

Planning and Highways Committee

Tuesday 27 October 2020 at 2.00 pm

To be held as a video conference

The Press and Public are Welcome to Attend

Membership

Councillors Jayne Dunn (Chair), Jack Clarkson, Tony Damms, Roger Davison, Peter Garbutt, Dianne Hurst, Alan Law, Bob McCann, Zahira Naz, Peter Price, Peter Rippon, 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 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 Abby Brownsword on 0114 273 5033 or by emailing abby.brownsword@sheffield.gov.uk.

FACILITIES

N/A

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
27 OCTOBER 2020**

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 5 - 8)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 9 - 12)
Minutes of the meeting of the Committee held on 6th October 2020.
- 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 13 - 14)
Report of the Director of City Growth
- 7a. Application No. 20/00159/FUL - Football Pitch, Hallam Sports Club, Sandygate Road, Sheffield, S10 5SE** (Pages 15 - 44)
- 7b. Application No. 20/01822/FUL - University Of Sheffield, Athletic and Sports Ground, Warminster Road, Sheffield, S8 8PS** (Pages 45 - 60)
- 7c. Application No. 20/02057/FUL - Land Between 94 and 98, Wheel Lane, Grenoside, Sheffield, S35 8RN** (Pages 61 - 84)
- 7d. Application No. 19/02907/FUL - Ecclesfield Red Rose J F C, Playing Fields, Nether Lane, Sheffield, S35 9ZX.** (Pages 85 - 102)
- 8. Date of Next Meeting**
The next meeting of the Committee will be held on Tuesday 17th November 2020 at 2pm.

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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 6 October 2020

NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

PRESENT: Councillors Jayne Dunn (Chair), Jack Clarkson, Tony Damms, Roger Davison, Peter Garbutt, Dianne Hurst, Alan Law, Bob McCann, Zahira Naz, Peter Price, Chris Rosling-Josephs, Andrew Sangar and Adam Hurst (Substitute Member)

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1. APOLOGIES FOR ABSENCE

- 1.1 An apology for absence was received from Councillor Peter Rippon.
- 1.2 Councillor Adam Hurst acted as substitute for Councillor Peter Rippon.

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 Councillor Bob McCann declared a personal interest in Agenda Item No. 7b, Application No. 20/00696/FUL – The Old School Medical Centre, School Lane, Greenhill, Sheffield, S8 7RL, as an acquaintance of the applicant. Councillor McCann declared that he had not given an opinion or declared his position on the application prior to the meeting, therefore would take part in the discussion and voting thereon.
- 3.2 Councillor Adam Hurst also declared a personal interest in Agenda Item No. 7c, Application No. 20/01480/OUT – 218 Wortley Road, High Green, Sheffield, S35 4LX, as a local ward Member. Councillor Hurst declared that he had not given an opinion or declared his position on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of meetings of the Committee held on 25th August 2020 and 15th September 2020 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 any 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. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6a. APPLICATION NO. 20/01895/RG3 - LAND BOUND BY CARVER STREET, WELLINGTON STREET AND BACKFIELDS (BLOCK H2), SHEFFIELD, S1 4FT

6a.1 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.

6a.2 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report, now submitted.

6a.3 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for the erection of office building (B1a) with ancillary retail / café/ bar space (A1/ A2/ A3/ A4/ A5) and associated works at Land Bound By Carver Street, Wellington Street and Backfields (Block H2), Sheffield, S1 4FT (Application No. 20/01895/RG3).

6b. APPLICATION NO. 20/00696/FUL - THE OLD SCHOOL MEDICAL CENTRE, SCHOOL LANE, GREENHILL, SHEFFIELD, S8 7RL

6b.1 An amended summary and recommendation were included within the Supplementary Report circulated and summarised at the meeting.

6b.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.

6b.3 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report, now submitted.

6b.4 Councillor Peter Garbutt moved that secure bicycle storage be provided on site. Councillor Andrew Sangar seconded the motion. On being put to the vote, the motion was lost and it was:-

6b.5 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for alterations to allow use of medical centre (Use Class D1) as 5 dwellings (Use Class C3) including demolition of single-storey side lean-to, erection of single-storey side extension, formation of additional accesses and provision of rooflights, erection of 2 dwellings, associated access, parking and landscaping works at The Old School

Medical Centre, School Lane, Greenhill, Sheffield, S8 7RL (Application No. 20/00696/FUL).

6c. APPLICATION NO. 20/01480/OUT - 218 WORTLEY ROAD, HIGH GREEN, SHEFFIELD, S35 4LX

6c.1 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.

6c.2 Gill Ellis attended the meeting and spoke against the application.

6c.3 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report, now submitted and also having regard to representations made during the meeting.

6c.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for the demolition of dwelling and erection of 5 detached dwellings and provision of associated access (Outline application - Appearance, Landscaping and Scale - Matters Reserved) at 218 Wortley Road, High Green, Sheffield, S35 4LX (Application No. 20/01480/OUT).

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

7.1 The Committee received and noted a report of the Chief Planning Officer detailing new planning appeals received and planning appeals allowed or dismissed by the Secretary of State.

8. DATE OF NEXT MEETING

8.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 27th October 2020 at 2pm.

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 27/10/2020

Subject: Applications under various acts/regulations

Author of Report: Dinah Hope and Chris Heeley

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

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| Case Number | 20/00159/FUL (Formerly PP-08430633) |
| Application Type | Full Planning Application |
| Proposal | Erection of ball stop netting to Northern and Southern boundaries of cricket ground (maximum height of 15metres) (Amended plans) |
| Location | Football Pitch Hallam Sports Club Sandygate Road Sheffield S10 5SE |
| Date Received | 16/01/2020 |
| Team | West and North |
| Applicant/Agent | Mark Beckles Willson |
| 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 No: 19001 Dwg No: 100 published 16th January 2020

Proposed Site Plan - Job No: 19001 Dwg No: 101 Rev A published 8th October 2020

Elevations - Job No: 19001 Dwg No: 102 Rev C published 8th October 2020

Coal Mining Risk Assessment (ref CAT/GCB/NG/44278-001) published 16th January 2020

Reason: In order to define the permission.

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

3. No development shall commence until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on the site and a report explaining the findings has been submitted to and approved in writing by the Local Planning Authority. In the event that site investigations confirm the need for remedial works to treat areas of shallow mine workings details of the remedial works shall also be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

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.

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

4. Prior to the installation of the ball stop fencing/netting full details of the design of the stanchions and the specification of the ball stop netting/fencing shall have been submitted to and approved in writing by the Local Planning Authority. The netting/fencing shall thereafter be installed in accordance with the approved details. The netting shall be removed from September 30th and shall not be re-erected until March 20th each calendar year (outside of the cricket season).

Reason: In the interests of the visual amenities of the locality and to allow for variations in the timing of the cricket season.

5. No works shall commence until a full Arboricultural Impact Assessment and Arboricultural Method Statement (to BS5837:2012) has been submitted to and approved in writing by the Local Planning Authority. These documents shall include an assessment of the impact of the fence construction upon the trees on site. Any proposed pruning works that are reasonably necessary shall be identified in the Arboricultural Impact Assessment and Arboricultural Method Statement and shall be in accordance with BS3998:2010.

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

Reason: In the interests of tree protection.

6. No trees shall be felled nor shall any tree works be undertaken on site unless an Ecological Method Statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall be provided by a suitably qualified professional.

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

Reason: In the interests of protected species.

7. Full details of new tree planting shall be submitted to and approved by the Local Planning Authority before the erection of the support posts. The details shall comprise a minimum of 5 extra heavy standard trees consisting of native species. Thereafter the trees shall be provided in accordance with the agreed details and shall be planted no later than 28 days following the erection of the support posts.

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

8. The approved landscape works shall be implemented in accordance with the timescale set out in condition 7 above. 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.

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

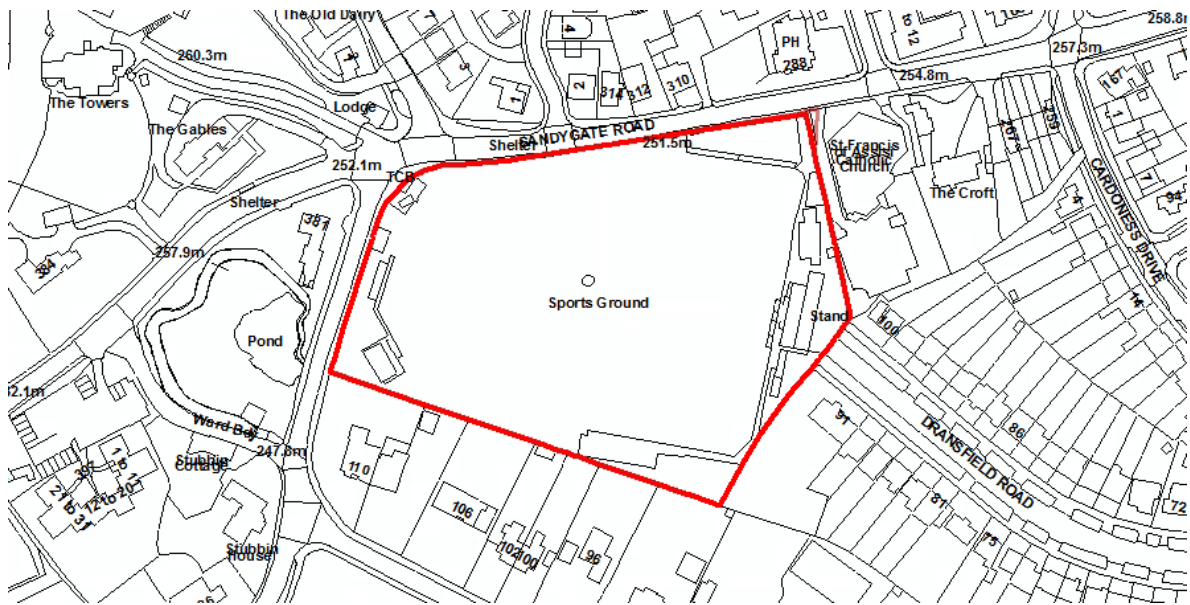
Reason: To ensure that the Local Planning Authority can confirm when the landscaping works have been completed.

Other Compliance Conditions

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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INTRODUCTION

The application site comprises of the Hallam Cricket Club situated at the Sandygate Sports Ground. Hallam Cricket Club was founded in 1804 and is the oldest cricket ground in Sheffield and one of the oldest in Yorkshire. The club has played at the Sandygate ground since its foundation. The ground is also the oldest football ground in the world, home to Hallam Football Club - the second oldest football club in the world.

According to the applicant's submission, Hallam Cricket Club currently has 350 members, more than 250 of whom are children, and it runs a full programme of summer and winter training and matches. It currently has 7 adult teams and 15 junior teams playing in local leagues and it organises a wide range of non-competitive cricket based and community activities.

The site lies within an established residential area, however the site itself is designated as an Open Space Area as defined in the Sheffield Unitary Development Plan.

The back gardens of housing fronting Ivy Park Road are located along the southern boundary. Carsick Hill Road lies to the west and Sandygate Road to the north with housing on the other side of those respective roads. The site falls from the northern boundary to the south by approximately 4m across the site.

The site is located immediately adjacent to the Ranmoor Conservation Area which lies to the south, commencing on Ivy Park Road. There are also two grade II listed buildings in the vicinity known as The Lodge and The Towers, which are located to the north-west of the site on the corner of Sandygate Road and Coldwell Lane. The Lodge is the most visible of these from the application site.

PROPOSAL

Planning permission is sought for the erection of ball-stop netting to the northern and southern boundaries of the cricket ground to a maximum height of 15 metres.

The proposed plans, as amended, show that the ball-stop netting along the Sandygate Road frontage (north boundary) is to span a length of 84 metres, with a long section reaching a height of 15 metres (part of which is angled in from the boundary wall), a section reaching 12 metres in height, and a short section which reaches 8 metres in height. The southern boundary netting, adjacent the rear boundaries of housing fronting Ivy Park Road, is shown to have a span of 91 metres with the longest length of netting reaching 15 metres high, two sections at 13 metres high and a short section of 7 metre high netting.

The netting along the northern boundary would include 7 posts, with the southern boundary netting including 8 posts.

The submission states that in 2017 the first XI team was promoted to the southern section of the Yorkshire League, which is an ECB Premier League, the highest level of club cricket in the County. Games in this league were played at the historic

Sandygate ground for two seasons but balls were being hit out of the ground on an increasingly regular basis and the Club has become concerned about the safety of playing this level of cricket at a ground with such short boundaries. Cricket has evolved over the last decade and as a result of both technical advances in bat manufacture and the influence of T20 cricket (very much focused on big hitting) the ball is being hit harder and further than ever before, particularly at Premier League level.

In late 2018 the Club approached the ECB (England and Wales Cricket Board, the game's governing body) for advice on this issue and the ECB recommended Labosport, a sports consultant in Nottingham.

The Club subsequently commissioned a risk assessment report on the safety of the ground from Labosport, who recommended the installation of ball-stop netting.

As an initial risk mitigation measure, the Club moved first and second team games to its Crimicar Lane ground for the 2019 season. The submission states that Crimicar Lane was restored to Premier League standards in 2009 and has significantly longer boundaries and ball-stop netting on the northern edge of the ground. Third and fourth team games were moved to Sandygate Road. These two teams play community level cricket where it is recognised that the ball is generally not hit as hard or as far.

The Club also commissioned an updated report from Labosport based on community level being played at Sandygate and adult play being limited to the more central area of the cricket square. This revised report gave data on the predicted trajectories of ball hits at this level of cricket and this was used to develop a practical solution (i.e. ball-stop netting) which would allow adult community cricket to be played more safely at Sandygate in future.

PLANNING HISTORY

19/04172/TEL - Erection of 20m monopole and associated equipment cabinets (Application for determination if approval required for siting and appearance) – Refused

This prior approval application was subject of an appeal which was dismissed on 16th September 2020.

19/00405/TEL - Erection of 12.5m monopole (Application for determination if approval required for siting and appearance) - Withdrawn

SUMMARY OF REPRESENTATIONS

The application was advertised by way of site notices and neighbour letters, including subsequent rounds of both.

The planning application was originally on the agenda for the 25th August 2020 committee, however the application was deferred. The officer report was originally published on 18th August 2020. Further representations have been submitted since

the deferral.

Representations received prior to 18th August 2020:

Olivia Blake MP for Sheffield Hallam objected on the following grounds:

- 15m high netting would be unsightly and overbearing.
- It would affect visual amenity including two Grade II listed buildings and the Ranmoor Conservation Area.
- Poles at 32cm diameter would be out of character with existing street furniture.
- The quality of Sport England's consultation features inaccuracies, as raised by a constituent.

Cllr Anne Murphy objected on the following grounds:

- The 15 metre height is equivalent to a four to five storey building.
- Netting would be within 13 metres of properties and be excessively overbearing.
- Posts and netting will resemble a prison.
- Within 25 metres of Grade II Listed Buildings - The Lodge and The Towers.
- Cause harm to nearby Ranmoor Conservation Area.
- Question why retractable posts cannot be used.
- Planning Officers deemed a 15m monopole to be unacceptable.
- Concerns relating to impact on bats and birds.
- A veteran sycamore tree would be lost.
- Understands the benefits of reducing risk, but the scheme will not stop many of the balls.
- Sensible approach is to move senior cricket to Crimicar Lane.

26 letters of objections were received from local residents. The objections are summarised as:

Material Planning Considerations

Need

- Support the measures for safety and property outside ground and for cricket to continue, but cannot rationalise the Labosport findings with the proposed netting.
- The nets at 15 metres high do not comply with the Labosport report's recommendations therefore there would be loss of amenity (views) for an insufficient reduction of risk.
- High risk of balls being hit over the netting due to height not complying with Labosport report.
- Reduction of ball strike risk would not be to an acceptable level.
- Netting excessive and an overreaction in relation to risk.

- A number of neighbours (both on Ivy Park Rd and Sandygate) state they have never had issues with cricket balls from the club.
- Road signage warning of risks to motorists and pedestrians would be better.
- Lack of transparency in Labosport Report – calculations to model ball trajectories have not been provided for scrutiny.
- Distances within Labosport Report are estimates, which are worthless without practical validation.
- Labosport Report only assess northern boundary, but scheme includes same netting height.
- Other solutions not explored, such as levelling wicket area, reorienting wickets or using equipment to de-power shots.
- Community cricket could be relocated to Crimicar Lane, whilst maintaining junior cricket at Sandygate.
- Local resident (Ivy Park Rd) has experienced some balls entering garden, but not resulting in injury or property damage – prepared to continue to put up with risk of ball incursions.
- Ball-stop netting will not define whether HCC continues to operate – Crimicar Lane can be used for senior teams, with junior cricket at Sandygate Road.
- If there are concerns about safety, the club would have acted sooner.
- If recent incident (pedestrian being hit) was catalyst the club should have stopped playing, but continued with known risk. Therefore can continue to play without netting needed.
- International and ex county cricket players have played at ground without netting on the ground – no one can hit harder and further than such players.
- Benefits only seen by small minority of community, i.e. cricketers.
- Proposal not in line with Sport England Guidance on pitch sizes.
- Should be for retractable poles and temporary netting.
- As scheme does not conform to Labosport Report, applicant and Council must be legally responsible for any balls that would come over 15 metre high netting.
- Labosport Report states that 15 metre would not reduce the risk to an acceptable level.
- The size of the cricket pitch does not comply with Sports England guidance for professional cricket.
- By accepting the proposal, the Council would themselves become legally responsible for their failure to adequately protect pedestrians, vehicles and residents in line with the specialist report.
- The sensible approach would be to move senior cricket to Crimicar Lane.

Appearance & Heritage Assets

- 15 metre high poles and netting will have substantial visual impact.
- Harmful impact on nearby Conservation Area.

- A telecommunication monopole was refused opposite the site, current proposal will have more impact than that.
- Harmful impact on The Towers and The Lodge, which are Grade II listed.
- Loss of trees which contribute to environment.
- Eyesore and unsightly in picturesque residential suburb.
- Structure would be similar height to nearby trees.
- Visual monstrosity – 15 metres is equivalent to a four-storey building.
- Netting will appear as a prison.
- Netting 3 x times height of coach house within garden on Ivy Park Rd.
- The poles at the diameter shown would be out of character with street furniture.
- Would not comply with CS Policy CS74, UDP Policy BE5 or Chapter 12 of the NPPF.
- Would result in 'less than substantial harm' set against para 196 of the NPPF.
- The safety benefits of scheme are vastly exaggerated, therefore public benefits are non-existent and do not outweigh harm that would be caused.
- Vertical poles out of character with local area which is picturesque.
- Resident references a Zone of Theoretical Visibility (ZTV) to assess visibility of a development. Details submitted indicate the number of visual receptors that might be able to see the development - 454 residential properties within 300m of the proposal fall within the ZTV. Best case scenario 444 residential properties would be able to see the proposal within 300m. – demonstrates the visual impact.

Ecology

- Bat survey required. Impact on access to their feeding areas.
- Potential impact to wild birds such as Owls, potentially injuring or killing any caught in net.
- Impact on veteran tree.

Residential Amenity

- Noise nuisance from netting due to windy, exposed location.
- Noise already generated from floodlight cables, additional steel poles with ropes and pulleys will generate noise.
- Noise was not considered at HCC public meeting.
- Reduction of light into gardens of Ivy Park Rd.
- Netting not to be lowered after games, reducing outlook during the summer time for Ivy Park Rd residents. Poles are to be up all year, impacting outlook throughout the year.
- The nets would block sun every morning to houses on Sandygate Grange Drive.

- Garden of 106 Ivy Park would have entire 15 metre netting on back boundary; worsened by drop in level of garden of approx. 1.5 metres. (16.5 metre height relative to no. 106).
- Nets and posts would be overbearing, the height being equivalent to a four/five storey building.
- The proposal would be overly intrusive to a nearby neighbour and is unlikely to pass the Residential Visual Amenity Threshold test.

Highways concerns

- The junction is notorious for heavy traffic, the scheme has potential to deflect drivers' attention.

Other concerns

- Benefits do not outweigh the negatives of the proposal.
- ECB are funding the proposal and other projects for club – maybe funding dependent on netting.
- A number of neighbours acknowledge the club's position; however they do not think benefits outweigh the harm.
- Tree survey not submitted.
- Risk to veteran Sycamore tree in north-western corner which should be protected as is an important landscape feature.
- It is world's oldest football pitch.
- Planning Officers found a telecommunications mast of 15 metres in height proposed nearby to be unacceptable.
- The floodlights are shown as 17 metres on the elevations, whereas they are approx. 15.8 metres. The Telecommunications application mentioned them to be 15 metres.
- Why is the western boundary not being protected?
- Sport England's consultation is inaccurate, as it assumes the proposal is in accordance with the Labosport Report when it is not.
- ECB comments are not neutral as they are funding the proposal.
- A shadow-tracking study carried out indicating posts and nets will reduce power output from PV panels on house opposite site.

Non-material Planning Considerations

- Loss of views over Mayfield Valley and to Ringinglow from neighbouring residences.
- Impact on desirability and values of houses.
- No information regarding maintenance of netting.
- Complaint raised with Sport England regarding their comments. The application should be put on hold until this is resolved.

The Conservation Advisory Group provided the following comments:

- The Group considered that there was no objection to the development, in principle, subject to the colour of the mesh and the posts being to the satisfaction of the Interim Head of Planning and to the supporting posts being de-mountable and being installed between the months of April and September, only.

Representations received after 18th August 2020:

Olivia Blake MP on behalf of constituents who raise the following comments:

Objections

- 15m high ball stop netting would be unsightly and overbearing, negatively affecting the Grade II Listed Buildings, The Lodge and The Towers, from which the netting would be visible.
- Permanent 32cm diameter posts would be out of character with existing street furniture.
- Sport England's consultation features inaccuracies.

Support

- Acknowledgement of the work of Hallam CC, which is grounded in and greatly serves the local community, having been doing so for 200 years and wish for this to continue.
- Wish to highlight effort the club has undertaken to submit an agreeable proposal including consultation with neighbours and compromising on recommended 25 metre net down to a height of 15m.
- The club state netting can be taken down outside cricket season and 15 metres is minimum height required.
- Club state the netting is essential for the safety of pedestrians on Sandygate Road, as well as cars, buses and property.

Sheffield & Rotherham Wildlife Trust has submitted neutral comments as summarised below:

- No tree survey submitted.
- If trees are to be felled, a bat survey should be submitted.
- The ivy on the trees are a feature of interest to bats.
- Bats do fly into and get entangled by nets.
- A specialist bat survey is recommended given the proximity of the nets to the trees along with evidence of bats using the site from residents and advice from the Bat Conservation Trust.

13 further objections and 169 letters of support comments were received.

Many of the concerns were raised in earlier correspondence and so are not repeated

here. The new objections are summarised below:

Material Planning Considerations

Need

- If cricket ceases at Crimicar Lane and the first and second teams return to Sandygate, the netting will not be anywhere near high enough.
- Since the 1st and 2nd teams moved to Crimicar Lane, no cricket balls have come over the wall.
- The cricket club would not fold if adult teams cease – two thirds of the membership are junior cricket players.
- Only a few games of senior team cricket are played throughout the year, the majority are junior as endorsed by Yorkshire Cricket – the methodology is unsound.
- Two support comments reference the lack of ‘risk’ at present showing how unlikely it is that balls exceed the boundary.
- Most manufacturers do not produce netting at this height – demonstrates the unusual nature of the proposal.
- Under case law, if the proposal is refused the club would not be liable for any ball-strike incidence as they would have taken all practical precautions.
- The pitch does not accord with Sport England’s pitch guidance, hence the reason for such high netting.

Appearance & Heritage Assets

- Replacement planting would not be as established as those lost.
- No justification for loss of trees.
- The netting for the football ground is in a poor state – comparison and question of maintenance of proposed nets.
- The netting is proposed between March and September which is longer than the cricket season.
- Club not committed to retractable netting.
- Tree survey is required as part of the boundary is affected by a conservation area.
- Posts would be out of proportion with the surrounding area.
- Impact on the Oldest Football Ground in the World – Hallam FC.
- Football ground is currently being considered for listing status.
- Impact on Oldest Fell Race which utilise an entrance in north-western corner. The race dates back to 1862 and the fence would restrict access through this entrance.
- The netting would be prominent from the south of the sports ground.
- The posts would be out of character with both floodlights and street furniture.
- Proposals of such height would usually be grey/white, rather than green due to the scale.

Ecology & Trees

- The trees provide habitats for local wildlife but also offer significant visual amenity.
- Loss of biodiversity would be deplorable.
- Trees cannot be replaced – trees take many years to grow.
- The nets could affect the roots of an Elm Tree in a neighbouring garden on Ivy Park Road – a quarter of the canopy may need to be pruned to allow the netting.
- Trees in north-western corner offer significant visual amenity.
- 7 trees are likely to be lost.

Residential Amenity

- The netting would look like a prison from Ivy Park Road gardens.
- Will affect outlook off houses on Ivy Park Road.
- Overshadowing issues to neighbouring residents.
- Covid has result in home working, highlighting the importance of outlook and use of gardens.
- Netting would be visually intrusive from houses and gardens on Sandygate Road and Sandygate Grange Drive.
- The landscape is symbolic and vital to residents well-being.

Other concerns

- Detrimental effect on neighbouring Solar PV array opposite site – architect has undertaken a solar shadow study of the nets showing the net and posts will reduce solar energy.
- Unacceptable that support comments have provided personal negative comments against neighbours, introducing intimidation to neighbours – it should be investigated as breaching planning rules and processes.
- the proposed nets will deny neighbours the right to the peaceful enjoyment of their house and garden and therefore may be in contravention of the Human Rights Act and in particular, Protocol 1, Article 1.
- Retractable netting needs to be demounted in high winds, therefore it is unsafe to leave the netting up for the entire cricket season.
- Local resident specifies that the Conservation Advisory Group raise concerns with impact on setting of the Lodge but advise retractable netting.
- Removal of trees could potentially damage boundary wall affecting the footways and highways.
- A condition should be imposed to secure maintenance of netting.
- Lack of meaningful consultation.

Non-material Planning Considerations

- Over 100 support comments, most of which are not from the local area and some not from Sheffield.
- Support comments have been driven by a social media campaign by Hallam CC.
- Neighbour has a right to access to maintain rear wall of outbuilding, not clear how maintenance of the stone wall will be possible in the summer if nets are installed.

Support:

- The club needs to protect householders, motorists and the public from ball strike.
- Netting deemed necessary by the sport's governing body.
- The club has engaged with the ECB to ensure the proposal meets standards.
- The club has introduced measures already - moving more powerful teams to Crimicar Lane, undertaken community and junior level cricket at Sandygate only and restricting the use of central wickets.
- Cricket has been played on the site for 216 years and is the oldest club in South Yorkshire.
- The game has changed, sixes regularly being hit over the 3m boundary.
- It is a responsible club which needs to protect people from being injured.
- It serves the community and has 100 senior and 200 junior members.
- Crimicar Lane has permission for ball-stop nets which is a more open site in terms of impact on landscape, also adjacent to properties – current proposal is no different.
- Community level cricket would be lost, members of which support the running of the club including junior teams.
- It is vital that cricket is maintained at Sandygate.
- Without adult cricket, Sandygate may not be maintained and the club may become unsustainable.
- Club provides opportunity for cricket across the local community, but also Sheffield and South Yorkshire.
- Nets will blend in and be unobtrusive in the local area.
- No adverse impact on neighbouring properties such as overbearing or affect on light.
- No grounds to refuse planning permission.
- The club is a very well used local facility.
- Massive positive impact the club has on obesity, but also to physical and mental health.
- Safety nets are part and parcel of sporting venues.
- Hallam CC was 1 of only 4 clubs in South Yorkshire to provide All Stars children's coaching this summer, showing opportunities are rare.
- The netting will prevent 99.9% of balls being hit over the wall.

- Crimicar Lane is immaterial – it is on a short-term lease and could be lost in the future. Losing two senior teams would affect the club hugely.
- A wonderful organisation which does an enormous amount for the community.
- The ground and club has been there longer than neighbouring properties.
- The club provides a thriving social scene for the community.
- Planning should be approved, anything other would be injustice and the club would be entitled to seek legal action.
- Cricket is a sport that already faces significant challenges, Hallam is one of a few clubs that has seen a rapid rise in participation in recent years.
- Netting not ideal, but it is necessary.
- Rejecting the proposal could cause irreparable damage to the club and diminish its positive impact on the community.
- The fencing cannot be reasonably called an eyesore.
- If Hallam CC is compromised, cricket in Sheffield would take a massive hit.
- A club in Kent formed 1769 introduced nets in 2009 which have been a success – this can be replicated at Hallam.
- The NPPF provides clear guidance for applications affecting sport – the application is consistent with it.
- The club is even more important with COVID19.
- The club are trying to be a good neighbour with this proposal.
- It is impossible to relocate the 3rd and 4th teams, therefore netting is needed.
- The application was withdrawn from 25th August committee – more transparency as to why and by whom.
- Without senior level cricket, the juniors would not gain experience of senior cricket.
- The club has been recognised at a national level for its work in promoting the game.
- Refusal would have a devastating impact on hundreds of people next season, let alone the future.
- No insurer would consider any sort of policy where cricket club was not able to follow ECB safety guidelines.
- The loss of cricket could have serious consequences for the adjacent football club.

PLANNING ASSESSMENT

National Planning Policy Framework (NPPF)

The National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 11 of the NPPF requires that development that accords with up to date policies should be approved without delay. In instances where policies which are most important for determining the application are out-of-date, granting permission unless:

- The application of policies in the NPPF 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 weighed against policies in the NPPF taken as a whole.

Paragraph 47 requires development to be determined in accordance with the development plan unless material considerations indicate otherwise.

Land Use

The NPPF places great importance on high quality open spaces and opportunities for sport and physical activity, which it considers to be important for the health and well-being of communities. Paragraph 97 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Similarly, UDP Policies LR4 and LR5 seek to protect Open Space Areas where they are needed for outdoor recreation or where they contribute to local character, the natural or historic environment. Core Strategy Policy CS47 seeks to safeguard existing open space and goes on to state that sports and recreational facilities of importance beyond the city will be protected and development will only be permitted where it would improve the quality of the facilities provided.

The local plan policies broadly align with paragraph 97 of the NPPF.

The applicant has submitted a Boundary Risk Assessment Technical Report undertaken by Labosport in support of the proposal. The findings of the report confirm there is a need for ball-stop netting in order to reduce the risk of cricket balls surpassing the site boundary.

It can be argued that ball-stop netting supports the current and continuing use of the site for playing cricket, however assessment of the proposals must consider whether they are a proportionate response to the risks involved. Consideration of the visual impact of the ball-stop netting on the local area, including nearby heritage assets, is also necessary.

The applicant's Boundary Risk Assessment is a desk-top study which uses modelling to assess the risk of cricket balls being hit over the boundary of the

cricket field to surrounding areas. It considers ball speeds and trajectories and the distances to boundaries to ascertain the risk of balls surpassing the boundaries. The wickets are orientated in an east to west direction.

The cricket club informed Labosport that an increasing number of balls have surpassed the northern boundary adjacent to Sandygate Road, which is a busy road and a bus route. The northern boundary has the shortest distance between it and the edge of the wicket. This risk assessment therefore focused on the northern orientation.

The report assessed the following scenarios and provided recommendations for each:

- Only community (3rd and 4th teams) and junior level cricket is played at Sandygate (1st and 2nd teams remain at Crimicar Lane)
- The 1st and 2nd (professional) teams use the Sandygate cricket square in full
- The 1st and 2nd (professional) teams are restricted to the 5 central strips

Whilst the cricket square is located centrally within the cricket ground, the distances from it to the boundaries varies due to the irregular shape of the site. The focus of the boundary assessment was based on the shortest distances from the edge of the cricket square to the boundary and hence the worst case scenario.

In respect of the northern boundary adjacent Sandygate Road, the report states that the minimum distance from the nearest edge of the cricket square to the boundary is 32 metres and from the 5 central wickets is 38 metres.

At these distances the report concludes that, for community level cricket, a 19 metre high net would not stop all shots but would significantly reduce the frequency of balls exceeding the boundary. In order to almost completely remove risk at community level, a 25 metre high net would be required which is unlikely to be practical or proportionate.

For professional level cricket the report concludes that nets of at least 24 metres in height would be needed to reduce risk to reasonable levels, but that 30 metre high nets would be required to almost completely remove risk.

Similarly, limiting play to the central 5 wickets for professional players would require nets of 25 metres high to stop all but the fastest shots and in order to almost completely remove risk, 32 metre high nets would be required. Again, the report states that in both of these instances, the height of the net is unlikely to be practical or proportionate.

The Club has used the findings of the Boundary Risk Assessment as the basis for forming a proportionate response to the risks involved. The current proposal is therefore based on the 1st and 2nd teams remaining at Crimicar Lane and on limiting adult community cricket to the central six wickets of the 13 available at Sandygate in order to maximise boundary size and contain the requirement for ball stop netting within reasonable bounds. Junior cricketers would be able to use the entire square. Netting is to be provided along both northern and southern boundaries at varying

heights based on the trajectory predictions in the Labosport report. With these restrictions the maximum height of the netting would be 15 metres.

The netting proposed is 50mm high density polypropylene attached by a pulley system to tubular steel posts, 323mm diameter, finished in green.

Sport England has advised that they have no objection to the application and they have also sought the views of the England Cricket Board (ECB), who consider the proposed ball stop mitigation to be fit for purpose and are fully supportive of the Hallam CC proposals in response to a ball strike incident. They consider the proposals to align with the findings of the Labosport UK ball strike risk assessment referenced LSUK.18-0768.

The Yorkshire Cricket Board's (YCB) Head of Region (South) stated:

"I have been working with Hallam CC for 12 years. During this time the Club has seen tremendous growth and is now one of the leading strategic development Clubs in Yorkshire.

The Club boasts 202 All Starts Cricketers (age 5-8), which is the national entry to Cricket level program, this being highest number of All Stars participants in England and Wales.

The Club also have 15 Junior sides; U9s to U17s, 5 Senior sides, 2 Mid-week teams, a Women's Softball side and host Visually Impaired and Physical and Learning Disability matches for the Yorkshire VI Kings and the Yorkshire Terriers.

The issue with ball strike has caused the club significant issues; the Club want to offer the safest community cricket programs they can, for their community. Hallam CC is an absolute pleasure to work with and is a beacon to all other Clubs.

The YCB values this relationship greatly and Hallam are a critical Club in driving the game forward and inspiring the next generation to choose cricket as their life long sport."

It is accepted that the Cricket Club have a duty of care for persons and property where the risk of ball strike is foreseeable and that a permanent solution is necessary in order for community cricket to continue to be played on this historic ground. The height of the netting is informed by the risk assessment and provides a practical solution to lowering the risk of ball strikes for neighbours and members of the public to a proportionate level. The elimination of risk would require significantly higher netting, which would be neither practicable or proportionate.

Discussions have taken place regarding whether retractable nets or a demountable net and post system can be used in order to limit the impact of the proposals on the character and appearance of the area.

The Club has contacted a manufacturer who has advised them that a fully demountable net and post system is not viable due to the height of the proposal, wind loading and the necessity for permanent durable supports. The Club accepts

that retractable nets are possible in principle.

An objector referred to a planning permission granted by Charnwood Borough Council for 15 metre high ball-stop netting. The officer report for that planning permissions states that whilst the netting would be removable (being taken down after each game), the posts would remain in situ all year round.

It is accepted that demountable posts are not viable in this instance. The Club has however agreed to remove the netting outside the cricket season, although the posts would remain in situ. A condition could be imposed to secure this.

In addition the Club has stated that, if strictly necessary, they would be willing for the netting to be raised and lowered between matches, but that this would be onerous given the frequency of matches during a normal summer, which comprise:

- Adult matches on Saturday and Sunday afternoons
- Midweek adult matches on Wednesday evenings
- Under 18 games on Tuesday evenings
- Under 15 games on Sunday mornings in the junior season
- University matches in the early part of the summer.

They also state that the process of raising and lowering the netting is labour intensive and that it will be very difficult for them to do this between every game.

Whilst this suggestion is welcomed and the cricket club would be encouraged to lower the netting during the longer periods without a game, it is considered that a condition to secure the lowering and subsequent raising of the netting would not be reasonable given the frequency of games during the cricket season and the physical effort required to do so.

A condition is however recommended to ensure that the netting is removed outside of the cricket season (the posts would remain in situ). The cricket season is usually accepted to run from March to October, however Hallam CC state that in practice they start matches in the third week of April and conclude by the second week of September. They are agreeable to a tighter timeframe in terms of the aforementioned condition.

Local residents have stated that re-orientating the wickets has not been considered. Although noted, re-orientating the wickets would not remove the ball-strike risk to the northern boundary. There is ball-strike risk for all boundaries at present, however the northern boundary is at most risk due to the short distances involved. The proposed scheme is a response to this issue and it is noted that the number of wickets to be made available for use by adults has been reduced to the central 6.

The proposed development is for ancillary facilities supporting the principle use of the site as a playing field and it would not harm the character of the Open Space Area as it would be reflective of the use of the site. Nor would the scheme adversely affect the quantity or quality of the playing field, indeed it would allow it's continued use by adult community cricketers and junior teams.

Whilst the proposal is considered acceptable in relation to open space policies, further assessment is required in terms of the potential impact of the netting upon the character and appearance of the local area and the setting of nearby heritage assets.

The proposal complies with UDP Policies LR4 and LR5, Core Strategy Policy CS47, and the Government's planning policy guidance contained in the NPPF.

Design, Appearance and Impact on heritage Assets

Paragraph 124 of the NPPF identifies that good design is a key aspect of sustainable development. Paragraph 127 sets out a series of expectations including ensuring that developments: add to the quality of the area; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character and the surrounding built environment; establish and maintain a strong sense of place; optimise the potential of a site; and create places that are safe, inclusive and accessible.

UDP policy BE5 and Core Strategy Policy CS74 seek to achieve good design. As the site is surrounded by an established housing area, UDP Policy H14 is also applicable in terms of design. The aims of these policies are consistent with the principles of paragraphs 124, 127 and 130 of the NPPF.

The netting along the northern boundary facing Sandygate Road will have the greatest visual impact. The netting along the southern boundary will have less impact, although at a maximum height of 15 metres it will be visible in glimpsed views from Carsick Hill Road, with some screening provided by the trees along the western boundary. The netting would also be visible between properties when viewed from Ivy Park Road and longer views along Sandygate Road.

The height of the ball-stop netting (maximum 15 metres) running for 84 metres along Sandygate Road will have a significant visual impact and be a highly prominent feature in the street scene and it is not argued that such a feature will make a positive contribution to the local area. It is however appreciated that the netting is reflective of the use of the site and the applicant has provided justifiable reasons why the netting is required, i.e. improved safety for neighbours and passing pedestrians and vehicles, in addition to reducing the general disturbance caused by cricket balls being hit over the site boundary. A number of local residents have stated that they have not experienced any issues with cricket balls, whereas others state that they have but are happy to live adjacent to the site knowing the risk of ball-strikes.

The netting running parallel to Sandygate Road would be most prominent in views when looking up Sandygate Grange Drive opposite, or when approaching the junction of Coldwell Lane with Sandygate Road. When moving in a westerly or easterly direction along Sandygate Road the netting would not be as prominent until immediately adjacent to the sports ground, as the net would sit parallel to the street. Recent amendments at the western end of this run of fencing see a short section of the highest netting angled in from the boundary, which has ensured the retention of the mature trees at the north-western corner of the site. This will help to minimise

the visual impact of the fence in a westerly direction. The applicant has also agreed to planting new trees which would not completely screen the netting, but would help to further reduce its visual impact when moving east and west along Sandygate Road. New tree planting can be secured by condition.

As previously discussed the Club has agreed to remove the netting outside of the cricket season, which will reduce the visual impact of the proposal at these times. However the posts would remain in situ and be visible throughout the year. Fronting Sandygate Road there would be 7 supports the highest of which would be 15 metres. Each post would have a width of 323mm and the posts would be painted green. Existing floodlights on the site are approximately 15.8 metres high and have a width of approximately 200mm. Whilst the proposed support posts would be wider, they would not appear dissimilar to the two floodlights. The support posts would be almost twice the height of nearby street lighting columns and would be wider. The applicant has explored the possibility of having posts that are demountable, however it is not considered viable for the reasons discussed.

An objector has referred to the fact that an application for a telecommunications mast located in the footway at the junction of Carsick Hill Road and Sandygate Road was refused prior approval in 2019 due to its harmful impact on the setting, character and appearance of the grade II listed building (The Lodge) and on the appearance of the locality and street scene, and that the proposed netting would have a greater impact than the mast.

An appeal was submitted following the refusal and was subsequently dismissed due to the harm caused to the heritage asset. The inspector considered that the setting of The Lodge is influenced by the openness of the playing fields which is considered to add to the prominence of the listed building in views along Sandygate Road. The mature tree lines to the west of the site and down Carsick Hill Road were also considered to frame views and contribute to the setting and character of the listed building. It was concluded that the 20 metre high mast would stand twice the height of the street lighting, would be taller than the floodlights within the Sports Ground and would extend above the tree line which it would be placed adjacent to. Consequently, when weighed against the benefits, it was concluded that the monopole would fail to preserve the setting of The Lodge and significantly harm the character and appearance of the area to a degree that it was not acceptable.

The reasons for dismissing the appeal are acknowledged and are a material consideration in relation to this planning application. The impact of the current proposal on heritage assets is discussed in more detail below. Whilst the appeal was dismissed due to the impact of the monopole on The Lodge, it was also concluded that alternative sites had not been adequately considered and that, ultimately, a telecommunications mast could be positioned in an alternative, less prominent and intrusive position.

The site does not fall within a conservation area but it does adjoin the Ranmoor Conservation Area which is located to the south of the site. A grade II listed building known as The Lodge is located to the north-west of the site on the corner of Sandygate Road and Coldwell Lane. The Towers, another grade II listed building, lies further west. These are the designated heritage assets most affected by the

proposed development.

UDP policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) expects buildings and areas of special architectural or historic interest, which are an important part of Sheffield's heritage, to be preserved or enhanced and advises that development which is considered to harm the character or appearance of listed buildings or conservation areas will not be permitted.

Policy BE16 of the UDP (Development in Conservation Areas) states that permission will only be given to schemes which preserve or enhance the character or appearance of the Conservation Area while 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.

Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies relating to the historic environment. Paragraph 190 states that 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset),' taking this into account when considering the impact of a proposal on a heritage asset in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 193 of the NPPF advises 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). ... 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'. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities are advised to refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraphs 194-195).

'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' (paragraph 196).

UDP policies BE15, 16 and 19 are all considered to align with the NPPF as they seek to protect heritage assets, though they do not focus on significance in the same way as the NPPF.

In 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.'

Similarly, section 72 of the Act describes the general duty with respect to conservation areas and states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

The fundamental issues with regard to heritage policy are that special regard must be given to the desirability or preserving heritages assets and their setting, that any harm to or loss of heritage assets requires clear and convincing justification and that substantial harm or total loss should not be allowed unless substantial public benefits outweigh that harm or loss.

Moreover, the requirement to 'avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal' mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a 'clear and convincing justification'.

The nearest part of the nets would be approximately 24 metres from the front elevation of the grade II listed Lodge. The aforementioned telecommunications mast, which was refused permission and subsequently dismissed at appeal, was located within the footway on the corner of Carsick Hill Road and Sandygate Road (to the immediate north-west of the Sports Ground). Ultimately it was considered that the monopole would have a significant impact upon the street scene and the setting of The Lodge and that the mast could be positioned in an alternative location.

The proposed netting is restricted to quite specific locations. They would be within the sports ground and enclosed by the stone boundary wall which would screen the lower section of the nets, and the now amended layout which retains the group of trees in the north-west corner of the site will provide a degree of screening and separation from The Lodge and mitigate the impact of the development.

It is acknowledged that the nets would rise above the stone wall on Sandygate Road, but they would be within the confines of the cricket ground and, in terms of the setting of The Lodge, the monopole would have been positioned in a more prominent position.

The proposed netting would not restrict or interfere with significant views of the listed building while the 20 metre high monopole would have been visible when viewed from Coldwell Lane.

It is considered that the proposed ball stop netting would not cause substantial harm the setting of The Lodge due to the separation distance, the screening created by retained mature trees and the fact that the netting would not restrict or interfere with views of this attractive listed building. The netting will however have a significant visual impact upon the appearance of the street generally, and while this impact will not necessarily detract from the listed building, it is considered that the netting would lead to less than substantial harm to the setting and thereby the significance of the listed building and that harm needs to be weighed against the public benefits of the proposal.

The netting proposed on the southern boundary line would abut the Ranmoor Conservation Area. This netting would not be significantly visible in public views from

within the Conservation Area, but it is likely to be seen in glimpsed views from Carsick Hill Road, with some screening provided by the trees along the western boundary, and between properties when viewed from Ivy Park Road. Nevertheless, in such close proximity to the Ranmoor Conservation Area, it is considered that the impact of the netting would lead to less than substantial harm to the setting and thereby the significance of the Conservation Area and that harm again needs to be weighed against the public benefits of the proposal.

Without the introduction of the proposed ball-stop netting, the Club states that adult cricket can no longer be played at Sandygate Road due to the risk of ball-strikes to pedestrians, vehicles and neighbouring properties. The Club has explained that, as the 1st and 2nd teams play at the Crimicar Lane ground, there is no capacity for the 3rd and 4th (community level) teams to play there and that, without the netting, these two teams would cease to run. It is noted that the netting will not prevent all balls from exceeding the boundaries of the cricket ground, but the scheme aims to reduce the risks to an extent that allows adult community cricket to continue to play there.

Hallam Cricket Club is an historic club and is a significant part of the Sheffield sporting community. This can be seen in the scale of support for the proposals. The Club has tried to minimise the visual impact by introducing nets at the minimum practical height and the scheme has been amended to retain the mature trees on the north-west corner of the site which contribute to the character of the area and help to screen part of the netting.

While the height of the nets is not directly in accordance with the recommendations of the Labosport report, the height has been proposed as a proportionate response to the risk and is based on advice from Labosport. Up to 15 metre high netting will certainly reduce the propensity and likelihood of balls being hit out of the site.

It is therefore considered that the public benefits of the proposal, which in this case is the ability for adult community cricket to continue to play at this historic ground, do outweigh the harm that the netting would have upon the setting and thereby the significance of the grade II listed building known as The Lodge and the Ranmoor Conservation Area.

It is considered that the impact of the netting on the grade II listed building known as The Towers, will not be harmful given the separation distance involved, presence of mature trees and rising ground to the west,

Some objectors refer to the historic nature of the Sports Ground, in particular the adjoining football ground being known as the oldest in the world, and it is understood that an application has been submitted to Historic England to assess whether the football ground is worthy of listed status. Historic England has confirmed that an application has been received and is at the validation stage. As the listing application is for the pitch only and therefore they are not treating the application as a priority and as the proposed cricket nets are not within the boundary of the area identified for listing, Historic England are not seeking to determine the application ahead of this planning application.

The Sports Ground is not a designated heritage asset. The NPPF defines non-

designated heritage assets as buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.

In relation to the effect of an application on the significance of a non-designated heritage asset, the NPPF advises that 'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset' (paragraph 197).

The site is not specified within a local plan, area appraisal or on a list of non-designated heritage assets. Consequently the football ground is not considered to be a non-designated heritage asset in relation to the NPPF definition. However, it is acknowledged to have historical significance as the home to Hallam Cricket Club since it was founded in 1804 and as the adjoining football pitch is thought to be the oldest football ground in the world. The proposed ball-stop fencing would allow adult community cricket to continue to play at this historic ground.

The proposal is not considered to fully comply with UDP Policies BE5, BE15, BE16 and BE19, nor Core Strategy Policy CS74, however it is considered that the proposal would be compliant with the NPPF as the public benefits of adult community cricket to continue to play at this historic ground, are considered to outweigh the harm that the netting would have upon the setting and thereby the significance of the grade II listed building known as The Lodge and the Ranmoor Conservation Area and well the character and appearance of the wider area.

Residential Amenity

Although the site is within an Open Space policy area, it is surrounded by an established housing area and therefore UDP Policy H14 (Conditions on Development in Housing Areas) is relevant.

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.

This closely aligns with the aims of the NPPF to deliver good design (paragraph 127) and therefore weight is given to the aims of H14.

The proposal will ultimately provide benefits for neighbouring occupiers in preventing the likelihood of cricket balls being hit into their grounds, although it will not completely remove this risk.

The proposal would be separated by the highway from those houses on the opposite side of Sandygate Road. Although clearly visible to the occupants of these properties, it is not considered that the netting or posts would be particularly overbearing or overshadow these neighbouring houses. The fact that the netting would be visible from neighbouring premises is not a reason to conclude that it would be harmful to living conditions as the proposals consist of a fine-gauge netting that

would allow light through. Although taller and wider than street lighting columns, the support posts would still be relatively slender and are therefore not significantly dissimilar to street lighting columns or similar street furniture.

Although the netting on the southern boundary would be positioned very close to neighbouring gardens, it is again considered that the nature of the netting will not cause significant harm to the living conditions of the neighbours. Outlook would be affected to some degree, however views would still be afforded through the netting, and while it is accepted that the height of the posts is substantial, they are well spaced and their slender profile mitigates any harmful impacts.

Residents have referred to potential noise concerns from the nets. The netting will be fine-gauge and fixed to the posts. There is no evidence to suggest that such netting will cause a noise nuisance.

For the reasons above, the proposal is not considered to cause undue harm to living conditions of the occupants of neighbouring properties and is considered to accord with UDP Policy H14 (c) and the aims of the NPPF.

Impact on Trees

Policy GE15 (Trees and Woodland) states that trees and woodland will be protected by requiring developers to retain mature trees and replace trees that are lost. This policy is broadly consistent with chapter 15 of the NPPF (Conserving and enhancing the natural environment).

The proposal includes the removal of three trees on the northern boundary adjacent to Sandygate Road. The removal of these trees is necessary to facilitate the installation of the ball-stop netting along this boundary. These are small trees which make a corresponding contribution to the character of the area. The club has proposed that three new trees be planted in the area between the scoreboard and the groundsman's storage containers and in the area of the existing pavilion. The club has also agreed to plant trees on the eastern side of the netting, such that a total of five new trees will be planted, which can be secured by condition.

The proposed netting along the northern boundary has been amended slightly to ensure the retention of a group of four trees within the north western corner of the site (3 Sycamore trees and a Cherry tree). The netting nearest to the north-western corner has been pulled in from the boundary and away from the canopy of these trees. The amended plan shows that the netting would still be close to these trees and therefore a degree of pruning to the canopy may be necessary, however a condition is recommended to secure a full Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) (to BS5837:2012) in which the Local Planning Authority would expect to see details of any necessary pruning as well as an assessment of the impact of the ball-stop netting construction (i.e the support posts) upon the retained trees.

An objector referred to a tree within the north-western corner of the site as a 'veteran tree'. Veteran trees are defined by the NPPF (due to their age, size and condition) to

be of exceptional biodiversity, cultural or heritage value and planning permission is normally refused where development results in the loss of a veteran tree unless there are wholly exceptional reasons not to or where there is suitable compensation offered. A Tree Officer from the Council has visited the site and confirms that the trees in the north-western corner are not considered to be veteran trees. They consider them to be in middle age and state that they have not yet reached their full height. Furthermore, there is no evidence of rot holes, dead wood or fungal brackets which is normally associated with veteran trees.

The retention of the group of trees in the north-western corner of the site is welcomed as they contribute to the visual amenities of the locality and will help to screen the netting when viewing the site from the western end of Sandygate Road and on approach from Coldwell Lane. The visual impact of the netting would certainly be greater if these trees were removed.

The pruning of three trees within neighbouring gardens on Ivy Park Road is also likely as their branches overhang the boundary line and would conflict with the netting proposed on the southern side of the site. Two of the three neighbouring trees (an Elm at 110 Ivy Park Road and a Hornbeam at 106 Ivy Park Road) have recently had a Tree Preservation Order (TPO) placed upon them, along with all other remaining trees along the western boundary (from north to south), apart from two Ash trees, in order to safeguard them for the future. The third tree, also located in No.106 Ivy Park Road, is protected by its designation within the Ranmoor Conservation Area.

Pruning necessary to allow the construction of a development (access facilitation pruning) is allowed to TPO trees when identified in a planning application. Pruning works will also be identified in the AIA and AMS and be in accordance with BS3998:2010 as previously described.

In relation to the neighbouring trees adjacent to the southern boundary, Landscape and Tree Officers have indicated that a degree of pruning works would be acceptable in principle, though such works would require approval under separate processes as they are outside the application site and because they are protected. Subject to the necessary approvals, Hallam Cricket Club would have the legal right to trim branches up to the property boundary, although the applicant would be advised to contact the relevant owners prior to undertaking any necessary works.

Whilst three small trees would be lost, five heavy standard replacements can be secured via condition, and as discussed, the location of the netting has been amended to protect the most important trees on site. Preservation orders have been placed on the remaining healthy trees to ensure their protection. Subject to the condition securing an Arboricultural Impact Assessment and Arboricultural Method Statement, the proposed scheme is considered to be acceptable in terms of its impact on trees within and adjacent to the site.

In this context the proposals are considered acceptable in respect of policy GE15 and paragraph 127 of the NPPF.

Ecology

Paragraph 170 a) and d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity.

Paragraph 175 a) of the NPPF identifies that if significant harm 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. Part d) of paragraph 175 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

UDP Policy GE11 (Nature Conservation and Development) seeks to protect and enhance the natural environment ensuring that the design, siting and landscaping of development respects and promotes nature conservation and includes measures to reduce any potentially harmful effects of development and is in part conformity with the NPPF.

Concerns have been raised by objectors that birds and bats could become entangled in the proposed ball stop netting. Advice from the Council's Ecology Unit states that such occurrences are very rare. The netting is to consist of a 50mm high density polypropylene mesh. This finer mesh netting will reduce the chance of birds of all sizes from becoming entangled and conditions will be attached to secure an appropriate specification to further minimise risks. The netting is also only to be in place during the cricket season and would thereafter be removed for much of the year, further reducing the potential for birds to become entangled.

With respect to bats, the Ecology Unit state that the netting should not pose a problem to them as their echo-location would sense an obstacle in their path and they would avoid it.

Bats are protected by law and as such there is legislation in place for their protection outside the remit of the planning process. The Ecology Unit have confirmed that the trees on site are not veteran trees (those that often have high potential for bats), but would appear to be young mature trees with extensive ivy growth. There is no evidence of rot holes or fissures that could be used by roosting bats. The three trees located on the northern boundary which are to be felled have low potential for roosting bats. A condition is however recommended to secure a method statement prior to any felling works that provides guidance for the careful felling of these trees by an experienced arborist.

As mentioned previously, a minimum of five trees are to be planted as mitigation for the loss of the three trees on the northern boundary. The Ecology Unit recommend native species and the use of 'extra heavy standards' - trees that are already grown to a good size before they are ready for planting.

In terms of biodiversity enhancements, there will be a loss in terms of the trees which are to be felled, however the scheme is to include new tree planting which will provide some mitigation by providing additional nesting opportunities for birds. There

is little opportunity for further biodiversity enhancements to be secured in this instance.

The proposal is therefore considered compliant with UDP Policy GE11 and the aims of the NPPF.

Highways

Paragraph 109 of the NPPF further 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.

The ball stop netting is unlikely to affect visibility on the highway as it is to run parallel with Sandygate Road, behind the existing stone boundary wall. However it will have a safety benefit in terms of preventing balls being hit onto the highway.

It is therefore considered that this complies with the aims of the NPPF.

Coal Mining

Part of the site is located within a Coal Mining Referral Area. A Coal Mining Risk Assessment has been submitted in support of the application. The report concludes that intrusive investigations are required before development is commenced. This can be secured by condition.

SUMMARY AND RECOMMENDATION

The application site relates to Hallam Cricket Club which was founded in 1804 and is the oldest cricket ground in Sheffield and one of the oldest in Yorkshire. The UDP Proposals Map identifies the site as being within an Open Space Area.

The Cricket Club states that balls have been hit out of the ground on an increasingly regular basis and the Club has become concerned about the safety of playing both professional level and community level cricket at a ground with such short boundaries. The Club has moved their 1st and 2nd teams to their Crimicar Lane ground to limit the occurrence of balls being hit out of the ground, however they wish to retain their remaining adult community and junior teams at Sandygate Road.

Planning permission is sought for the erection of ball-stop netting to the northern and southern boundaries of the cricket ground to a maximum height of 15 metres.

15 metres is less than the recommended height for community level cricket recommended in the Labosport Report, however the Club intends to limit cricket to the central 6 wickets, thereby allowing them to reduce the height of the netting. The 15 metre high netting is considered to be a proportionate response to the risk, with consideration also given to the impact of the netting on the character and appearance of the local area. Higher netting would exacerbate the visual impact.

In this instance the proposed development is for ancillary facilities supporting the

principle use of the site as a playing field and is not considered to harm the character of the Open Space Area, nor would the proposal adversely affect the quantity or quality of the playing field.

There are no objections from Sport England, and the English and Wales Cricket Board are supportive of the scheme.

It is acknowledged that ball-stop netting at a height of 15 metres is not going to provide any visual benefits, however consideration has been given to the need for the netting and the benefits of continued adult cricket at this historic ground. The Club has explored the possibility of having retractable nets or a fully demountable net and post system. The latter is not viable but the Club have agreed to remove the netting outside the cricket season, although the posts would remain in situ.

The Club has also amended the location of the netting to ensure the retention of trees in the north-western corner of the site and has agreed to introduce new tree planting at the eastern end of the netting fronting Sandygate Road.

Without the proposed netting it is understood that adult cricket will cease to occur at Sandygate Road due to the ball-strike risk and the Club has confirmed that there is no capacity for the community teams at their Crimicar Lane site. The Cricket Club has a long history and is a significant part of the Sheffield sporting community.

The public benefits of adult community cricket to continue to play at this historic ground, are considered to outweigh the less than substantial harm that the netting would have upon the setting and thereby the significance of the grade II listed building known as The Lodge and the Ranmoor Conservation Area and well the character and appearance of the wider area.

The introduction of the netting is considered to have minimal impact on the living conditions of the residents of neighbouring properties.

There are no harmful highway implications as a result of this proposal, although there is the benefit of increased safety due to reduction in ball-strike risk.

The proposal is considered to comply with UDP Policies LR4 and LR5, Core Strategy Policy CS47, and the Government's planning policy guidance contained in the NPPF.

It is therefore recommended that planning permission is granted subject to conditions securing the removal of the netting outside of the cricket season (posts would remain), ensuring the submission of both an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement and a condition to secure the planting of new trees.

| | |
|------------------|---|
| Case Number | 20/01822/FUL (Formerly PP-08776975) |
| Application Type | Full Planning Application |
| Proposal | Provision of new car parking accommodation and means of vehicular access and egress |
| Location | University Of Sheffield Athletic and Sports Ground Warminster Road Sheffield S8 8PS |
| Date Received | 10/06/2020 |
| Team | South |
| Applicant/Agent | DLP Planning 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 Plan(s)

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

Drawing No. 001 Rev. P1 - Location Plan (Scan Date: 10/06/2020)

Drawing No. 100 Rev. P1 - Proposed Site Plan (Scan Date: 10/06/2020)

Drawing No.101 Rev. P1 - Proposed Development Plan Southern Zone (Scan Date: 10/06/2020)

Drawing No. 102 Rev. P1 - Proposed Development Plan Northern Zone (Scan Date 10/06/2020).

Reason: In order to define the permission.

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

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

3. The car park area and new access / egress arrangements hereby approved shall not be brought into use until a detailed car park / vehicle movement management strategy has been submitted to and approved in writing by the Local Planning Authority.

The strategy will show how at peak periods of demand, measures (including any physical alterations or features deemed necessary) have been identified that will be used to mitigate the effects of traffic movements and parking demand on the neighbouring properties on Warminster Road and Mount View Road, and the surrounding highway network. The car park area and new access / egress arrangements shall thereafter be operated in accordance with the agreed details, which shall remain in place for the life time of the development unless subsequent amendments are agreed by the Local Planning Authority following any necessary reviews or changes proposed.

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

4. Within 6 months of the date of this planning permission, or an alternative date to be agreed in writing by the Local Planning Authority, the car park area and new access / egress arrangements hereby approved shall have been provided as shown on the approved plans and thereafter such parking and arrangements shall be retained for the sole purpose intended.

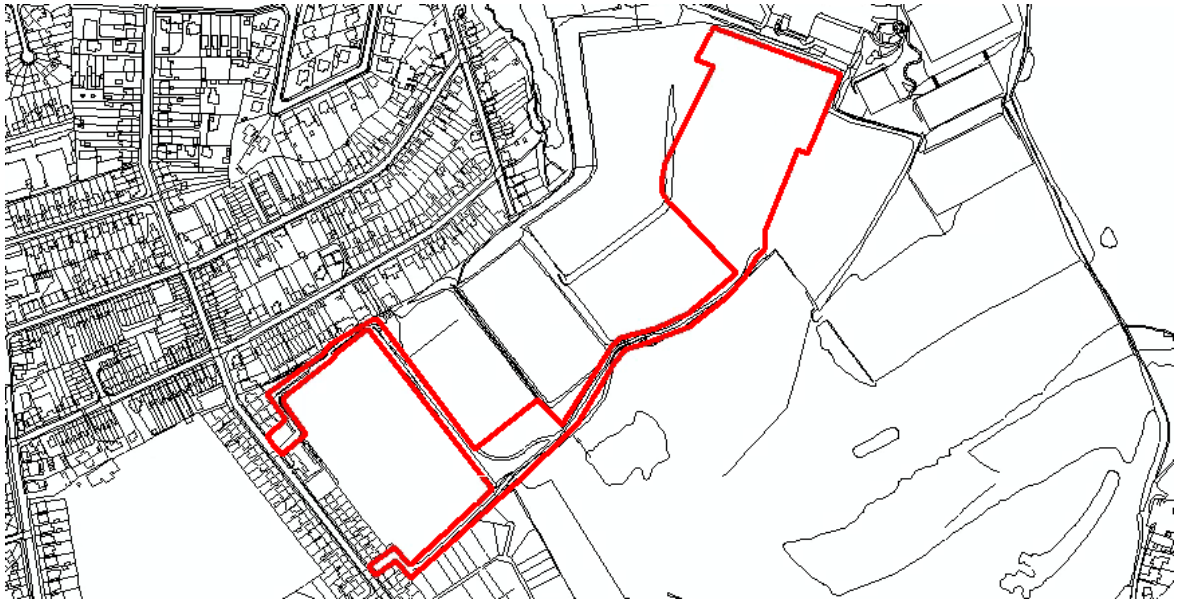
Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

Other Compliance Conditions

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. For the avoidance of doubt, the applicant is advised that the proposed 6 metre high net and low level amenity lighting are not approved as part of this application. These were not listed on the application form and, therefore, do not form part of the description of development and have not been assessed. It will be necessary to submit a new planning application to address these items.

Site Location



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LOCATION

The application site comprises of the University of Sheffield's Athletic and Sports ground at Norton, an established use of the land dating back to the early twentieth century. The sports ground extends over 11 hectares and generally slopes down, away from Warminster Road and towards the north east.

To the south and west, the grounds are bound by detached, semi-detached and terraced residential properties. Those running along Warminster Road, either side of the existing pavilion, are level with the top cricket and football pitches. Properties to the west, along Mount View Road, vary in position so that some (numbers 116 to 142) are elevated above the highway and have rear facing windows directly overlooking the playing fields. Others are set well below the application site.

The southern end of Woodland Road, to the north, abuts the sports ground around its midpoint but is set back from the north western boundary of the wider site by a substantial wooded valley and the Meers Brook.

The south eastern boundary of the sports ground skirts the adjoining allotments, the Lees Hall Golf Course and the Lees Hall Wood Local Wildlife Site. To the north-east it bounds the site of Newfield School, a secondary school which was rebuilt in 2009 and which has existing outdoor sports facilities to the north and east of the school building.

BACKGROUND TO PROPOSAL

Planning permission was granted in June 2017 following a submission made by the University for the provision of two artificial grass pitches (AGP) at the north eastern end of the sports grounds, adjacent Newfield School (ref. 17/00855/FUL). The proposals included the installation of 15 metre high floodlights, 3 metre high boundary fencing, the erection of a single-storey changing facility/management suite and a covered spectator stand, and the provision of a 79 space car park. In addition, at the south western end of the site adjacent Warminster Road, the scheme included the provision of a coach drop off point/parking area in front of the existing pavilion, boundary fencing, alterations to the existing vehicular access from Warminster Road (between numbers 307 and 313) and the provision of a grasscrete car park for 78 cars adjacent the southern site boundary.

The planning benefits of the proposed development were put forward as being spreading vehicle movements, providing opportunities to utilise despoiled and underused urban land, offer enhanced community access to the sporting facilities and providing better links to the adjoining schools. The planning application was approved with conditions, which included restrictions on the use of the southern car park and entrance beyond 1900 hours in order to protect residential amenity and restrict access onto Warminster Road into the evening.

Furthermore, the planning consent supported University development elsewhere in the city. In particular, the new Social Science Building at Whitham Road - a site where University sport pitches previously existed - was subject to a condition that prevents development from commencing until the AGPs at Norton have been

implemented and made available for public use (condition 30 of 17/00712/FUL). The improved facilities at Norton helped to justify the loss of the pitches at Whitham Road.

This replacement sports facility is now functioning and being operated by the University. However, there are now complications in relation to the provision of the 79 space car park adjacent Newfield School, which was proposed to be accessed via the existing school drive off Lees Hall Road, and it is not now possible for this to be provided.

The University has submitted that there are a number of obstacles (including legal and property issues) to the delivery of this option, as well as outstanding concerns over shared access arrangements with Newfield and Talbot Schools and the maintenance of this access that have resulted in the current situation. There is no realistic prospect of this issue being resolved in the immediate future. As it has not been possible to implement the above planning permission in its entirety, the University has put forward various options since 2017 to try and establish an alternative access arrangement and facilitate the efficient and safe use of the recreation facilities.

These options are discussed in the paragraphs below to give further background to this application and the circumstances that have led to its submission.

Previous Temporary Proposal

The previous alternative option was made under Section 73 of the Planning Act to amend the 2017 application. It was approved by the Local Planning Authority in September 2018 and was proposed to help overcome the issues of implementing the approved scheme by providing alternative access and parking arrangements for a temporary period of 18 months.

The temporary arrangements included the provision of two banks of 25 car parking spaces (50 spaces in total) to the south of the new AGPs, which were to be accessed via the southern access point (between numbers 307 and 313 Warminster Road) up to 1900 hours and via the existing pavilion car park on Warminster Road between 1900 hours and 2200 hours in order to give respite at the southern access point during the evening.

This application included using the existing access driveway leading from the pavilion car park (which skirts the northern site boundary), and re-surfacing using smooth running tarmac to reduce noise levels and the erection of a 2 metre high solid acoustic fence to the boundary edge of the access drive to reduce noise from vehicle movements and light pollution from car headlights. The fence, like the car parking spaces, was proposed to be a temporary measure and to be removed once the permanent parking arrangements were in place.

The approval of this arrangement meant that the University could operate the new AGPs prior to the provision of the northern car park and, in turn, begin work on the new Social Science Building at Whitham Road.

At the time of the Section 73 application, the applicant anticipated that the necessary agreements would be reached within the 18 month period, in order to allow the northern car park to be provided in accordance with the approved plans, or a suitable alternative long term provision to be made.

The temporary period expired in March 2020 and the University has not sought to renew it.

New Car Park Link

An application for the provision of a new car park access route linking to the playing fields car park, via the existing vehicle access on Lees Hall Road, was submitted to the LPA in 2019 and is currently pending consideration. There remain a number of outstanding issues in relation to this application and it is now seen as an unlikely option by the University, because it is reliant upon the school access and therefore hindered by the current access and maintenance issues described above.

THE APPLICATION PROPOSAL

The challenges being faced around implementing the previously approved highway and parking proposals in their entirety, at this site, have resulted in the University now focussing on the need to pursue an alternative long term strategy for dealing with the site's car parking shortfall and the access and egress arrangements.

Consequently, this application seeks full planning permission to secure a permanent consent for the provision of alternative car parking accommodation on the site and a new means of access and egress for vehicles and pedestrians from Warminster Road. It is understood that the University intends to deliver these proposals immediately upon approval.

To clarify, the works hereby proposed include:

1. New Car Park:

A new car park with capacity for 79no. vehicles, to be created between the existing sports pitches and the existing artificial hockey pitch, in the northern part of the site. Part of this land is currently being used for the temporary car parking provision.

The spaces will be constructed using a grasscrete surface (or similar), as per the additional car park that already exists on the site.

Additionally, a total of 5no. disabled parking bays will be provided next to the existing artificial hockey pitch.

The new car park will replace the 79no. space car park that was proposed at the north-eastern end of the site but has not yet been provided as a result of the complications described above; and

2. Vehicular Access and Egress

All vehicular access to the site (including car parking spaces) will now be achieved via Warminster Road using established access points and a one-way access system.

Ingress into the site is proposed to be via the existing vehicle access point between 307 and 313 Warminster Road. This road will then provide access to the two car parking areas via the existing service road along the south-eastern boundary of the site and which runs between the playing pitches and the allotments and golf course.

Egress from the site is proposed to be via the existing vehicle access point at the Pavilion building. Access to this point from the parking areas will be achieved by using the southern service road (described above) and also via the existing service track (which is to be upgraded) that runs between pitches located on the eastern portion of the site and continues along the north and north-western portions of the site. This track, in places, abuts the rear boundaries of the properties on Mount View Road and Warminster Road, until it reaches the Pavilion car park.

It is confirmed these proposed routes were used as part of the temporary arrangements agreed under the temporary planning permission (ref. 17/03858/FUL).

This application now seeks to adjust these arrangements and make this route permanent.

Given the permanence, improvements to the route are now proposed which include:

- Widening the southern route from 3.8m to 5m to allow two-way traffic (where required) and the provision of speed control and priority vehicles measures.
- The resurfacing of the existing service track that runs between the pitches and leads to the Pavillon.
- Providing a new 1.8m wide tarmac pedestrian footpath is proposed along the length of the upgraded service track to segregate vehicles and pedestrians.

The project also proposes to install low level lighting and ball-stop netting to protect the new car park area. However, whilst discussed in the supporting documents, this was not explicitly referred to on the planning application form and does not form part of this application. To confirm a separate planning application will be required for this work, and the applicants are aware of this.

RELEVANT PLANNING HISTORY

The relevant planning history - described above - is clarified chronologically below:
19/04134/FUL: An application for the provision of a new car park access drive link to the playing fields car park via existing vehicle access on Lees Hall Road was submitted in November 2019 and remains a live application with any future progress pending the outcome of this current application proposal.

18/00123/FUL: An application for the levelling and remodelling of a grass rugby pitch (Retrospective Application) was approved in April 2014.

17/03858/FUL: A temporary 18-month planning permission was granted in

September 2018 for a minor-material amendment to provide alternative access and parking arrangements, including re-surfacing and the erection of acoustic fencing, for a temporary period of 18 months to allow the University to operate the new AGP pitches prior to the provision of the northern car park. This was an application under Section 73 to vary condition 17. Car parking accommodation provision; as imposed by planning permission 17/00855/FUL.

17/00855/FUL: Planning permission was granted in June 2017 for the provision of two artificial sports pitches with 15m high floodlights and 3m high boundary fencing, the erection of a single-storey changing facility/management suite and covered spectator stand, the provision of car parks, coach drop off point/parking area, boundary fencing and alterations to existing vehicular access from Warminster Road.

16/01384/FUL: An application for the re-development of sports ground to provide an artificial (3G) sports pitch, 3m high boundary fencing, provision of car parking area, coach parking area, 8 x 15m flood lights, spectator accommodation, provision of acoustic screen and bund, access drive and alterations to means of access to Warminster Road was withdrawn in January 2017.

SUMMARY OF REPRESENTATIONS

The application has been advertised by neighbour notification letter and site notice, which has attracted 2 letters of objection from residents living at Nos. 130 and 134 Mount View Road, close to the proposed Pavilion egress point.

In summary, the objections raise concerns about:

1. Pollution

- Concern that traffic will be excessive and extremely close to properties.
- The turning point - towards the exit - is on a gradient and so pollution will rise.
- The proposals impact on the health of residents and their ability to enjoy their properties.

2. Noise

- Have experienced the noise from traffic and individuals during the temporary arrangements.
- Concern that the permanent arrangements will have a major impact on the privacy of properties. The current arrangement is just a track.

3. Light Pollution

- Concern about the impact of car headlights - especially when there are bottle necks and queues on the site.
- Concern about light from other sources - including lights and traffic lights on site.

4. Environmental Issues

- Concerns about the impact of light pollution on local wildlife - including bats that live

in trees on the site boundaries / adjacent properties.

5. Safety Concerns

- The adjacent properties are situated just metres away from the site and service track.
- It is understood that in the past a car has hit the fence and almost gone over it.

6. Council Website Issues

- Concern that the Council's website has been unavailable for the public to view and that this has restricted the public's consideration of the application.

PLANNING ASSESSMENT

The main material planning considerations in the assessment of this application are considered to be:

- Highway issues - including the impact of the proposed vehicle movements onto Warminster Road and the new internal traffic arrangements (i.e. car park).
- Residential amenity issues - including the impact of the proposed development on the surrounding residential environment.
- Visual amenity issues.

The above identified issues are now addressed, taking into account the policies described below.

Policy Position

The National Planning Policy Framework (NPPF) provides the Government's latest guidance on Planning matters at the national level.

Paragraph 11 of the NPPF advocates a presumption in favour of sustainable development and part (d) states that for decision making this means where there are no relevant development plan policies, or those policies most important for determining the application are out of date, permission should be granted unless:

- i. The application of the policies in the Framework that protects areas of assets of particular importance provides a clear reason for refusing the development;
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The majority of the sports ground lies in a designated Open Space Area as defined in the Unitary Development Plan (UDP), though the southern site frontage, adjacent Warminster Road lies in a designated Housing Area.

UDP Policy H14 (Conditions on Development in Housing Areas) seeks to protect residents from development that could harm their amenities, and to secure safe access to the highway network and appropriate levels of off-street parking. Policies

H14 as well as LR5 (Development in Open Space Areas) also expect new development to be in-keeping with the character of the area.

Assessment of Main Material Issues

The proposed alternative parking arrangements comprise of a scheme designed to allow the continued use of this valued sports facility because the original 79 space car park adjacent Newfield School has proved difficult to provide with no likelihood of it being provided in the near future. The applicant's previous expectation that negotiations / provision of the original car park would be completed in 18 months (from September 2018) have not been achieved.

In order to support the University's case, and at Officer request, their agents have put forward a statement which sets out what they consider to be the benefits of the proposed development over and above the previous schemes. This assessment considers these in the paragraphs below alongside the objections received from local residents.

1. Highway Issues

In addition to UDP Policy H14, 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.

Proposed Access / Egress - Vehicle Movements

A Transport Statement Addendum has been submitted and, at your officers' request, further information has been provided about the anticipated vehicle movements on site which, if approved, will include use of the proposed one way system and the means of access / egress using Warminster Road.

Based on a worst case scenario, the information submitted confirms that:

- A. The busiest time of the week, overall, will overall continue to be Wednesday afternoons and specifically between 1530 to 1630 hours when it is anticipated that approximately 147 vehicles have the potential to leave the site. Such a peak in usage will occur once per week, 22 weeks of the year in co-ordination with the University's term times.
- B. The busiest evening of the week will be Tuesdays evenings (19:00 to 22:00 hours) when it is anticipated that a maximum of 145 vehicles have the potential to use the site over the three hour period. Currently, all pitches are available for 6-a-side football and hockey, and for full team games. The worst-case scenario is that each pitch is available for 1 hour booking thus generating the greatest amount of movements at the end of each hour.

Alternatively, it is acknowledged that full pitch and block bookings occur and, therefore, it is anticipated that movements would be less. Given that the sports pitches are already in place, it is conceivable that this level of usage

could occur every weekday evening if all pitches were to be booked, though in practice Tuesday and Wednesday evenings traditionally prove to be the most popular.

The current proposal provides access and egress from existing vehicle access points on Warminster Road. When compared with the original 2017 proposals (ref. 17/00855/FUL), which proposed that around 50% of the site's car parking be accessed from Lees Hall Road, it must be acknowledged that this new permanent arrangement would generate more vehicle movements onto and from Warminster Road.

However, it is also acknowledged that the proposed arrangement is not dissimilar to the temporary S73 application, which also restricted the site's vehicle access and egress points to Warminster Road, albeit in a different way to now proposed. This previous scheme also included a reduction in the car parking spaces (29 less) and, therefore, it could be argued that the movements attracted to the facility would have been marginally less than now proposed.

Nevertheless, following review, it is not anticipated that, in highway terms, the consolidation of all of the site's vehicle access / egress movements onto Warminster Road will result in a significant impact on the local highway network in either capacity or safety terms. In reaching this conclusion, it is considered that the proposed one-way system proposed is a positive addition as it will result in vehicles being able to enter the site at a single point of entry and move through the site freely. Any vehicles queuing on exit will not be hindered by those entering, and in turn those entering will not be restricted and will not impact on the free-flow of traffic on Warminster Road.

Furthermore, in light of the current issues at play, it is considered that the proposed use of Warminster Road for all vehicle movements must be seen as a highway benefit when assessed against the implications of not providing the required quantum of spaces. Indeed, rejecting the current proposal because of concerns about highway movements on Warminster Road would further extend the applicant's inability to provide 84 spaces (including disabled car parking), which would result in the development being in breach of Condition 17 of the original planning permission.

It is also significant that the proposed arrangements will now eliminate previous concerns expressed in relation to the previous proposals and the potential conflicts between the school use and sports facility entrance, resulting in potential congestion and additional traffic on the quieter residential roads (Lees Hall Road, Woodland Road and Harvey Clough Road).

However, in order to help manage vehicle movements within the site - and prevent excess queuing at the egress point leading onto Warminster Road - it is recommended that any positive recommendation of this application be subject to a condition requiring the submission of a car parking and vehicle movement management strategy.

Car Park Spaces

The design and capacity of the proposed new car parking area is considered to be

acceptable in highway terms. The total number of car spaces will equal the capacity approved as part of the original 2017 planning permission (79no.) and the number of disabled spaces will increase to 5no (originally 4no.). This is also a greater quantum of parking than provided as part of the temporary arrangements that have been in place recently.

As per the existing 78 space car park on the site, the proposed car parking area will be constructed from plastic grid reinforced grass. It will be set well away from residential properties in the northern part of the site (i.e. Mount View Road and Woodland Road) between the existing sports pitches and the existing artificial hockey pitch. There are, in reality, limited alternative options available, to provide car parking elsewhere on the site.

Internal Arrangement

The internal routes that are proposed to be used are already in-situ and whilst it is intended to enhance these as part of the proposed project, it should be recognised that these are not new routes being created. Furthermore, it is confirmed that vehicle speeds will be limited by the installation of speed humps.

It is noted that the submitted tracking details of the internal route indicate that manoeuvring will be tight in places. However, given that the route is away from the public highway and therefore will have no implications for the safety and movement of traffic on the local highway network, there are no objections raised and amendments to improve the route have not been requested.

The University has confirmed that the arrangement proposed is the best solution available. The layout follows liaison with local residents and is considered by the University to overcome conflicts and issues that have occurred when the temporary consent was in place and a two-way system operated around the site. The recognition and resolving of issues arising on site previously is considered to be a positive and proactive response, and one which is considered positively in light of the current proposal.

For the reason above, it is concluded that the proposed highways environment is acceptable. It is considered that safe access to the local highway is proposed and that there would not be an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would not be severe. Therefore, the proposal is considered to be compliant with the relevant parts of the local / national policies and guidance described above.

2. Residential Amenity

A key material consideration in the assessment of this application is the impact of the alternative access arrangements on the residences that abut the site and - in particular - those properties situated immediately next to the access point and internal service tracks that are intended to be used on Warminster Road and Mount View Road. Owing to the arrangement of some of these properties and their short rear gardens, it is the case that several have their rear elevations overlooking the application site at close quarters.

As well as UDP Policy H14, paragraph 127 of the NPPF states - amongst other things - that planning decisions should ensure that development create places that promote health and well-being and a high standard of amenity for existing users.

Proposed Access / Egress Arrangements

In reaching a decision, it is necessary to balance the potential harm caused by the proposals to existing residential amenity alongside the operational needs and highway requirements of a sporting facility that is regarded as an important and positive recreational benefit to the University and wider community.

With regard to the proposed southern access point (between numbers 307 and 313 Warminster Road), the principle of using this for two-way vehicle traffic associated with the facility has previously been established. Also, positively, as part of these previous decisions this access has already been surfaced in smooth running tarmac and fencing and landscaping have been introduced to reduce noise / light pollution to help to reduce the impact on residential amenity at this point.

Furthermore, the one-way system now proposed will represent a change from the existing two-way system and the nature of vehicle movements at the junction with Warminster Road as well as reduce potential conflicts.

That said, Members are reminded that this access point can currently only be used by the sports facility until 1900 hours Monday to Friday and 1700 hours on Saturdays and Sundays, which is the time when the current sole grasscrete car park there at present is required to cease. This restriction was imposed by previous permissions to protect residential amenity by limiting vehicle traffic. The current application would change this arrangement and result in this access point operating as the facility's sole vehicle / pedestrian entrance for the entirety of its permitted opening hours (i.e. 0930 - 2200 hours Monday to Friday and 0900 - 1700 hours Saturday and Sunday). Logically, however, this would mean that use of the entrance is likely to finish prior to the start of the facilities final booking, which will therefore mean it is unlikely that disturbance will occur up to or after 2100 hours.

Taking all of the above into account, in spite of the additional hours of vehicle movements proposed adjacent to residential property, it is considered that the proposed one-way system will result in a reduction in vehicle movements at the later hour at what is now proposed to be the entrance point. Alongside mitigation measures previously installed, under earlier proposals, this will combine to create an appropriate amenity environment for the residential properties positioned at close quarters to an existing sporting facility.

With regard to the proposed northern egress point (between the Pavilion and number 279 Warminster Road), it is confirmed that there are historically no restrictions on the use of the existing pavilion car park or the service track that exists in the north/north-western parts of the site and leads to Warminster Road via the car park. Therefore, as concluded under previous applications, the proposed intensification of its use is, in theory, uncontrollable in planning terms. However, it is proposed to carry out works to widen and enhance the route which do require planning permission.

The widening of the route is acceptable in principle and in itself results in no amenity issues to adjacent residential properties, nor does it have an unacceptable impact in terms of visual amenity or impact upon the use of sports pitches.

The intensification of the route's use has the potential to result in harm to amenity by reason of engine noise, car radios, lights and exhaust emissions as a result of cars queuing to exit the site.

It is considered that a management plan is the most appropriate means of controlling these impacts, alongside the existing measures undertaken by the applicant, such as installing high fencing adjacent to the properties most directly impacted and restricting the pavilion car park to use by match officials and disabled persons only.

It is expected that the management plan, which is recommended to be secured by conditioned, includes a strategy / mitigation measures to ensure queuing traffic to the rear of the residential properties is limited- and therefore the potential amenity implications listed above are also limited.

Whilst there will be some disturbance to the rear of these properties, the applicant has proposed a number of improvements and measures to mitigate this impact, and it is considered that the operation of the sporting facilities cannot reasonably, viably and safely continue without this access arrangement. The complications being faced by the applicant are noted and the benefits of this facility, as a sporting provision for the community and university, are recognised. It is considered that the management plan will offer suitable and reasonable mitigation to limit the harm to residential occupiers to create a balanced development proposal. Your officers, therefore, consider it reasonable to support the scheme in residential amenity terms.

3. Visual Amenity

The proposed car parking spaces themselves will be constructed from plastic grid reinforced grass and are set well away from residential properties. They will therefore have little visual impact.

The proposed alterations to the internal service tracks - including widening, speed reduction measures and re-surfacing required - will also have little visual impact, owing to the fact that a vehicle route already exists in these areas. Therefore, the new enhancements will be seen as additions to rather than as new features. Therefore, there are concluded to be no visual amenity concerns arising from the proposed development.

RESPONSE TO REPRESENTATIONS

It is considered that the concerns highlighted in the representations received have been addressed in the main body of this report.

With regard to ecology matters, it is not considered that the proposals will result in harm to local wildlife.

With regard to internet access, it is acknowledged that there can be periods when access to the Council's website can be restricted owing to IT issues. This is, unfortunately, unavoidable with all efforts made to address issues as soon as possible. The application has however been in the system for a number of months which has presented ample opportunity for such issues to be addressed and comments made.

It was not considered necessary to visit adjacent properties as part of the assessment of this application.

SUMMARY AND RECOMMENDATION

It is acknowledged that the proposals represent a shift from those arrangements that have been agreed as part of previous applications - both on a permanent and temporary basis - since 2017. This could be viewed as contradictory, compared with previous restrictions (i.e. hours in relation to access points) however, it is clear that the ability to utilise the originally proposed access and parking arrangements for the site is not now possible.

The new arrangements now proposed are less desirable in residential amenity terms owing to the fact that they mean that it is no longer possible to restrict vehicle movements around the dwellings beyond 1900 hours and instead, movements will continue until the facility closes at 2200 hours.

Notwithstanding this, it is considered that the amenity implications are, for the reasons set out in this report and, subject to the imposition of a condition requiring a management plan, acceptable.

In highway terms, the impact of the proposal on the operation of the local highway network is considered to be acceptable. The number of parking spaces will remain as per the approved provision and so no additional on-street car parking is expected as a result. The approval of this scheme will mean that there should be no displacement of parking onto the highway as a result of the use of the facility beyond the hours of operation for the car park, which would be a negative implication of refusing this proposal.

Indeed, the implications for refusing this proposal would be approximately 50% less car parking being available on site than originally approved in 2017. Therefore, if operation continued, the development would be in breach of Condition 17 of the original planning permission, which would effectively restrict University's ability to operate the site to its full capacity. In terms of operational capacity, it would limit the availability for external clubs and the community. This would be an inefficient and ineffective use and potential loss of a high-quality sport and recreational resource within the City.

In conclusion, this application, subject to appropriate conditions, is considered to be an acceptable solution to the current issue which prevents the implementation and use of previously proposed car parking. The proposals will enable the sports facilities to continue to be used at capacity for the University of Sheffield as well as for schools, sports clubs and community groups. Therefore, the proposed development

is concluded to be acceptable and satisfactory with regards the aims of both national and local planning policies.

It is therefore recommended that Members grant planning permission subject to the recommended conditions.

| | |
|------------------|---|
| Case Number | 20/02057/FUL (Formerly PP-08833038) |
| Application Type | Full Planning Application |
| Proposal | Erection of two dwellings with associated access, parking and landscaping (Amended Plans) |
| Location | Land Between 94 and 98 Wheel Lane Grenoside Sheffield S35 8RN |
| Date Received | 25/06/2020 |
| Team | West and North |
| Applicant/Agent | Oakleaf Architecture 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:

A(PL)-108 rev A - Wheel Wash location
A(PL)-101 rev A - Existing site plan (red and blue line)
A(PL)-102 rev A - Proposed site plan
A(PL)-001 rev B - Plans and elevations (House one)
A(PL)-002 House two, Proposed plans and elevations
A(PL)-105 rev C - Proposed Street Scene and Elevation.

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 the approved equipment 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 have been provided. The wheel washing facilities shall remain available at all times during construction works.

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

4. No development shall commence until full details of the finish floor, garden, parking area and access road levels have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the appropriate development of the site and amenities of adjoining properties.

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

5. 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 that have been submitted to and approved by the Local Planning Authority. Thereafter the approved surface water drainage works shall be installed and retained.

Reason: To ensure that the site is properly drained and in order to prevent overloading and surface water discharge from entering the foul sewer network

6. If any unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service should be contacted immediately. A Remediation Strategy shall then be submitted to and approved in writing by the Local Planning Authority before any works recommence. Works shall thereafter be carried out in accordance with the approved Remediation Strategy.

Reason: In the interests of the safe development of the site and amenity of future residents.

7. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation and the surfacing of the access road shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

8. 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 onto the public highway. Once agreed, the measures shall be put into 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 it is essential for these works to have been carried out before the use commences.

9. Within 3 months of the commencement of development full details of the design, height, appearance and location of the proposed driveway gates and their method of operation shall be submitted to and approved in writing by the Local Planning Authority. The gates shall be provided in accordance with the approved details prior to the first occupation of the development and shall thereafter be retained. The gates shall be designed so that when open they do not project over the adjoining footway.

Reason: In the interest of highway safety.

10. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before 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.

11. 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.

12. Boundary treatments are not approved. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before above ground works commence, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellinghouses shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

Other Compliance Conditions

13. The flat roofed area to the rear of house one and two shall not at any time be used as a balcony, roof garden or similar outside amenity area.

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

14. The first floor window in the side elevation of house one facing No.98 Wheel Lane and the first floor window in the side elevation of house two facing No. 94 Wheel Lane 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.

15. The dwellings shall be constructed in accordance with the materials specified on the approved drawings.

Reason: In the interest of the visual amenity of the area.

16. 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 dwellinghouses 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 of house two and the stepped nature of the curtilage of houses one and two.

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
2. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 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.

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 on the Council website here:

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

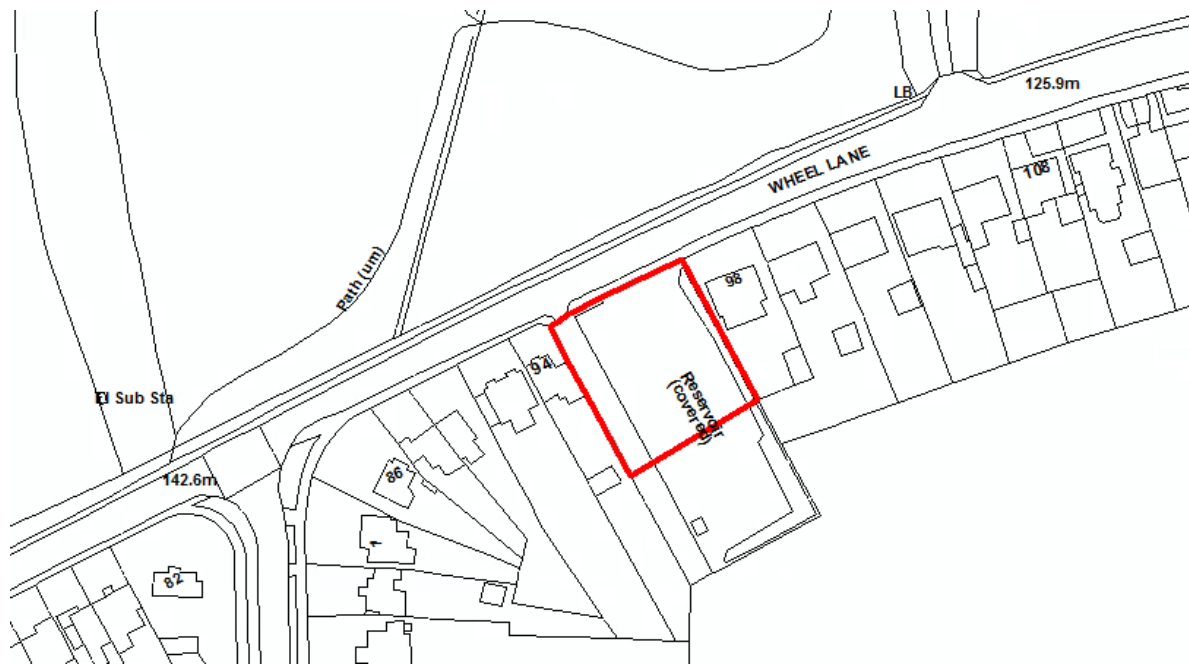
The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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.

4. 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.
5. 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.

Please note: You must not start work until you have submitted and had acknowledged a CIL Form 6: Commencement Notice. Failure to do this will result in surcharges and penalties.

Site Location



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LOCATION AND PROPOSAL

This application relates to a parcel of land between No's 94 and 98 Wheel Lane at Ecclesfield. It is the site of a former covered reservoir and is enclosed by stone walls on all sides. The site has been cleared and accommodates two storage containers (unauthorised). Concrete footings were poured for one dwelling approximately 18 months ago, however they are unauthorised following the courts decision to quash planning consent ref: 18/00924/FUL.

The application site covers an area of approximately 0.2 hectares, all of which is in a Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The applicant owns additional land to the rear of the application site. This land is in the Green Belt and does not form part of the application site.

The main part of the application site is elevated above Wheel Lane and retained by a 1.8 metre high stone wall. Generally, levels rise from east to west, following the topography of the street, and gradually increase towards the rear (south) of the site. Ground levels have been altered by previous foundation and site clearance work.

In 2007 and 2010 outline and full planning permission for two dwellings was granted, however the permissions were not implemented.

More recently an application for a detached dwelling house (18/02229/FUL) and a subsequent revised scheme for two detached dwellings (19/03073/FUL) were refused. The applicant has appealed the council's decision to refuse application ref: 19/03073/FUL. The planning Inspectorate is still considering the appeal at the time of writing this report.

As amended full planning consent is again sought for two dwellings with associated access and landscaping.

RELEVANT PLANNING HISTORY

| | |
|--------------|---|
| 06/04610/OUT | Erection of two dwellinghouses and garages – Granted Conditionally. |
| 09/03060/FUL | Erection of 2 no. detached dwellinghouses (amended plans received 8/12/09) – Granted Conditionally. |
| 18/00924/FUL | Erection of 1 no. dwellinghouse (Amended Description and Plans) - Granted - Decision quashed by the courts. |
| 18/02229/FUL | Erection of a dwellinghouse (Re-submission of planning permission 18/00924/FUL) (Amended plans 01.10.2018) - refused. |
| 19/03073/FUL | Erection of 2no. Dwellings with associated parking - Refused (Appeal in progress) |

The above application was refused for the following reasons:

1. The Local Planning Authority considers that the proposed development would, as a result of its height and general massing, fail to suitably respect the established character of the immediate surroundings, with a particular note to

the proposed ridge height relative to the adjacent properties, and would therefore represent an incongruous feature within the established street scene. As a result, the development is considered to be contrary to Paragraphs 124 & 127 of the National Planning Policy Framework, Section a) of Policy H14 & Policy BE5 within the adopted Sheffield Unitary Development Plan and Policy CS74 within the Sheffield Development Framework Core Strategy.

2. The Local Planning Authority considers that, owing to the large scale of the rear single storey element of house one and its proximity to no. 98 Wheel Lane, when taking account of factors such as the orientation with this neighbouring property, which is set to the east, and the difference in land levels, with no. 98 Wheel Lane being on lower ground, the proposal would have an imposing and unacceptable overbearing and shadowing impact on this neighbouring property. As a result the development is considered to be contrary to Paragraph 127 of the National Planning Policy Framework and Section c) of Policy H14 within the adopted Sheffield Unitary Development Plan.
3. The Local Planning Authority consider that the proposed development would constitute an overdevelopment of a site of restricted dimensions owing to the size of house two and the site access arrangement proposed. The development therefore results in insufficient amenity space and an unsatisfactory environment for occupiers of house two. This development is therefore contrary to Policy H14 (c) of the Unitary Development Plan and paragraph 127 of the National Planning Policy Framework.

SUMMARY OF REPRESENTATIONS

24 letters of objection and 2 letters of support have been received (26 in total). In some cases multiple letters have been received from the same address.

The issues raised are summarised as follows:

- There have been very few changes from the previous applications which were unanimously rejected by the Planning Committee.
- The scheme does not comply with the Council's recommendation on application ref: 19/03073/FUL.
- The development is out of keeping with the character of the area and dwarfs neighbouring properties.
- The site is being overdeveloped; the gardens are too small for the size of the dwellings proposed.
- The scheme will overshadow, overlook and affect the light, privacy and amenity of adjoining properties.
- French doors at rear provide access on to a flat roof which could lead to overlooking.
- Boundary fencing will be overbearing and overshadow adjoining dwellings detrimentally affecting their living conditions.

- The size, scale and massing of the dwellings is not appropriate; their overall height should be reduced, as should ground levels to reflect adjoining properties.
- The buildings now resemble blocks of flats, is there an intention is to convert them to flats in the future?
- The plans are inadequate and misleading as crucial dimensions have been omitted from the drawings.
- Substantial parts of the property's gardens are in the Green Belt and should not be built on or tended as a domestic garden.
- As cars exit the site they will disrupt the flow of traffic on Wheel Lane where traffic moves very fast.
- Two parking spaces are inadequate for five bedroom houses.
- Gates clanging open and shut and frequent use of the drive by vehicles will cause disturbance.
- One dwelling would be more appropriate.
- Two shipping containers have been placed on the site without permission.
- Concerns that the footings laid previously without permission will be used.
- Four water metres have been installed.
- The developer should not benefit from CIL self build exemption.
- The dwellings proposed will not address the need to provide smaller homes form down-sizers and newly forming households in Ecclesfield as identified by the Council.
- Supporters of the application do not live in the area and don't provide reasons for their support.
- The site was a beautiful tranquil landscape home to a colony of bats.
- Large structures could give rise to retaining wall and stability issues.
- Paying too much for the land does not justify such large dwellings.
- Developers have the right to make a profit but not at the cost or detriment to local residents.

Ecclesfield Parish Council

- The Parish Council do not oppose the development of this site, the current proposal is not however suitable for the location and should be refused.
- Out of character with neighbouring properties
- The size, siting, height and massing would have a negative impact on the character and amenity of the areas.
- Concerns with overlooking, loss of privacy, inadequate parking and impact on the Green Belt.
- The development is contrary to adopted local and national planning policies and would have an unacceptable impact on local infrastructure.
- The planning committee is urged to visit the site prior to making a decision to better understanding the effect of the application.

Grenoside Conservation Society

- Objections are the same as for the previous applications.
- Scale, mass, size and design of the houses remains unacceptable
- The dwellings are overbearing and out of character with the street scene and Green Belt.

- It is imperative that the Green Belt boundary is clearly marked as new owners will utilise Green Belt land for outdoor space based on the size of the houses proposed.
- Site must be developed in a sympathetic manner.
- Members should visit the site.

In support (2)

- The application is supported (no detail provided).
- There is a national shortage of housing and this development makes use of brownfield land.
- The scheme has been altered to take account of neighbour's complaints.
- The site is currently a blot on the landscape.

A further round of consultation was carried out in September following the submission of amended plans. An additional 21 letters of objection were received. All but one representation has been made by people who previously commented on the application. Only the issues that have not been raised before have been summarised:

- There has been no material change in the plans.
- Insufficient reduction in the height of the properties.
- The development still shows an intention to use the unauthorised foundations.
- The Green Belt should be preserved at all costs.
- The ground levels should be reduced as indicated in the 2006 consent.
- Ridge heights should reflect the road gradients and adjoining properties.
- Previous proposal (approved) did not include extensions to the rear.
- There have been material alterations to the plans since the 2006 consent.
- Traffic calming measures were introduced on Wheel Lane due to excessive traffic speeds.
- Three storey properties are proposed without taking account the elevated site levels.
- The development will do nothing to alleviate the city's affordable housing shortage.

Grenoside Conservation Society

- Previous objections remain.

Ecclesfield Parish Council

- Previous objections remain.

PLANNING ASSESSMENT

Policy Context

The National Planning Policy Framework (NPPF/Framework) sets out the Government's planning priorities for England and describes how these are expected

to be applied. The key principle of the Framework is the pursuit of sustainable development, which involves seeking positive improvements to 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.

The documents comprising of the Council's Development Plan (UDP and Core Strategy) date back some time and substantially pre date The Framework. Paragraph 12 of the Framework does however make it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted.

The Framework (paragraph 213) also identifies that existing development plan policies should not simply be considered out-of-date because they were adopted or made prior to its publication. Weight should be given to relevant policies, according to their degree of consistency with the Framework. The closer a policy in the development plan is to the policies in the Framework, the greater the weight it may be given.

The assessment of this development also needs to be considered in light of paragraph 11 of the Framework, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

This is referred to as the "tilted balance".

In addition to the potential for a policy to be out of date by virtue of inconsistency with the Framework, paragraph 11 makes specific reference to applications involving housing. It states that where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer (which for SCC is 5%, pursuant to para 73 of the Framework) the policies which are most important for determining the application will automatically be considered to be out of date. Set against this context, the development proposal is assessed against all relevant policies in the development plan and the Framework below.

Principle of Development

The application site is entirely within a designated Housing Area as defined by the Unitary Development Plan (UDP). Policy H10 of the UDP identifies housing as the preferred use of land in these areas. The principle of the development is therefore acceptable from a land use perspective.

The land to the rear of the site within the blue line on the submitted plans is in the applicant's ownership. This land is in the Green Belt but does not form part of the application site and no development is proposed in the Green Belt as part of this scheme.

Housing Land Supply

The Framework requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing. CS22 of the Core Strategy sets out Sheffield's housing targets until 2026; identifying that a 5 year supply of deliverable sites will be maintained. However as the Local Plan is now more than 5 years old, the Framework requires the calculation of the 5-year housing requirement to be undertaken based on local housing need using the Government's standard method.

Sheffield has updated its housing land supply based on the revised assessment regime, and now has a 5.1 year supply of deliverable housing units in accordance with the requirements of the Framework. The government still however attaches significant weight to boosting the supply of new homes.

In the balance of this decision the small but still positive contribution two houses would have on the City's obligations to maintain a 5 year housing land supply is attributed weight, particularly given how narrow the 5 year supply is.

Housing Density

Core Strategy Policy CS26 encourages making efficient use of land to deliver new homes at a density appropriate to the location depending on relative accessibility. The highest density of development is promoted in the most sustainable/accessible locations.

The policy is considered consistent with paragraph 122 of the Framework which promotes the efficient use of land subject to the consideration of a variety of factors including housing need, availability of infrastructure/sustainable travel modes, desirability of maintaining the areas prevailing character and setting, promoting regeneration and the importance of securing well designed and attractive places. The site is approximately 0.22 hectares and the two dwellings proposed results in a density of 9 dwellings per hectare. This falls below the recommended density identified in policy CS26; however the development is considered comparable to the density and pattern of development of existing housing on Wheel Lane.

Taking account of the size of the site and the desirability of maintaining the areas prevailing character, purely from a density perspective the erection of two dwellings on this site is considered acceptable.

Previously Developed Land

Within the NPPF definition of previously development land it is made clear that a site will be excluded from being classed as previously developed if 'the remains of the permanent structures or fixed surface structures have blended into the landscape.'

The unauthorised footings do not establish that the site is previously developed - there remains some ambiguity as to whether the site is classed as previously developed, or not. For completeness both scenarios are considered as follows;

- If Previously Developed

Core Strategy Policy CS24 (Maximising the use of previously developed land for new housing) states that priority will be given to the development of previously developed sites. Furthermore the NPPF promotes making effective use of land in meeting the need for homes (para 117) and gives substantial weight to the value of using suitable brownfield land within settlements for new homes (para 118 c) and promotes the development of under-utilised land.

- If Not Previously Developed

Core Strategy Policy CS24 states that no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that in the period to 2025/26, housing on greenfield sites will only be developed in certain circumstances, including on small sustainable sites within existing urban areas or larger villages.

Completions of properties on greenfield sites have not reached the 12% stated in CS24 and are closer to 5%. Moreover, the development is considered to be on a sustainably located small site and makes efficient use of land taking account of site constraints.

Unlike CS24, which stipulates a proportionate prioritisation of brownfield land, the Framework actively promotes the reuse of Brownfield or previously developed land but does not specifically advocate a 'brownfield first' approach. Given this, policy CS24 carries reduced weight. Nevertheless, in both scenarios the proposals are considered to comply with both CS24 and the Framework, which places great emphasis on boosting the supply of homes.

Design, Layout and Impact on the Street Scene

Chapter 12 of the Framework is concerned with achieving well-designed places and paragraph 124 identifies that good design is a key aspect of sustainable development.

Paragraph 127 of the Framework which is concerned with design sets out a series of expectations including ensuring that developments:

- add to the quality of the area;
- are visually attractive as a result of good architecture, layout and landscaping;
- are sympathetic to the local character and surrounding built environment;
- establish and maintain a strong sense of place; and
- optimise the potential of a site and create places that are safe, inclusive and accessible.

Paragraph 130 of the Framework makes it clear that permission should be refused

for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Policies CS74 of the CS and UDP policies BE5, H14 and H15 all seek to secure high quality developments which are of an appropriate scale and which enhance the character and appearance of the area. These policies are reflective of the aims of the Framework and continue to carry substantial weight.

The history relating to the grant of full and outline planning consent for two dwellings on this site is acknowledged. However the more recent decision of the Planning and Highways Committee to refuse permission for two dwellinghouses in November 2019 (ref: 19/03073/FUL) is considered material when assessing the merits of this revised scheme.

The part of UDP Policy H14 which is most relevant to design and street scene states that new development will be permitted where they are well designed and in scale and character with neighbouring buildings and where the site would not be overdeveloped. UDP Policy BE5 'Building Design and Siting' also provides design guidance stating good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions. Section a) of Policy BE5 notes that original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS74 'Design Principles' (e) expects high quality development which contributes to place making and is of a high quality.

Two dwelling houses are proposed. House 1 is located adjacent to No.98 Wheel Lane and house 2 is located adjacent to No.94 Wheel Lane. Both dwellings front Wheel Lane and the front elevations are generally aligned with the siting of other dwellings in the street.

The character and external appearance of other dwellings in the street scene is varied. Each of the proposed dwellings is two storeys in height and includes accommodation in the roof. Notwithstanding concerns with the scale and massing of the previous development, there were no in principle objections to the external appearance of the scheme. Some changes are however proposed as part of this application. The previously proposed dwellings were to be faced in a traditional red brick. An off white render is now proposed with a blue brick base. Render is used widely in the surrounding area (including on an adjoining property) and is considered to be acceptable. The dark blue brick does not extend above the ground floor windows and provides a robust finish to the base of the dwellings where they intersect with the ground.

Fenestration detailing has been simplified by omitting ground floor bay windows as well as head and cill detailing and front doors are proposed, where they were previously on a side elevation. As with the previous schemes dormer windows are proposed to the front and rear. A dark grey/black finish to the dormer cheeks and windows frames is proposed.

There were no in principle to objections to the external appearance and detailing of previously proposed dwellings and there remain no objection to the contemporary external appearance of this revised scheme.

The majority of properties along this section of Wheel Lane are elevated above the street, as would be the case with the dwellings proposed. Some properties further to the south accommodate garages at a lower ground floor level, accessed directly from the road. Considering this it is not reasonable to insist that site levels are reduced to the carriageway level as a number of objectors have requested. Indeed it could be argued that such an approach is out of character with this part of the Wheel Lane.

Wheel Lane falls in an east west direction and the ridge line of existing properties generally staggers to reflect the incline of the street. The height difference between properties is not consistent but does have a rhythm. There are however dwellings of differing scale in the locality including two storey properties to the east and west. The site is flanked by No.98 which is a dormer bungalow and No.94 a traditional single storey bungalow, both of which have pitched roofs.

The previous reason for refusal specifically identified that the development would represent an incongruous feature in the established street scene owing to the overall height and massing of the development with particular reference to the excessive ridge height relative to No.98 Wheel Lane.

The ridge height of house 1 under planning ref: 18/0229/FUL was 3.6 metres higher than the corresponding ridge of No.98. Under application ref: 19/03073/FUL the ridge of house 1 was 3.195 metres higher than the corresponding ridge of No.98. The previous proposals did not significantly reduce the overall scale/height of the dwellings, with particular reference to their relationship to No.98 and were therefore refused.

The applicants now propose to reduce the overall scale and height of house 1 by lowering the site levels and reducing the height of the property. As amended the ridge of house one is approximately 2.3 metres taller than the ridge of No. 98 Wheel Lane. The corresponding ridge of house 2 is 2.3 metres taller than house 1.

The height (eaves and ridge) of No.98 Wheel Lane has been increased in the past. The ridge of No.98 is approximately 2.3 metres taller than the neighbouring dwelling No.100 Wheel Lane. The relative ridge height of No. 98 Wheel Lane and house 1 is now very similar to the difference between No.100 and No.98 Wheel Lane (2.3 metres).

The change in scale between No.98 and house 1 is no longer considered to be excessive. The dwellings better reflect the sloping topography of Wheel Lane and the general stepped roof form of dwellings in the locality.

House 2 remains taller than No.94 Wheel Lane; however the site access road provides a significant degree of separation between the dwellings. The overall reduction in the footprint, width and depth of the proposed dwellings increases the

space between house 1 and house 2, and the gable end of house 2 and No.94 Wheel Lane. When the above is considered alongside the proposed reduction in site levels 1, the overall height and massing of the dwellings is now considered to be acceptable. The development is no longer considered to represent an incongruous feature in the street scene.

Amenity Issues

Paragraph 127(f) of the Framework identifies that development should create places with a high standard of amenity for existing and future users. Development should also be appropriate for its location taking account of the effects of pollution on health and living conditions, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development (paragraph 180).

Policies H14 (Conditions on Development in Housing Areas) and H15 (Design of New Housing Developments) are considered to align with the Framework as they expect new housing developments to provide good quality living accommodation to ensure that basic standards of daylight, privacy, security and outlook are met for existing and future residents. These local policies are therefore afforded weight.

Overbearing and Overshadowing

The scale of the single storey element of the previously proposed dwelling (house 1) adjacent to No. 98 Wheel Lane was considered to have an imposing and unacceptable overbearing and overshadowing impact on No.98 as it is at a lower level than the application site.

In order to address this issue the applicants have reduced the finished floor and associated ground levels of house 1 so that they now reflect the finished floor and garden level (closest to the rear elevation) of No. 98. In addition the depth of both the two storey and single storey elements of both houses have been reduced. These amendments remove any unacceptable overbearing and overshadowing of No.98.

The two-storey element of house 1 was not identified to have an unacceptable impact on the amenities of No.98 as part of the previous application, consequently it did not form part of the reasons for refusal. Similarly, the two storey element of house 1 in this revised scheme is not considered to have an unacceptable impact on the amenities of No.98. In fact, any perceived impact is lessened by the reduction in site levels; depth and footprint of house 1.

The width of the site access road provides sufficient separation between house 2 and No.94 Wheel Lane to prevent any unacceptable overbearing, overshadowing or loss of light from occurring. The reduction in the footprint and width of house 2 increases the separation distance between the gable wall and the corresponding side elevation of no.94 from approximately 6.9 to 8 metres.

There are windows in the side elevation of No.94 overlooking the access road, however these are not primary windows to main habitable rooms and they are reliant on light from third party land.

Taking account of the above, and the fact that house 2 is located at a slightly lower level and situated to the east of No.94 no unacceptable overshadowing, overbearing or over dominance is considered to occur.

Overdevelopment

The Council do not have any specific minimum space standards. Some general guidance is however provided on this issue in the adopted Supplementary Planning Guidance for Designing Houses Extension, which identifies that 50 square metres of garden space should be provided for a two or more bedroom dwelling to avoid the overdevelopment of a plot. As the SPG relates to house extensions the principles set out within the document are used as guidance only when considering proposals for new dwellings. The impact a proposal has on the character of the area and the amenities of existing and future residents are the primary considerations in determining if the site will be overdeveloped.

Only 50 sq. metres of private amenity space was provided with house 2 as part of the previous application. This was considered insufficient for the size of the dwelling proposed, resulting in an overdevelopment of the site.

Each of the dwellings proposed (as amended) still contain 5 bedrooms and associated living space, distributed over three floors including the roof space. The site access arrangements are unchanged from the previous scheme; parking for both dwellings is to the rear in a shared parking court.

The applicants have sought to address the overdevelopment issues by reducing overall footprint of each house. As a result, house 2's private rear garden has been increased by 36 sq. metres and is now approximately 86 sq. metres in area.

The amenity space remains smaller than house 1 and other dwellings in the immediate locality, however it now provides future occupants with a more useable amount of private garden space. It is also akin to the size of gardens associated with more modern forms of housing where there is a drive to make more efficient use of land.

The garden of house 1, which was previously found to be of an acceptable size, remains largely unchanged. It is approximately 142 square metres and is terraced to reflect the changes in site levels. The garden is a similar size to the rear private amenity space of No.98 Wheel Lane.

The proposal is no longer considered to represent an overdevelopment of the site. An appropriate balance has been struck between making efficient use of the site, providing amenity for future residents, protecting the amenities of existing residents and the character of the area. It is however recommended that permitted development rights are removed to prevent the erosion of the garden space and to protect the amenities of adjoining properties due to the terraced nature of the gardens.

Overlooking

Window openings are proposed at ground and first floor level in the side elevations of each dwelling. The ground floor window in the east elevation of house 1 facing no.98 provides light to an office and is set off the site boundary behind an existing stone wall or new boundary treatment which will prevent overlooking. The first-floor window provides light to a dressing room and can be obscured.

The windows in the side elevation of house 2 provide light to an office at ground floor and walk in wardrobe at first floor. The ground floor window will be largely obscured by the retained boundary wall and the upper floor window can be obscured. As these windows overlook the site access road they are not considered to cause any harmful overlooking.

The alignment of the dwellings is similar to the neighbouring properties. The principle orientation is over the public highway and the proposed rear garden/parking areas. This will not lead to any harmful overlooking over and above what is considered reasonable in residential areas.

Juliette balconies are proposed at first floor level to the rear of each dwelling. In terms of overlooking the impact of Juliette balconies is similar to that of a traditional window opening as access is not permitted (secured by condition) onto the flat roof element of each dwelling. No harmful overlooking or other amenity issues will arise from these features of the development.

The lowering of the site levels reduces the ability for future occupiers of house 1 to see over the existing stone boundary wall with No. 98 Wheel Lane. However site levels vary and increase towards the rear of the site, as do No.98's and so it will be necessary to provide some screening fencing or alternative boundary treatment of a minimum of 1.8 metres in height to maintain privacy levels. The provision of such boundary treatment would accord with permitted development rights for the enclosure of land. Given this and the land level differences across the site it is not considered that the impact of a new fence would be materially different to the relationships between existing properties in the locality and is therefore acceptable.

The boundary treatment will not result in any significant overshadowing or overbearing of adjoining properties.

Other Amenity Issues

The access road to the site adjoining No.94 is flanked on both sides by a stone wall that is approximately 1.4 metres high. No.94 is elevated above the level of the access road and part of the site boundary is supplemented with hedge planting which screens the rear garden. It is not considered that the vehicle movements associated with two dwellings would be excessive or give rise to any unacceptable noise and disturbance to either of the adjoining properties.

Appropriate bin storage is indicated within the curtilage of each property. Domestic waste will be taken down the track to the highway for collection. Details of the site access gates are to be controlled by condition and their operation is not considered to have any harmful effect on the living conditions of adjoining properties.

The reduction in site levels and the overall size and footprint of both dwellings is considered to mitigate any harmful impacts on the adjoining properties. Adequate private amenity space is now proposed for each dwelling. The proposal is now considered acceptable from an amenity perspective.

Highway Issues

The Framework (paragraphs 102 to 111) promotes sustainable transport. Paragraph 108 specifically requires that when assessing applications for development it should be ensured that a) appropriate opportunities have been taken up to promote sustainable transport modes given the type of development and the 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 or highway safety can be cost effectively mitigated.

Policy CS51 'Transport Priorities' within the CS sets out six strategic transport priorities for Sheffield and CS53 'Management of Demand for Travel' identifies a variety of ways in which increased demand for travel will be managed across the City. Policies H14 and H15 of the UDP, which are primarily concerned with housing development, expect sites to be adequately served by transport facilities, provide safe access, appropriate parking and to not endanger pedestrians.

The existing access to the site from Wheel Lane is to be utilised. The access road is approximately 5.5 metres in width which is sufficient to enable two vehicles to pass each other (and for construction vehicles to access the site). The proposed security gates will be set back 6 metres from the highway to allow vehicles to pull clear off the highway when entering the site. Space is available for vehicles to turn within the shared parking area at the rear of the site to allow vehicles to exit onto Wheel Lane in a forward gear.

Congestion and highway safety concerns in this area are acknowledged, however the number of vehicle movements associated with two dwellings is not considered to have any unacceptable impacts on highway safety and certainly no cumulative impacts on the highway network which would be classed as 'severe', which are the NPPF tests in this respect. The proposed sight lines from the vehicle access point are considered to be satisfactory.

The submitted plans indicate that two parking spaces are provided for each dwelling. This meets the maximum parking standard for a five bedroom property as set out in the Council's latest Car Parking Guidelines published in August 2016. Although not shown on the submitted plans, there appears to be space to accommodate a third vehicle to the rear of each plot if necessary.

There are no on-street parking restrictions in place immediately adjoining the site, although speed reduction warnings (lines and paint) are present on the road surface. Any additional parking demand over and above what would normally be anticipated with two 5 bedroom dwellings could be reasonably accommodated on street without affecting highway safety. Additional parking on the access road could be accommodated without impeding access to either plot.

The proposed access and parking arrangements are considered to accord with the NPPF, UDP Policy H14 and Core Strategy Policy CS53.

Local Nature Site

The site falls within a Local Nature Site with geological interest as identified by the UDP Proposals Map. UDP Policy GE13 states that development affecting Local Nature Sites should, wherever possible, be sited and designed to protect and enhance the most important features of natural history interest.

GE13 goes on to state that where development would decrease the nature conservation value of a Local Nature Site, that decrease should be kept to a minimum and compensated for by the creation or enhancement of wildlife habitats elsewhere within the site or local area.

This particular site is an infill plot within an established housing area and was previously a covered reservoir, which has been infilled. The only notable recognisable features relate to boundary walls and these are largely retained within the development. It is not considered proportionate to consider further opportunities to create or enhance wildlife habitats elsewhere within the site or local area, although new garden areas are being created.

Given the above the development is considered to comply with the relevant sections of Policy GE13.

Landscape and Green Belt Impacts

Paragraph 127 of the NPPF requires developments to be sympathetic to local character and history, including the surrounding built environment and landscape setting. The Government also attaches great importance to Green Belts (paragraph 133 NPPF).

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

UDP Policy BE6 'Landscape Design' requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation to be removed or retained. Development should also try to integrate existing landscape features and use native species where appropriate.

Officers are satisfied that the Green Belt boundary indicated on the submitted plans is correct and no development is proposed in the Green Belt as part of this scheme.

The majority of vegetation has previously been cleared from the site. The mature trees to the rear of the site in the Green Belt are adequately distanced to remain unaffected by the development. The submitted plans indicate a lawn area and post and rail fence to parts of the site boundary. The details provided are acceptable from a landscape perspective and satisfy the requirements of UDP Policy BE6. Full details of landscaping and hard surfacing can be secured by conditions.

Although no development is proposed within the Green Belt it is acknowledged that longer distance views of the proposed dwellings could be available from the Green Belt to the south and from the rear most section of some of the adjoining neighbouring gardens, which are also in the Green Belt.

The proposal however relates to an infill plot on an established residential street and the development will be viewed in the context of the existing residential properties located either side of the site. The proposal is not considered to harm the openness of the adjoining Green Belt.

Drainage and Flooding

Core Strategy Policy CS 67 (Flood Risk Management) seeks to reduce the extent and impact of flooding and requires the use of sustainable drainage systems or sustainable drainage techniques, where feasible and practicable. Policy CS 63 (Responses to Climate Change) also promotes the adoption of sustainable drainage systems (SuDS).

The Framework seeks to ensure that areas at little or no risk of flooding are developed (Flood Zone 1) in preference to areas at higher risk (Flood Zones 2 & 3) and that the effects of flooding are reduced through the use of sustainable drainage systems. CS 63 and 67 are considered to be compatible with the Framework in terms of reducing the impacts of flooding and therefore retain substantial weight.

The site is in Flood Zone 1 (the lowest risk of flooding) as such the management of surface water is the primary consideration. Yorkshire Water has no objection to the scheme subject to conditions requiring the discharge of surface water to be reduced and managed sustainably where possible.

Subject to appropriate drainage details being secured by condition, the proposal is considered to be acceptable from a drainage perspective.

Ground Conditions

The site was formerly a covered reservoir. The Council's Environmental Protection Service has identified a potential for ground contaminants associated with made ground. However the risks are not considered to be significant and can be controlled by condition.

Community Infrastructure Levy (CIL)

Sheffield has an adopted Community Infrastructure Charging schedule. The site falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

The applicant is claiming self-build exemption.

RESPONSE TO REPRESENTATIONS

The majority of the matters raised within the representations have been addressed in the above assessment. The remaining comments are addressed as follows:

- The current proposal has been assessed on its individual merits taking account of the most relevant planning history relating to the site including the previous refusal of planning permission.
- The removal of any historic reservoir structures and the reduction in the site levels is a matter for the applicant; the planning authority cannot insist these works are undertaken.
- Conversion of the property to create flats or apartments would require separate planning consent.
- Comments in support or objection are considered on their merits regardless of the geographical location of the contributors.
- There is no right to a view or outlook across another person's land.
- Any future proposals to build on the Green Belt land to the rear will require planning consent and would be judged on their individual merits.
- Any proposals to alter the Green Belt boundary should be undertaken through the Local Plan review process.
- Profits derived from the development are not planning matters, neither is the land's value.
- As less than 5 homes are proposed there is no requirement to provide affordable housing.
- The scheme is not of a scale that requires dwellings of differing sizes, types and tenures to be provided.
- The existing footings and shipping containers are unauthorised and subject to separate enforcement investigations.
- No.100 Wheel Lane is unaffected by any proposed boundary treatment as the dwelling's curtilage does not have a boundary with the application site.

SUMMARY AND RECOMMENDATION

This application seeks full planning permission for two detached dwellings houses, associated access and landscaping.

Planning consent for two dwellings has previously been granted on this site in 2006 and 2009. More recently (in November 2018 and 2019) Members resolved to refuse planning consent for a single dwelling and two dwellings on the site respectively.

Foundations have been poured on site for one dwelling, these are however unauthorised and the site does not therefore benefit from any form of extant planning consent.

The site is in an allocated Housing Area as defined in the adopted Sheffield UDP, the principle of redeveloping this site for housing is therefore considered to be acceptable.

The applicant owns some additional land to the rear of the site which is in the Green

Belt. No part of the application site or development encroaches into the Green Belt. The dwellings do not affect the openness or appearance of the Green Belt.

The previous application for two houses was refused on design and amenity grounds. The rear single storey element of house 1 was considered to overshadow and be overbearing to No.98, taking account of the difference in site levels. The overall scale and massing of the dwellings was considered incongruous with reference again to the relative height difference of No.98 Wheel Lane. Sufficient amenity space was not provided for the future occupants of house 2.

The applicant has sought to address these issues by reducing the overall size, footprint and proportions of the proposed dwellings. The ground and floor levels of house 1 have been reduced and are now set at approximately the same floor and garden level (immediately to the rear of the house) as No.98 Wheel Lane. These amendments remove any harmful overshadowing, overbearing or loss of light to adjoining properties.

The footprint of house 2 has been reduced allowing a satisfactory private garden of approximately 86 sq. metres to be provided. House 1 has a larger garden similar in size to No.98 Wheel Lane. The site is no longer considered to overdeveloped.

The site is flanked by a dormer bungalow and a traditional single storey bungalow, there are however other two storey properties in the immediate street scene. The difference in ridge height between No.98 and house 1 (2.3 metres) now reflects the change in ridge heights between No. 100 and No. 98. This has been achieved by modifying the design but largely by reducing site levels. The overall width and depth of both dwellings has also been reduced. This has slightly increased the spacing between the proposed dwellings and the distance between No. 94 and the gable end of house 2.

The proposed dwellings now better reflect the sloping topography and stepped ridge line of dwellings on Wheel Lane. In combination these factors are considered to reduce the overall scale and massing of the development and mitigate any detrimental impact on the street scene.

The area contains various housing developments of differing age and character. Following revisions to the plans it is considered that this site is now capable of accommodating two detached dwellinghouses.

The adjoining highways are capable of accommodating the moderate increase in vehicle movements generated by the development without detriment to highway safety. Appropriate parking can be provided for future residents.

The most important local policies in the determination of this application, which in this case revolve around housing land supply, highway related impacts, design, amenity and landscape impacts, do, when considered as a collection, align with the Framework. As such section d) of paragraph 11 is not applied in this instance.

The development will make a small but positive contribution to the Council's obligations to maintain a 5 year supply of deliverable sites. Notwithstanding this, the

revised scheme has adequately addressed the previous reasons for refusal and is now considered to comply with the relevant adopted local and national planning policy and guidance.

It is recommended that planning permission is granted conditionally.

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| Case Number | 19/02907/FUL |
| Application Type | Full Planning Application |
| Proposal | Retention of extension to car park (Amended Information) |
| Location | Ecclesfield Red Rose J F C Playing Fields Nether Lane Sheffield S35 9ZX |
| Date Received | 02/08/2019 |
| Team | West and North |
| Applicant/Agent | Mr P Doughty |
| Recommendation | Refuse |

Refuse for the following reason(s):

- 1 The Local Planning Authority consider that the proposed use of land as an extension to the existing car park would be detrimental to the living conditions of neighbouring residents on Whitley View as a result of noise, disturbance and air pollution from vehicle engines, contrary to policy BE9 of the Unitary Development Plan and paragraphs 180 and 181 of the National Planning Policy Framework.
- 2 The Local Planning Authority consider that in the absence of sufficient information to properly assess the impacts of the development on the environment, the proposed development could have a detrimental impact on surface water run-off or result in ground pollution or land instability. As such the development is contrary to Policies GE19, GE22 and GE25 of the Unitary Development Plan and paragraphs 170 (d) and (e) of the National Planning Policy Framework.

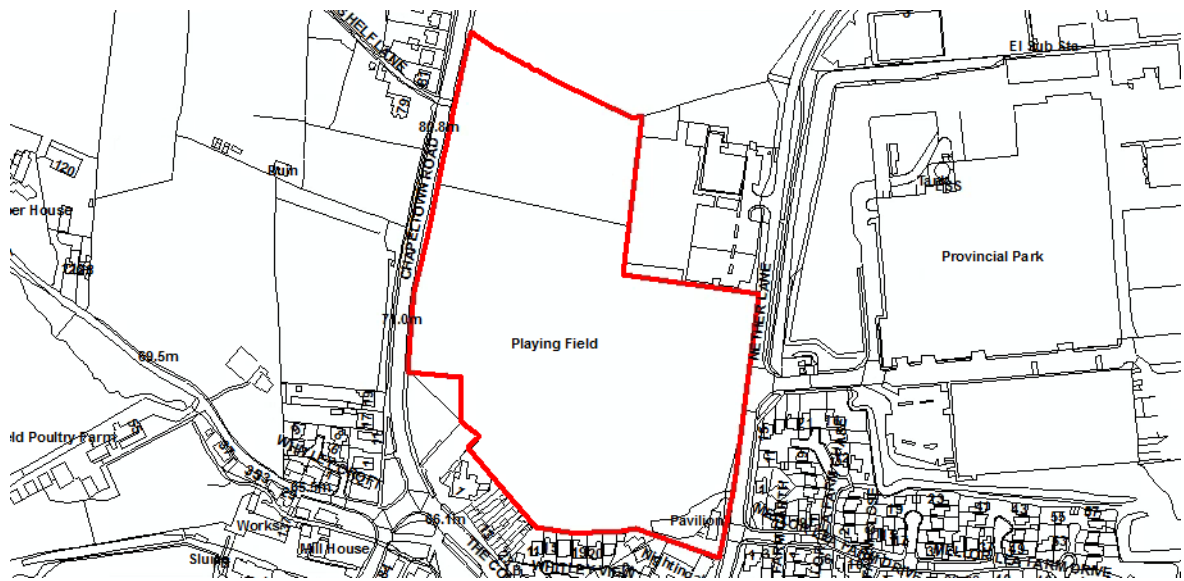
Attention is Drawn to the Following:

1. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.
2. The applicant is advised that this application has been refused for the

reasons stated above and taking the following plans into account:

- RRFC-SF-03 Rev A Proposed Car Park Layout and Neighbouring Properties

Site Location



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ADDENDUM to Previous Report to Committee

INTRODUCTION

This application was deferred from the Planning and Highways Committee on the 10 March 2020 for officers to work with Ecclesfield Red Rose Junior Football Club (JFC) to continue to seek solutions and report back to the Committee.

Officers have been in discussion with the agent in respect of the following matters:

- Mitigation measures to protect the amenity of the residents that occupy adjacent dwellings;
- Details of the material imported to form the parking area;
- Details of how surface water will be managed;
- The number of vehicles that can be accommodated within the new parking area and what amount will still have to park off site.

The agent has confirmed the following:

- That the applicant is happy to install a fence to the boundary with the neighbouring properties, though no details were provided;
- A letter from Top Spec Grounds Maintenance confirming that the materials used for the car park were 60 tonnes of screened road planings laid on top of a geotextile terram membrane.
- There is enough parking for around 60 cars in total on the hard standing.

ASSESSMENT

Amenity Issues

Policy BE9 of the UDP (Design for Vehicles) expects development to provide adequate safeguards for people living nearby from exhaust fumes, traffic noise or risk of accident. While chapter 8 of the NPPF promotes healthy and safe communities and supports social and recreational facilities that would enable and support healthy lifestyles, and guards against the loss of valued facilities, at paragraph 180 it also expects decisions to ensure that new development takes into account the likely effects of pollution on health and living conditions and, in doing so, mitigate and reduce to a minimum potential adverse impacts resulting from noise and light pollution.

Similarly, paragraph 181 expects the cumulative impact of development in Air Quality Management Areas to be taken into account.

Whilst the provision of a suitably designed fence would mitigate some of the impacts of the car park on neighbours, particularly disturbance from light pollution (car headlights) and loss of privacy as a result of overlooking, given the close proximity of neighbouring residential properties the provision of a fence is unlikely to adequately deal with air quality concerns, in particular the impact of car fumes. In terms of noise impacts, the fence could be designed to reduce the impact of noise from vehicle engines and general comings and goings, the details of which could be secured through a suitably worded condition.

On balance, whilst a fence will protect nearby residents from overlooking, light pollution and potentially reduce noise impact, it is unlikely to mitigate impact from pollution arising from vehicle fumes.

Pollution and Drainage

Policies GE19 (Water Resources), GE22 (Pollution) and GE25 (Contaminated Land) of the UDP seek to protect groundwater resources and minimise the effect of pollution and risk of pollution. These policies align with paragraph 178 of the NPPF which relates to ground conditions and pollution. The site is located in Flood Zone 1 (low probability of flooding).

Further details have been submitted with regards to the material used to form the hard standing - the existing ground had had builders earth and rubble tipped on it, this was overlain with imported recycled brick hardcore and a geotextile terram membrane which was topped with road planings.

The Council's Environmental Protection Service (EPS) remain concerned about the suitability of the imported material in terms of risk to human health (both on and off site) and the environment. They have advised that there is still insufficient information, evidence and risk assessment submitted in support of the application to permit an informed decision. EPS advise that planning permission be refused and that the applicant prevent all usage of the altered areas of the car park where the aforementioned materials have been placed.

In relation to drainage, the geotextile membrane is a permeable and durable synthetic fabric used in landscaping and engineering to prevent the intermixing of solid particles. The installed membrane will allow water to drain but will not prevent fuels, oils and other pollutants from passing through it.

Generally, development for car parking areas are accompanied by a drainage strategy that includes measures, such as interceptors, to ensure that the ground is not contaminated by pollution from vehicles. Such details are often secured by condition. However, as this application is retrospective, and given that EPS are concerned about the nature of the materials imported to form the car park extension, it may not be possible to retrofit drainage that also satisfactorily deals with pollutants.

Highways and Transportation

Policy BE9 (Design for Vehicles) of the UDP, policy CS74 of the Core Strategy and paragraph's 108 and 109 of the NPPF consider development proposals and their highway impact.

The limited additional information submitted states that the parking area, as extended, can accommodate up to 60 cars in total. Officers accept that the increase in car parking will be of benefit to users of the site, and to some extent the wider area, by reducing the number of cars parked on street. However, it is not known whether this provides parking space for 80% of the vehicles that visit the

site as previously claimed and so it is still not possible to fully assess the impact of the proposal on the wider highway network.

SUMMARY

The applicant has agreed to install a fence along the boundary with the properties along Whitley View and, subject to the submission of construction details, a fence could potentially reduce the impact of unreasonable overlooking, light pollution and noise, though it is unlikely that a fence will deal with pollution from vehicle fumes, which could continue to impact on the amenities of the occupiers of neighbouring properties given their close proximity.

Some additional details regarding the imported materials have been provided but the Environmental Protection Service remain concerned about the quality of that material. EPS have insufficient information to fully assess the impact of the imported material on human health or the environment and it may not be possible to retrofit drainage that satisfactorily deals with pollutants.

The provision of a car park to provide safe, off street parking to the existing sports field can be considered an appropriate facility in the Green Belt provided it preserves openness. It is not known whether 60 parking spaces provides parking space for 80% of the vehicles that visit the site and their remain concerns about the car park lay out (no updated plans were submitted).

While the increase in car parking will be of benefit to users of the site, and the wider area, by reducing the number of cars parked on street, this alone is not considered to be sufficient justification to recommend approval of the retrospective application for the extension to the existing car parking area, given the nature of the outstanding concerns.

As insufficient detail has been provided to fully assess the impact of the development in terms of land quality, drainage and pollution, the proposal is again recommended for refusal.

The National Planning Policy Framework (NPPF) states that 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development' (para 180).

The NPPF makes it clear that it is the developer's responsibility to ensure investigations and any remediation is carried out by a competent person.

It is considered that there are no conditions that could satisfactorily address all the matters of insufficient information as the necessary details are required prior to determination in order to be adequately assessed.

It is therefore recommended that Members refuse planning permission for the following reasons, and that they authorise the Head of Planning to take all steps, including enforcement action and the institution of legal proceedings, to secure the

removal of the unauthorised structure. It will also be necessary to delegate the Head of Planning to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Reasons for refusal based on the additional information:

- 1 The Local Planning Authority consider that the proposed use of land as an extension to the existing car park would be detrimental to the living conditions of neighbouring residents on Whitley View as a result of noise, disturbance and air pollution from vehicle engines, contrary to policy BE9 of the Unitary Development Plan and paragraphs 180 and 181 of the National Planning Policy Framework.
- 2 The Local Planning Authority consider that in the absence of sufficient information to properly assess the impacts of the development on the environment, the proposed development could have a detrimental impact on surface water run-off or result in ground pollution or land instability. As such the development is contrary to Policies GE19, GE22 and GE25 of the Unitary Development Plan and paragraphs 170 (d) and (e) of the National Planning Policy Framework.

The original report presented to committee on the 10 March 2020 is set out below.

This application is submitted in full and relates to the retention of an extension to the existing car park at the playing fields on Nether Lane.

The car park extension is not complete, works appear to have ceased pending the outcome of the planning application.

The playfields are used by Ecclesfield Red Rose Junior Football Club.

The application is presented to Members of Planning Committee for decision on the basis that both significant support has been received along with objections from residents directly affected by the development and an objection from Angela Smith MP.

LOCATION AND CONTEXT

The site is located between Ecclesfield and Chapelton on Nether Lane. Vehicular access is gained via Nether Lane and when not in use the site is secured by a double metal entrance gate. It is also accessible on foot via Chapelton Road to the west. A single storey club/house/changing facility is located to the south of the access with the car park extending along the southern boundary abutting residential properties on Whitley View. The site is surrounded by a mix of uses including a care home to the south of the changing room, a restaurant/public house to the north of the site, a recycling centre to the north east and a restaurant to the south west.

The east, west and northern site boundaries are generally bound by hedgerows

and trees, while a stone wall runs along the southern boundary. A section of palisade fencing bounds the site to the south of the entrance gates. The land level slopes from north to south, with the playing fields being laid out on the south and east sections of the site. The northern section of the site is left as scrub land with desire lines across from the pedestrian access on Chapeltown Road to the north, connecting with Nether Lane.

PROPOSAL

Works were undertaken without the benefit of planning permission to change land levels and import material in order to extend the existing hard surfaced area to provide additional car parking. Consent is sought for the retention of the existing works and completion of the extension to the existing car park to provide off street parking in connection with the existing football playing fields. The Design and Access Statement describes the works undertaken to form the hard surface as: Page 42 - Ground excavation a depth of 250mm to provide a uniform sub-base; - 75mm gauge clean recycled brick hardcore laid at a depth of around 150mm; and - 100mm road planings to finish.

RELEVANT PLANNING HISTORY

There is no recent relevant planning history.

SUMMARY OF REPRESENTATIONS

An objection was received from Angela Smith, MP for Penistone and Stocksbridge, raising the following:

- The land is not previously developed and is designated as Green Belt - The site is an important buffer between Chapeltown and Ecclesfield and prevents urban sprawl as described in the NPPF. Any erosion of this barrier is opposed.
- The provision of car parking facilities does not constitute very special circumstances required by the NPPF to justify development in the Green Belt.
- Provision of car parking facilities has been previously discouraged by the city council in favour of encouraging the use of public transport.
- The land levels have been raised and have had a negative impact on local residents.

In addition; 5 letters of objection have been received regarding the following:

- There are significant inaccuracies with the information provided in the application.
- The Design and Access Statement states that 250mm was removed to provide a uniform sub-base. During the works in January 2019 there was removal or lowering of land to accommodate the hardcore.
- The land levels were raised against residents' boundary walls and the car park is now around 1.5 to 2 feet higher than before.
- The increased land level has a detrimental impact on amenity.
- The increase in land levels has created security and privacy issues, cars parked against the boundary wall create direct overlooking to properties and gardens.
- The car park has eradicated natural wildlife by removing trees and bushes.

- Suspect that garden walls have been used as retaining walls.
- Cars and vans park parallel to the wall and use the area as a urinal.
- Impact on air pollution from nitrogen dioxide caused by vehicles.
- Concerns regarding materials tipped on the site and whether it was checked for contamination.

There has been one letter of support received regarding the following:

- Questions what will be achieved by returning the site to its previous form as rat infested bramble bushes.
- The club is non-profit making and run by volunteers who care for the wellbeing of children from local communities. - If the car park is removed people will need to park on Nether Lane which is a busy road with no parking spaces putting children's lives in danger.

A petition in support of the works containing 944 signatures has been submitted. The basis of the petition is as follows:

- The proposal is to prevent young children from having to cross the busy road of Nether lane.
- 80% of vehicles that visit the site can now safely park with in the grounds of the site.
- The club has invested in excess of £11,000 plus on the car park. To reinstate the car park will result in expense that the club cannot afford forcing it to close. 17 teams and more than 200 children will be unable to play football at this location.
- Those signing the petition agreed that the safer parking spaces were much needed.

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 and guidance contained in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPGs) are a material consideration in planning decisions. The NPPF states that the purpose of the planning system is to achieve sustainable development which means that the planning system has three overarching objectives: economic, social and environmental.

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 paragraphs 7 to 10). For decision taking this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) 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: (i) the application of policies in this Framework that protect assets or assets of particular importance provides a clear reason for refusing the development; or

(ii) 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 (NPPF paragraph 11).

NPPF paragraph 213 states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The relevant development plan for the site is the Sheffield Local Plan which includes the Sheffield Core Strategy and the saved policies and proposals map of the Sheffield Unitary Development Plan (UDP). Principle of Development The site is located within the Green Belt as defined by the Sheffield Unitary Development Plan (1998).

The relevant policies of the Sheffield UDP with regard to development in the Green Belt are GE1, GE3 and GE4. Policy GE1 sets out the key purposes of the Green Belt and states that development will not be permitted, where it would:

- a) Lead to unrestricted growth of the built up area;
- b) Contribute towards merging of existing settlements;
- c) Lead to encroachment of urban development into the countryside;
- d) Compromise urban regeneration Policy GE3 sets out that the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than:

- Agriculture
- Forestry
- Essential facilities for outdoor sport and outdoor recreation
- Cemeteries
- Other uses that fit within policy GE1 The Core Strategy (2009) sets out the spatial strategy for The Sheffield Development Framework.

Policy CS71 states that the countryside and the open land around the existing built up areas of the city will be safeguarded by maintaining the Green Belt, which will not be subject to strategic or local review. These policies are all considered to carry weight as they reflect guidance contained in the NPPF on Green Belts.

Chapter 13 of the NPPF re-affirms that the Government attaches great importance to Green Belts and sets out the five purposes that the Green Belt serves: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Paragraph 143 of the NPPF states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'

Paragraph 145 of the NPPF expects local planning authorities to regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The proposal is for the change of use of land to extend the existing car park. The provision of a car park to provide safe, off street parking to the existing sports field can be considered an appropriate facility, however, it is considered that there is insufficient detail within the planning application with regard to the capacity of the existing car park and the application lacks detail with regards to the need for additional car parking. Furthermore, while the proposal shows approximately 34 parking spaces, it is clear from the layout that some of the proposed spaces are potentially inaccessible.

Further details have not come forward from the applicant to enable a full assessment to be made of whether the scale and therefore the provision of the proposed facility is appropriate. Openness The Green Belt exceptions are accepted on the basis that the 'provision of appropriate facilities' preserves the openness of the Green Belt. The land relating to the change of use borders the existing wall to the rear of the residential development on Whitley View and is at a lower level than the majority of the wider site.

As such it would be seen in context with the existing built development. It is therefore considered that the proposal would preserve the openness of the Green Belt. It is on this basis that, whilst the extent of the need for the facility has not been fully justified, the principle of the use of the land for car parking in connection with the playing fields is an appropriate facility in the Green Belt that would not impact on openness nor conflict with the purposes of including land within the Green Belt.

As such it is considered to be acceptable in principle.

Promoting Healthy and Safe Communities

The NPPF places importance on opportunities for sport and physical activity which contribute towards the health and wellbeing of communities.

The Town and Country Planning (Development Management Procedure) Order 2015 requires local planning authorities to consult with Sport England on development which is likely to prejudice the use or lead to loss of land being used as a playing field and also includes the replacement of the grass surface with an artificial, manmade or composite surface. This is to afford protection to playing pitches.

Paragraph 97 of the NPPF and the Sport England Playing Fields Policy and Guidance document seek to protect against the loss or prejudice of:

- All or part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field.

Unless, in the judgement of Sport England, specific exceptions are met. Sport England have consulted with the Football Foundation (FF) who advised that:

- The area of land where the car park extension has been constructed doesn't appear to have ever been used as playing field, and is a safe enough distance away from the land used for the marking of playing pitches.
- The extension allows the club to better manage the flow and parking of cars when the site is in use.
- The Football Foundation, on behalf of The FA, do not wish to raise any objection.

Sport England have assessed the proposal and is satisfied that the proposed development meets with exception 2 of the playing fields policy, in that 'the proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

It is therefore considered that the change of use of the land to extend the car park does not impact upon the use of the playing fields and is supported by both the Football Foundation and Sport England.

The proposal is therefore in accordance with paragraph 97 of the NPPF.

Highways and Transportation

Policy BE9 (Design for Vehicles) of the UDP, policy CS74 of the Core Strategy and paragraph's 108 and 109 of the NPPF consider development proposals and their highway impact.

The site is accessible on foot from Chapeltown Road via a public right of way and it is understood that visitors to the playing field park along this road, which is unrestricted. Chapeltown Road has a footpath on both sides and accesses to local bus services are located along Chapeltown Road. Vehicular access to the site is taken from Nether Lane, on which there are also no parking restrictions.

The public footpath runs along the eastern side of Nether Lane, adjacent the boundary with the residential development. The site access is set back from Nether Lane and secured by a locked metal gate. The original car park appears to have been situated around the club house, to the south of the access.

The hard-surfaced area beyond that appears to have been undertaken at a later date and the proposed hard surfacing that is the subject of this application has been undertaken more recently. The proposed car park is unfinished, and it appears that hard-core has been brought onto the site to form the new land level and provide a base for the proposed car park.

The application form states that there were 20 existing parking spaces, although the original car park is not laid out formerly. 30 parking spaces are proposed, although the amended site plan indicates 34 (approximate) parking spaces. Some of the car parking spaces only just meet the standard parking spaces sizes and also appear to be difficult to manoeuvre in and out of, particularly the linear parking.

The Council's Highways Development Control Team have been consulted on the proposal and have advised that the proposed car park extension is far enough away from Nether Lane that any issues with manoeuvrability will have resolved before they reach Nether Lane. Similarly, with regards to surfacing, the distance between the extension and Nether Lane is such that there are no concerns with any surfacing material being deposited onto the carriageway on Nether Lane. There are no allocated disabled parking spaces, however, these could be provided around the existing club house.

Policy BE9 requires that new developments and refurbishments should provide safe, efficient and environmentally acceptable site layout for all vehicles including cycles and pedestrians.

The criteria of policy BE9 requires:

- Good quality design of internal roadways and signs;
- Adequate manoeuvring, turning and parking space for service vehicles;
- Effective access at all times for emergency vehicles;
- Adequate parking space suitably located for people with disabilities.

Officers have not been provided with information regarding the traffic movements generated or the number of parking spaces required by the applicant, however the applicant and supporters of the application state that there are insufficient parking spaces to account for the number of users of the site and that both Chapeltown Road and Nether Lane are used for parking which results in children having to cross the busy roads to access the field on match days.

This is the justification for the proposed extension to the parking area on site. Without details establishing the traffic movements and parking requirements for matches and events it is not possible to assess the number of additional parking spaces required and whether the extension is sufficient to address the on street parking and safety issues.

Paragraph 109 of the NPPF 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 impact on the road network would be severe.

It is therefore considered that, whilst the Council's Highway's team advise that the proposed parking area itself will not have an adverse impact on highway safety, there is insufficient information to assess the impact of the proposal on the wider highway network based on the representations made.

Drainage and Pollution

Policies GE19 (Water Resources), GE22 (Pollution) and GE25 (Contaminated Land) of the UDP seek to protect groundwater resources and minimise the effect of Page 48 pollution and risk of pollution. These policies align with paragraph 178 of the NPPF which relates to ground conditions and pollution. The site is located in Flood Zone 1 (low probability of flooding).

The Council's Drainage Team have been consulted on the application and raised concerns regarding the lack of drainage details. The land falls towards, and is immediately adjacent to, residential properties on Whitley View and the ground is identified as poor for infiltration (as referred to on British Geological Society Maps).

The Drainage Officer asked for evidence of the present drainage arrangement for the site, including the pitches, existing car park and the site of the proposed car park extension, as well as details of where surface water currently discharges to. As the proposed car park would likely lead to an increased rate of run off, this would need to be managed in order to prevent a nuisance to downslopes communities.

An indicative location for a proposed soakaway is shown on the site plan. However, due to poor infiltration and as there are no details regarding the existing drainage arrangements or likely increase in surface water run-off, there is considered to be insufficient information to consider the impact of surface water run-off and how surface water would be managed to avoid adverse impacts on the adjoining land. Prior to the application being submitted, materials were brought onto the site to prepare the base for the new car park.

Details of the types of materials, along with the previous and current land levels, have all been requested in order to assess the impact of the development on ground pollution and residential amenity.

The Design and Access Statement states that clean recycled brick hardcore and road planings were brought onto site, however no technical details have been submitted to qualify the source of the materials and the agent has advised that the applicant cannot afford to appoint consultants to provide the information necessary to assess the impact of the proposal on drainage and land contamination.

Photographic evidence from neighbours shows that the area of land was excavated to depths below the original ground level and that items previously

below ground were removed and placed in the landscaped areas adjacent the car park area.

There are concerns with regards to what has been excavated, the nature and volume of the material that has been brought onto the site, where the material has come from, how ground will be protected from potential pollution and what drainage measures are required to adequately drain the site.

Without the technical details it is not possible to assess the full impact of the proposal or to condition any mitigation measures necessary and reasonable to protect the environment from pollution and adequately manage surface water discharge.

It is therefore considered that there is insufficient information to assess the impact of the development on the natural environment and as such is contrary to paragraph 170 e) and f) of the NPPF.

Biodiversity and Trees

Residents have raised concerns that habitat, vegetation and trees have been removed from the site prior to the works being undertaken. Photographic evidence of works taking place has been provided but no details of the value of the habitat or quality of the trees that were removed has been submitted with the application. There are no protected trees on site and as such the weight afforded to their protection would have been based purely on visual amenity and habitat value. However, without a tree survey and habitat assessment it is not possible to assess the impact of the works on trees and ecology.

As such it is considered that it is not possible to consider any requirements for minimising impact on and providing net gains for biodiversity required by paragraph 170 d) of the NPPF.

Should Members consider granting approval of the application it is recommended that a condition is imposed requiring details of an ecology led landscaping scheme be submitted and agreed in writing by the Local Planning Authority (LPA) and subsequently delivered on site to the approval of the LPA.

This would mitigate any potential loss of habitat that has occurred and provide the net gain in biodiversity as required by the NPPF in paragraph 170 d).

Residential Amenity

As discussed above, there are objections from residents that border the site with regards to the impact on residential amenity, particularly:

- loss of privacy;
- overlooking;
- noise and disturbance from comings and goings, car headlights and running engines;
- pollution from exhaust fumes; and

- drainage.

It is difficult to assess the increase in land levels as no details of the land topography prior to the works being carried out have been submitted, however residents have provided photographic evidence of the land levels prior to the works, during and after.

The photographs show an apparent increase in land level meaning that, when vehicles park adjacent to the boundary wall that separates the site and the residential properties, drivers can see over the wall and directly into the private garden areas and main living rooms of properties on Whitley View.

In addition, resident's enjoyment of their garden area and rear habitable rooms would be affected by fumes, headlights and noise from running engines in the winter whilst parents/guardians wait for children training and taking part in matches on the site.

Policy BE9 expects development to provide adequate safeguards for people living nearby from exhaust fumes, traffic noise or risk of accident. While chapter 8 of the NPPF promotes healthy and safe communities and supports social and recreational facilities that would enable and support healthy lifestyles, and guards against the loss of valued facilities, at paragraph 180 it also expects decisions to ensure that new development takes into account the likely effects of pollution on health and living conditions and, in doing so, mitigate and reduce to a minimum potential adverse impacts resulting from noise and light pollution.

Similarly, paragraph 181 expects the cumulative impact of development in Air Quality Management Areas to be taken into account. The wider support for the proposal and the importance of the club for the community is noted. However, it is considered that the siting of the car park extension and the increase in land levels would increase the potential for noise, disturbance and pollution such that the proposal would have an unacceptable impact on the amenities of neighbouring residents on Whitley View, particularly on the enjoyment of their rear gardens.

PLANNING BALANCE

The proposed car park extension seeks to support an existing recreational use on the site. Policy GE3 permits essential facilities for outdoor sport and outdoor recreation and paragraph 145 of the NPPF does not regard the provision of appropriate facilities for outdoor sport and recreation as inappropriate development.

Regard has also been given to the representations in support of the proposal. However, in the absence of necessary and reasonable information which would allow officers to fully assess the impact and implications of the proposal on the highway network, the environment and on residential amenity, it is considered that the application of policies in the NPPF that seek to protect the environment, health and wellbeing outweigh policy GE3 as well as the support

provided by club members. Whilst the proposed use may be acceptable in principle, when considering the development plan allocation, the siting is unacceptable in terms of its significant impact on residential amenity.

Summary and Recommendation

Taking into account all of the above material planning considerations, it is considered that there is insufficient information to properly assess the impact of the proposal on the highway network, drainage, land contamination and air quality.

The proposal is considered to have an unreasonable impact on the residential amenity of the neighbouring residents along Whitley View by virtue of noise and disturbance from car engines and headlights, air pollution due to engine fumes, overlooking and loss of privacy due to the increase land levels which allows drivers of vehicles to look directly into the private gardens and main downstairs living rooms of the properties on Whitley View.

It is also considered that the provision of additional car parking to serve the needs of the club could, subject to detailed design, be more appropriately sited elsewhere on the site. The information requested to properly assess the application is reasonable and proportionate in terms of the scale of the development and all material planning considerations.

The applicant has refused to provide the information on the basis of cost, which is not a material planning consideration. There are no conditions that could pass the legal tests that could address the matters of insufficient information as the details necessary are required prior to determination in order to be adequately considered.

It is on this basis that it is recommended to Members that planning permission is refused for the following reasons.

Along with the recommendation for refusal, it will be necessary to authorise the Head of Planning to take all steps, including enforcement action and the institution of legal proceedings, to secure the removal of the unauthorised structure. It will also be necessary to delegate the Head of Planning to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Reasons for refusal:

- 1) The Local Planning Authority consider that the proposed use of land as an extension to the existing car park would be detrimental to the living conditions of neighbouring residents on Whitley View as a result of direct overlooking of the adjoining residential properties and gardens leading to a loss of privacy; noise and disturbance from vehicles; light pollution from vehicle headlights and air pollution arising from vehicles engines.

2) The Local Planning Authority consider that in the absence of sufficient information to properly assess the material impacts of the development on the environment, the proposed development could have a detrimental impact on surface water run-off or result in ground pollution, noise pollution or land instability. As such the development is deemed contrary to Policies GE19, GE22 and GE25 of the Unitary Development Plan and paragraphs 170 (d) and (e) of the National Planning Policy Framework.

3) The Local Planning Authority consider that in the absence of sufficient information relating to traffic movements and parking demand generated by the proposal, it is not possible to assess the number of additional parking spaces required and whether the extension is sufficient to address the on street parking and safety issues used as justification for the proposed extension to the existing car parking area. As such the development is deemed contrary to Policy BE9 of the Unitary Development Plan and paragraphs 108-109 of the National Planning Policy Framework.