Road so these residents are not looking at a blank gable wall.
- Vehicle access is proposed from Dore Lodge Gardens and this would result in increased traffic adjacent to residential boundaries. This would also result in this road having to be designed to adoptable standards.

- Dore is an area of high car ownership and as such the number of car parking spaces being proposed is completely inadequate and overflow car parking would be created onto Dore Road.
- Provision for service and emergency vehicles is inadequate.
- The passing place for vehicles is poor and will not function.
- The width of the access to Dore Road is not sufficient and is therefore dangerous.
- There is not public transport on Dore Road and as the walk to Dore Village is uphill car dependency is inevitable.
- It seems inevitable that the trees on the eastern boundary, which are subject to Tree Preservation Area, will be impacted negatively by the development and there will be pressure for ongoing works to these.
- There is no indication of the direction of mains services, particularly foul water drainage. The adjoining development has experienced problems in this regard having had to pump sewerage uphill for discharge along the access road.
- The submission does not show how the wider site would be redeveloped and therefore the impact of the development as a whole cannot be judged.
- This type of development was not what was promised when the residents of 83 Dore Road purchased their property.
- The Thornsett Gardens properties are not included on the submitted information and this includes showing these in section drawings.
- It has taken this developer several years to build four houses on the adjacent land and this is likely to take even longer with the associated disruption for existing residents being unacceptable.
- Questions have been raised as to the accuracy of the land ownership certificates.
- The residents of a property on Dore Road have highlighted the fact that another resident who lives elsewhere has made a representation claiming to reside at this property.
- The application was submitted when many neighbours are on holiday and therefore they can't comment on it.
- The proposal does not support or revitalise the local economy and does nothing to reinforce the neighbourhood and community.
- The scheme is advertised as a three storey building when in fact it is four storeys, this is misleading.

Those in Support

Three representations have been received in support of the proposals for the following reasons:

- The proposals are well designed and in keeping with the houses along Dore Road.
- The proposals will not impact on the residents of 73 Dore Road in terms of amenity.
- The proposals will benefit and support the local retailers of Dore.
- Hopefully the proposals will see young families move to the area.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Land Use

The site is located entirely within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP). As such, the proposed housing use is preferred in accordance with Policy H10 within the UDP.

Housing Land Supply

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement with an additional 5% buffer.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Development of Brownfield Land

The site is classed as previously developed (brownfield) land and the Council's Core Strategy prioritises development in such areas. The development is therefore considered to comply with Policy CS24.

Housing Density

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land.

Policy CS31 (Housing in the South West) within the CS states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

The recommended density for a site such as this, which is within an urban area but more than 400 metres away from a District Shopping Centre or high-frequency bus

route, is between 30 and 40 dwellings per hectare, as set out in Policy CS26. This scheme achieves a density of approximately 34 dwellings per hectare, which is within the acceptable density range. As such the proposals are considered to comply with the above policies.

Design

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings.

Policy CS74 (Design Principles) within the CS states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

Scale & Footprint

There are a variety of house types, with regard to scale and massing, in the immediate area and this includes large detached properties set to the south of the application site and fronting Dore Road to the north. There are also smaller detached properties in the vicinity, including bungalows set to the east of the site fronting Thornsett Gardens.

In terms of the proposed scale and setting aside the lower ground floor level for the time being, the principle of a two storey building with accommodation provided in what would be a notable roof space is established in the vicinity, including by properties on the northern side of Dore Road for example.

As a result of the proposed land levels, when taking account of the lower ground floor the ridge height of the new building will only be approximately 600mm higher than the ridge height of the new properties that front Dore Road, which ensures the scale of the block will not feel unduly excessive in the context. In addition to this, the proposed building will be largely screened from Dore Road along with the other surrounding public highways by existing buildings and this offers some additional discretion to include a feature such as the lower ground floor.

In terms of footprint the proposed block is again similar to the larger detached houses fronting onto Dore Road, as well as several other properties in the area.

When the above factors are accounted for it is considered that there is suitable precedent in the area for the scale of the building being proposed and any visual impact will be largely hidden from main public highways because of the backland nature of the scheme.

Massing and Materials

The principal materials across the building are stone, brick and slate and all of these are used within the immediate context. This will include the facing material to the raised amenity space, the final details of which will be secured via planning condition.

A number of approaches have been employed to ensure the elevations are well articulated and the mass is suitably broken down. This includes projecting bay features, the utilisation of both stone and brick across the facades and generous full height window openings. The use of features such as bay windows and gable features also reflect buildings within the immediate context and this is welcomed.

In terms of form, the utilisation of mainly pitched roofs reflects the context with the smaller flat roofed 'wings' being subordinate features. There are elements of the form that do not achieve symmetry and therefore unbalance the principal elevations to a degree. However such elements are limited and this has been necessary to address concerns around amenity impacts on neighbouring properties.

It is therefore considered that the massing and materials utilised provide a suitably sympathetic response to the context whilst also achieving a welcome level of articulation.

Layout/External Areas

The building is located centrally within the site and this allows amenity space to be provided to both the front and rear of the block, which is to be utilised as both private and communal amenity space. This approach is reflective of the traditional layout for housing plots in the area and creates no concerns.

Sustainability

Policy CS63 (Responses to Climate Change) within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

In relation to the requirements of CS63, the site is considered to be well served by sustainable forms of transport, being within approximately 800 metres of Dore Railway Station and the high frequency bus route that runs along Abbeydale Road

South. In addition, the scheme is located within an established urban area and will include sustainable drainage measures to reduce surface water run-off.

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions.

Until recently residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This has however been superseded by recently introduced Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

The applicant has confirmed that the 10% target will be achieved across scheme and this is likely this will be achieved through the incorporation of air source heat pumps.

Overall, it is considered that the proposal meets the local sustainability policy requirements.

Highways

Paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Policy CS51 (Transport Priorities) within the CS identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

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

Vehicle Access

The access point into the site from Dore Road is already in existence and is considered to be designed to the required standards in terms of width and visibility splays in both directions.

The width of the access road itself is approximately 4.4 metres, with the minimum width for two cars to pass being 4.1 metres. It is also worth noting that given the

design of the access at its junction with Dore Road it is possible for two vehicles to pass, hence avoiding vehicles having to reverse onto Dore Road.

Traffic Generation

It is estimated that the vehicular traffic movements associated with the proposals would be in the order of 40 - 50 per day and this would not be considered a level of additional vehicular movement that would represent a material increase over and above the existing movements on Dore Road.

Pedestrian Access

The access road is designed as a shared surface and given the low number of vehicular movements likely to be associated with the development it is considered quite acceptable from a highway safety point of view to use a shared surface design.

It is also worth noting that the access is straight and visibility along its length is good, which reduces the potential for conflict between vehicles and pedestrians.

Car/Cycle Parking Provision

The scheme incorporates 5 two bedroom apartments and 2 three bedroom apartments. In accordance with Sheffield City Council Information Sheet Three: Car Parking Guidelines, the maximum parking standards for a two/three bedroom unit would be two parking spaces, with an additional visitor space provided for every four apartments, which would result in 2 visitor spaces in this case. The overall maximum car parking provision for this development would therefore be 16 spaces for residents and visitors.

This scheme actually provides 18 spaces, which slightly exceeds the maximum standard. However, as this ensures that any additional parking does not create undue issues on the surrounding highways it can be accepted.

A condition will be imposed to ensure details of secure cycle parking will be provided as part of the completed scheme.

Drainage/Flood Risk

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

The site itself is located within Flood Zone 1 and therefore not at any significant risk of flooding. However, several measures will be incorporated to reduce surface water runoff by 30%, including the provision of soft landscaping.

Subject to complying with conditions, Yorkshire Water and the Land Drainage section consider these proposals as acceptable in principle and the scheme is therefore in accordance with Policy CS67.

Coal Mining Legacy

While a section of the site falls within the High Risk Area with respect to past coal mining activity, the proposed new building itself falls within a Low Risk Area. As such The Coal Authority has no objections to the proposals.

Access

Policy H7 (Mobility Housing) of the UDP has set standards for acceptable levels of mobility housing within residential development. However, as these standards are not part of an up to date local plan they have been superseded by the recently introduced Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time.

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout of the scheme itself level access is provided into the main entrance, mobility parking is provided in the basement and lift access is available within the building.

Based on the above the proposals are considered to offer a suitable response from an access perspective.

Amenity of Future Occupiers

Paragraph 127 within the NPPF states that the planning system should always seek to secure a high standard of amenity for existing and future users.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

In relation to noise the site is surrounded on all sides by residential accommodation and therefore future residents will not be exposed to problematic sources of noise. Furthermore, owing to the past residential land use there are no land contamination matters that would need to be tackled as part of the construction phase.

Having assessed the submitted information in terms of internal layouts it is considered that occupiers will be afforded good living conditions in terms of space standards, outlook, light and privacy.

In relation to external amenity space several of the units will be provided with balconies or a small garden area, which is welcomed. However, the opportunity for balconies is restricted to an extent by the need to protect the residential amenity of adjacent occupiers. Residents will also have direct access to communal amenity space of an acceptable size.

Based on the above the proposal is considered to offer an acceptable level of amenity for future occupiers.

Amenity of Surrounding Residents

Paragraph 127 within the NPPF states that the planning system should always seek to secure a high standard of amenity for existing and future users.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

When approving new development an assessment needs to be made as to the impact on surrounding uses in relation to matters such as over shadowing, over dominating and privacy infringements. In this case such an assessment also needs have regard to changes in land levels.

Privacy

In respect to privacy there are no windows or balconies proposed in the northern or southern elevations facing towards the Dore Road and Dore Lodge Gardens properties and this is welcomed. In addition, the glazing facing west will look across the communal amenity area and then onto cleared land.

There are some windows within the northern section of the eastern elevation that could overlook a section of garden associated with 71 Dore Road owing to the rather awkward orientation of this plot. This has been guarded against through the existing boundary treatment and the use of an angled oriel window.

The windows facing east will look towards the rear gardens and rear elevations of the properties the front on Thornsett Gardens. These properties are set at a lower land level, with an approximate change of around 1.5 metres, and are of a smaller scale with number 6 Thornsett Gardens being a bungalow for example.

The lower ground floor windows within the proposed block will face onto an existing boundary fence and these do not cause any concerns. The closest windows within the upper floor will be in excess of thirty metres from the rear elevation of the Thornsett Road properties and over fifteen metres from the boundary, with other windows being set even further away owing to the staggered nature of the elevation.

This impact is not dissimilar to the established relationship created between 1 Dore Lodge Gardens and 8 Thornsett Gardens when the fact that the proposed building is set further to the west is accounted for to counter balance the difference in scale. It is also worth noting that during the course of the application the applicant has removed the balconies from the eastern elevation and reduced the amount of glazing, which is welcomed.

Any possible overlooking from the external landscaping/podium and balconies will be suitably mitigated through a combination of existing boundary treatments and privacy screens as appropriate.

Based on the above the proposals are considered to be acceptable from a privacy perspective.

Shadowing/Overbearing/Outlook

In relation to the shadowing, overbearing and outlook impacts of the apartment block on the rear elevations and gardens of the Thornsett Gardens properties, it is firstly noted that these existing properties are set to the east and at a lower level, with the difference in land level being approximately 1.5 metres. It is also noted that the ridge height of the proposed block will be approximately 10 metres higher than the ridges of some of the Thornsett Gardens properties.

To mitigate this impact on these existing properties the proposed block has been set away from their boundary by 15 metres as a minimum distance and is no closer than 30 metres from their rear elevations.

In addition and more specifically in terms of shadowing the South Yorkshire Residential Design Guide offers a useful point of reference to determine acceptability.

With this in mind, Section B1.3 identifies the 25 degree rule, which is defined by taking a horizontal line extending back from the centre point of the lowest window and drawing a line upwards at 25 degrees. All built development facing a back window should be below the 25 degree line to be considered to have an acceptable impact from a shadowing perspective. The plans submitted show that this 'rule' has been achieved.

As such these separation distances are considered as being sufficient to ensure unacceptable shadowing or overbearing will not be created and the outlook from the Thornsett Road properties will remain acceptable, even with the land levels and orientation accounted for.

In relation to the property to the immediate south (1 Dore Lodge Gardens) the rear elevation and rear garden of this property is set at a lower level and there are also several windows in the northern gable wall facing the application site.

Having considered the approved plans for this existing property it is clear the gable windows do not serve main habitable rooms with the floor plans indicating they service a utility room at ground floor and a dressing area and bathroom at first floor.

In terms of the impact on the rear windows of 1 Dore Lodge Gardens this existing property is set to the direct south, which means shadowing will not be created. In addition the main building will not breach a 45 degree line when taken from the closest rear facing windows of 1 Dore Lodge Gardens.

Although this 45 degree 'rule' is a guideline within Sheffield City Council's Supplementary Planning Guidance: Designing House Extensions, so relates much more to house extensions, it is appropriate to employ it in this instance as a measure of acceptability given the similarities.

The main block and podium of the proposal will however project beyond the rear elevation of 1 Dore Lodge Gardens and they may therefore impact on the garden of this neighbour, which is set at a lower level. However, these features will be set off the common boundary, the taller elements in particular, and a boundary fence already exists above the level of the existing garden, which acts as a visual block into the application site.

With respect to 71 & 73 Dore Road these properties are set to the north and are therefore most susceptible to shadowing impacts. It is also noteworthy that these properties are set at a higher level than the application site, this being around three metres in places. There are also substantial boundary treatments already in place in the form of a retaining wall and fence.

To suitably mitigate the impact on these existing properties from a shadowing, dominance and outlook perspective several steps have been taken with the most noteworthy being:

- The closest section of the block to the common boundary has been reduced in scale so that it sits only slightly above the top of the existing boundary fence.
- The taller element of this block is set approximately 16 metres from the rear elevation of the Dore Road properties.
- The 25 degree 'rule' as discussed above and set out within the South Yorkshire Residential Design Guide is complied with as shown on the plans.
- The roof will slope away from the Dore Road properties.

In addition to the above the areas of existing garden set closest to the proposed block will be the sections furthest away from the houses they serve, which includes an area to the east that is set at a lower level and associated with 71 Dore Road. As these are not what are traditionally classed as the most useable/sensitive part

of an external amenity area and as these gardens are reasonably generous in size any amenity impact on these spaces can be tolerated.

With the above in mind and when factors such as the difference in land levels and separation distances are accounted for, it would not be reasonable to refuse the scheme based on any shadowing, overbearing or loss of outlook impacts on the surrounding residential properties.

Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

The South Yorkshire Archaeology Service has confirmed that the site does not hold any archaeological interest.

Landscape/Trees

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodlands will be encouraged and protected. This is to be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

There are three trees that are the subject of Tree Preservation Orders located on the eastern boundary of the site and originally it was proposed to create two car parking spaces below the canopies of these trees with access taken from Dore Lodge Gardens. However, this created concerns in respect of the long term health of these trees and these elements have been removed from the scheme.

As a result the information provided now demonstrates that the building and associated excavations will not encroach into the Root Protection Areas (RPAs) and the existing land levels within these RPA's will see minimal alteration.

With the imposition of planning conditions to ensure suitable protection measures are in place during the construction phase officers are satisfied that these trees will be retained in good health.

In addition to the above the scheme is introducing new areas of soft landscaping on the site and this is welcomed. Based on these circumstances, the proposals are considered to be acceptable from a landscape perspective.

Ecology Considerations

Policy GE11 (Nature Conservation and Development) requires development to respect and promote nature conservation.

As the site is both vacant and cleared it is not considered that there are any ecology implications with respect to the development.

Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £80 per square metre.

The funds generated through CIL will be used in connection with strategic infrastructure needs.

RESPONSE TO REPRESENTATIONS

A number of the points raised within the representations received in respect of this application have been addressed in the above assessment. The outstanding points are responded to as follows.

- Detached family housing would be much more in keeping with the area.

In response, there is no in principle objection with an apartment scheme on this site as this provides diversity in terms of housing stock.

- Approving this scheme would set a dangerous precedent for similar sites in terms of density and scale.

In response, each scheme is considered on its individual merits and the above assessment has demonstrated that the scale and density are not uncommon in this area.

- The application does not follow the pattern of development previously approved for the site.

In response, there is no requirement for this to occur and this scheme must be considered on its own merits.

- Following revisions the balconies on the east facing elevation will not have access to them, how will this be monitored in the future and how will these areas be maintained.

In response, a planning condition will be attached to ensure access is restricted to maintenance only. If breached the local planning authority have the discretion to enforce.

- No sunlight analysis has been submitted with the application.

In response, issues with respect to shadowing have been discussed in the above assessment and it was not considered proportionate to request a formal sunlight study.

- Can trees be planted between the gable wall and 71 Dore Road so these residents are not looking at a blank gable wall.

In response, tree planting is proposed in this area.

- Vehicle access is proposed from Dore Lodge Gardens and this would result in increased traffic adjacent to residential boundaries. This would also result in this road having to be designed to adoptable standards.

In response, access is no longer being gained from Dore Lodge Gardens.

- There is no indication of the direction of mains services, particularly foul water drainage. The adjoining development has experienced problems in this regard having had to pump sewerage uphill for discharge along the access road.

In response, generally speaking details of main services would be dealt with outside of the planning process. It is noted specifically in relation to drainage Yorkshire Water has not objected to the scheme subject to conditions.

- The submission does not show how the wider site would be redeveloped and therefore the impact of the development as a whole cannot be judged.

In response, it is not considered as necessary to consider the redevelopment of the site in its entirety as each application can be judged on its own merits.

- This type of development was not what was promised when the residents of 83 Dore Road purchased their property.

In response, this is a matter between the relevant parties and does not form a material planning consideration.

- The Thornsett Gardens properties are not included on the submitted information and this includes showing these in sections drawings with the development.

In response, this information has been provided and offered due consideration.

- It has taken this developer several years to build four houses in the adjacent land and this is likely to take even longer with the associated disruption for existing residents being unacceptable.

In response, the local planning authority does not control the length of time a development project takes to complete. Furthermore, disruption is an unfortunate consequence of such projects.

- Questions have been raised as to the accuracy of the land ownership certificates.

In response, these matters have been investigated and the red line plan adjusted appropriately.

- The residents of a property on Dore Road have highlighted the fact that another resident who lives elsewhere has made a representation claiming to reside in their property.

In response, this has been investigated and resolved.

- The application was submitted when many neighbours are on holiday and therefore can't comment on it.

In response, this application has been through two rounds of neighbour consultation and residents have had ample opportunity to comment.

SUMMARY AND RECOMMENDATION

This planning application is for the erection of 7 apartments in a single block that will reach three storeys in height and provide additional accommodation in the roof space. The scheme also includes an undercroft car park with an amenity area on the podium/roof above.

The block will generally follow a traditional approach to design, including the incorporation of a pitched roof, but also includes some more contemporary detailing. Overall it is considered that the scale and design of the block is suitably reflective of the context and it is supported.

The scheme is located within a Housing Area, redevelops a vacant site and falls into the acceptable density range. All of these are seen as positives.

The vehicle access to the site from Dore Road exists and meets acceptable highway safety standards, as does the internal site layout for both pedestrians and vehicles. The slight overprovision of car parking is not of concern as this will ease any possible parking pressure on surrounding highways.

Whilst the site creates challenges in terms of protecting existing residential amenity owing to issues such as changing land levels, it is considered that the correct balance has been achieved in this respect when factors such as standoff distances are accounted for.

The scheme will provide 10% of predicted energy through sustainable sources and will also ensure the three protected trees on the eastern boundary will be retained in good health.

As such the proposals are considered to be acceptable and the scheme is recommended for conditional approval.

RECOMMENDATION

Grant Conditionally.

Case Number	18/01888/FUL (Formerly PP-06976873)
Application Type	Full Planning Application
Proposal	Partial demolition of existing barn, alterations and conversion of barn to create a new dwelling. (Amended Plans received 4th February 2019).
Location	37 Nethergate Sheffield S6 6DH
Date Received	15/05/2018
Team	West and North
Applicant/Agent	Time Architects
Recommendation	Grant Conditionally

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:

Site Location Plan: Job Number 1803: Drawing No: 100 Revision A received 4th June 2018

Proposed Site Plan: Job Number 1803: Drawing No: 201 Revision C received 6th February 2019

Proposed Ground Floor Plan: Job Number 1803: Drawing No: 202 Revision C received 6th February 2019

Proposed First Floor Plan: Job Number 1803: Drawing No: 203 Revision C received 6th February 2019

Proposed Elevations (North & West): Job Number 1803: Drawing No: 205 Revision C received 6th February 2019

Proposed Elevations (East & South): Job Number 1803: Drawing No: 206 Revision B received 6th February 2019

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 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 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. Prior to commencement of development, including any works of demolition, details shall be submitted to and approved by the Local Planning Authority specifying measures to monitor and control the emission of dust during demolition and construction works. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

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

7. 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.

8. 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.

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. 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:

Windows and reveals
Rooflights
Doors
Eaves and Verges
Rainwater goods
Services and meter boxes
Flues

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

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

11. Details of any repairs to the stone boundary wall shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority. The repair works shall be carried out 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.

12. No above ground works shall proceed until full details of bat boxes to be provided and integrated into the structure have been submitted to and approved by the Local Planning Authority. The bat facilities shall be provided and retained thereafter and photographic evidence of these, in situ, shall be provided before first occupation.

Reason: In order to encourage biodiversity in the locality.

13. Prior to the occupation of the building, the 'pig pens' as shown on Drawing No: 101 shall be removed from site.

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

Other Compliance Conditions

14. Rooflights shall be of a 'Conservation Style' type only. No part of the rooflight shall project above the surface of the roofing slates unless otherwise agreed in writing by the Local Planning Authority.

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the building shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: To ensure that the traditional architectural character of the buildings is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

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 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 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. 0800 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 the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
4. 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

This application relates to a two storey stone built barn and associated land which are located on the south western edge of Stannington adjacent to open countryside with views over the Rivelin Valley to the east. Immediately to the north of the barn are a row of four stone terraced dwellinghouses. It is likely that the barn would have originally been associated with one of the adjoining dwellinghouses.

Access to the barn is taken via an existing narrow private access off Nethergate, which also serves four neighbouring houses. This access is currently used by existing residents and it is understood that there is an established right of access through the shared courtyard and across part of the application site (via a series of gates) to the adjacent land to the south. It is understood that the barn is in the same ownership as at No.37 Nethergate. To the immediate west of the barn is a detached outbuilding/barn adjacent to which is a detached bungalow. Open fields designated as Green Belt lie to the south and east.

The barn in question is located within a Housing Area as defined on the Sheffield Unitary Development Plan proposals map, however the red line application site boundary plan includes a grassed area of land immediately to the south of the barn delineated by existing low stone boundary walls and timber post and rail fencing. This part of the site is located in the Green Belt and is proposed to be used as the garden area associated with the barn.

This grassed area adjoins agricultural fields (Green Belt) to the south and east, and the housing area to the west and north.

The area to the north and west is residential in character, comprising attractive stone dwellinghouses, many of which would have been associated with the original farm houses in the area. There are some newer build properties in the vicinity as well.

Planning permission is sought for alteration and conversion of the barn to create a single dwellinghouse and the change of use of a parcel of land immediately to the south of the barn to garden land. The proposal also includes the demolition of part of the existing barn to facilitate the provision of parking for No.37 Nethergate.

Amended plans have been received during the consideration of the application omitting a proposed extension to the barn and amending some of the proposed fenestration detailing.

RELEVANT PLANNING HISTORY

99/02261/FUL – Two-storey side extension to dwellinghouse at No.37 (amended 23.06.1999) – Granted conditionally

14/03974/FUL - Alterations to barn, including part demolition and erection of a two-storey side extension to form a dwellinghouse – Application returned.

SUMMARY OF REPRESENTATIONS

Bradfield Parish Council has recommended refusal of the application as the development is in Green Belt.

Loxley Valley Protection Society (LVPS) has submitted two letters of objection to the scheme. Whilst they note the benefit of saving a barn from dereliction, their concerns are summarised below:

- The conversion will result in more cars being brought into a restricted area, through a narrow access.
- Neighbours have a legal right to access the barn as well as the stack yard.
- Inconvenience from construction works.
- Fenestration has been kept to a minimum to retain character of the barn, however the extension is not compatible with the character of the building.
- The original stone roof slates should be reused if the application is granted.
- The extension and domestic curtilage would impinge into the Green Belt.
- The addition of residential accommodation would be severely detrimental to the living conditions of those already living there, due to the restricted access and dimensions of the yard.

LVPS have provided additional comments stating their original objection stands.

Sheffield & Rotherham Wildlife Trust have objected to the application as summarised:

- Proposed extension will impact on Green Belt.
- The barn could provide roosting and nesting for bats and birds. No evidence of ecological survey having been undertaken.

Six letters of objection have been received from members of the public and are summarised below:

Planning Considerations

- Application form states roof is natural stone – 30/35% of the roof is asbestos, the remaining being another material.
- Application does not account for the provision of an additional parking space, alongside the 1 currently used for No.37.
- The site is not conducive to more cars and more activity.
- Bat survey is required.
- The section of barn to be removed is adjacent to an extension to No.37, therefore the existing awkward relationship is a result of the applicants, and therefore not a reason to remove.
- The pig pens have not been in place for 10 years.
- Grassed area is Green Belt and therefore a change of use of land.
- Proposed extension is within the Green Belt.
- The proposal removes nearly a third of the barn, therefore does not comply with GE9.
- Application takes no account of Area of special character.
- Using the access will prevent parking for No.33 and No.35.

- Concerns of safety of residents due to additional vehicular movements.
- Concerns over privacy of existing residents.
- Drainage – heavy rainfall flood area with sewage, drainage system unable to cope without addition of a further property.
- Plans appear to have been skewed to make new buildings fit by repositioning older buildings.
- Safety concerns due to further vehicle movements.

Non Planning Considerations

- Owners of No.33 and No.35 have legal right to access the barn and the land adjacent.
- The deeds do not include provision for allowing access across land associated with No.33 and No.35, including access to water and waste amenities.
- Asbestos in the roof of the barn – concerns over the improper and unplanned removal of such hazardous substance.
- The proposed changes to the profile of the yard to the front are within ownership of No.35.
- Removal of part of barn will affect microclimate, exposing residents to excessive levels of wind.
- Contractor vehicles would not be able to access the land, due to restricted access.

Two letters of support have been received and are summarised below:

- No objections to a sympathetic conversion.
- Improving an existing building of character will be a benefit to local area.
- Would be sad to see it fall into further disrepair.
- New homes needed, and proposal is solution to an eyesore.

PLANNING ASSESSMENT

Policy basis

National Planning Policy Framework (NPPF)

The National Planning Policy Framework attaches great importance to the design of the built environment and emphasises its role in contributing positively to making places better for people, whilst not attempting to impose architectural styles or particular tastes.

Development Plan Policies

The red line of the application site includes land located within a Housing Area, the Green Belt and an Area of Special Character, as defined by the Sheffield Unitary Development Plan. The assessment takes account of Policies H10, H14, BE5, BE18, GE1, GE2, GE4 and GE9 of the Unitary Development Plan (UDP). Attention is also given to the provisions of Core Strategy Policies CS71 and CS74 and the National Planning Policy Framework.

Use

The barn is in an allocated Housing area and the proposed conversion of the barn to a dwelling house is accepted under UDP Policy H10, as housing is the preferred use in the policy area.

It is proposed to form a garden and a single parking space for the barn on a small parcel of land immediately to the south of the existing barn which is delineated by existing walls and fences and the rear boundary of No.39 Nethergate. This land is in the Green Belt

The National Planning Policy Framework (NPPF) gives great importance to Green Belts (Paras 133 – 147) and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 goes on to state that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from a proposal, is clearly outweighed by other considerations. Paragraphs 145 in relation to the construction of new buildings and paragraph 146 in relation to other forms of development identify a number of different forms of development which are excluded from the definition of inappropriate development.

The material change in the use of land to garden land, is not considered to be one of the exceptions from the definition of inappropriate development identified within the NPPF (para 146). As such the change of use to garden land is by definition inappropriate development and therefore very special circumstances must be demonstrated.

UDP Policy GE1 – ‘Development in the Green Belt’ broadly reflects the guidance in the NPPF and sets out that development will not be permitted, except in very special circumstances, where it would lead to unrestricted growth of the built up area or lead to encroachment of urban development into the countryside.

UDP Policy GE2 ‘Protection and improvement of the Green Belt Landscape’ states that measures will be taken to improve and enhance Green Belt landscape.

UDP Policy GE4 – ‘Development and the Green Belt Environment’ states that any development in the Green Belt, or conspicuous from it should be in keeping and where possible conserve and enhance the landscape.

Impact on Green Belt

The area of proposed garden land is already clearly delineated by an existing stone boundary wall, timber (post and rail) fence and the rear boundary of No.39 Nethergate and is considered to be clearly associated with the existing barn. It currently contains a ‘pig pen’ formed in timber fencing (to be removed as part of the development) which is attached to the southern elevation of the existing barn. The remainder of the proposed garden has been used at different times for the storage of machinery and other building materials. The area is clearly delineated from the

adjacent agricultural fields to the south and east by the existing boundary treatment.

When viewed from the adjacent Green Belt land to the south and east, the land is read in conjunction with the barn and against a back-drop of residential properties and their associated domestic curtilages to the north and west of the site. The site is largely screened from Nethergate by established built form. Taking account of the above, it is considered that the use of this land as domestic curtilage would not appear out of character nor would it appear significantly different than existing when viewed from the Green Belt and wider area.

It is noted that a local resident has stated that the fenced pig pens are a recent addition to the site. Nevertheless, the application proposal represents an opportunity to remove the pig pens which detract from the site, especially in terms of the appearance and character of the barn. The use of this land as domestic curtilage will also remove any likelihood of agricultural machinery or other related material being stored on the site, which has the potential to have a more urbanising effect and to detract from appearance of the Green Belt, than the proposed use. The removal of the pig pen and agricultural paraphernalia will therefore have a beneficial impact upon the openness of the Green Belt and will enhance views from the Green Belt and therefore a degree of weight should be given to this benefit in terms of assessing 'very special circumstances'.

Notwithstanding the assessment of 'very special circumstances' the removal of the above is considered compliant with the aims of UDP Policy GE2 by improving the Green Belt landscape, and also UDP Policy GE4 by improving views within and conspicuous from the Green Belt. It is also considered consistent with the aims of paragraph 141 of the NPPF by improving the visual amenity of the Green Belt. To ensure this benefit is achieved, a condition is recommended to be imposed to ensure the removal of the pig pen prior to occupation of the barn.

The fact that the barn and the proposed garden area fall within two separate policy areas (housing and Green Belt) as defined in the UDP is also considered to contribute to the very special circumstances in this case. Significant weight is given to the fact that the use of the barn for residential purposes reasonably requires some dedicated garden space. The land immediately to the south of the barn is clearly visually associated with the existing barn and is the only land adjacent to it that is considered to be suitable for the proposed purpose. Furthermore, the use of the land to the south of the barn as domestic curtilage is considered necessary to facilitate the residential use of the barn.

The barn is currently in a state of disrepair; nevertheless it is a traditional building of character and is located within an Area of Special Character as defined by the Unitary Development Plan. The proposal therefore represents an opportunity to retain and restore a traditional building which contributes to the character of the area and which is visible from Green Belt land. The change of use of the land to the south of the barn will therefore enable the restoration of the barn alongside the associated benefits of improving the Green Belt landscape (removing the pig pen etc). The restoration of this attractive traditional building will not only enhance its appearance, but will also enhance views of the site from the Green Belt and is only

possible by allowing the change of use of the grassed area to garden space. This is considered to comply with the aims of UDP Policy GE2 and GE4, and the principles of Paragraph 141 of the NPPF, and therefore weight should be given to this positive opportunity when considering 'very special circumstances'.

Members should note the benefits of converting the barn to a residential use, with strong consideration given to the fact this is only viable if the grassed area is used as domestic curtilage and therefore significant weight should be given to the benefits of the reuse of the barn.

In addition to the garden area, a single parking space is to be created immediately adjacent to the barn, located on the northern part of the current grassed area (Green Belt). This is the only feasible option to allow parking for the property and a parking space is considered necessary to facilitate the barn conversion. It should be noted that vehicles associated with agriculture could park on this land currently and therefore the harm to the Green Belt attributed by a single car is not considered significant in this instance and is outweighed by the benefits of converting the barn.

Whilst assessing the benefits of the barn conversion, it is considered that Permitted Development Rights under Schedule 2, Part 1, Class A to H and Part 2 Class A of the General Permitted Development Order (GPDO) should be removed by the imposition of a condition. This is to ensure that development such as extensions, domestic outbuildings and enclosures cannot be constructed without planning permission, which otherwise could have an impact upon the openness and visual amenities of the Green Belt.

In addition to the visual improvement to the site identified above and the benefits of restoring and bringing a building of character back into use, weight should also be given to the fact that the site is already connected and visually associated with the barn and is already clearly delineated from the agricultural fields further to the south and east by established stone boundary walls and timber (post and rail) fencing. As such the change of use is not considered to affect the openness of the Green Belt.

Subject to removing permitted development rights, the land will not result in any new built form encroaching into Green Belt land, thereby not conflicting with one of the main purposes of Green Belt Policy. In addition, the physical boundary of the site will not be altered and the development is considered to result in an improvement to the visual appearance of not only the land in question, but also the barn which is clearly visible from Green Belt. A key consideration is that the acceptability of the barn conversion is reliant on the formation of a suitable garden area for the use of future residents. Therefore the benefits to the visual amenity of not only the Green Belt but also the wider Area of Special Character are only possible if the land immediately to the south of the barn is used as garden space.

In light of the above the use of the land to the south of the barn as a garden area is not considered to conflict with the purposes of including land within the Green Belt as defined by the NPPF, or to detrimentally affect the openness, character or appearance of the Green Belt. The benefits of securing the restoration and reuse

of the barn which is dependent on the provision of a garden area are considered to amount to very special circumstances in this case which would outweigh any material harm to the Green Belt by reason of inappropriateness and any other harm associated with the proposal. The development is therefore considered to comply with the aims of the NPPF, as well as UDP Policies GE1, GE2, GE4, GE9 and CS74 of the Core Strategy.

Design

UDP Policy H14 relates to conditions on development in Housing Areas. It details under Part (a) that new buildings are well designed and would be in scale and character with neighbouring buildings.

UDP Policy GE9 'Re-use and adaption of rural buildings' states that re-use of rural buildings are permitted providing they are converted without significant conversion and the new use would not harm the landscape or character of the area.

The development also needs to be assessed against policy CS74 of the Council's Core Strategy. This policy sets out that high quality developments will be expected to enhance the distinctive features of the city. The topography and green network should also be respected in the design of new developments.

The site is located within an Area of Special Character and therefore UDP Policy BE18 is also applicable. This policy states that buildings and open spaces amongst other things shall be retained that contribute to the character of the area and new development shall respect the appearance and character of the area.

Firstly, the upper section of the barn is to be demolished. Whilst attached to the main barn, it has a slightly different appearance from the main barn which is to be retained. The section to be demolished is located on a higher parcel of land with a higher eaves and ridge line than that of the main barn which is to be retained. The partial demolition of the barn would pull the development approx. 7 metres away from the front elevation of No.37 which has in the past been extended creating a rather awkward relationship with the barn. Currently the gable end of the barn sits very tight up against the front elevation No.37 and therefore the alterations, will to a degree improve the outlook and natural lighting to the neighbouring property. It is noted that this demolition would mean the development would conflict with the aims of UDP Policy GE9 to a degree, however the demolition is part of the overall 'package' to ensure that the conversion and retention of the main part of the barn is possible and will result in No.37 retaining a parking space. This is therefore considered acceptable.

The proposed development would see the main part of the barn repaired and put to a residential use. It is proposed to re-use stone slates for the roof, which have been removed previously in order to undertake some repair works. The proposed conversion includes a new first floor within the volume of the existing barn and will utilise existing window and door openings alongside the insertion of a new small ground floor window within the east elevation, reflecting the style of the other openings. New conservation style roof lights are also proposed. These openings

and rooflights will provide adequate light and outlook for the accommodation. Fenestration detailing will be secured by condition.

In light of the above, the traditional agricultural character and appearance of the building would not be significantly altered. High quality materials are proposed, retaining the existing stonework and reinstating stone slates on the roof. It is considered that the conversion would not have a harmful impact upon the appearance of the barn or the Area of Special Character. Furthermore, the development would bring about an overall improvement to the appearance of the building, which is currently in a state of disrepair. This is also considered to be an improvement in terms of views from the Green Belt in line with UDP Policy GE4.

For the reason above, it is considered that the proposal would comply with UDP Policies H14, BE18, GE4, GE9 and BE5 and CS Policy CS74.

Residential Amenity

Policy H14(c) states that in Housing Areas, development will be permitted provided that the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

There are no specific guidelines in relation to the construction of new dwellings, however privacy and separation distances set out in the Supplementary Planning Guidance 'Designing House Extensions' (SPG: DHE) are applicable in this instance. Designing House Extensions SPG Guidelines 4-6 detail how the above policy is put into practice. These guidelines essentially require extensions to avoid overshadowing neighbouring property and maintain minimum levels of privacy.

The conversion of the main part of the barn would not give rise to any overshadowing/overbearing issues. The demolition of part of the barn would pull the development away from No.37, thereby having a positive effect on their outlook.

The only possibility for overlooking from the proposal would be from the proposed first floor window within the western elevation. The south and east elevations would face over the proposed garden area and open fields. The north elevation would not have any window openings. The west elevation faces towards the yard, opposite a barn-type building. The orientation and angle towards No.31-37 Nethergate is such that any overlooking would be minimal. The ground floor openings are not considered to give rise to any privacy issues. As noted, there is a first floor window within the western elevation which could allow for some overlooking to the garden and property of No.39 Nethergate. The depth of the opening in question and the angle towards that property is such that it is unlikely that any overlooking would be significant and it certainly would not give direct views towards this neighbour. Submitted plans show that the window would be set back within the opening by approx. 300mm.

Assessment has also been made with regards to pedestrian and vehicular movements associated with the proposed conversion. The access into the site is

already used by neighbouring residents (including vehicles). The proposal would result in additional vehicle movements associated with the new residential use. It is also noted that there is an access to be retained which runs from Nethergate through the site and adjacent to the proposed garden area into the field below. There is no evidence to show that this access is used frequently, nevertheless there is the potential for this access to be used by agricultural vehicles. It is not considered that the additional vehicle movement and pedestrian movements associated with a single dwellinghouse would give rise to such harm to neighbouring living conditions to justify a refusal.

For the reasons specified above, the application is considered to comply with H14 (c).

Future Occupiers

The proposed house would have adequately sized living accommodation with a living room /dining space and bedroom at ground floor level, and two bedrooms and a bathroom at first floor level. Suitable outlook would be provided from the eastern, western and southern elevations. The orientation of the windows and separation distance to all neighbours will ensure that the amenity of future residents would be acceptable. A suitable sized garden area is also proposed.

Highways

Existing access into the site is to be taken from Nethergate. Whilst the access is narrow, it is currently used by adjoining residents and could be used by agricultural vehicles accessing the field to the south. There is no evidence to demonstrate the frequency of agricultural vehicles traversing this access, nevertheless there is the potential due to the clear route through to the field.

It is not considered that the addition of a further vehicle movement would be significantly harmful. It is noted that residents have concerns over safety within the yard, however given the restricted width of the access it is unlikely that a driver would enter the driveway at speed. It is accepted that the access is narrow, however ultimately this is used as existing and additional movements associated with a single dwelling is not considered to be harmful to highway safety.

A single parking space is considered acceptable for the barn given the constraints of the site. The removal of the upper barn will also provide a parking space for the adjoining dwelling No.37.

Fire Vehicle Access

The distance from the furthest most part of the dwellinghouses to the existing road is over 30 metres. South Yorkshire Fire and Rescue (SYFR) usually specify that the furthest point of a property to the public highway being no more than 45-50m. The proposed distance meets this requirement if measured from the furthest point of the property to the road. Building Regulations would however determine the need to incorporate a sprinkler system into the dwellinghouse.

Refuse Collection

Manual for Streets March 2007 (MSF) states specifications for Refuse Collection Vehicles. A distance of 12 metres maximum is usually acceptable, however longer distances can be accepted if straight and free from obstacles. A distance of 30 metres is generally the distances that bins can be collected on foot. The proposal would be just over 30 metres, and therefore bins will need to be taken out to and temporarily stored on street during collection days, which is a common arrangement for residential areas.

Ecology

A key principle of the NPPF is to conserve and enhance the natural environment. 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 the establishment of coherent ecological networks that are more resilient to current and future pressures

An ecological survey has been submitted which indicated a requirement to undertake further nocturnal bat surveys during the optimum survey period (May to August) to ensure that no bat roosts were present within the building. The nocturnal surveys have been submitted and the report confirms that no bat roosts were found within the building. The report recommends a bat box is included within the development details of which can be secured through condition. This presents a good commitment to enhancing the natural environment.

Land Contamination

Paragraph 117 of the revised NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions

Owing to the previous use of the site, there is a small risk that the site could be affected from ground contamination due to the possibility that the barn and outside area could have been used for storage of contaminated materials, such as vehicle and domestic fuels or agricultural chemicals. Further to this, given the proposed sensitive use and inclusion of garden area, it is recommended that the usual suite of conditions be attached that requires the investigation of any potential ground contamination and where necessary, its remediation.

Community Infrastructure Levy (CIL)

The development is liable to providing a contribution to the CIL, in order to provide improved infrastructure to meet the needs of new development. The agent has completed a relevant form to indicate they are aware of the required contribution for the scheme.

The site is in charging zone 3 which has a charge of £30 per square metre.

RESPONSE TO REPRESENTATIONS

The matters raised with regards to ownership and legal rights of use are separate from any subsequent planning permission and would be a matter between the relevant parties involved.

Concern has been raised with regards to the existing drains. Approval will be required from Yorkshire Water and Building Control, which is controlled separately.

SUMMARY AND RECOMMENDATION

The principle of converting the traditional stone barn (located within a housing area) is accepted under Policy UDP Policy H10. The proposal to change the use of the adjacent grassed area (Green Belt land) to domestic curtilage for the barn is considered to comply with the aims of Green Belt Policy outlined within the NPPF and UDP Policies GE1 as justified by the very special circumstances outlined within this report.

The existing barn is in a state of disrepair; however it contributes to the character of the area. The conversion is reliant on the change of use of the grassed area to domestic curtilage and therefore the proposal provides the opportunity to retain and improve the appearance of the barn. This grassed area is also already associated with the barn as existing and is delineated from adjacent agricultural fields by existing boundary treatment. The proposal is also not considered to conflict with the purposes of including land within the Green Belt and as such, the benefits provided by the development are considered to be very special circumstances in this case, and outweigh any harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal.

The separation distances between the proposed barn conversion and neighbouring properties are such that any effect of the development on these properties' residential amenity in terms of loss of outlook, overshadowing or loss of privacy would be minimal.

It is considered that the development would not have a significant impact on highway safety or result in the residential amenity of neighbouring properties being unduly harmed.

For the reasons given in the report and having regard to all other matters raised, it is considered that the development accords with the Unitary Development Plan Policies, The Core Strategy and the National Planning Policy Framework. The application is therefore recommended for approval subject to the conditions listed.

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Case Number	18/00162/FUL (Formerly PP-06660143)
Application Type	Full Planning Application
Proposal	Erection of sheltered housing comprising 54 dwelling units and 1 caretaker's dwelling unit and provision of associated car parking accommodation as amended 27.4.18, 4.5.18, 1.2.19
Location	Land Adjacent 14 Park Drive Way And 6 Patterson Close And At Rear Of 8 To 26 Paterson Close Park Drive Way Sheffield S36 1JF
Date Received	12/01/2018
Team	West and North
Applicant/Agent	Stephen Jenneson
Recommendation	Grant Conditionally

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:

Drawing Nos.

668 04A Upper ground and First Floor Plans

668 05A Second Floor and Roof Plans

668 08A Site Sections

668 09A One Bed Apartment Plans

668 10A Two Bed Apartment Plans

all received on 27.4.18

668 03B Street and Lower Ground Floor Plan

received on 4.5.18

668 02C Site Layout Plan
668 06C North and West Elevations
668 07C South and East Elevations
all received on 1.2.19

Reason: In order to define the permission.

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

3. No development shall commence until full details of the following shall have been submitted to and approved in writing by the Local Planning Authority, and the construction works shall only be progressed in accordance with the approved details:
 - (i) Construction method statement;
 - (ii) Site compound, temporary car parking arrangements for contractors, fencing;
 - (iii) Any temporary site access for construction traffic;
 - (iv) Any times when construction works and the movement of construction traffic might be restricted;
 - (v) Wheel wash facilities.

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

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 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 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. Notwithstanding the submitted details, no development shall take place until details of the proposed means of disposal of surface water drainage have

been submitted to and approved in writing by the Local Planning Authority, including but not exclusive to:

- (a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- (b) evidence of existing positive drainage to public sewer and the current points of connection; and
- (c) the means of restricting discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change, or 5 litres/second whichever is the lower rate of discharge.

This shall include the arrangements and details for surface water management for the life time of the development. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of the development shall be brought into use until the drainage works approved have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before development commences in order to ensure that the proposed drainage system will be fit for purpose.

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

7. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) 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 development is brought into use and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

The works:

- (i) Remodelling of the existing vehicular access off Park Drive Way to fit with new internal geometry of the private access road;
- (ii) Replacement of the bus shelter on Park Drive Way including provision of tactile paving and a raised footway to assist boarding/alighting the bus to allow for remodelling of the existing vehicular access serving the development;

(iii) Any other accommodation works to traffic signs, road markings, lighting columns, and general street furniture deemed necessary as a consequence of the development;

(iv) Review/promotion of Traffic Regulation Orders in the vicinity of the development site that are deemed necessary as a consequence of the development (waiting/loading restrictions) entailing advertising, making and implementing the Order in accordance with statutory procedures (including the provision of signs/lines as necessary).

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway.

8. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works 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

9. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the development 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.

10. The apartments shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

11. Notwithstanding the submitted details which indicate a general area for cycle parking near the entrance lobby, before the development is occupied full details of the type of cycle stand, the layout and security measures for the cycle parking shall have been submitted to and approved in writing by the Local Planning Authority. These approved details shall have been provided prior to occupation and thereafter retained and maintained for the sole purpose intended.

Reason: In the interests of delivering sustainable forms of transport in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield and the Core Strategy.

12. The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling into the public highway. Once agreed, the measures shall be put in place prior to the use of the development commencing, and shall thereafter be retained.

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

13. Notwithstanding the details on the submitted plans, before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details (where there are steps/ramps facilitating pedestrian access) shall have been submitted to and approved in writing by the Local Planning Authority of handrails, tactile paving, corduroy paving and distinguishable nosing to the front of steps. The above-mentioned approved details shall have been provided prior to first occupation of any of the development.

Reason: To ensure ease of access and facilities for disabled persons at all times and in the interests of pedestrian safety.

14. 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 an approved noise survey of the application site, including an approved method statement for the noise survey;
- 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.

15. 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.

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

16. 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.

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 any above ground works commence, 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 in writing 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 it is essential for these works to have been carried out before the use commences.

19. 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.

20. Large scale details, including materials and finishes, at a minimum of 1:10 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- (i) windows and reveals
- (ii) doors;
- (iii) eaves and verges;
- (iv) roof, ridge and valleys;
- (v) rainwater goods;
- (vi) stone and brickwork detailing;
- (vii) balconies;
- (vi) entrance canopy.

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

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

21. Before any above ground works commence, or within 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.

22. Before the lighting columns are brought into use, a means of preventing the overspill of light to adjacent properties shall be installed details of which shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter approved means of preventing the overspill of light to adjacent properties shall be retained.

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

23. The 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, as outlined in the Standard Assessment Procedure Specification prepared by Plasmor dated 11.6.18, 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, shall have been installed/incorporated before any part of the development 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 the new development makes energy savings in the interests of mitigating the effects of climate change.

Other Compliance Conditions

24. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 unless otherwise approved by the Local Planning Authority.

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

25. 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.

26. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

27. No piped discharge of surface water from the application site shall take place until surface water drainage works including off-site works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements.

28. The development shall be carried out in accordance with the recommendations contained in Section 13.2.6 of Report No. 3776 Phase 1 Geoenvironmental Risk Assessment and Phase 2 Ground Investigation prepared by Michael D Joyce Associates LLP.

Reason: To ensure the site is safe for the development to proceed.

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. 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. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

3. 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 formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email 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. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

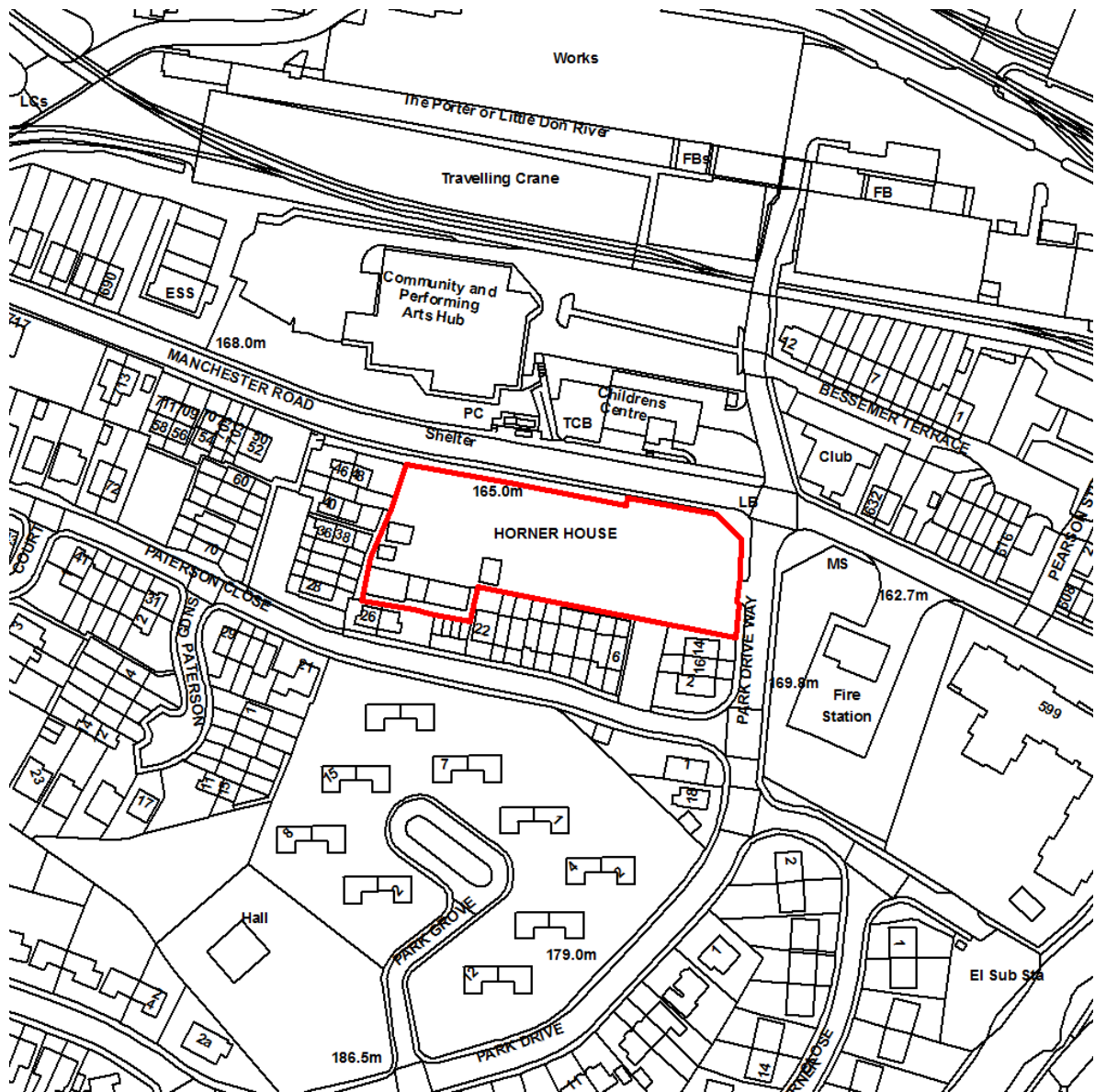
Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

The site is located on the southwest side of the junction of Manchester Road with Park Drive Way in Stocksbridge.

The site is opposite the fire station which is on the east side of Park Drive Way, and the Venue Community Centre and the Children's Centre which are on the north side of Manchester Road with the steel works beyond. The surrounding area to the west and south is predominantly residential.

The site comprises approximately 0.37 hectares of vacant land formerly used as a car park in connection with the steel works. The majority of the site is hard surfaced. Some former small buildings/garages in the southwest corner of the site were used for storage purposes. The site is currently accessed from Park Drive Way.

The site is on the lower part of a north facing hillside which rises up from Manchester Road.

PROPOSAL

The proposal seeks full planning permission for the erection of sheltered housing comprising 54 apartments and 1 caretaker's apartment and provision of associated car parking accommodation with vehicular access from Park Drive Way.

Some minor revisions to the design details of the proposed building and clarifications of the proposal have been made during the course of the application. The alterations have not significantly changed the substance of the proposed development.

The proposed units would be provided in a four storey building which would have frontages to Park Drive Way and to Manchester Road.

The proposal would provide 26 one-bedroomed apartments and 29 two-bedroomed apartments (including a manager's apartment) plus two guest rooms and a range of ancillary facilities for the residents including a resident's lounge, laundry, IT suite, health and beauty suite, and rooms for various crafts.

Within the site a landscaped outdoor amenity area and 47 on-site car parking spaces (including a row of 13 garages inset into the rear elevation of the building) are proposed.

RELEVANT PLANNING HISTORY

Prior to 1998 various planning applications were submitted relating to the former storage uses on the site.

In 2003 outline planning permission was granted for the erection of 24 dwellings on the site. No applications seeking approval of reserved matters were submitted and

this permission subsequently lapsed in 2006 (application no. 03/02048/OUT refers).

In 2008 full planning permission was granted for the erection of 39 apartments on this site. Whilst this permission was commenced (excavation works to accommodate foundations were undertaken on part of the site) and relevant conditions discharged the development subsequently stalled and has not been recommenced. The approved development comprised a detached building on the corner of Manchester Road and Park Drive Way (up to four storeys mainly faced in re-constituted stone), two linked buildings along the Manchester Road frontage (both four storeys mainly faced in brick) and car parking and amenity space in the rear yard (application no. 06/02638/FUL refers).

SUMMARY OF REPRESENTATIONS

This application has been publicised by site notice, newspaper advertisement, and by letters to neighbouring properties.

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

- already perfectly adequate provision for assisted living at Newton Grange on Manchester Road 100 yards from the proposed development as well as nearby bungalows for the elderly;
- add to difficult parking facilities, extra traffic from 54 units will be a hazard at an already busy junction, any vehicle turning in that has to wait for access be causing an obstruction and an accident waiting to happen, crossing at the bottom of Park Drive Way is not fit for purpose if there are elderly residents trying to cross, level of traffic around the estate is already high with cars parked on streets, night time activity, if there is not adequate parking this will further increase the number of cars parking on Paterson Close which is already congested, impact on safety of children in the area;
- the bus stop will have to be re-sited;
- four storeys over the height of buildings in this area, the site is a raised area to start with, the development is not in keeping with the character of existing properties in the area, oversized for the small area, overbearing, would have negative adverse visual impact on the landscape and the locality;
- overlooking gardens to rear of the development and children's nursery to the front, loss of privacy unacceptable, privacy of residents on Paterson Close will be affected, the height of the north elevation will reach roof of houses on Paterson Close;
- the location is not rear of no. 6 Paterson Close it is in front of no. 6 which is a back to back end terrace;
- the development will overshadow properties on Paterson Close, natural light to homes will be greatly reduced, block out light particularly in summer to property on Park Drive Way;
- the resubmission of the plans with no alterations is not good progress;

- more buildings, more cars increasing the level of noise and traffic pollution, constant disturbance from residents and visitors car park;
- the area allocated for parking and refuse collection point makes it an environmental health hazard being in such a small confined area;
- potentially 65 plus people placing demands on local overstretched health and other services, infrastructure and amenities need to be addressed before any more planning applications are given the go-ahead in and around Stocksbridge, will have an impact on people's well being;
- the Design and Access Statement states that the car parking area below the building could be turned into more dwellings in the future, where do these extra people and visitors park;
- two previous proposals with far less units have been rejected by the Council, first application for 24 units was refused, a two-storey building would be more acceptable although not ideal as long as traffic management is sensibly considered at an already busy junction;
- only 30 letters were sent out to immediate residents when it affects more.

1 neutral representation received requiring further information on type of sheltered dwellings.

PLANNING ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Government's planning policies contained in the National Planning Policy Framework (NPPF) is a material consideration in planning decisions.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (NPPF paragraph 7).

The NPPF (paragraph 10) states that so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

NPPF paragraph 11 states that for decision making this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Policy Issues

The relevant development plans are the Sheffield Local Plan, and the Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map.

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP). The Core Strategy was adopted in March 2009, the UDP was adopted in 1998.

The UDP identifies the site as being within a Housing Area where housing is the preferred use (UDP Policy H10 refers).

The Pre-Submissions version of the Draft City Policies and Sites (CPS) Document 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 Housing Area designation.

There is an extant planning permission for the provision of apartments on this site.

The proposal complies with UDP Policy H10. There are no policy objections to the principle of the development currently proposed.

Housing Land Supply

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement with an additional 5% buffer.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Core Strategy

Core Strategy Policy CS23 relating to locations for new housing states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure and in the period to 2020/21 the main focus will be on suitable, sustainably located sites within or adjoining the main urban area of Sheffield (at least 90% of additional dwellings), and the urban area of Stocksbridge/Deepcar.

The proposed development of this site complies with Core Strategy Policy CS23.

Core Strategy Policy CS24 relating to maximising the use of previously developed land for new housing states that priority will be given to the development of

previously developed sites and no more than 12% of dwelling completions will be on greenfield sites.

The proposal complies with Core Strategy Policy CS24.

Core Strategy Policy CS33 relates to jobs and housing in Stocksbridge/Deepcar. The housing part of this policy states that new housing will be limited to previously developed land within the urban area.

The proposal complies with Core Strategy Policy CS33.

The NPPF (paragraph 117) also promotes an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions, and NPPF Paragraph 118(d) states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

The proposal complies with NPPF paragraphs 117 and 118(d).

Highway and Transportation Issues

UDP Policy H14 relates to conditions on development in housing areas including matters of highway safety. It seeks to ensure that that new development or change of use would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

NPPF paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The site is sustainably located with regard to local facilities and public transport.

There are bus stops adjacent to and opposite the site. Bus route 57 provides an hourly service through Stocksbridge town centre and onwards to the city centre. The supertram link bus (route SL1) provides three buses an hour from Stocksbridge town centre to the Middelwood tram terminus.

The site is located approximately 250 metres from the western edge of Stocksbridge town centre. The footpath gradients along Manchester Road to the town centre are relatively low. It is considered that the site is within easy walking distance of Stocksbridge town centre.

Vehicular access to the proposed development would be from Park Drive Way, in a similar position to the existing access arrangements. The proposed access would require slight re-positioning of the existing access and bus shelter.

The proposal makes provision for 47 on-site car parking spaces (34 surface car parking spaces and 13 garages).

The principle of residential development on this site utilising the existing access off Park Drive Way albeit with slightly modified geometry has already been established.

The current proposal for sheltered housing is considered to generate much less peak hour vehicle movements in and out of the site than the previously approved development on this site. Whilst the amount of surface car parking for the proposed development is above the parking ratio generally applied to this type of development, in this instance, there are no highway objections to this level of over provision.

There are no highway objections to the proposed development subject to appropriate conditions.

Impact on the Amenities of the Locality

UDP Policy H14 relating to conditions on development also includes matters of design and amenity. UDP Policy BE5 and Core Strategy Policy CS74 seek good quality design. The Council's Supplementary Planning Guidance on Designing House Extensions is also relevant.

NPPF paragraph 127 states that decisions should ensure that development will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change, maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development, and create places that are safe, inclusive and accessible and which promote health and well-being.

The site adjoins the side and rear gardens of bungalows and houses off Park Drive Way and Paterson Close which wrap around the south and west boundaries of the site. These houses predominantly have short and rear gardens. The houses on the west side step up the hillside whilst the bungalows fronting Park Drive Way and the houses along the southern boundary are set at a higher level than the application site.

The northern fringe of the existing car park on the application site is approximately 1 metre above the street level on Manchester Road. The rising levels across the site result in the southern boundary being generally about a further 4 metres higher. A retaining wall along the southern boundary supports the higher garden levels of properties adjacent to it.

The proposal seeks to site the building close to the Park Drive Way and Manchester Road frontages in front of which would be with soft planting and a low boundary wall. On the Manchester Road frontage the ground floor level of the proposed building (at the central part of this elevation) would be approximately 2 metres above the adjacent street level. The two end blocks on this elevation and this central part would have a double ridged roof on top of these four storey blocks.

The two intervening blocks either side of the central block would have a lower eaves and ridge heights with their upper (fourth) storeys being within this roofspaces.

This articulation of the variation in eaves and ridge heights together with the slight recessing of some of the blocks suitably breaks up the elevation into individual blocks providing depth and modelling to this elevation. An accessible pedestrian entrance is also proposed on this frontage with lift access to all floors.

The corner elevation and the shorter elevation to Park Drive Way continues the four storey block wrapping round from Manchester Road with the corner elevation incorporating twin gables in the roof.

The rear (south) elevation, due to the rising ground levels, appears as a three-storey elevation facing onto the car park.

Manchester Road forms a long spine through the centre of Stocksbridge and, whilst there is a range of building forms, uses and facing materials with some buildings on levels raised above the road, its general sense of cohesion comes from the generally modest scale of buildings flanking it which are predominantly stone faced with red brick prevalent as a secondary material. There are some larger non-residential buildings within this part of Stocksbridge including the fire station, the Venue community centre, the children's centre and the various steel works buildings. The nature of the topography of the surrounding area results in residential properties along the valley bottom and on the steeply rising land on the south side of the valley. Whilst much of the surrounding residential area comprises buildings of a smaller scale, the nature of their location on this hillside results in many of them being on much higher ground levels.

The proposed building is a substantial building that will have a considerable impact on the locality. This is a large site with a long frontage to Manchester Road. The design approach taken breaks up the form of the building providing variation to the roofscape, a degree of hierarchy to the fenestration, and setting part of the building into the rising ground levels achieves a scale and massing of the building that can be accommodated on this part of the street frontage without appearing significantly out of scale with its surroundings.

The use of external materials of an appropriate quality is important to ensure the appearance of the building sits comfortably within the locality. It is considered that to achieve an appropriate quality, the use of a natural stone on the key part(s) of the building and red brick elsewhere is the preferred approach. Following discussions with the applicant, a condition is recommended to require the submission and approval of external materials including a sample panel.

Whilst the proposal represents a different form of development to the adjacent residential properties, the proposed layout, massing and design would achieve an acceptable form of development for this site and its surroundings.

The proposal complies with UDP Policies H14 and BE5, Core Strategy Policy CS74 and Paragraph 127 of the NPPF.

Impact on the Amenities of Residents

UDP Policy H14 relating to conditions on development in housing areas seeks to ensure that the site would not be overdeveloped or deprive residents of light, privacy or security.

On Park Drive Way, there is a row of three bungalows stepping up Park Drive Way close to the application site (nos. 14 and 16 Park Drive Way, and no. 2 Paterson Close). The side garden boundary of the end property at no. 14 adjoins the application site alongside the proposed access. This side elevation of no. 14 which contains no main windows faces across the access towards part of the rear elevation of the proposed building. There would be a separation distance of approximately 16 metres between the side elevation of the bungalow at no.14 and the proposed building. Views from the rear elevation of no. 14 to the rear elevation of the proposed building would be at an oblique angle. The proposed layout shows that part of the surface car park and a small landscaping area would be immediately adjacent to the boundary of no. 14 with the access off set from it. The access rises slightly into the site such that only part of the lower ground level of the proposed building is above this ground level. Due to the rising ground level up to no.14, the proposed building sited on the lower level appears as approximately two stories higher than no. 14. This part of the rear elevation of the proposed building has smaller windows to the ancillary rooms (laundry, IT suite) on the lower partly submerged floor, and has staircase, landing, bedroom and living room windows (with balconies) on each of the upper three floors.

It is considered that the noise and disturbance from the movement of vehicles and people entering and leaving the site would not be significant and would not cause harm to the living conditions of adjacent and nearby residents. The proposed building would be sufficiently off-set from no. 14 to ensure that there would no significant overlooking, overbearing or overshadowing of no. 14 and the other properties on Park Drive Way.

On Paterson Close, there is a row of single-storey and two-storey terraced houses and a pair of semi-detached two-storey houses (nos. 4 to 26) alongside the southern boundary of the application site. These houses are on land at a higher level than the application site. The house at no.4 has its front elevation facing northwards towards the application site (this is the only elevation of this house that has windows). No. 6 has its main windows facing onto Paterson Close. The houses at nos. 8 to 26 have their rear elevations facing towards the application site.

From the main north facing elevation of no. 4 Paterson Close to the south facing elevation of the proposed building there would be separation distances of approximately 22 metres to the main rear elevation of the proposed building and 19.8 metres to a projecting gable which is slightly off-set from no.4. It is considered that due to the projecting gable being slightly off-set from no. 4, there would be no significant overlooking of no. 4.

There would be a separation distance of approximately 22 metres between the rear elevations of nos. 8 to 26 and the rear elevation of the proposed building. The lowest level of the proposed building is cut into the rising ground levels such that its rear elevation appears as three-storeys, with main windows (some with balconies) on all three floors and garages on part of the visible lower storey. The intervening area between these opposing buildings is proposed to be laid out as car parking and vehicle circulation areas and at the western end of the site as an outdoor amenity area for the future residents. Due to the rising ground levels to the rear, the eaves and ridge of the proposed building would be lower than those of the two-storey houses on Paterson Close (nos. 4, 8, 10, 14 to 20, 24 and 26), and slightly above those of the single-storey houses (nos. 10 and 22).

It is considered that the noise and disturbance from the movement of vehicles and people moving within the car parking area and from the turning manoeuvres of service vehicles would not be significant so as to cause harm to the living conditions of these adjacent and nearby residents. The proposed building would be sufficiently off-set from nos. 4 to 26 Paterson Close to ensure that there would be no significant overlooking, overbearing or overshadowing of these properties.

On the western boundary of the site are properties at nos. 28 to 48 Paterson Close, some of which (nos. 28 to 34, 38, 42, 44 and 48) have their rear elevations facing towards the application site. The western end of the proposed building is also partly cut into the hillside and has no side facing windows to the accommodation on the front range of the building, landing windows centrally positioned on each of the four storeys, and living and kitchen room windows on the three upper floors of the rear range of the building. The proposed building is between one and one-and-a-half storeys higher than the nearest properties to the west on Paterson Close. There would be respective separation distances of approximately 16 metres between the rear elevation of no. 48 and the blank part of the proposed end elevation, and approximately 20 metres to the proposed landing windows, and approximately 22 metres between the opposing rear elevation of no. 44 Paterson Close and the proposed kitchen and living room windows. Windows on the rear elevations of the other houses on this western boundary are off-set from the windows on this end elevation of the proposed building.

The majority of the intervening land between the rear boundaries of these adjacent properties and the proposed building is a proposed landscaped amenity area. The properties at nos. 28 to 36 are alongside the end of the proposed car park. It is considered that the noise and disturbance from the car parking and amenity areas would not be significant so as to cause harm to the living conditions of these adjacent and nearby residents. The proposed building would be sufficiently off-set from these properties to ensure that there would be no significant overlooking, overbearing or overshadowing of these and other properties on Paterson Close.

The proposal achieves satisfactory separation distances and would not significantly harm the living conditions of adjacent and nearby residents. The proposal complies with UDP Policy H14.

The proposed building achieves sufficient separation distances across Manchester Road to ensure there would be no significant harm to the occupiers of the buildings on the north side of Manchester Road.

The Council's Environmental Protection Service has recommended that a condition be imposed to secure a scheme of sound insulation works within the proposed building.

External lighting is proposed to the car park with 7 lighting columns positioned on the southern boundary. It is considered that subject to the installation of a baffle system to limit the overspill of light to the adjacent properties, the proposed lighting arrangements are acceptable.

The proposal complies with UDP Policy H14.

Density

Core Strategy Policy CS26 states that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable balanced communities, and gives a density range of 30 to 50 dwellings per hectare. The policy states that densities outside these ranges will be allowed where they achieve good design and reflect the character of an area.

The character of the surrounding area is varied ranging from low density bungalows, to detached, semi-detached and terraced properties, and to higher density apartments (such as the 55 apartments for elderly persons on the Newton Grange site (equivalent to a density of 101 dwellings/hectare).

The proposal would achieve a highly efficient use of land (equivalent to 148 dwellings per hectare) which is significantly above the range in Core Strategy Policy CS26, however, in this instance the proposed development is well designed, takes advantage of the sloping site by cutting part of the new building into the slope, and would not be out of keeping with the character of the area. The proposal complies with Core Strategy Policy CS26.

Coal Mining Legacy

The site lies within a Development High Risk Area as defined by the Coal Authority. The applicant has submitted a Site Investigation Report and a Phase 1 Geotechnical Risk assessment and Phase 2 Ground Investigation Report with this application and a letter providing details of excavation works undertaken within the site to locate evidence of recorded shafts or adits present on the site together with a plan and photographs.

In the light of all supporting information submitted in relation to coal mining legacy, the Coal Authority has advised that an appropriate assessment of the coal mining risks associated with the site has been carried out. The Coal Authority has no objection to the proposal subject to the imposition of a planning condition to secure specific foundation solutions are incorporated into the development.

Land Contamination

The applicant has submitted a Phase 1 Geo-environmental Risk Assessment and Phase 2 Ground Investigation Report. At the time of the report the results of ground gas monitoring was being awaited. The report concludes that there are no significant land contamination risks on this site and recommends appropriate measures being taken during site and construction works. Conditions are recommended to secure the reporting of ground gas monitoring and any appropriate remediation.

Drainage

The applicant proposes to incorporate an on-site attenuation tank beneath the proposed car park to enable the rates of discharge of surface water drainage to be restricted.

Yorkshire Water Services Ltd has no objections to the proposed development subject to conditions to secure provision of appropriate means of drainage including restricting the rate of discharge.

Public Art

UDP Policy BE12 encourages the provision of works of public art as an integral part of the design of major developments. A condition is recommended to secure provision of public art within the proposed development.

Sustainability

Core Strategy Policies CS63 to CS65 relate to climate change and seek to ensure that developments reduce the impact of climate change.

The application site is sustainably located close to local services and public transport routes.

The applicant proposes to achieve energy savings through a fabric first approach and also includes installing photovoltaic panels on the south facing roof slopes of the proposed building. A condition is recommended to secure installation of the sustainable measures.

CIL

The Council's Community Infrastructure Levy (CIL) Charging Schedule (June 2015) sets the levy rates applicable to certain developments. This document states that retirement/extra care/sheltered housing/assisted living developments are excluded from the types of development to which the CIL charge is applicable.

It is considered that the proposed 54 sheltered housing units are not CIL chargeable.

The proposed caretaker's apartment has no such occupant restrictions and will be CIL chargeable. The site lies within CIL Zone 3 where there the contribution is £30 per sq m. The funds generated through CIL will be used in connection with strategic infrastructure needs.

Affordable Housing

Core Strategy Policy CS40 states that in all parts of the city developers of all new housing schemes will be required to contribute towards the provision of affordable housing where this is practicable and financially viable. The Council's Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (December 2015) includes guidance on affordable housing. The proposed development exceeds the 15 or more dwellings threshold and lies within an area where there is a required level of contribution of 10% identified in Guidelines GAH1 and GAH2 of the Planning Obligations document.

The applicant has submitted an Affordable Housing Statement which states that the expected contribution will not be made.

An independent review has been undertaken of the ability of the proposed development to make an affordable housing contribution. This independent appraisal has concluded that the scheme is unable to viably support the affordable housing provision, and recommends that the affordable housing provision is reduced to zero.

SUMMARY

The proposal seeks full planning permission for the erection of sheltered housing comprising 54 apartments and 1 caretaker's apartment and provision of associated car parking accommodation with vehicular access from Park Drive Way.

There are no policy objections to the principle of the development currently proposed. The UDP identifies the site as being within a Housing Area where housing is the preferred use (UDP Policy H10 refers). There is an extant full planning permission granted in 2008 for the erection of 39 apartments on this site.

This proposal would make a positive contribution to the provision and supply of housing land.

The proposal is a suitable use of brownfield land within Stocksbridge.

The site is sustainably located with regard to local facilities and public transport.

The principle of residential development on this site utilising the existing access off Park Drive Way albeit with slightly modified geometry has already been established.

There are no highway objections to the proposed development subject to appropriate conditions.

Whilst the proposal represents a different form of development to the adjacent residential properties, the proposed layout, massing and design would achieve an acceptable form of development for this site and its surroundings. A condition is recommended to require the submission and approval of external materials including a sample panel.

The proposal achieves satisfactory separation distances and would not significantly harm the living conditions of adjacent and nearby residents. There is sufficient separation distances across Manchester Road to ensure there would be no significant harm to the occupiers of the buildings on the north side of Manchester Road.

The proposal would achieve a highly efficient use of land (equivalent to 148 dwellings per hectare) which is significantly above the range in Core Strategy Policy CS26, however, in this instance the proposed development is well designed, takes advantage of the sloping site by cutting part of the new building into the slope, and would not be out of keeping with the character of the area.

Conditions are recommended to secure satisfactory details of land remediation, drainage, and public art.

The proposed caretaker's apartment will be CIL chargeable.

An independent review has been undertaken of the ability of the proposed development to make an affordable housing contribution. This independent appraisal has concluded that the scheme is unable to viably support the affordable housing provision, and recommends that the affordable housing provision is reduced to zero.

Overall, the proposed development is acceptable and would make a positive contribution to locality. The proposal complies with UDP and Core Strategy Policies and the Government's planning policy guidance contained in the NPPF.

RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.

Case Number	17/03904/FUL (Formerly PP-06369569)
Application Type	Full Planning Application
Proposal	Erection of three/four storey building to be used as retirement living accommodation in 43 apartments, with communal facilities, landscaping and car parking (amended plans)
Location	Hare And Hounds 77 Church Street Stannington Sheffield S6 6DB
Date Received	15/09/2017
Team	West and North
Applicant/Agent	The Planning Bureau
Recommendation	G Conditional Subject to Legal Agreement

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:

Drawing NE-2288-3.2 AC-01 Rev C Site Location and Context Plan
Drawing NE-2288-3.2 AC-02.2 Rev E Proposed Site Layout
Drawing NE-2288-3.2 AC-02 Rev E Coloured Site Plan
Drawing NE-2288-3.2 AC-02 3 Rev H Boundary Treatment Plan
Drawing NE-2288-3.2 AC-02 4 Rev B Boundary Information Properties along Uppergate Road
Drawing NE-2288-3.2 AC-06.1 Rev D Site Sections
Drawing NE-2288-3.4 AC-007 3 Rev A General Arrangement Level 01 and 00 Floor Plans
Drawing NE-2288-3.4 AC-007 4 Rev B General Arrangement Level 01 and 02 Floor Plans

Drawing NE-2288-3.4 AC-005 3 Rev A General Arrangement Elevations Sheet 1 of 2
Drawing NE-2288-3.4 AC-005 4 General Arrangement Elevations Sheet 2 of 2
Drawing NE-2288-3.2 AC-6.2 Rev C Dormer Apartment Sections and Details
Drawing NE-2288-3.2 AC-04 Rev F Proposed Context Elevations
Drawing NE-2288-4 AC-064 Rev C Church Street Brick Chimney Detail
Drawing NE-2288-3.2 AC-03 Rev F Artists Impression
Drawing NE-2288-3.2 AC-8.1 Rev B 3D View 1
Drawing NE-2288-3.2 AC-8.2 Rev C 3D View 2
Drawing NE-2288-3.2 AC-8.3 Rev B 3D View 3

Design, Sustainability and Access Statement Project Ref 2288 Rev B
Phase 1 Preliminary Risk Assessment Desk Study Report (Arc Environmental - ref. 15-925; 21/01/2016)
Phase 2 Intrusive Ground Investigation Report (Arc Environmental - ref. 16-409; 17/11/2017)

Reason: In order to define the permission.

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

3. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

4. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to

be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of sustainable development and given that drainage works are 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 in order to ensure that the proposed drainage system will be fit for purpose.

5. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and postinvestigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

6. Prior to the commencement of development, full details of the following shall have been submitted to and approved in writing by the Local Planning Authority, and the construction works shall only be progressed in accordance with the approved details:

- (i) Construction method statement.
- (ii) Site compound, temporary car parking arrangements for contactors, fencing/hoardings.
- (iii) Any temporary site access for construction traffic.
- (iv) Any times when construction works and the movement of construction traffic might be restricted.
- (v) Wheel wash facilities.

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

7. A Ground Gas Monitoring Completion Report shall be submitted for LPA approval, including a finalised assessment of risk from ground gases. Risk-appropriate ground gas protection measures shall be proposed and shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to the validation of gas protection measures.

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

8. Before development commences, including any site clearance works, the applicant shall submit to the Local Planning Authority for approval, a statement confirming that the site is not occupied by protected species and, if development is to commence within the bird nesting season, to confirm that no nesting birds will be affected by the proposed works. The statement shall be prepared by a qualified ecologist and shall include measures that will be undertaken during course of development to protect wildlife. Thereafter development shall proceed in accordance with these approved measures.

Reason: In the interest of biodiversity

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 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 development 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.

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

10. The apartments shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

11. Before the development is commenced, or an alternative timeframe to be agreed in writing with the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield and Core Strategy.

12. Notwithstanding the details on the submitted plans, before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details (where there are steps/ramps facilitating pedestrian access within the site) shall have been submitted to and approved in writing by the Local Planning Authority of handrails, tactile paving, corduroy paving and distinguishable nosing to the front of steps. The above-mentioned approved details shall have been provided prior to first occupation of any of the development.

Reason: To ensure ease of access and facilities for disabled persons at all times and in the interests of pedestrian safety.

13. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works 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.

14. 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.

15. 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.

16. 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:

- A) Windows including reveals;
- B) Doors;
- C) Head, cills and any decorative features;
- D) Eaves and verges;
- E) Rainwater goods
- F) Balconies and privacy screens

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

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

17. 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.

18. 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 any above ground works commence, 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.

19. 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.

20. Notwithstanding the submitted plans, prior to the commencement of development full details including elevations and details of materials of the proposed electricity substation shall be provided for approval by the Local Planning Authority. The development shall thereafter proceed in accordance with these approved details.

Reason: To ensure an appropriate quality of development.

21. Prior to the commencement of any work on site, a detailed scheme for the foundation design and all new ground works shall have been submitted to and approved in writing by the LPA and the development shall be carried out in accordance with the approved details.

Reason: To ensure that ground disturbance is restricted to a minimum and is carried out in the agreed manner to preserve archaeological remains in situ.

22. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) 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 development is brought into use and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

i) Remodelling of the existing vehicular access with provision of tactile paving off Uppergate Road to fit with the internal geometry of the proposed car park broadly in accordance with the submitted plans, or alternatively for vehicular access to the proposed car park to be taken from the newly constructed cul-de-sac associated with planning reference number

17/00783/FUL, all in accordance with plans that shall first have been submitted to and approved in writing by the Local Planning Authority.

ii) Reconstruction of the Uppergate Road footway across the development site frontage and down to Church Street.

iii) Reconstruction and widening of the Church Street footway across the development site frontage all the way to Uppergate Road (minimum width 1.5 metres).

iv) Any accommodation works to traffic signs, road markings, repositioning street lighting columns, highway drainage and general street furniture deemed necessary as a consequence of the footway works.

iv) Provision of pedestrian dropped kerbs with tactile paving to assist wheelchair users crossing the mouth of the Uppergate Road junction with Church Street enroute to the bus stop (also with some verge to footway conversion in the vicinity of the bench).

v) Provision of pedestrian dropped kerbs with tactile paving to assist wheelchair users cross Uppergate Road to/from the southbound bus stop opposite Bankfield Lane.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway.

23. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works 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.

24. Prior to first occupation of the development, 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.

Other Compliance Conditions

25. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 unless otherwise approved by the Local Planning Authority.

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

26. 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.

27. Notwithstanding the submitted plans the privacy screens to the side of the patio areas are not approved.

Reason: To ensure an appropriate quality of development

28. The windows to apartment No. 9, 10, 24 and 25, as detailed on drawing No. NE228 3.4 AC 00 7-3 Rev A and NE228 3.4 AC 00 7-4 Rev B that serve as secondary windows on the northern elevation of the development facing towards the curtilage of No.61 Uppergate Road, 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.
2. 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. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

3. 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 formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email 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 YALPAG guidance document; Verification Requirements for Gas Protection Systems:

Technical Guidance for Developers, Landowners and Consultants, version 1.1, dated December 2016 details current Sheffield City Council adopted policy, and should be referenced in any relevant submitted verification reporting.

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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

9. The applicant is advised that agreement "in principle" of a Written Scheme of Investigation (WSI) with South Yorkshire Archaeology Service does not preclude the need to formally submit the agreed WSI to the LPA, under Part A of condition number [insert archaeological condition number]. Undertaking any site works before this has been done - and the WSI approved in writing by the planning case officer - may result in formal enforcement action.
10. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

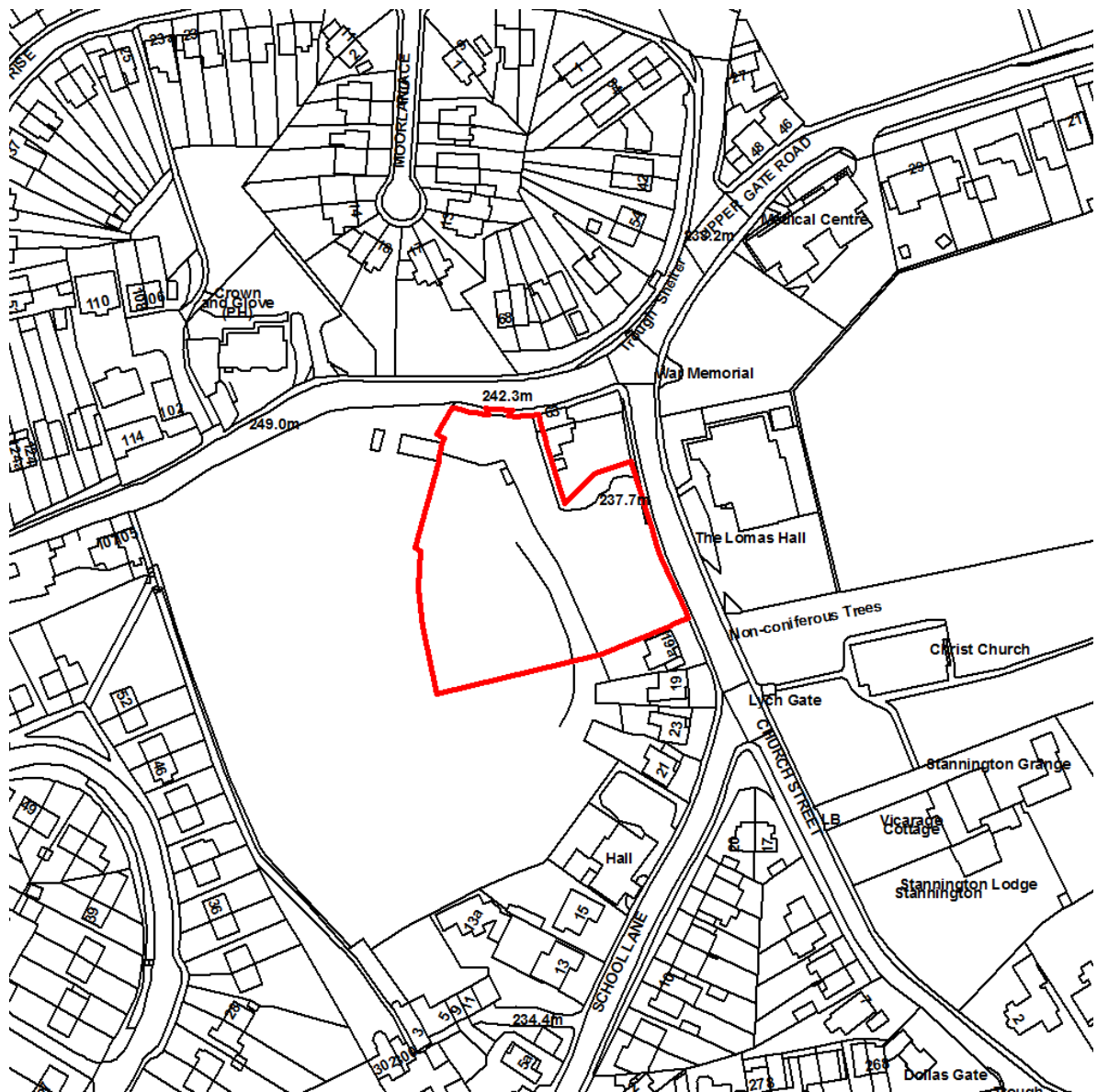
Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

11. 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. 0800 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 the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
12. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
13. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive

noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.

Site Location



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LOCATION AND PROPOSAL

The application relates to a vacant piece of land that has previously been occupied by the Hare and Hounds public house.

The building has been removed as it was frequently broken into and became the subject the anti-social behaviour.

The site fronts onto Church Street, with an access to the car park from Uppergate Road. To either side of the site are residential properties. To the rear the site encroaches onto part of a former cricket pitch. This land has been disused for years and has become somewhat overgrown.

The site is elevated as the land rises to the north and west, the former cricket pitch being on an elevated plateau.

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area, an Open Space Area and also an Area of Special Character.

Planning permission is sought for the erection of a three / four storey building (with accommodation in the roof) which would be used as a retirement living scheme. This would contain 43 private apartments as well as communal facilities in the form of a home owners lounge, guest suite and scooter store. No on-site medical care is proposed within the development. The plans indicate that there would be an office on site but no manager's residential accommodation is proposed. The development would be built and managed by McCarthy and Stone, an organisation which specialises in retirement living accommodation, which is offered to people over 60 years of age.

Vehicular access to the development would be taken from Uppergate Road, utilising the existing access to the former pub car park. 29 parking spaces would be created for the development alongside an electricity substation which would have a further space in front. From Church Street a pedestrian access is proposed with a ramp up to the development (this would allow mobility scooters direct access to the scooter store).

To the rear of the development (southern side) an outdoor communal area is proposed. A number of the ground floor apartments would also have small patio areas that would be semi-private and some of the apartments on the upper floors would have small balconies.

The proposed building would step up from Church Street as the land rises across the site and would be of a high quality red brick construction with a slate roof.

During the course of the application changes have been made to the scheme, increasing the number of proposed dwellings from 38 to 41 and then to 43. No significant changes have been made to the overall height or massing of the development; the additional units being largely absorbed within the envelope of the originally proposed scheme.

RELEVANT PLANNING HISTORY

Planning permission was previously sought to redevelop the site, alongside the rest of the cricket pitch, under application 10/01135/OUT. This was an outline application with indicative plans which proposed to develop around the periphery of the site for housing purposes and to re-instate the cricket pitch. In order for the cricket pitch to be re-instated, high ball stop fencing would have been required. It was considered that this would have had a detrimental impact upon the character and appearance of the area as well as upon the amenity of occupiers of surrounding property. As no agreement could be reached the application was not determined and was disposed of.

More recently planning permission has been granted for the erection of 19 dwellings with associated amenity space, access and landscaping as well as a pumping station (application 17/00783/FUL refers) on the site of the former cricket pitch, adjacent to but outside of the redline boundary of this application. The properties are in the form of detached 3, 4 and 5 bedroomed dwellings with access for the properties taken either directly from Uppergate Road or from a new access road, again from Uppergate Road. As part of this application a legal agreement has been signed to ensure that the developer makes a financial contribution towards the provision of a replacement cricket pitch as well as affordable housing.

SUMMARY OF REPRESENTATIONS

Prior to submitting the application the applicant engaged in their own neighbour consultation exercise. This involved contacting local residents and holding a public exhibition in the neighbouring village hall (Lomas Hall on the opposite side of Church Street).

Neighbours were consulted by the Local Planning Authority when plans were initially submitted and site notices displayed. More recently in December 2018 neighbours were again notified and invited to comment following receipt of amended plans.

Bradfield Parish Council have no objections in principle to this application, but have raised the following concerns:

Traffic - Parish Councillors would wish to see a comprehensive study of potential traffic issues pertaining to this development.

The current suggested use of brick would be out of keeping with the area and stone should be used.

Concerns regarding the potential for overshadowing of the Church.

An affordable housing requirement should be included.

Loxley Valley Protection Society have set out that the concept of retirement living accommodation in Stannington is a good idea in principle, and would be welcomed

by many, though the cost of purchase plus additional service charges for this particular development, may be beyond the means of a lot of local residents.

The site is within the Stannington Village Area of Special Character, and as such there are concerns that the design of the proposed will be out of character with the street scene and a dominant feature among the modest old stone buildings, and suburban houses.

The 3 storey height and massing of the proposed could overlook and overbear both the existing neighbouring houses and their amenity spaces as well as the dwellings and amenity spaces of the proposed Newett houses, if granted. Both the existing and proposed houses being mostly 2 storey. The development is also opposite to the listed church.

No affordable housing is to be provided on site.

Part of the site to the rear falls into the green open space of the cricket pitch, meaning loss of green open space. If this application was granted but the 19 houses refused, the open space would be considerably reduced, making a return to its previous use impossible.

The developer's agreement with Newett, to put money into a cricket pitch at Norton Woodseats although laudable does not improve the open space facilities in Stannington.

There could be road safety issues with the access of this development being onto the same part of the narrow Uppergate Road as the Newett developments main access, opposite the Crown and Glove Public House, & drives for 4 of the houses. The construction of both these developments, if granted would need to be carefully conditioned to prevent total mayhem with development traffic.

In addition representations have been received from 36 interested parties. Of these 14 are in support of the proposal and 22 have raised objections.

The 14 representations that have been received in support of the development make the following comments:

- The site needs improving as it has been an eyesore for many years.
- The development would enhance the character and appearance of the area and is of good design.
- Other elements of the housing market have been addressed excessively and it would be beneficial to have such a development.
- The development will allow local people to downsize, freeing up family homes within the area.

22 representations objecting to the development have been received and these set out the following issues:

- The height of this 3 storey development will overpower and overshadow Stannington church – which is a Grade II Listed Building and the houses on either side.
- The development would reduce any privacy neighbouring properties currently possess.
- It is out of keeping with the local area.
- This development will also increase traffic flow to an already busy area.
- The planned development of the area needs to be considered as a whole rather than two separate developments.
- The surrounding land is used by protected species.
- As residents of Stannington we should be investing in the youth with sports facilities and training facilities.
- The diversion of the footpath to accommodate the development would be detrimental to pedestrian safety.
- The development would place greater demand for local medical services in an area already blighted by new developments.
- The development would increase rainwater run-off and the potential for an increased risk of surface water flooding.
- Issues of loss of view and devaluation of property have also been cited; however these are not planning considerations.

PLANNING ASSESSMENT

Principle of Development

The site is identified on the Unitary Development Plan Proposals Map as being largely within a Housing Area. Within such areas UDP Policy H10 sets out that housing is the preferred use and this includes retirement living schemes such as the one proposed. As such residential development on part of the site is acceptable in principle.

Open Space

A proportion of the site is also within an open space area, the previous use being as a cricket pitch. The principle of development within this open space area has been established through the granting of planning application 17/00783/FUL for the redevelopment of the majority of the cricket pitch with 19 dwellings, estate road and pumping station. As the cricket pitch was disused; in private ownership and not capable of being re-instated without the need for high ball stop fencing (which would have an adverse impact upon the amenity of local residents as well as the character and appearance of the area); a pragmatic approach was taken.

It was considered that the loss of the cricket pitch and provision of a financial contribution for a better facility to be provided elsewhere within the city, would be deemed to be appropriate, in accordance with Core Strategy Policy CS47 and the NPPF (para 56 sets out that planning obligations must only be sought where they are necessary, related to the development and fairly and reasonably related in scale and kind to the development).

The applicant for that scheme (Newett Homes) has agreed to make a financial contribution to pay for the provision of a cricket pitch elsewhere within the city. This has been secured by way of a legal agreement (s106 agreement) that was signed on 17th December 2018. The total cost of a replacement cricket pitch would be £265,000. The Newett Homes scheme would cover 86.5% of the area of the cricket pitch and so they have agreed to fund the lion's share of a replacement pitch (£229,225).

The 106 agreement attached to the Newett Homes consent has been worded so that in the event that a scheme to redevelop the remainder of the site (i.e. the land covered by this McCarthy and Stone scheme) does not come forward, Newett Homes would pay the full costs of the replacement pitch (with the opportunity to redeem any excess from the Council if the neighbouring site is developed).

The applicant for the current scheme (McCarthy and Stone) have agreed in principle to compensate for the loss of the cricket pitch that falls within the redline boundary of their scheme. This equates to 13.5% of the cricket pitch and in monetary terms a contribution of £35,775 would be required.

As with the Newett Homes legal agreement, there would be a clause within the McCarthy and Stone legal agreement requiring the developer to pay the full cost of the replacement pitch, should the neighbouring scheme not come forward (again with the opportunity to redeem any excess payment from the Council). This is because once the land has been built upon, no matter how small a percentage, the cricket pitch and any chance of re-instatement is effectively lost.

Subject to the signing of a satisfactory legal agreement it is considered that the development on the open space portion of the site would be acceptable, in accordance with UDP Policy CS47 and paragraph 56 of the NPPF (2018). Sport England have also indicated their acceptance of this approach. The applicant has agreed in principle to the signing of such a legal agreement and has been provided with a draft of the proposed s106.

Policy Issues

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement with an additional 5% buffer.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Paragraph 68 of the revised NPPF also sets out that 'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a

good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes’.

Policy CS24 seeks to prioritise the redevelopment of previously developed sites. The site is partially on previously developed; however part of the site has not been previously developed and is considered to be greenfield land. This does not raise any issues, particularly in light of the consent on the neighbouring cricket pitch site (which is entirely greenfield) and the fact that the Council is well below the 12% dwelling completion rate on greenfield site, and the site is within a sustainable location within an existing urban area. It is considered that on balance the development complies with the aims of policy CS24.

The development would make a positive contribution to the 5 year supply of housing (as required by the NPPF) and is considered to be within a sustainable location, relatively close to local shops and services in an established residential area. In this respect the development would accord with Core Strategy Policy CS22, CS24 and paragraph 68 and 73 of the NPPF (2018).

Density of Development

The submitted plans seek to develop the site with 43 dwellings. The density of development would equate to around 98 dwellings per hectare. This is above the aspirations of Core Strategy Policy CS26 which sets an appropriate density range for this location of between 30 -50 dwellings per hectare. However the policy does set out that densities outside these ranges will be allowed where they achieve good design, reflect the character of an area or protect a sensitive area.

Para122 of the NPPF sets out that planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services –both existing and proposed –as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

The proposal would achieve a highly efficient use of land; providing housing for older people that is lacking within the area. It is considered that the development has been well designed, of a scale and massing which would not be particularly out of keeping with surrounding properties. The proposal is considered to comply with Core Strategy Policy CS26 and para 122 of the NPPF.

Affect Upon Character and Appearance

The proposed development would take the form of a T shaped building which would front onto Church Street and would step up onto the higher plateau of the former cricket pitch to the west.

The building would be of a high quality red brick construction with stone heads and cills to windows and doors. The building would have areas that are recessed to break up the overall mass and dormers within the roof space to reduce the overall height of the development. Chimneys have also been added to break up the roofscape.

Surrounding residential properties are largely two-storeys in height; however given the level changes the proposed scale and massing of the building are considered to be appropriate, particularly as the development steps down where it abuts the residential properties to either side and fronts Church Street.

Several objectors have called for the development to be of stone construction. There are a mix of stone and brick properties within the area. Neighbouring residential properties to the south are largely of brick and it is considered that a high quality red brick would be an appropriate material for this location.

The site is within an Area of Special Character. On the opposite (east) side of Church Street is Christ Church which is a Grade II Listed building. Being located some 50m to the south east of the proposed development, and on the opposite side of the road, it is considered that the proposed building would not detract from the setting of the church and so would not be harmful to its character and appearance. There would be enough separation to prevent the development from being overbearing upon the church.

The former pub was not of any architectural merit, being a fairly modern two storey property with a rendered finish. Along the site frontage to Church Street is a drystone wall which does contribute to the character of the area and is proposed to be retained/reinstated.

A stone wall is also proposed along the Uppergate Road frontage and railings along the western boundary which will adjoin the proposed estate road for the neighbouring development.

Adjacent to Uppergate Road an electricity substation is proposed. It is recommended that full details of this be required to ensure that this is constructed from appropriate materials and would not be harmful to the character and appearance of the area.

It is considered that the development would conform with UDP Policy BE5 which sets out that 'Good design and the use of good quality materials will be expected in all new developments. The development would also accord with UDP Policy BE17 which sets out that 'in Areas of Special Character a high standard of design using traditional materials and a flexible and sensitive approach to layouts will be expected.'

The development would also be in accordance with Core Strategy Policy CS74 which sets out that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city.

In terms of design it is also considered that the development would satisfy the NPPF. Paragraph 127 of the revised NPPF sets out that decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Impact Upon Residential Amenity

UDP Policy H14 seeks to ensure that the site would not be overdeveloped or deprive residents of light, privacy or security.

UDP Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met. It also expects that walls or fences are provided around rear garden areas next to roads, footpaths or other open areas.

The proposed development would be sited to roughly line through with the existing residential properties to either side on the Church Street elevation. The new building would occupy the footprint of the former public house whilst also extending further to the north and west. It is considered that the development would not give rise to unacceptable levels of overshadowing or loss of light that would affect occupiers of neighbouring dwellings (both existing and proposed). The development would be significantly higher than No.19A Church Street, however it would be sited to the north of this property and so would not result in excessive overshadowing. A gap of around 5.5m would be maintained between the two properties and so it is considered that the proposed development would not be unduly overbearing upon this property.

There would be sufficient separation between main windows within the development and neighbouring properties (around 27m from the closest windows on the southern elevation to windows on the rear of No.19A Church Street). In addition the windows on the south are at an angle to the neighbouring dwellings and so direct window to window overlooking would not occur.

To the north of the site No.61 Uppergate Road backs onto the access road for the development. There is also approval for a dwellinghouse to be erected within the curtilage to the side between No.61 and the new development (application 18/00409/FUL refers). This proposed dwellinghouse would have windows on the side elevation, looking towards the retirement living scheme.

A distance of at least 12m would separate the two proposed developments and so neither would result in unacceptable levels of overshadowing or loss of light.

There are windows proposed on the gable of the new development that could potentially overlook the garden and windows of the proposed dwellinghouse to the side of 61 Uppergate Road. These would be secondary windows and would serve living areas within apartments 9, 10, 24 and 25. It is thereby recommended that a condition be attached to any consent requiring these windows to be obscure glazed. The apartments in question would still have adequate outlook, these rooms being served by other windows on the western elevation.

On the western gable of the proposed development windows are proposed which would look onto the access road to the neighbouring development. These windows would provide a degree of natural surveillance to the access road and would not result in significant overlooking to the proposed dwellings (Newett Homes development) on the former cricket pitch. The windows would serve bathrooms and secondary living room windows and would not be the main source of outlook.

The proposed development would have a communal garden area on the southern side of the building. In addition the ground floor apartments would have paved patio areas immediately outside the apartments. These would be made semi-private with a screen to the side making it clear that these are not communal areas. It is recommended that a condition be attached to any consent requiring further details of this screening to ensure an appropriate quality of development.

Several of the upper floor apartments would have small balcony areas and some would have Juliette balconies. On the northern elevation there would be a distance of 21m from the closest balcony (serving apartment No.23) to the proposed dwelling within the curtilage of No.61 Uppergate Road, which would also be set at an angle to the proposed balcony. As such it is considered that unacceptable levels of overlooking in this direction would not occur.

On the southern side, at the closest point, the proposed balconies would be some 16m from the boundary with the garden of No.19A Church Street and around 27m from windows in the rear of that property (again at an angle). As such it is considered that the balconies within the development would not result in unacceptable levels of overlooking in this direction either.

It is considered that, on balance, the development would not be harmful to the amenity of occupiers of neighbouring residential property and would be complicit with UDP Policy H15 and Core Strategy Policy CS74 as well as para 127 of the NPPF.

Land Contamination Issues

The application site falls within the Coal Mining High Risk Area; therefore within the application site and surrounding area there are potentially coal mining features and hazards which need to be considered.

The planning application is supported by a Phase 1: Desk Top Study Report (21 January 2015, prepared by Arc Environmental Ltd). The report concludes that there is a potential risk posed to the development by past shallow coal mining activity and further survey work would be required

Accordingly, site investigations were undertaken, the results of which are reported in the accompanying Phase 2: Ground Investigation Report (17 November 2016, prepared by Arc Environmental Ltd). The Report confirms that only thin intact coal seams were encountered. As such the Coal Authority is satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately addressed.

With regard to land contamination the findings of the submitted reports are that the soils across the site are determined to be suitable for use and without a requirement for remedial works. However, preliminary results from ground gas monitoring show some elevation of CO₂ levels, and a current recommendation for CS₂/Amber 1 gas protection measures.

As such it is recommended that pre-commencement condition be attached to the consent requiring further survey work to be carried out.

Land Drainage

In principle, the proposed development is considered to be acceptable to the Local Lead Flood Authority. Conditions are recommended to limit the rate of surface water run-off.

Archaeology

The applicants have submitted a heritage assessment in support of their application (prepared by Woodhall Planning and Conservation). This looks at the site in context with the neighbouring Grade II Listed Christ Church, on the opposite (east) side of Church Street. The report finds that the development would not be harmful to the setting of the Listed Building.

The proposed development site lies within the medieval core of Stannington and occupies land which has remained largely undeveloped for the past 200 years bar the creation of a sports pitch and the erection of the public houses within the site.

There is potential for archaeological remains of medieval date to occur within the proposed development site based on the known medieval assets in close proximity to the proposed development and its location in the historic core of Stannington.

It is thereby recommended that prior to any development commencing, further archaeological work is undertaken. This can be secured by way of a planning condition and would be necessary to comply with UDP Policy BE22 which sets out the need for sites of archaeological interest to be preserved, protected and enhanced. Para 199 of the NPPF sets out that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

Highways

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the city including applying maximum parking standards to all new developments to manage the provision of private parking spaces.

The scheme would provide 29 spaces for occupiers of the development. Historically retirement schemes have not generated a large amount of traffic with many of the occupiers not having a car. The level of parking proposed is considered to be adequate and in the spirit of Core Strategy Policy CS53. In addition the development would have a dedicated room for the parking of mobility scooters securely within the building and the site is within a relatively sustainable location close to bus routes and local services.

The development would utilise an existing vehicular access, the use of which raises no highway safety concerns.

The development would be in accordance with paragraph 109 of the revised NPPF which sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. As such it is considered that a highways based refusal cannot be justified.

A public footpath currently crosses the red-line boundary of the application site, which also crosses the adjoining recently approved residential development for 19 houses. Councillors may recall reports being presented to previous meetings of the Planning and Highways Committee on 19/12/2017 and 16/01/18 respectively, where approval was granted to make and advertise formal footpath diversion orders under Section 257 of the Town & Country Planning Act 1990, relating to the path as it crosses each of the sites.

A written objection was received to each of the orders, by the same couple. Following a meeting with the housing developers, the couple felt sufficiently reassured as to enable them to withdraw their objection. Following a meeting with McCarthy & Stone whereby a commitment was given to widen the Church Street footway across the front of the development site all the way to Uppergate Road, again the couple agreed to withdraw their objection. Once widened, the footway will allow a pedestrian and a wheel-chair user to comfortably pass each other, which will benefit any infirm residents of the development wanting to access the bus stops just to the north of Church Street.

Sustainability

Policy CS63, 64 and 65 sets out the Councils sustainability objectives with regard to new development.

The applicants have indicated that they will be adopting a fabric first approach in order to meet the requirements of policy CS64. A sustainability statement in support of the application indicates that energy efficient measures to be integrated into the design of the development to meet the requirements (10% reduction in energy demand) of the policy. Existing stone on the site will be re-used to build the

proposed dry stone walls. The development is considered to be acceptable from a sustainability perspective.

Affordable Housing

Core Strategy Policy CS40 states that in all parts of the city developers of all new housing schemes will be required to contribute towards the provision of affordable housing where this is practicable and financially viable. The Council's Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (December 2015) includes guidance on affordable housing. The proposed development exceeds the 15 or more dwellings threshold and lies within an area where there is a required level of contribution of 10% identified in Guidelines GAH1 and GAH2 of the Planning Obligations document.

The applicant has submitted an Affordable Housing Statement and supplementary data to support their case.

An independent review has been undertaken of the ability of the proposed development to make an affordable housing contribution. This independent appraisal has concluded that the scheme is able to provide a contribution of £300,000. This would equate to a 2.75% contribution.

The applicant has indicated their acceptance of this finding and is looking to make an off-site contribution. This would be secured by way a legal agreement (s106). This has been drafted but has not been signed.

Paragraph 62 of the NPPF sets out that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be justified and the agreed approach contributes to the objective of creating mixed and balanced communities.

The proposed development would provide housing for older people in a location that is lacking in this kind of provision. As occupation of the development would be limited to people aged 60 or over it is considered that in this instance a financial contribution can be justified as this would benefit the wider community.

Community Infrastructure Levy (CIL)

The Council's Community Infrastructure Levy (CIL) Charging Schedule (June 2015) sets the levy rates applicable to certain developments. This document states that retirement/extra care/sheltered housing/assisted living developments are excluded from the types of development to which the CIL charge is applicable.

It is considered that the proposed 43 sheltered housing units are not CIL chargeable.

Public Art

UDP Policy BE12 encourages the provision of works of public art as an integral part of the design of major developments. A condition is recommended to secure provision of public art within the proposed development.

Ecology

The proposed development would not result in the loss of habitat for any protected species. The existing building has already been demolished and the site fenced off. Trees and shrubs on the greenfield portion of the site are largely self-set and are of limited amenity value.

Following claims that protected species may inhabit the area the Council's ecology unit have visited the site. The findings of their visit were that some of the cricket pitch is used, albeit on an infrequent basis by foraging mammals. Subject to appropriate conditions requiring the developer to prepare a statement setting out how the site is to be developed with protected species in mind, there are no specific concerns relating to habitat loss.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of 43 retirement living apartments on the site of a former public house as well as land to the rear which has previously been used as a cricket pitch.

There are no policy objections to the principle of the development proposed. The UDP identifies the site as being within a Housing Area where housing is the preferred use (UDP Policy H10 refers). The remainder of the site is within an Open Space Area where the principle of residential development (and the provision of a financial contribution by way of a legal agreement to compensate for the loss) has been established (application 17/00783/FUL refers)

This proposal would make a positive contribution to the provision and supply of housing land and is located within a relatively sustainable location with regard to local facilities and public transport.

The development would provide parking for 29 cars and there are no highway objections to the proposed development subject to appropriate conditions.

Whilst the proposal represents a different form of development (there are no apartment schemes within the immediate vicinity) the proposed layout, massing and design would achieve an acceptable form of development for this site and its surroundings. The development would not be harmful to the setting of the nearby Listed Christ Church and would complement the Area of Special Character. It is recommended that a condition be attached to any consent requiring the submission and approval of external materials to ensure an appropriate quality of development.

The proposal achieves satisfactory separation distances to neighbouring dwellings and would not significantly harm the living conditions of occupiers of both existing and proposed dwellings.

The proposal would achieve a highly efficient use of land (equivalent to 98 dwellings per hectare) which is significantly above the range in Core Strategy Policy CS26, however, in this instance the proposed development is well designed, provides a type of housing which is lacking within the area and steps to follow the topography of the area. It is considered that the development would not be out of keeping with the character of the area.

Conditions are recommended to secure satisfactory details of land remediation, drainage, and public art.

An independent review has been undertaken of the ability of the proposed development to make an affordable housing contribution. This independent appraisal has concluded that the scheme is able to provide a contribution towards affordable housing and the applicant has agreed in principle to a contribution of £300,000 to be secured through the signing of a s106 agreement. This is in addition to a contribution of £35,775 towards a replacement cricket pitch.

Overall, the proposed development is considered to be acceptable and would make a positive contribution to locality. The proposal complies with UDP Policies, Core Strategy Policies and the Government's planning policy guidance contained in the NPPF.

It is recommended that the application be granted with conditions, subject to the signing of a legal agreement to secure a financial contribution towards a replacement cricket pitch as well as affordable housing.

HEADS OF TERMS

A financial contribution in the sum of £300,000 towards the provision or enhancement of affordable housing in the local area and provided in accordance with the principles set out in the Council's CIL and Planning and Obligations SPD.

A financial contribution in the sum of £265,000 (or part thereof – if the neighbouring development comes to fruition the sum required will be £35,775) towards the provision of a replacement cricket pitch.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 19 February 2019

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Marie Robinson 0114 2734218

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
19 FEBRUARY 2019

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 planning permission for alterations to gate lodge including demolition of existing extension and erection of replacement extension Oakes Park Lodge School Lane Norton Sheffield S8 8BL (16/00723/LBC).

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of a dwellinghouse with integral double garage (Resubmission of planning permission 17/04626/FUL) land to rear and side of 29 Overcroft Rise Sheffield S17 4AX (18/03000/FUL).

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for extension to apartment block to form dwellinghouse Manor Lodge Primary School Manor Lane Sheffield S2 1TR (17/04014/LBC).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of dwellinghouse and ancillary detached garage curtilage of 126 Bushey Wood Road Sheffield S17 3QD (Case No 18/01878/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the effect of the proposal on the character or appearance of the area.

She noted the area was characterised by detached bungalows and two storey properties set within generous grounds, with substantial grass verges a feature of the street.

She noted some uniformity to the layout of Bushey Wood Road properties in terms of their set back from the highway and generous rear gardens. The appeal proposal would result in greater density, eroding the spacious grounds of the host bungalow and she agreed with officers that this would be at odds with the established pattern of development within the wider residential area.

In addition, she considered the limited separation between the proposed dwelling and those existing would result in a cramped form of development, inconsistent with the surrounding character.

She did not agree with officers that the additional hardsurfacing within the grass verge to provide access would compromise its green character.

The appeal was therefore dismissed for the above reasons and for being in conflict with UDP policies BE5 and H14, and Core Strategy Policies CS26, CS31, and CS74.

4.0 APPEALS DECISIONS - ALLOWED

5.0 ENFORCEMENT APPEALS - DISMISSED

6.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

19 February 2019

