

Planning and Highways Committee

Tuesday 17 November 2020 at 2.00 pm

**To be held as an online video conference.
To access the meeting, click on the 'View
the Webcast' link below**

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
17 NOVEMBER 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 27th 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. 20/02551/RG3 - Site Of 18 - 42 Pinstone Street and Barkers Pool House, Burgess Street, Sheffield, S1 2HN** (Pages 15 - 50)
- 7b. Application No. 20/00492/FUL - Land Between 216B & 288 Twentywell Lane, Sheffield, S17 4QF** (Pages 51 - 96)
- 7c. Application No. 19/04594/REM - 49 Pot House Lane, Sheffield, S36 1ES** (Pages 97 - 116)
- 7d. Application No. 20/02233/FUL - 27 Twentywell View, Sheffield, S17 4PX** (Pages 117 - 124)
- 7e. Application No. 18/04034/OUT - Land Adjacent 127 - 139 Long Line, Sheffield, S11 7TX** (Pages 125 - 158)
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 159 - 168)
Report of the Director of City Growth
- 9. Date of Next Meeting**
The next meeting of the Committee will be held on Tuesday 8th December 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 27 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, Roger Davison, Peter Garbutt, Dianne Hurst, Alan Law, Bob McCann, Chris Rosling-Josephs, Andrew Sangar, Mike Chaplin (Substitute Member), Adam Hurst (Substitute Member) and Garry Weatherall (Substitute Member)

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1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Tony Damms, Zahira Naz, Peter Price and Peter Rippon.
- 1.2 Councillors Adam Hurst, Garry Weatherall and Mike Chaplin acted as substitutes for Councillors Tony Damms, Peter Price and Peter Rippon, respectively.

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 Andrew Sangar also declared a personal interest in Agenda Item No. 7a, Application No. 20/00159/FUL – Football Pitch, Hallam Sports Club, Sandygate Road, Sheffield, S10 5SE, as he lived close to the site and was a local ward Member for the clubs other site. Councillor Sangar declared that he had not given an opinion or made up his mind 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 the meeting of the Committee held on 6th October 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

6.1 APPLICATION NO. 20/00159/FUL - FOOTBALL PITCH, HALLAM SPORTS CLUB, SANDYGATE ROAD, SHEFFIELD, S10 5SE

6a.1 Updated ecology comments, additional representations and the officer response were included within the Supplementary Report circulated and summarised at the meeting.

6a.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.

6a.3 Paul Brindley attended the meeting and spoke against the application.

6a.4 Richard Storer attended the meeting and spoke in support of the application.

6a.5 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.

6a.6 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now submitted, for the erection of ball stop netting to Northern and Southern boundaries of cricket ground (maximum height of 15metres) (Amended plans) at Football Pitch, Hallam Sports Club, Sandygate Road, Sheffield, S10 5SE (Application No. 20/00159/FUL).

6.2 APPLICATION NO. 20/01822/FUL - UNIVERSITY OF SHEFFIELD, ATHLETIC AND SPORTS GROUND, WARMINSTER ROAD, SHEFFIELD, S8 8PS

6b.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.

6b.2 Keith Lilley attended the meeting and spoke in support of the application.

6b.3 The Committee considered the report and recommended 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.

6b.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for the provision

of new car parking accommodation and means of vehicular access and egress at University Of Sheffield Athletic and Sports Ground, Warminster Road, Sheffield, S8 8PS (Application No. 20/01822/FUL).

6.3 APPLICATION NO. 20/02057/FUL - LAND BETWEEN 94 AND 98, WHEEL LANE, GRENSIDE, SHEFFIELD, S35 8RN

6c.1 Application No. 20/02057/FUL was withdrawn in order for the Council to carry out a further round of public consultation owing to the submission of an updated section plan.

6.4 APPLICATION NO. 19/02907/FUL - ECCLESFIELD RED ROSE J F C, PLAYING FIELDS, NETHER LANE, SHEFFIELD, S35 9ZX.

6d.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.

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

6d.3 **RESOLVED:** That (1) an application for planning permission for the Retention of extension to car park (Amended Information) at Ecclesfield Red Rose J F C Playing Fields, Nether Lane, Sheffield, S35 9ZX (Application No. 19/02907/FUL) be REFUSED for the reasons outlined in the report; and

(2) Authorisation be given for the Head of Planning to take appropriate enforcement action subject to consultation with the Chairs of the Planning and Highways Committee on the period for compliance within any notice.

7. DATE OF NEXT MEETING

7.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 17th November 2020 at 2pm.

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SHEFFIELD CITY COUNCIL
Planning and Highways Committee

Report of: Director of City Growth Department

Date: 17/11/2020

Subject: Applications under various acts/regulations

Author of Report: Dinah Hope, Lucy Bond 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	20/02551/RG3 (Formerly PP-08940474)
Application Type	Application Submitted by the Council
Proposal	Retention of Pinstone Street facade at City Mews and Palatine Chambers, demolition of buildings behind, erection of a seven/five-storey building for use as a hotel with ancillary restaurant/bar (Use Class C1/A3/A4), ground floor retail and cafe/restaurant units (Use Class A1/A2/A3/A4) and associated works (Application under Regulation 3 - 1992)
Location	Site Of 18 - 42 Pinstone Street & Barkers Pool House Burgess Street Sheffield S1 2HN
Date Received	31/07/2020
Team	City Centre and East
Applicant/Agent	Montagu Evans
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:

HOA-HLM-Z1-00-DR-A-0001 - P01 Site Location Plan
HOA-HLM-Z1-00-DR-A-0003 - P01 Existing Block Plan
HOA-HLM-Z1-00-DR-A-0004 - P01 Proposed Block Plan
HOA-HLM-Z1-LG-DR-A-0010 - P01 Existing Basement Floor Plan
HOA-HLM-Z1-LG-DR-A-0010 - P01 Existing Lower Ground Floor Plan
HOA-HLM-Z1-00-DR-A-0010 - P01 Existing Ground Floor Plan
HOA-HLM-Z1-10-DR-A-0010 - P01 Existing First Floor Plan
HOA-HLM-Z1-20-DR-A-0010 - P01 Existing Second Floor Plan
HOA-HLM-Z1-30-DR-A-0010 - P01 Existing Third Floor Plan

HOA-HLM-Z1-40-DR-A-0010 - P01 Existing Fourth Floor Plan
 HOA-HLM-Z1-50-DR-A-0010 - P01 Existing Fifth Floor Plan
 HOA-HLM-Z1-60-DR-A-0010 - P01 Existing Sixth Floor Plan
 HOA-HLM-Z1-RF-DR-A-0010 - P01 Existing Seventh Floor Plan
 HOA-HLM-Z1-LG-DR-A-0015 - P11 Proposed Lower Ground Floor Plan
 HOA-HLM-Z1-00-DR-A-0015 - P11 Proposed Ground Floor Plan
 HOA-HLM-Z1-10-DR-A-0015 - P11 Proposed First Floor Plan
 HOA-HLM-Z1-20-DR-A-0015 - P11 Proposed Second Floor Plan
 HOA-HLM-Z1-30-DR-A-0015 - P11 Proposed Third Floor Plan
 HOA-HLM-Z1-40-DR-A-0015 - P11 Proposed Fourth Floor Plan
 HOA-HLM-Z1-50-DR-A-0015 - P11 Proposed Fifth Floor Plan
 HOA-HLM-Z1-60-DR-A-0015 - P13 Proposed Sixth Floor Plan
 HOA-HLM-Z1-RF-DR-A-0015 - P04 Proposed Roof Level Plan
 HOA-HLM-Z1-XX-DR-A-0020 - P01 Existing Sections - Sheet 1
 HOA-HLM-Z1-XX-DR-A-0025 - P05 Proposed Sections - Sheet 1
 HOA-HLM-Z1-XX-DR-A-0026 - P05 Proposed Sections - Sheet 2
 HOA-HLM-Z1-XX-DR-A-0030 - P01 Existing Elevations - Sheet 1
 HOA-HLM-Z1-XX-DR-A-0031 - P01 Existing Elevations - Sheet 2
 HOA-HLM-Z1-XX-DR-A-0035 - P07 Proposed Elevations - Sheet 1
 HOA-HLM-Z1-XX-DR-A-0036 - P07 Proposed Elevations - Sheet 2
 HOA-HLM-Z1-XX-SH-A-0050 - P03 Schedule of Accommodation
 HOA-HLM-Z1-XX-SH-A-0051 - P03 Gross Internal Areas (GIA)
 HOA-HLM-Z1-XX-SH-A-0052 - P03 Gross External Areas (GEA)
 HOA-HLM-Z1-B1-DR-A-1510 - P02 Demolition Layout Basement Floor Plan
 HOA-HLM-Z1-LG-DR-A-1510 - P02 Demolition Layout Lower Ground Floor
 HOA-HLM-Z1-00-DR-A-1510 - P02 Demolition Layout Ground Floor Plan
 HOA-HLM-Z1-10-DR-A-1510 - P02 Demolition Layout First Floor Plan
 HOA-HLM-Z1-20-DR-A-1510 - P02 Demolition Layout Second Floor Plan
 HOA-HLM-Z1-30-DR-A-1510 - P02 Demolition Layout Third Floor Plan
 HOA-HLM-Z1-40-DR-A-1510 - P02 Demolition Layout Fourth Floor Plan
 HOA-HLM-Z1-50-DR-A-1510 - P02 Demolition Layout Fifth Floor Plan
 HOA-HLM-Z1-60-DR-A-1510 - P02 Demolition Layout Sixth Floor Plan
 HOA-HLM-Z1-70-DR-A-1510 - P02 Demolition Layout Seventh Floor Plan
 HOA-HLM-Z1-XX-DR-A-1530 - P02 Demolition Elevations - Sheet 1
 HOA-HLM-Z1-XX-DR-A-1531 - P02 Demolition Elevations - Sheet 2
 HOA-HLM-Z1-XX-DR-A-2530 - P03 Bay Studies - Sheet 1
 HOA-HLM-Z1-XX-DR-A-2531 - P03 Bay Studies - Sheet 2
 HOA-HLM-Z1-XX-DR-A-2532 - P03 Bay Studies - Sheet 3
 HOA-HLM-Z1-00-DR-L-0001 - P03 Hard Landscape Plan
 HOA-HLM-Z1-00-DR-L-0002 - P03 Soft Landscape Plan
 HOA-HLM-Z1-00-DR-L-0020 - P02 Site Sections - Sheet 1

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development, including any demolition, shall take place until the applicant, or their agent or successor in title, has implemented the programme of building recording set out in the submitted Written Scheme of Investigation (WSI) for Historic Building Recording [Wessex Archaeology, August 2020,

document ref: 112720.10].

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

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

4. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

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

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

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

5. No demolition hereby authorised shall be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been submitted to and approved in writing by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides.

Reason: To ensure that premature demolition does not take place and result in an undeveloped site, some time before rebuilding, which would be detrimental to the visual character of the Conservation Area.

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

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

7. Before the development is commenced (excluding demolition) the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below shall have either:
 - a) been carried out; or
 - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which will have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvement Works:

- (i) Reconstruction of footways and kerbing including reinstatement of redundant crossings along the Burgess Street frontage of the development site, all in accordance with the Urban Design Compendium.
- (ii) Highway works along the length of Burgess Street to facilitate the provision of a service lay-by, drop-off/pick-up area, provision of disabled parking and re-location of the taxi rank and on street parking, which will entail the promotion of a Traffic Regulation Order in accordance with usual procedure and provision of associated road markings and signs.
- (iii) Any accommodation works to traffic signs, road markings, repositioning street lighting columns, highway drainage and general street furniture deemed necessary as a consequence of the development.

(iv) Promotion of a Traffic Regulation Order in accordance with usual procedures to restrict hours of operation of the Pinstone Street service laybys to the same times as Fargate, and provision of associated road markings and signs.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

8. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

9. Prior to any development commencing (excluding demolition) the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

10. Prior to the commencement of development (excluding demolition) any intrusive investigations recommended in the approved Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

11. Prior to the commencement of development (excluding demolition) any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

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

12. Prior to the commencement of development a Construction Environmental Management Plan (CEMP), including details of the site accommodation, an area for delivery / service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, protection of trees on Pinstone Street during construction shall be submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

13. Before the development is commenced (excluding demolition) a detailed Inclusive Employment and Development Plan, designed to maximise opportunities for employment and training from the construction phase of the development, shall have been developed collaboratively with Talent Sheffield and submitted to and approved in writing by the Local Planning Authority.

The Plan shall include a detailed Implementation Schedule, with provision to review and report back on progress achieved, via Talent Sheffield, to the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for Sheffield from the construction of the development.

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

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

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
- b) Acoustic emissions data for the system.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the system's required cleaning and maintenance schedule.

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

Reason: In the interests of the amenities of the locality and adjacent residential occupiers

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

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

16. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

17. Prior to the occupation of the development, an ecological enhancement plan for the installation of 3 No. internally or surface mounted bat boxes based on the recommendations in Section 5.1 of the Bat Survey Report (ARUP July 2020) shall be implemented. Photographic evidence of the enhancements shall be provided to the Local Planning Authority for approval before occupation of the development.

Reason To ensure a biodiversity net gain in accordance with National Planning Policy Framework.

18. Prior to use of the development hereby permitted commencing, a Delivery Management Plan (DMP) shall be submitted for written approval by the Local Planning Authority. The DMP shall include permitted timings for deliveries and associated activities, and set out procedures and controls designed to minimise local amenity impacts from delivery noise, as far as reasonably practicable. All commercial deliveries then shall be carried out in accordance with the noise mitigation procedures and controls, as set out in the approved DMP.

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

20. The hotel bedroom accommodation shall not be brought into use unless a scheme of sound insulation works has been implemented and is thereafter retained. Such works shall:

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of achieving the following noise levels in hotel bedrooms:
Noise Rating Curve NR30 (2300 to 0700 hours);
Noise Rating Curve NR35 (0700 to 2300 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

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

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

22. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

23. The agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

24. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before construction of that part of the development commences:

- Plant screens
- Replacement windows to the Pinstone Street elevation
- Brickwork repairs and cleaning to Pinstone Street elevation

- Balustrades
- Typical window reveals
- Rainwater goods
- Entrances
- Ventilation grills and extracts
- Entrance gates
- Facade lighting where proposed

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

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

25. Prior to any construction above parapet level commencing details of an advertising strategy shall be submitted to and approved by the Local Planning Authority and thereafter the development shall be carried out in accordance with the approved strategy.

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

26. Prior to first occupation of the development, cycle parking accommodation for 10 covered stands shall be provided. Details of the design of the stands shall be submitted and approved by the Local Planning Authority before first occupation of the building. Thereafter, such cycle parking accommodation shall be retained.

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

27. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

28. Prior to the occupation of the development a scheme for the re-erection of the William Mitchell frieze including an interpretation scheme along with details of funding and a timescale for undertaking the works shall be submitted to and approved by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

Reason: In the interests of ensuring the preservation of Sheffield's cultural heritage.

29. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

30. Before the A3/A4 and hotel ancillary food and drink and banqueting use(s) hereby permitted commence, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as a 15 minute LZeq.

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority. [Noise Rating Curves should be measured as a 15 minute LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

31. Before the first occupation of the relevant part of the development commences, Validation Testing of the sound insulation and/or attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

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

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

32. Prior to construction of the rear terrace commencing details of the courtyard furniture and Corten feature wall shall be submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be

implemented before the courtyard is brought into use.

Reason: In the interests of the visual amenity of the conservation area.

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

Reason: In the interests of the visual amenities of the locality it is essential for these works to have been carried out before the use commences.

34. No customer shall be permitted to be on the ground floor commercial food and drink premises and / or within the hotel ancillary food and drink facilities outside the following times:

0700 to 0100 hours the following morning on all days (except hotel guests for breakfast)

Notwithstanding the aforementioned hours, use of the third floor bar terrace shall cease at 2300 hours on all days, save for limited access for the purpose of smoking only, to be managed and controlled in accordance with an Outside Area Noise Management Plan, to be submitted for written approval by the Local Planning Authority, prior to use commencing.

Reason: In the interests of the amenities of adjoining occupiers

35. The Developer shall use reasonable endeavours to ensure that any identified end-user of any phase of the development shall, in collaboration with Talent Sheffield, produce a detailed Inclusive Recruitment, Employment and Development Plan, designed to maximise opportunities for both immediate and on-going employment from the operational phase of development. The plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include detailed implementation arrangements, with provision to review and report back on progress achieved, via Talent Sheffield, to the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for Sheffield from the operational phase of the proposed development.

36. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-

25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

Other Compliance Conditions

37. The development shall be carried out in accordance with the details shown on the submitted Drainage Strategy prepared by Arup (Report dated 29 July 2020), unless alternative details are approved in writing by the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage.

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

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

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

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

40. The roof plant shall not project above the plant screen on the Pinstone Street elevation.

Reason: In the interests of preserving the visual amenity of the City Centre Conservation Area

41. The Travel Plan shall be implemented in accordance with the details and timescales contained within it.

Reason: In the interests of encouraging sustainable travel to the site.

42. No doors (except sub-station doors or emergency exit doors) are to open into the adjoining public realm or adopted highway.

Reason: In the interests of pedestrian safety.

43. The waste shall be managed and operated in accordance with the Heart of the City Block A Waste Management Strategy dated 29.7.2020 submitted in support of the application unless alternative arrangements are approved by the Local Planning Authority.

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

44. The surface water run off shall be subject to a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event, for new build roof areas and private landscape. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary.

Reason: In the interests of sustainable development.

45. No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally within a commercial unit to be used as a drinking establishment shall be subject to approval by the Local Planning Authority prior to installation and thereafter installed in accordance with the approved details.

Reason: In the interests of the amenities of adjoining occupiers

Attention is Drawn to the Following Directives:

1. In considering and devising a suitable Delivery Management Plan, useful reference may be made to the Department for Transport 2014 guidance document "Quiet Deliveries Good Practice Guidance - Key Principles and Processes for Freight Operators". Appendix A of the document provides general guidance, along with key points for delivery point controls, and driver controls.

2. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:

- Reference to permitted standard hours of working;

- 0730 to 1830 Monday to Friday

- 0800 to 1700 Saturday

- No working on Sundays or Public Holidays

- Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.

- A communications strategy for principal sensitive parties close to the site.
- Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
- A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
- A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
- Details of site access & egress for construction traffic and deliveries.
- A consideration of potential lighting impacts for any overnight security lighting.

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

3. You may need a Premises License under the Licensing Act 2003. You are advised to contact Sheffield City Council's Licensing Service for advice on Tel. (0114) 2734264 or by email at licensing@sheffield.gov.uk.
4. Plant and equipment shall be designed to ensure that the total LA_r plant noise rating level (i.e. total plant noise LA_{eq} plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA₉₀ background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
5. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

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

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

6. South Yorkshire Police advise that the development should be designed and built to Secured by Design Standards. The applicant is advised to review the advice from the Police which can be viewed on the planning application file online.
7. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning

Policy Framework.

8. Yorkshire Water has advised that foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc. must pass through a fat and grease trap of adequate design before any discharge to the public sewer network.
9. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
10. The applicant is advised to follow the recommendations of the preliminary ecological appraisal.
11. The applicant is advised that 'Talent Sheffield' is a Sheffield City Council initiative delivered through the Invest Sheffield and Opportunity Sheffield teams, to ensure that investors and developers in the City receive the support required to meet the commitments in the Inclusive Employment and Development Plan and deliver the maximum possible benefits to Sheffield people and its communities.
12. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

13. Before commencement of the development, and upon completion, you will be

required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

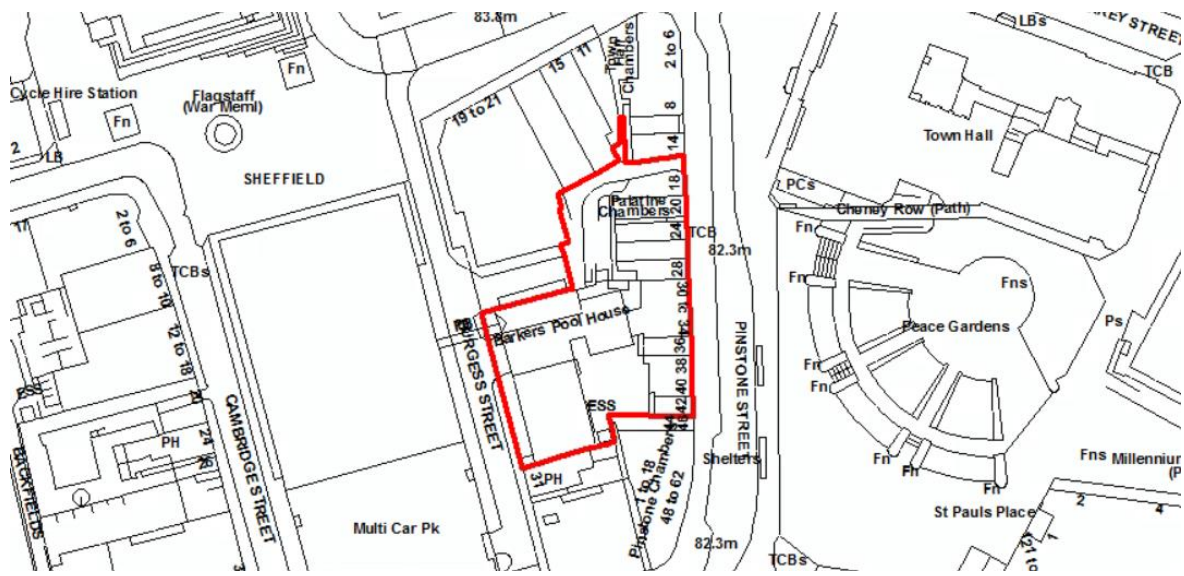
14. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<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.

Site Location



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LOCATION AND PROPOSAL

The application site comprises of City Mews and Palatine Chambers which are Victorian buildings fronting onto Pinstone Street and the 1970s Barkers Pool House fronting on to Burgess Street. The Pinstone Street frontage is approximately 60 metres long and between 4 and 5 storeys high with shops on the ground floor and offices above. The elevation is faced in red brick with stone detailing, decorative metal balconies and a slate faced mansard roof along approximately two thirds of the frontage. The Burgess Street frontage is approximately 40 metres long sandwiched between the former cinema and Yorkshireman Rock Bar, it is 7 storeys high and faced in brick and concrete with decorative concrete panels at first floor level. There is a level difference of a storey between Burgess Street and the Pinstone Street frontage.

The whole of site lies within the City Centre Conservation Area. The Town Hall which is listed Grade I is opposite the site to the east; the former Salvation Army Citadel which is listed Grade II is situated to the south with the Yorkshireman Rock Bar between. The Prudential Assurance building is located to the south adjoining St Paul's Parade and is listed Grade II.

The application is seeking permission to demolish all buildings except the Pinstone Street façade and northern return. The shopfronts of this façade will be demolished and the brick and stone-faced frontage will be retained and refurbished whilst the more recent mansard roof will be replaced with a contemporary rooftop extension.

The site will be redeveloped as a 4-star Radisson Hotel providing 154 bedrooms with an independent food and drink unit and retail unit of approximately 300m² on the Pinstone Street frontage. The Pinstone Street frontage will provide entrances to the hotel, retail and food and drink units (class A1/ A2/ A3/ A4). The ground floor of the hotel will contain the lobby and conference/meeting rooms. There will be a paved courtyard to the rear of the frontage buildings providing seating and spill out space for both the conference and food and drink unit. The upper floors will accommodate the hotel bedrooms and there will also be an ancillary restaurant/bar with terrace at the top level overlooking the Peace Gardens.

The Pinstone Street frontage will be 5 storeys high. The brick and stonework elements of the retained Pinstone Street façade will be cleaned, repaired and repointed. New glazed shopfronts will be constructed which will be faced in stone rainscreen cladding to match. The new mansard roof and plant screen will be faced in standing seam copper with contemporary window openings and a glass balustrade. The rear elevation of the Pinstone Street block will be faced in cream brickwork together with the projecting rear wing.

The Burgess Street frontage accommodates a secondary hotel lobby and a service yard entrance with access via a drive through opening. The ground floor is faced in black brickwork and the upper floors in a light red multi brick with glass reinforced banding marking some of the floors. Projecting decorative brickwork is to be constructed in a panel above the hotel entrance and the bedroom window will have chamfered glass reinforced surrounds.

A landscaped terrace is proposed to the rear of the Palatine Chambers building which will provide a spill out space for both the hotel and food and drink unit. Green roofs are to be created on top of the banqueting area and over part of the service yard.

No parking is proposed on site and there will be a small service yard accessed from Burgess Street, whilst the food and drink unit will be serviced from the alley to the north of the site and from an existing lay-by on Pinstone Street.

RELEVANT PLANNING HISTORY

The site was part of the permission for the New Retail Quarter (05/03933/OUT). Within its boundary, the scheme required the full demolition of a significant number of buildings within the Conservation Area, including those along Cambridge Street and the part redevelopment of Block A. Due to the 2007 financial crisis, the project stalled and the Council's development partner, Hammerson, withdrew from the project.

The site was included in application 15/02917/OUT for a comprehensive retail-led mixed-use scheme for a 7 hectare City Centre site which was endorsed by the Planning and Highways Committee in August 2016.

Changes to the retail environment required further reconsideration of the strategy for the site, culminating in the release of the proposals for the Heart of The City Phase 2 masterplan (HoC II). Block D of HoC II (Grosvenor House) has been completed and is occupied by HSBC. Block B (Laycock House) has permission for the conversion of Laycock House with a new build 8 storey block (18/04257/RG3). Block C (known as Pepperpot) has been granted permission for retention of facades on Pinstone Street and part of Charles Street and Cambridge Street and erection of a seven-story building behind for a mix of uses (18/04069/RG3). Block F located on the corner of Rockingham and Wellington Street (Kangaroo Works) has been granted permission for the erection of a mixed-use development (19/01836/FUL). Block H3, Cambridge Street and Wellington Street - a mixed-use retail and leisure scheme was granted permission in September 2020 (20/01438/LBCRG3). Block H2, Carver Street and Wellington Street was granted permission for an 8/9 storey mixed use retail/food/drink and office development in October 2020 (20/01895/RG3).

REPRESENTATIONS

The applicant has submitted a Statement of Community Involvement.

Pre-application consultation included

- leaflets sent to 1,071 commercial and residential properties
- Stakeholder pack distributed to key stakeholders
- Press release to raise awareness
- Dedicated web page with detailed plans and video – viewed by 1395 visitors
- Project email address to ask questions and provide feedback
- Posts on Instagram and Twitter pages

Due to Covid 19 it was not possible to hold face to face consultation events. A list of the organisations consulted is contained in the Statement of Community Involvement. A series of meetings were held with local heritage groups as well as a meeting with Pinstone Chambers Residents.

101 responses were received. There was lots of support for the hotel use but concerns as to whether there would be sufficient demand. There were positive and negative comments about the design, with the roof extension being an area of concern. There was both support and opposition in respect of the demolition of Barkers Pool House and many requests for the retention of the William Mitchell Frieze. There was support for the retention of the Pinstone Street facades. Full details of the comments and the applicant's response to the issues raised are covered by the Statement of Community Involvement.

The applicant has advised that the feedback has been taken into account in the development of the proposals. Given that the applicant has clearly undertaken a public consultation exercise which has influenced the scheme the SCI should be given some weight when determining the application.

Historic England

Historic England welcome the renewal of this stretch of Pinstone Street and Burgess Street and the investment in the City Centre and Conservation Area. The re-use of historic buildings and new construction is consistent with the Heart of the City Project in the way that the new and old are brought together.

The retention of City Mews and Palatine Chambers is very much supported as they are fine commercial buildings from the late 19th Century which reflect the city's prosperity and aspiration in that period. They form, partly, one side of the civic space focussed on the Peace Gardens and the Grade I Listed Town Hall, one of the main focal points within the city.

The creation of the roof bar and restaurant terraces introduces a modern roof structure that is not completely harmonious with the parent buildings but nonetheless brings back more definition and angle to the roof line following the flattening out of the slope in the 1970s. On the whole the visual effect would be a positive one and a new experience of the Peace Gardens and Town Hall when seen from the roof top terraces would be created.

They suggest more harmony could be obtained by regularising the shape of the dormers to City Mews and using a grey coating to the roof cladding to reflect the predominant use of slate.

The replacement for Barker's Pool House is relatively plain but of a softer more nuanced detail and materials, and so an improvement. The intention to retain the mural by William Mitchell is an improvement but it would be preferable to see that detail tied down more securely, either by its use on this development or identified location on another scheme. In the absence of this they suggest a condition ensures its re-location and curation.

In summary they conclude the development would be an enhancement of the City Centre Conservation Area arising from the re-use of important historic buildings and new design to add another layer to its already considerable architectural heritage. In policy terms this is reflected best in paragraphs 192 and 200 of the NPPF which promotes the positive benefits of re-using historic buildings and good quality design.

They confirm that there is no objection to the application on heritage grounds.

Conservation Advisory Group

Sheffield Conservation Advisory Group welcome the retention of the frontages of City Mews and Palatine Chambers which form a significant range of buildings in relation to the Town Hall and Peace Gardens. The Group does, however, regard the proposed mansard over both buildings which are higher than the existing, partial, mansard as disproportionate and would create a top-heavy effect when viewed from the Peace Gardens. The Group also wish to see a specific proposal for the incorporation of the frieze by William Mitchell on Barkers Pool House in the scheme. More consideration needs to be given to reflect the historic character of the City Mews courtyard which retains original stone setts.

Hallamshire Historic Buildings

Hallamshire Historic Buildings objects to the application. They welcome the retention of the historic facades on Pinstone Street, the re-use of the William Mitchell frieze and the changes made to the final design in response to consultation feedback. However, the following matters of detail remain a concern.

The Group draw attention to the importance of the existing Victorian buildings as part of a wider group of historic buildings representing the prosperity of the city and being integral to the significance of the conservation area and the setting of the Town Hall.

They say that the lower ground floor and ground floor of Palatine Chambers survive and most of the fabric visible in the rear courtyard is original and their loss will be harmful to the character of the conservation area. This loss should be replaced with an ambitious design that compensates for the loss. They consider the proposals for the courtyard fail to do this compromising of dull brick elevations, unconvincing concrete detailing and, whilst the hard landscaping creates some interest the tarmac surfacing is a concern. They consider a significantly more imaginative design for the courtyard elevations is required paying particular attention to the finish and detailing of brickwork and the use of embellishment. A condition should require a detailed design of the impressed concrete frieze to be submitted and tarmac surfacing to be replaced when the risk of damage by building operations is over.

The Group considers that Barkers Pool House has its own merit and importance to be of architectural merit and historic significance. They welcome the recognition of the importance of the William Mitchell frieze. Its removal will have an impact on the character and appearance of the conservation area and its re-use should be conditioned in terms of specifying the location, timescale and the display of an image

showing it in its original context. They also consider the Burgess Street elevation should be included within the recording works.

The proportions of the City Mews roof are considered by the Group to be successful but the parapet is shown faced in stone but the main material is brick and this should be corrected. Skylight structures shown in earlier design iterations should be reinstated as references to the substantial chimneys that once existed and to add interest and maintain distinction between the two Pinstone Street buildings. The proportions of the Palatine Chambers roof are not harmonious and create a top-heavy appearance.

The re-use of materials is key to achieving sustainable development. The submission refers to the re-use of materials as an aspiration but a firmer commitment should be made to the re-use of the stone setts within the courtyard and for saving the bricks, ironwork and impressed concrete panels from Barkers Pool House for re-use in the historic context elsewhere, this could be covered by a condition.

A condition should require a scheme for the incorporation of interpretive material within the site.

The Group disagree with the applicant's argument that reduced weight should be given to UDP heritage policies arguing that they are entirely consistent with the National Planning Policy Framework (NPPF).

Joined Up Heritage

Joined Up Heritage Sheffield have objected to the application making the same points as Hallamshire Historic Buildings.

South Yorkshire Police

South Yorkshire Police have raised no objections to the proposal. They recommend that the development is built to comply with Secured by Design standards. They draw attention to guidance which seeks to promote safety and security issues, the detail of which in this case is mainly concerned with the safety specification of locks and materials which is a matter for the designer.

Support

One comment has been received in support of the scheme on the basis that the development will hopefully attract more visitors and boost the economy.

PLANNING ASSESSMENT

Land Use Policy

The site is in the Central Shopping Area and the Pinstone Street frontage is also within the Retail Core. Unitary Development Plan (UDP) Policy S3 is concerned with development in the Central Shopping Area. Other than in the Retail Core, shops,

offices used by the public and food and drink units are preferred and hotels are an acceptable use.

Policy S3 which promotes main town centre uses in the City Centre allows for some flexibility. It is considered to be in line with the NPPF and should therefore be given significant weight

All the proposed uses are either acceptable or preferred under Policy S3, therefore the proposal is in line with this policy.

UDP Policy S2 relates to development on the frontages of the Retail Core. On ground floor frontages new retail and complementary uses which add to the vitality and viability of the Central Shopping Area will be encouraged. Outside Fargate, shops are preferred with food and drink uses being acceptable, and all other uses being unacceptable. Non shopping uses on the ground floor will be required to provide a window display or frontage appropriate to a shopping area.

Approximately two thirds of the ground floor of the Pinstone Street frontage comprises of retail and food and drink uses with the other third being the hotel lobby. Whilst a hotel use is not strictly permitted under Policy S2 it is a complementary use which adds to the vitality and viability of the Central Shopping Area. The ground floor frontage has also been designed with glazed shop fronts across its full width which complies with the requirement to create a frontage appropriate to a shopping area.

The site is not in the Fargate Area so there is no requirement for only shops (A1) on ground floor frontages (as per S2a) but A1 is a preferred use elsewhere in the Retail Core which means it should be the dominant use. Over 70% of the units in the Retail Core are within A1 use (includes Fargate, The Moor, Pinstone Street and Cambridge Street) and it would not affect the dominance across the Retail Core, and in any case the potential for A1 always remains open under the list of proposed uses.

It should also be noted that recent Government changes to the use classes order have grouped together the majority of 'A' classes into a new class 'E', with the ability to move between them, providing much greater flexibility.

The proposal accords with Policy S2 which is in accordance with the NPPF in that it is appropriate to define the primary shopping area. However, it could now be argued that it is too restrictive in allowing only A1 uses on the ground floor of Fargate, given the recent changes to the Use Classes Order and therefore should be given limited weight.

Policy S10 – Conditions on Development in Shopping Areas

Policy S10 says that new development should not lead to a concentration of uses which would prejudice the dominance of preferred uses in the Area or its principal role as a Shopping Centre. By requiring a dominance of preferred uses Policy S10 does not provide the flexibility as required by the NPPF and the recent Use Class changes although it does allow some exceptions. Therefore it has limited weight.

This proposal is in compliance with this policy as the development will support the role of the Central Shopping Area and not affect the current dominance of preferred uses (A1, A2, A3 and C3).

Policy CS17 – City Centre Quarters

Policy CS17a applies to the Heart of the City Quarter and promotes the New Retail Quarter, the prime office and retail streets and main civic, arts and cultural buildings, with high quality public spaces within this part of the city. This policy supports the role town centres play at the heart of the local community and therefore accords with the NPPF and should be given significant weight. This proposal is supported by this policy as it is delivering a key part of the New Retail Quarter (now Heart of the City II) and providing a substantial amount of visitor accommodation.

Supplementary Planning Guidance

‘Supplementary Planning Guidance for the New Retail Quarter’ was produced in 2002. Although now mostly superseded by other planning documents, it explained the strategy for the redevelopment of Sheffield city centre and emphasised the importance of fully integrating the NRQ with other parts of the City Centre, taking account of pedestrian routes, visual links and the character of the surrounding area.

Draft City Centre Masterplan

Consultation on a new Draft City Centre Masterplan finished in 2018. The Plan is produced by the Council to promote the city centre as a great place to live, work and visit. It has not been prepared by the Local Planning Authority nor approved by the Planning and Highways Committee, and so it has no material weight in its own right but the context and evidence presented are considered to contribute to the decision making process.

The new Plan recognises that Sheffield city centre’s retail offer remains uniquely unbalanced in comparison with local and regional demand and that the Heart of the City II Project offers an unparalleled opportunity to provide a fuller, higher quality retail offer as well as prestige office accommodation, residential accommodation and great public spaces.

It says that subsequent phases after the HSBC block will provide a complete range of retail spaces including smaller units for independents and specialists. There will be a high ratio of food and drink opportunities, as these form an integral part of today’s shopping experience for many people. It will also provide opportunities for high density office employment, hotels, and primarily non-student residential uses in its upper floor development platforms, strengthening the appeal of the Central Business District as a whole. The supporting plans show a hotel on the site.

This site forms part of Block A in The Heart of the City II master plan. This identifies block A as retail and leisure with an anchor hotel. This shows the latest landowner and developer investment intentions.

National Planning Policy Framework (NPPF)

Paragraph 85 of the National Planning Policy Framework says that planning decision should support the role that town centres play at the heart of local communities. Paragraph 86 says that main town centre uses should be located in town centres then in edge of centre locations. The Glossary to the NPPF defines retail, restaurants, bars and pubs, hotels and conference facilities as main town centre uses.

HOC II is a key project in regenerating the City Centre and this site is highly significant in achieving this objective. The scheme will provide a mix of main town centre uses. It is therefore supported by the NPPF policies referred to above.

HERITAGE, CONSERVATION, LISTED BUILDING ISSUES

Policy Issues

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that in deciding whether to grant planning or listed building consent 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. With respect to conservation areas, section 72 says that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 192 of the NPPF says that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 194 says that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial loss or harm to a listed building should be exceptional.

Paragraph 196 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The Planning Practice Guidance says that partial destruction of a heritage asset is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm.

UDP Policy BE 16 'Development in Conservation Areas' says that permission will only be given for development within conservation areas which would preserve or enhance the character or appearance of the Conservation Area. It says that these

principles will also be material considerations in considering proposals which would affect the setting of a Conservation Area or significant views into, or out of, the Area.

It also states that redevelopment of sites which detract from a Conservation Area will be encouraged where it would enhance the character or appearance of the Area.

UDP Policy BE19, 'Development affecting listed buildings' says that proposals for development within the curtilage of a building or affecting its setting, will be expected to preserve the character and appearance of the building and its setting.

Whilst both these policies seek to conserve heritage assets which are consistent with the NPPF they are more restrictive than the NPPF which establishes principles for considering development which has a harmful impact on heritage assets. Therefore, these policies should be given moderate weight.

Significance

Palatine Chambers and the majority of the City Mews is identified by the Sheffield Urban Design Compendium (2004) as 'Unlisted Significant Buildings within the Conservation Area'. The northernmost bays of City Mews, nos. 18 and 20, are not identified in the Compendium, but are identified as 'Unlisted Buildings that Contribute towards the Character of the Conservation Area' in the 1996 Sheffield City Centre Conservation Area Statement of Special Interest. Barkers Pool House is not identified as a positive contributor to the character of the conservation area in either document. The William Mitchell frieze which was located on the Burgess Street frontage of Barkers Pool House was temporarily removed and has been stored on site for safekeeping. The intention is to find an alternative location to reinstate it within the HOC II scheme. Also, in close proximity to the site are the grade 1 listed Town Hall, and grade II listed Salvation Army Citadel, Prudential Insurance Building and Boundary Wall with Standard Measures.

The Conservation Area comprises the historic core of the city that developed during the Georgian period. It developed into a largely industrial area during the nineteenth century and was further altered later in the century with a number of civic improvements and building schemes.

IMPACT ON THE CONSERVATION AREA AND LISTED BUILDINGS

Impact on listed buildings

The scheme will primarily affect the setting of the Town Hall and the Prudential Assurance building because an important aspect of the setting of these buildings comprises the Victorian buildings including City Mews and Palatine Chambers which surround them and the Peace Gardens; which contribute positively to their setting. The Salvation Army Citadel is affected to a lesser extent as its main façade fronts on to Cross Burgess Street.

The retention of the front façade of City Mews and Palatine Chambers will maintain the important architectural and historical context and therefore the setting of the Town Hall and Prudential Assurance Buildings. In addition, the repair and

refurbishment of the front façade of these heritage buildings and the replacement of the insensitive shop fronts and mansard roofs with more contemporary and visually pleasing interventions will enhance the setting of these listed buildings. The impact on the setting of the Citadel will not be significant as the Burgess Street block is unlikely to have a significant impact on its principle façade facing Cross Burgess Street.

Impact on Conservation Area

City Mews and Palatine Chambers contribute positively to the character of the conservation area. There will be limited harmful impact due to the loss of historic fabric and unaltered part of the roof of City Mews. However, the interiors and rear of these buildings is not considered to have significant heritage merit. The loss of Barkers Pool House with the exception of the William Mitchell frieze (which is considered to be a feature that enhances the appearance and character of the conservation area) is not considered to have a harmful impact on the character of the conservation area. The loss of heritage interest is considered to be less than substantial. The William Mitchell frieze has already been removed from the site outside of the planning application process for safe keeping. South Yorkshire Archaeology Service has advised that it was recorded in situ before removal and therefore there is a good record of the artwork. Archaeologists were commissioned to produce an exterior record of all buildings on the site within the original Sevenstone retail quarter and therefore there is a record of the frieze in its original context.

The removal of the insensitive mansard roofs and shopfronts and replacement with sensitive contemporary insertions, together with the repair and refurbishment of the heritage facades and a more sensitive replacement for Barkers Pool House will enhance the character of the conservation area. The new link block and Burgess Street building will be visible over the top of the City Mews building in views from the Peace Gardens. However, the scale and massing is very similar to the existing Barkers Pool House and therefore it is concluded that the impact will not be significantly different.

The difference in floor levels between the 3 buildings on site and the structural alterations to achieve the roof top hotel bar and restaurant, together with the requirements a modern hotel layout mean that there is a clear and convincing justification for the heritage losses to the Pinstone Street buildings. The above considerations and the more sensitive replacement building on Burgess Street, which responds better to the street frontage, provides a clear and convincing justification for the loss of the William Mitchell frieze. The Council is considering the feasibility of re-locating the frieze within a pocket park proposed for part of the former fire station site on Carver Street and is currently seeking funding for the park. A condition is also proposed requiring details of a scheme for its restoration.

The overall public benefits of this scheme are significant in that they will deliver a 4-star hotel on a prominent site in the heart of the city centre and modern retail and food and drink floorspace. These uses will help to enhance the vitality and viability of the City Centre and regenerate the City Centre. Together with the other benefits

listed earlier in the report, these significantly outweigh the harm to the heritage assets.

It is concluded that the proposal will enhance the setting of the affected listed buildings and the character of the conservation area. The development is consistent with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and complies with Paragraphs 192, 194, 196 of the NPPF and UDP Policies BE16 and BE19.

DESIGN ISSUES

Policy

Policy CS74 of the Core Strategy states that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including the distinctive heritage of the city, particularly the buildings and settlement forms associated with the metal trades (including workshops, mills and board schools) and the City Centre.

The policy states development should also:

- contribute to place-making, be of a high quality, that contributes to a healthy, safe and sustainable environment, that promotes the city's transformation;
- help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- enable all people to gain access safely and conveniently, providing, in particular, for the needs of families and children, and of disabled people and older people; and
- contribute towards creating attractive, sustainable and successful neighbourhoods.

The NPPF focuses on achieving well designed space and good design. This policy is consistent with paragraph 125 of the NPPF which says that plans at the most appropriate level, set out a clear design vision and expectations. Therefore, the policy should be given significant weight.

Paragraph 127 of the NPPF says that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposed development is sympathetic to local character by retaining and restoring the facades to Pinstone Street and stepping up towards John Lewis as do the existing buildings. The scale of the roof extension is considered to be in keeping with the buildings either side on Pinstone Street and the new build link block and Burgess Street buildings are of a similar scale to the existing buildings that they replace.

The mansard roof form responds to the existing mansard roof character in a contemporary way, being faced in anti-weathering standing seam copper. The windows generally pick up on the rhythm of bays in the historic buildings as do the raised sections of mansard roof. The contemporary design clearly distinguishes between the historic and the new and the change in roof levels helps to reinforce the difference between the two buildings. During the earlier stages of design development, a number of chimney-like structures over the roof of City Mews were being considered; however it was not feasible for these to form a rooflight structure, owing to the requirement to also provide sufficiently wide access for maintenance personnel and the remaining chimney features were considered to unbalance the façade so were dropped from the design.

The shop fronts to Pinstone Street have been designed with pleasing proportions which respond to the rhythm of bays in the building and help to emphasize the repetitive design of the elevations. The natural stone cladding to be utilised in the shop front surrounds is sympathetic to the stone detailing in the historic buildings. A strong sense of place will be created by the highly glazed shop fronts to Pinstone Street providing an active frontage and the new terrace to the roof top bar and restaurant overlooking the Peace Gardens which will form a new destination.

The new build elements to the rear elevations of the of the Pinstone Street buildings; the link block and the Burgess Street frontage are to be faced in brickwork. They have been designed in a contemporary interpretation of the Victorian typology with regular windows ordered in bays and with coloured concrete banding. The windows have deep splayed reveals and the ground floor to the courtyard spaces has been designed with projecting bands of brickwork which will create modelling and interest.

The Burgess Street elevation restores the building line and follows the same design typology as the other new build elements with a black brick faced ground floor, projecting coloured concrete frames to the windows and brickwork detailing over the hotel entrance to mark the entrance.

A landscaped terrace is created to the rear of the Pinstone Street buildings and whilst shaded by the surrounding buildings it will be protected from the bustle of the

City Centre. It will provide spill out space for the conference/banquet facilities and the food and drink unit. It will be faced in stone setts and provide seating and tables.

There will be soft landscaping, trellises, feature brick and Corten walls and feature lighting. The courtyard will be faced in new granite setts which will provide a wheelchair friendly surface with a consistent finish, there is an insufficient quantity of existing setts to surface the whole of this space. Whilst this space will be overshadowed by buildings it will be an attractive spill out space for the hotel and food and drink unit. The ramp between Palatine Chambers and Town Hall Chambers is to be finished in macadam. The applicant has declined to surface this in reclaimed or new setts given that it is primarily to be used for service and fire access and because an uneven surface could be an impediment to its use for these purposes given the gradient.

ACCESS AND MOVEMENT

Policy

Core Strategy Policy CS51 sets out the Council's transport priorities. The strategic priorities for transport are:

- a. promoting choice by developing alternatives to the car
- b. maximising accessibility
- c. containing congestion levels
- d. improving air quality
- e. improving road safety
- f. supporting economic objectives through demand management measures and sustainable travel initiatives.

The objectives of this policy are consistent with the NPPF and therefore it should be given significant weight.

Policy CS61 'Pedestrian Environment in the City Centre' says a Pedestrian Priority Zone in which a high-quality environment will allow priority for the safe, convenient and comfortable movement of pedestrians within and through the area, will be established in various locations in the City Centre one of which is the Heart of the City.

The promotion of a high-quality pedestrian environment is consistent with the NPPF but the priority locations need updating in line with the Transport Strategy, therefore the policy should be given moderate weight.

Paragraph 103 of the NPPF says that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

Paragraph 110 says that applications should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Paragraph 111 says that all developments that will generate significant amounts of movement should be required to provide a travel plan and be supported by a transport assessment.

The pedestrian infrastructure on Pinstone Street is of a high standard with sandstone and granite paving and high-quality street furniture. On Burgess Street the pavements are tarmac with a wide cross-over serving the access through Barkers Pool House. A condition is proposed which will ensure that the Burgess Street footpath along the site frontage is upgraded to meet the Urban Design Compendium palette and the redundant crossings are reinstated as footpath.

Existing cycling infrastructure is considered be adequate to serve the development. The City Centre is well served by the cycle network, there is an on-street contraflow lane along the Pinstone Street frontage. A covered 10 rack cycle store will be accessible from the service yard off Burgess Street. Staff changing rooms and showers will be provided in the building. Visitor short stay cycle parking will be served by the existing on-street parking on Pinstone Street and Barkers Pool.

The site is well served by public transport with a number of bus stops served by high frequency services near to the site and the tram network and central railway station being within walking distance (approximately 300m and 600m) respectively.

No parking is proposed on site as the site will be served by existing public car parks and public transport. Trip rates have been estimated for the different uses including discounts for linked trips. The maximum trip generation is expected to be between 12 to 1pm on Saturday when two-way trips are expected to be around 40.

The number of trips is quite low and it is accepted that this can be accommodated on the highway network. Low or no parking is consistent with the Council's policies to reduce car trips within the city centre. The peak parking demand is expected to be around 25 spaces. There are over 3,600 car parking spaces within approximately 400m of the site. Parking surveys indicate that there is space within car parks during the peak periods and therefore there is considered to be sufficient capacity to

accommodate the demand generated by this development, although it should be noted that the existing uses on site will also generate a demand which is likely to be displaced.

There are taxi ranks close to the site on Burgess Street and Barkers Pool. It is intended that a taxi rank on the west side of Burgess Street will be removed and replaced by a small rank and two disabled parking bays on the east side of Burgess Street. A service bay and drop off and pick-up area is to be provided immediately outside the Burgess Street site frontage. Disabled parking is available on Pinstone Street adjacent to the site. Servicing will take place from Burgess Street, with transit and panel vans able to use the small service yard; larger vehicles will use the service lay-by on street. The food and drink unit will be serviced from Pinstone Street via the existing service lay-by with goods trolleyed via the alley to the north of the site.

A travel plan has been submitted in support of the application to encourage sustainable access to the site. Measures to achieve these aims are set out in the travel plan along with modal shift targets and monitoring of the success of the plan. If targets are not being achieved mitigation measures will be identified by the Travel Plan Steering Group.

The hotel, retail unit and food and drink uses will have level entrances. Passenger lifts will provide access to the upper floors; the new granite setts to the courtyard are to be suitable for wheelchair access. 5% of the rooms are accessible which is in excess of the operator's requirements based on experience but less than the 15% of the total number of guestrooms designed as accessible bedrooms, including facilities for wheelchair users and people with ambulant mobility impairments as recommended by BS 8300. The proposed accessible rooms have been designed as suitable for wheelchair users and for people with ambulant mobility impairments with a connecting door to an adjacent standard room for use by an assistant or companion. As the Council does not have formally adopted planning guidance for the proportion of accessible rooms it is considered that there is no basis for insisting on a higher level of provision. Disabled parking is referred to above.

SUSTAINABILITY

The scheme will develop a Brownfield site in a highly sustainably location where there is a high potential to access the site by sustainable means and for visitors to link trips with other city centre uses.

In terms of the 3 overarching objectives of sustainable development defined in paragraph 8 of the NPPF. It will contribute to the economic objective by helping to support a strong city centre economy which is a key economic objective of the city at the same time as providing employment in construction and during the operational phase. It will contribute to the social objective – by adding to the range of retail/food and drink options in the City Centre which will support social and cultural well-being and a vibrant city centre. In addition, the well overlooked and active street frontages will provide a well-designed and safe environment. It will contribute to the environmental objective by enhancing the built environment and by making efficient use of land. The sustainable urban drainage in the form of blue and green roofs will reduce surface water run-off thereby mitigating and adapting to climate change.

Policy CS64 seeks to encourage sustainable design by ensuring that new developments over 500m² are designed to achieve BREEAM Very Good standard. The design will target a BREEAM rating of excellent which is in excess of the policy requirement.

Policy CS65 seeks to ensure that new developments meet 10% of their predicted energy needs from renewable or low carbon energy generated on site. It also says that, where appropriate, developments will be encouraged to connect to the City Centre District Heating System. In this case energy to power the scheme's heating and hot water is to be provided by the Sheffield District Heating Network which will provide 81% of the building's regulated energy. The applicant has calculated that there will be a 36.7% carbon saving and 69% of the regulated energy will come from low carbon sources which is well in excess of the policy requirement.

ECOLOGY

The site comprises of hardstanding and buildings. Bat surveys in 2015 confirmed no roosts within buildings on the site. The preliminary ecological appraisal updated the surveys in July 2020 and no evidence of roosting bats was discovered. The City Ecologist satisfied they were carried out by suitably qualified ecologists using current best practice methods and that no further survey work is required. In line with the appraisal a condition is proposed requiring 3 bat boxes to be installed. Along with the green roofs and landscaping the scheme will deliver a biodiversity enhancement in line with the guidance in the NPPF.

AMENITY IMPACT

There is residential accommodation in Pinstone Chambers adjacent to the site. A condition is proposed requiring a Construction Environment Management Plan to be submitted for approval which will include measures to mitigate the impact of noise and dust during the construction period. Conditions are also proposed to control noise and odours associated with food and drink and entertainment uses in the building. These safeguards should satisfactorily mitigate the amenity impact of the proposal.

ARCHAEOLOGY

Discussions are taking place with South Yorkshire Archaeology Service regarding a method statement for investigating below ground archaeology. A written scheme of investigation has already been agreed for building recording of Palatine Chambers and City Mews. Conditions are proposed to secure the necessary archaeological investigations are undertaken.

GROUND CONDITIONS

The site lies within a Coal Mining High Risk Area. The applicant has submitted a Coal Mining Risk Assessment and the Coal Authority has confirmed that they have no objections to the development subject to the recommendations of the report being followed. Land contamination reports have been submitted in support of the

application and these have been considered by the Council's Environmental Protection Service. Further investigations are required before these can be approved, and conditions are proposed that will ensure the site is safely developed.

FLOOD RISK AND DRAINAGE

The site lies in Flood Zone 1 which is at the lowest risk of flooding. The flood risk to the site is low and therefore there are no significant flooding concerns.

The existing surface water drains to the combined public sewers and run-off is unrestricted. It is not feasible on this constrained site and ground conditions are not suitable for infiltration of surface water. There are also no watercourses or surface water sewers near to the site to discharge into. Therefore, the surface water will discharge to existing combined sewers but the run-off will be 30% less than existing which will reduce the flood risk. The flat roof part of the hotel will be designed as a blue roof to provide surface water storage and there will be an underground attenuation tank below the courtyard. The two low level green roofs will also provide attenuation. The Lead Local Flood Authority and Yorkshire Water are satisfied with the drainage strategy and conditions are proposed to control the detail.

LOCAL EMPLOYMENT

The Council seeks to maximise the local employment and training benefits of major developments by encouraging applicants to work with Talent Sheffield to this end. The applicant has agreed to this and a condition is proposed requiring a local employment strategy to be submitted for approval.

CONCLUSION AND RECOMMENDATION

The report demonstrates that the scheme is consistent with the relevant development plan policies. As described above it will enhance the conservation area and the setting of nearby listed buildings and therefore it complies with both Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and also the heritage policies in the NPPF (Chapter 16) and the Development Plan.

The design is considered to be in accordance with Policy CS74 and NPPF design policies in Chapter 12. By retaining and enhancing the historic facades, providing a contemporary and more sympathetic roofscape to Pinstone Street and replacing Barkers Pool House with a more sympathetic design it responds to local character.

It will retain an active frontage to Pinstone Street and this, together with the rooftop bar/restaurant will help to create a strong sense of place, contributing positively to this key civic space. It is also intended that the William Mitchell frieze will be relocated to a nearby publicly accessible location although the precise details cannot be confirmed at this stage.

The site is sustainably located, and the scheme will meet or exceed the Council's sustainable design policies. It is highly accessible by sustainable travel modes and there are no significant access concerns. It will deliver a 4-star hotel in a prominent

and prestigious location which will contribute significantly to the regeneration of the City Centre.

Paragraph 11 of the NPPF says that there is a presumption in favour of sustainable development.

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; 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

Paragraph 12 of the NPPF says that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

The application lies within the Central Shopping area in the Unitary Development Plan and within the Sheffield City Centre Conservation Area, as well as being close to a number of listed buildings. It is therefore considered that the land use policies and the heritage and design policies are the most important policies for determining this application. These policies are not considered to be out of date.

It is concluded that the proposals accord with the provisions of the Development Plan when considered as a whole and that the policies which are most important in the determination of this application are consistent with the aims and objectives of the National Planning Policy Framework.

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

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Case Number	20/00492/FUL (Formerly PP-08411577)
Application Type	Full Planning Application
Proposal	Erection of 4-storey, 80 bed care home (Use Class C2) with associated car parking and landscaping (Amended Drawings)
Location	Land Between 216B & 288 Twentywell Lane Sheffield S17 4QF
Date Received	10/02/2020
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/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:
 - Location Plan / 2521 HIA ZZ XX DR A 0101
 - External Works - Surfacing and edging plan / 202B (uploaded on 25 August 2020)
 - External Works - Retaining Walls and levels plan / 203B (uploaded on 25 August 2020)
 - Indicative External Lighting and Irrigation Layout / 204C (uploaded on 01 September 2020)
 - Garden Structures and Artifacts Plan / 205C (uploaded on 01 September 2020)
 - Landscape Proposals / 102E (uploaded on 25 August 2020)
 - Boundary Treatment Plan / 201E (uploaded on 25 August 2020)
 - Proposed Elevations 1 of 2 / 2521-HIA-ZZ-XX-DR-A-0301 P9 (uploaded on 25 August 2020)

- Proposed Elevations 2 of 2 / 2521-HIA-ZZ-XX-DR-A-0302 P9 (uploaded on 25 August 2020)
- Proposed Ground Floor Layout / 2521-HIA-ZZ-00-DR-A-0201 P10 (uploaded on 25 August 2020)
- Proposed First Floor Layout / 2521-HIA-ZZ-01-DR-A-0211 P10 (uploaded on 25 August 2020)
- Proposed Second Floor Layout / 2521-HIA-ZZ-02-DR-A-0221 P8 (uploaded on 25 August 2020)
- Proposed Third Floor Layout / 2521-HIA-ZZ-03-DR-A-0231 P10 (uploaded on 25 August 2020)
- Site Sections A to D / 2521-HIA-ZZ-XX-DR-A-0403 P8 (uploaded on 25 August 2020)
- Site Sections E to H / 2521-HIA-ZZ-XX-DR-A-0404 P7 (uploaded on 25 August 2020)
- Site Sections J to M / 2521-HIA-ZZ-XX-DR-A-0405 P7 (uploaded on 25 August 2020)
- Proposed Site Layout / 2521-HIA-ZZ-XX-DR-A-0102 P4 (uploaded on 25 August 2020)

Reason: In order to define the permission.

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

3. No above ground works shall commence until the highways improvements (which expression shall include pedestrian safety measures) listed below have either:
 - a) been carried out; or
 - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use into use and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

- Details of the site access with Twentywell Lane including specifications for kerb edgings and tactile pavings.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway.

4. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the

highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

5. No development shall commence until a construction management plan giving details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles, for the storage of materials, of vehicular routeing for vehicles engaged in construction, and construction vehicle parking/manoeuvring areas has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such measures shall be provided/implemented in accordance with approved details and retained/followed for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority

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

6. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

7. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

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

8. Prior to the commencement of development a revised Arboricultural Method Statement and drawings should be submitted to and approved by the Local Planning Authority identifying details of; maximum depth of topsoil fill within RPAs, the requirement for hand working only within the RPA of retained trees, the minimum offset from the base of retained trees for any soiling work and arrangements for carrying out this work within the construction exclusion zone

defined by fixed tree protection fencing. Thereafter, the approved works shall be undertaken in full accordance with the approved details.

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

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

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

10. Supplementary intrusive investigations, as required by the Environmental Protection Service, shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

11. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

12. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail

phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

13. No development shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar based on the area of the development. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

14. No development shall commence until a Slope Stability Report has been submitted to and approved in writing by the Local Planning Authority. This report must include:

- Detailed proposals to ensure the long term stability of the slope within the site.
- A timeframe for implementation of those proposals.

The proposals must be carried out in accordance with the approved details and timescales thereafter.

Reason: In the interests of the safe redevelopment of the site and the safety of surrounding residents/property.

15. Within six months of the development commencing, a detailed Inclusive Employment and Development Plan for that phase, designed to maximise opportunities for employment and training from the construction phase of the development, shall have been developed collaboratively with Talent Sheffield and submitted to and approved in writing by the Local Planning Authority.

The Plan shall include a detailed Implementation Schedule, with provision to review and report back on progress achieved, via Talent Sheffield, to the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for Sheffield from the construction of the development.

16. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

17. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development shall be carried out in accordance with the approved details. The plan must include the following:
 - a) A risk assessment of the potentially damaging construction activities in relation to wildlife and habitats.
 - b) The appointment of an Ecological Clerk of Works to provide information and guidance to site staff.
 - c) A method statement for the protection of terrestrial mammals and other fauna that may be encountered on site.
 - d) The use of protective fencing, exclusion barriers and wildlife safety measures.
 - e) Measures to protect immediately adjacent habitats.

Reason: In the interests of biodiversity.

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

8. Upon completion of any measures identified in the approved Remediation

Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

19. Prior to the installation of any external lighting, full details including a scheme of works to protect the occupiers of adjacent dwellings from disamenity, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 Guidance Notes for the Reduction of Obtrusive Light.

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

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

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

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
- b) Acoustic emissions data for the system.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the systems required cleaning and maintenance schedule.

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

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

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

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

22. Large scale details, including materials and finishes, at a minimum of 1:20 scale of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- Door and windows window reveals,
- Eaves and verges,
- External wall construction,
- Brickwork detailing,
- Entrance canopies, and
- Rainwater goods,

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

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

23. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

24. Details of a green roof(s) (vegetated roof system) covering a minimum area of 80% of the roof and a green wall including full details of the green roof and wall construction and specification, together with a maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. Unless an alternative specification is approved the green roof shall include a substrate based growing medium of 80mm minimum depth and incorporating 15 - 25% compost or other organic material and the vegetation type shall be herbaceous plants. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

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

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

26. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is

occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

27. The 2.1metre high obscured glazed balustrade to the west elevation of the terrace areas as shown on the following Drawings; Proposed Elevations 1 of 2 (2521-HIA-ZZ-XX-DR-A-0301 P9), Proposed Second Floor Layout (2521-HIA-ZZ-02-DR-A-0221 P8, Proposed Third Layout (2521-HIA-ZZ-03-DR-A-0231 P10) shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity before the development is occupied. Thereafter the screen shall be retained and no part of the glazed balustrade shall at any time be glazed with clear glass.

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

28. 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.

29. 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.

30. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed;

3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority;
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

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

31. The development shall not be used unless forward visibility sight lines have been provided in accordance with the approved plan (Dwg No ADC1512-DR-001 P1 - ADC Infrastructure Transport Statement Ref ADC1512-RP-B) and no obstruction to visibility greater than 600 mm above the level of the adjacent carriageway shall be allowed within these sight lines.

Reason: In the interests of the safety of road users it is essential for these works to have been carried out before the use commences.

32. Within 1 month of the commencement of development a biodiversity enhancement plan shall be submitted to, and approved in writing by the Local Planning Authority.

The plan shall include the following.

- a) Purpose and conservation objectives for the enhancement plan.
- b) A detailed plan of the finished landforms and habitats to be created.
- c) Timetable for implementation.
- d) Persons responsible for implementing the works.
- e) Details of initial aftercare and long-term maintenance.
- f) Details for monitoring and remedial measures.
- h) Ongoing monitoring and remedial measures.

The Biodiversity Enhancement Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

Reason: In the interests of biodiversity.

33. Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no building shall be occupied prior to the completion of the approved foul drainage works.

Reason: To ensure satisfactory drainage arrangements.

Other Compliance Conditions

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

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

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

Reason: Prevent pollution of the water environment.

36. The development shall be implemented in accordance with the foul water discharge details given in "The Drainage Strategy & Flood Risk Assessment" prepared by Arc Engineers (Report dated December 2019).

Reason: In the interests of sustainable drainage.

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

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

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

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

39. Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

40. The Local Planning Authority shall be notified in writing upon completion of the green roof.

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

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

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

Attention is Drawn to the Following Directives:

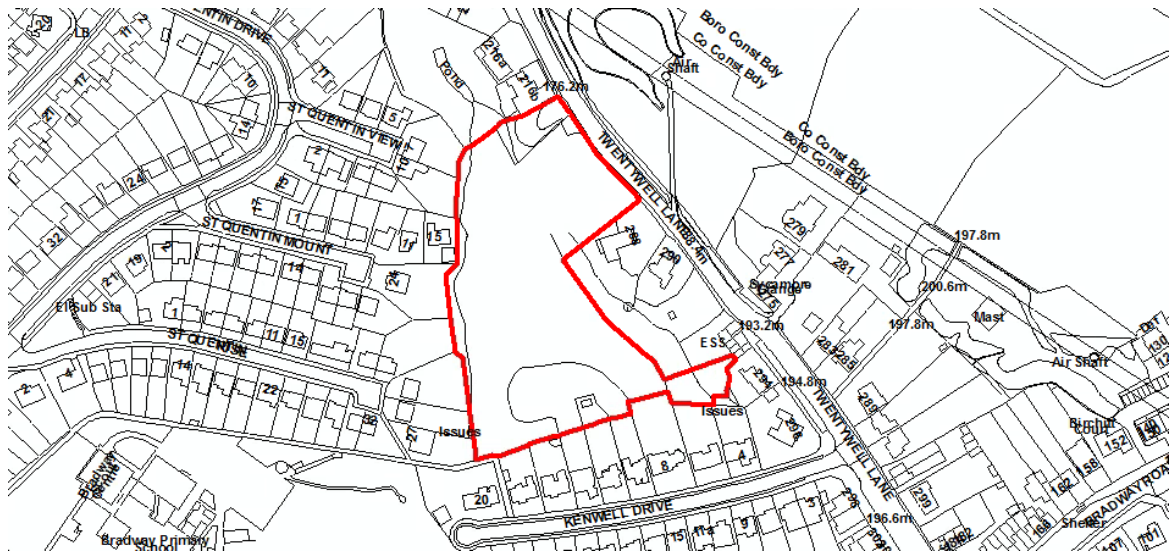
1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. For larger commercial kitchens or cooking types where odour and noise risk is higher, reference should be made to the updated guidance document; 'Control of odour and noise from commercial kitchen exhaust systems' (EMAQ; 05/09/2018). Appendix 2 of the document provides guidance on the information required to support a planning application for a commercial kitchen
3. Plant and equipment shall be designed to ensure that the total LA_r plant noise rating level (i.e. total plant noise LA_{eq} plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA₉₀ background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
4. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
 - Reference to permitted standard hours of working;
0730 to 1800 Monday to Friday
0800 to 1300 Saturday
No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply

arrangements.

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

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

Site Location



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LOCATION AND PROPOSAL

The application site is located to the west of Twentywell Lane, towards its southern end within the area of Bradway.

The Adopted Unitary Development Plan designates the site as being within a Housing Area. The site is currently largely unoccupied, containing largely vacant land and a number of small, simply constructed buildings. There are multiple trees across the site, mainly towards the periphery and the remainder is largely unmanaged grassland. There is a brook/watercourse along the site's western boundary and a culverted watercourse within the eastern portion of the land. The site slopes upwards from north to south by approximately 16 metres, whilst from east to west the site is relatively level. There is a current vehicle access to the site from Twentywell Lane.

The application seeks consent for an 80 bedroomed care-home facility (use class C2), with associated hard and soft landscaping alterations. The building would be four storeys in height at its northern portion, which would become one storey at its northern end given the upward sloping land. The hard landscaping would include parking for 34 cars, which would be located within the north eastern portion of the site. The care home accommodation includes individual en-suite bedrooms, communal lounge/dining facilities, kitchen areas, staff spaces, a resident's café and cinema, plant room, ancillary offices and facilities.

RELEVANT PLANNING HISTORY

92/00720/FUL; Tipping of excavation spoil to raise level of land and replanting as woodland
Approved- 19.10.1992

95/01544/OUT; Outline Permission for erection of one bungalow and garage
Approved - 15.02.1996. This Approval was later renewed on two separate occasions.

06/04106/OUT; Erection of bungalow
Approved - 13.03.2007. This Approval was later renewed on two separate occasions.

16/02592/OUT; Erection of a bungalow
Approved - 30.08.2016

The applicant sought pre-application advice prior to the submission of the current application, relating to an 80-bed care home facility. The building showed a less linear footprint, giving a more staggered composition. The layout retained the previously approved bungalow and provided off street parking for 26 cars.

The feedback given at that stage supported the principle of the proposed development, and the scale of the proposed building. The implications on neighbouring occupiers were broadly considered to be capable of being supported,

and some design alterations predominantly to the appearance of the building were suggested.

REPRESENTATIONS

First Round of Publicity

After neighbour notification, the placement of site notices and a press advertisement, 184 objections have been received in response. These are summarised as:

Design

- Building of excessive size, scale, bulk, out of keeping, and overbearing. Equivalent to 5.5 / 6 storeys. Overdevelopment. Position on slope will exaggerate impacts. Unsympathetic materials. Appears as a prison / budget hotel / student accommodation / industrial unit / modern secondary school.
- Existing townscape is a mixed housing stock, with tallest buildings nearby being three storeys. Proposal lacks respect for architecture and topography of area. Will harm street scene and dominate skyline / views from numerous surrounding roads. Uncharacteristic details. One defining characteristic of site is the hedgerow and mature trees.
- Conflict with local and national design-based policies.
- Twentywell Lane's steepness will limit resident's access to locality. Sloped site will make resident access to grounds difficult. Outdoor space is minimal and poorly lit.
- Care home not convertible to other uses if it fails.
- Proposal should utilise brownfield land elsewhere.
- Small housing development would be more practical.
- Setting of precedent

Sustainability

- No sustainable architecture or energy production methods.
- Blocks sunlight and undermines photovoltaic panels on neighbouring properties.

Local Planning History

- Previously proposed smaller buildings on land adjacent to the site (including part of the current site) were rejected planning permission and dismissed at appeal.
- A neighbour has had planning permission refused due to overlooking of the current site.
- The landfilling at the site was required to be subsequently landscaped, however, this was never carried out.
- The outline approval for a bungalow at the site would be more appropriate.

Existing Care Homes

- Sheffield has multiple care homes near the site, including a recent nearby approval. Vacancies at numerous of these. These facilities would potentially close.
- Growing preference for care to take place within the home.
- Likely to be unviable, and a change of use to flats would be sought.

- Using Office of National Statistics to evidence need is spurious as they are often criticised for releasing inaccurate/misleading data.

Housing Supply

- Doubtful that proposal will alleviate housing issues in the area as claimed.

Living Conditions

- Harm to outlook of neighbouring occupiers on all sides of development. No detail given regarding visual impacts. Loss of views of surrounding countryside. Trees' winter leaf loss limits screening.
- Inadequate separation from neighbouring properties according to other Council's Supplementary Planning Documents. Overshadowing, overbearing and over-dominating impacts
- Overlooking and loss of privacy. Building is substantially taller than existing trees. Care home residents will spend much of the time in their rooms. Multiple occupancy requires increased separation. DLP (current application's Agents) commented in regard to an application relating to Num 15 St Quentin Mount that windows should face away from adjoining land.
- Loss of light. A sunlight assessment should be done. Num 288 Twentywell Lane achieves Passivhaus standards and proposal compromises this.
- Noise and pollution, from vehicular movements, outdoor staff area, extraction, heating and air circulation equipment, sub-station, lighting on a 24/7 basis.
- Odours.
- No refuse storage details.
- Harmful impacts on health and well-being.

Open Space

- Planning Statement describes application as an area of open space. Also identified as open space in the Council's 2015 Planning Strategy, the emerging Development Plan and the Sheffield Development Framework - Preferred Options Proposals Map. Implications apply to public and private land.
- Contrary to NPPF Para 97, UDP policies LR4, LR5 and LR8 and Core Strategy Policy CS47. Site contributes to natural environment and quality of life of adjacent occupiers
- Site is free from development which surrounding properties rely on for visual amenities and in some cases outlook. Valued by local community, due to tranquillity and biodiversity value.

Highways Issues

- Inadequate car parking. On-street parking would cause safety issues and endanger pedestrian safety. Working hours will make staff use of public transport unlikely. Nearest bus stops are further away than stated in Transport Statements. Bus services are poor. Visitors likely to use private cars. Surrounding topography will heavily discourage walking.
- Transport Statement includes inaccuracies/errors. Doesn't consider existing network congestion issues. No promotion of sustainable transport. Uses staffing

forecasts without foundation and data from operator's other venues should be used. Refers to an Access Appraisal Report which isn't provided. Stopping distance data appears to have been incorrectly calculated. Surveys done out of school run hours, and for inadequate time length. The 30mph vehicle speed activated sign referred to in the Transport Assessment was removed over 2 years ago.

- Existing pavement to one side of road for long length and is narrow, forms a pedestrian safety issue. Speed limits frequently not adhered to. Developer should be made to provide a fixed speed camera. Black ice / hazardous conditions are common in winter. Road heavily used by HGVs.
- TRICS data has been used, instead of data from operator's existing facilities.
- Additional traffic on narrow road will cause more congestion/further delays. Accident clusters and vehicle queues at top and bottom of Twentywell Lane are not considered. Twentywell Lane is a common 'rat-run' and scheme will increase/disperse this.
- Kenwell Drive is unsuitable for car numbers currently parking there (due to school run).
- Adequate visibility splays not demonstrated. Site access is constrained, given bend and gradient. Site's constraints will cause issues for emergency and refuse vehicle access. Drawings show large vehicles will use opposite carriageway when exiting site and cause blockages.
- No Travel Plan has been submitted, no commitment to actively manage staff travel.
- No assessment of construction traffic.
- Local topography will mean local shops won't benefit.
- Possible that a pedestrian entry could be created onto Kenwell Drive. Would be an issue as road is already very busy.

Landscaping

- Mature trees started to be removed from the site two years ago.
- UDP policy GE15 requires trees and woodland to be encouraged and protected. Loss of natural woodland/green space. Large numbers of trees will be removed, from what was part of an Ancient Woodland. Site was part of Lady Spring Woods.
- No Arboricultural Impact Assessment, so application is not valid. All trees within the site of 288 and 290 Twentywell Lane are covered by a blanket TPO.
- The proposed landscaping works will take many years to generate and won't adequately screen building. Inadequate space for tree maintenance.
- Proposed planting plan includes trees in neighbouring land, which are covered by TPO. One of the neighbouring trees is an ash (without die-back), so should be safeguarded.

Ecology

- Site home to abundant wildlife; including at least one family of badgers, breeding badger setts, colonies of bats, bees, birds, hedgehogs, foxes, frogs, butterflies, moths and insects at the site. Breeding owls have been spotted using the site for nesting. A fox family breed there annually. Ecology Survey/s don't identify much of this and contain many inaccuracies. Development would result in a net loss of biodiversity wildlife habitat.

- Ecology documents are out of date and invalid. Carried out during sub-optimal period, especially when surveying for badgers and refer to a proposed development differing from the submission. Heavily redacted. Parts of surveys are incomplete.
- Bird nesting not identified contrary to observations. Certain bird species not identified either.
- No consideration of flora or fauna loss.
- Newts in neighbouring pond undoubtedly are from site.
- Lighting impacts on bats ignored.
- Surrounding woodland is identified as Plantation, when it's a Local Wildlife Site.
- NPPF requires biodiversity to be protected / enhanced, and refusal of any schemes causing harm.
- Core Strategy policy CS74 and UDP policy GE11 requires habitats and open spaces to be respected and taken advantage of and for the natural environment to be enhanced.
- Site is a wildlife corridor. UDP policy GE10 expects such resources to be retained and enhanced and protected from development.
- Previous mechanical digging destroyed a fox den.

Flooding and Drainage

- Site is vital to surface water run-off management with two important soakaway streams, and disturbance of these could cause localised flooding elsewhere. Drainage issues already exist as flooding has occurred. Ground conditions and amount of additional hardsurfacing will add to issues.
- Culvert capacity needs to be established.
- Water discharged from parking areas will include contaminants.
- Implications for nearby ponds.
- No details of sewage disposal are provided.
- Reduction of water pressure.
- Illegal attempts made to change culvert topography.

Ground Stability

- Land unstable given previous landfilling and culvert. Landfill would need to be taken and dumped elsewhere.

Contamination Issues

- Asbestos is noted in the made ground. No commitment to site remediation.
- No detail on landfill treatment or excavated material.

Archaeological Issues

- The Archaeological Assessment includes a proposal differing from submission.
- Assessment doesn't mention an ancient track which passes through the site according to local historical research.

Noise Assessment

- No Noise assessment provided to cover likely impacts on surrounding neighbours. Should include details relating to formation of the proposed foundation works, other construction activities and general operation of the proposed development.

Planning Statement

- Includes details of a development proposal differing from that identified in document.

Healthcare provisions

- Increased pressure on GP surgeries.

Local Shops

- Residents will be unlikely to use local shops.
- Overflow parking at shops would harm trade.

General Comments

- Impact on house prices.
- Ecology conservation centre would be more welcome.
- Jobs won't be attractive to local residents, as locality is characterised by those retired / in more lucrative areas of work.
- Homes vacated by scheme's residents will not be affordable to 1st time buyers.
- Concerns regarding fire safety.
- Owner of site retains an unoccupied house on Kenwell Drive if needed for access to the development site.
- COVID19 shows how vulnerable care homes are, and has affected their viability.
- Proximity to existing Public Footpath is irrelevant
- Full Application drawings differ from pre-application drawings.
- No information about the development came up on searches for an adjoining property.
- Covenant restricts development to a bungalow.
- Care home wouldn't be occupied by local residents.

Community Consultation

- Lack of consultation. No feedback was able to be provided, and the applicant didn't correctly engage with the community, as per the Planning Practice Guidance.

Construction Programme

- Construction will take up to 2 years and cause disruption.
- Road unsuitable for construction traffic, and it will worsen traffic matters.

Bradway Action Group have submitted 2 representations, which can be summarised as:

- Inadequate pre-submission consultation with community. Conflicting with NPPF, or Sheffield's 'Added Value Test'.

- Permission granted in 1992 for tipping in part of site, was subject to requirement for woodland planting which wasn't carried out. Anything which was planted was cleared 2 years ago.
- Development would dominate a peaceful part of the site.
- Cramped form of development, with crowded entrance area.
- Overbearing impacts to neighbouring occupiers.
- Poor appearance. Out of keeping.
- Previous tree removal works lead to concerns around ecological requirements.
- Inaccurate details about local bus services.
- Adjacent pavements are narrow, discouraging/preventing use.
- Vehicle speeds an issue.
- Uncertain whether access point is safe given gradient on road. Querying of refuse vehicles' entry and exit.
- Insufficient parking spaces.
- Drainage and sewerage techniques unclear. Green roof should be included to limit run off. Site vital to surface water run-off
- Query how residents would be accommodated within health service.
- Facility not required.
- Inadequate community consultation by Applicants.

Bradway Neighbourhood Group

The comments of this group can be summarised as:

- Poor design. Over-development.
- Loss of Open Space.
- Harm to amenities of adjoining residents. NPPF Para 127, Core Strategy policy CS74, and UDP policies H14 and H15 would be conflicted with. 19 neighbouring properties will have a direct relationship to development.
- Neighbouring properties will experience noise and disturbance, air pollution, overbearing impacts due to excessive height and proximity, loss of light, overshadowing.
- Loss of biodiversity.
- Ecology documents are out of date.
- Asbestos presence noted, and no details of site remediation are provided.
- Inadequate community involvement prior to application's submission.
- No Arboricultural Impact Assessment. So not possible to establish proposal's impacts on remaining trees.
- Relationship with surrounding buildings not shown in site sections. Some drawings indicate amenity will be borrowed from adjacent properties. Also state that certain trees in neighbouring sites will be retained. Site largely enclosed by rear gardens.
- Site serves as an area of valuable open space. Some surrounding properties rely on site for their visual amenity and outlook. Provides tranquillity and biodiversity area/green corridor. Whilst identified as housing area in the UDP, local authority must acknowledge importance of site as open space having identified it as such in the most recent iterations of the Development Plan. NPPF para 97 allows open space to only be built upon in specific circumstances. UDP policy LR4 defines open space and includes the type of space featured in the site and presumes against development. Site would also conflict with policy LR5 and LR8.

- Tree cover along boundary is a continuation of an area of woodland in ownership of 288 & 290 Twentywell Lane (and is protected by a blanket TPO).
- Twentywell Lane carries high traffic volumes leading to congestion.
- Townscape includes a mix of housing stock (mainly two storeys). Presence of hedgerow and mature trees is consistent element in locality.
- Biodiversity impacts will be contrary to Core Strategy policy CS74, UDP policy GE11, GE15. Will prevent site's function as a green corridor. Would conflict with NPPF paragraphs 174 and 175.
- Scheme within root protection area of trees, and impacts on these cannot be quantified, but given alterations to levels trees will be adversely impacted upon.

Councillor and MP Representations

Cllrs Martin Smith and Colin Ross submitted representations which can be summarised as:

- Massing and height will be unduly prominent, from several neighbouring streets. Out of character and proportion in area.
- Loss of amenity; including overbearing impacts, loss of privacy.
- Inadequate on-site parking. On street parking would lead to road safety concerns. Many parents and children use Twentywell Lane to get to the nearby primary school. Use of parking area in shopping area would undermine their viability.
- Ecological impacts.
- Drainage implications on the gully at west of site. Large development would increase flood risks of area.
- Site is currently designated as Open Space, so there is a presumption against development unless certain conditions are met.

Olivia Blake MP has submitted a representation in objection to the application, and in support of the constituents who've raised concerns about the proposal. The comments made are summarised as:

- Overdevelopment. 4 storeys would be much taller than surrounding properties, and anomalous to the local environment. Building is generic in design.
- Proximity to neighbouring boundaries causing overlooking and light loss.
- Site is open land used by wildlife. Proposal would cause significant loss of green, open space and loss of biodiversity. Site houses a number of badger setts, and is regularly frequented by foxes. Space should be protected as city aims to be carbon-zero by 2030.
- Site is inaccessible; poor pavement provision, icy in wintry conditions, poor public transport.
- Inadequate car parking provisions. Overflow parking will worsen highway safety issues.
- Inadequacy of applicant's pre-submission consultation.

The Sheffield & Rotherham Wildlife Trust have submitted three separate representations objecting to the scheme which are summarised as follows:

- Land is allocated as residential on the Sheffield UDP, maps appearing to be from the 2015 Local Plan consultations show site is Open Space, and it should be considered if weight is given to this draft allocation.
- A detailed bird survey was recommended in the Preliminary Ecological Appraisal, but one hasn't been provided. Local residents have provided information on bird species, tawny owls and woodpeckers.
- Removal of trees prior to the Preliminary Ecological Appraisal. This tree removal is now subject to Forestry Commission investigation work. Officer should consult with Forestry Commission and assess the conditions attached to 16/02592/OUT.
- The NNPF requires developments to minimise impacts and provide net gains for biodiversity.
- A precautionary approach is required to avoid harm to badgers, given comments of neighbours and the Badger Group's knowledge. Any financial contributions should be ringfenced to enhance nearby suitable habitat for badgers.
- Lighting should be ecologically sensitive.
- Water bio-retention or swales should be explored.
- Suggestion of a green roof in drainage report is supported and would accord with Council's Climate Change and Design Supplementary Planning Document.
- Artificial grass not supported. Wildflower areas supported. An Ecological Clerk of Works should be appointed, and an Ecological Management Plan should be prepared.
- An active badger sett is known to exist within neighbour's garden adjacent to the site boundary, and no measures are proposed regarding protection of this active sett. Survey concentrated on the site itself. Badger protection and mitigation should be revisited in light of this.

Second Round of Publicity

Following the submission of amended drawings / additional details, a further round of neighbour notification was undertaken in early September. This resulted in 48 representations. As well as reiteration of comments made in the earlier representations, additional comments were made which can be summarised as follows:

- Previous objections still stand.

Design

- Loss of semi-rural character. Change to two brick types doesn't reduce scale and previous use of render would be better.
- Building's linear form exaggerates inappropriateness.
- 3D images supplied to evidence concerns. Scale model and a Residential Visual Amenity Assessment should be produced. (Virtual vistas previously produced in place of this).

Living Conditions

- Overbearing impacts, noise, light, congestion, loss of green space, trees and wildlife (lockdown has underlined the importance of this). Overlooking and loss of privacy impacts heightened by sedentary nature of proposed occupants. Daylight

assessment lacks consideration for residents, excludes some properties and relies on outdated images of other properties. Loss of light to amenity areas not considered.

- Inappropriate use of South Yorkshire Residential Design Guidance to justify the impacts on neighbouring occupiers. Not part of the Development Plan.
- Insufficient detail to assess impacts on neighbouring properties. i.e. concerns that separation distances are not accurate, varying floor to ceiling heights, absence of spot heights, other sections don't show building's height, sections are unrepresentative.
- Retained trees are deciduous, so their impacts on residential amenity/s is affected by seasons.
- Line of sight to neighbouring properties is selective.
- Suggested use of obscured glazing should apply to a lot of the overlooking windows and the proposed roof terrace.
- Noted that a recent amendment to a residential extension approval at an adjacent site was refused due to unacceptable overlooking to and from application site.

Ecology Issues

- Net biodiversity loss.
- The sycamore hedge inside the site currently provides screening, and this will likely not survive.
- Ecology surveys are inadequate / incorrect.
- Green Wall is a token.
- Biodiversity impacts have been disregarded. Badger Monitoring Report makes clear the use of the site by range of wildlife for foraging and commuting. This will be prevented by fencing round construction site. Finished scheme won't be a suitable area for foraging.
- The badger survey (May) references an inactive badger sett, but it was active in March. Residents should be entitled to commission their own survey.
- Ecology documents are heavily redacted.
- Trees removed in 2018 not reflected in documents. Under investigation by Forestry Commission.
- Wildlife cameras are a conflict of interest as they were set up by the Agent.
- Badger foraging is frequent (not occasional). Confirmed active badger sett in garden on St Quentin View. Photos submitted show hiding of tracks.
- Swift bricks should be used in any new build / restoration works.

Highways

- Current safety issues, i.e. three recent car accidents at brow of hill on Twentywell Lane.
- Public transport facilities are remote from site
- Planning Statement assumes that many staff will live locally, but there aren't grounds for this.
- Construction traffic will create safety issues.
- Increased vehicles will impact on air quality.
- Inappropriate trip generation details used.
- Transport Statement doesn't meet NPPF requirements; the referred to Access Appraisal Report not supplied, no travel plan / sustainable transport modes

identified, no details on existing highway network, unproven staffing assumptions, no details of safe and satisfactory access, vehicle activated sign not present and no speed surveys have taken place, adequate visibility splays not shown, bus-stops further away than claimed, a superseded version of the TRICS database is used and presence of Bradway Primary School ignored, accident clusters on Twentywell Lane ignored, parking provision is inadequate.

Need for Care Home

- No future-proofing given impacts of pandemic on care-home sector. Council should protect existing care homes. Care Homes should be in city centre and closer to amenities.

Other Issues

- Negligible community benefits.
- Dismissive approach to neighbours' concerns throughout process.
- Site isn't brownfield.
- Site should be used for independent elderly accommodation / small number of residential properties, which would free up housing stock.
- Assumed construction jobs not necessary if construction industry used to overcome recession.
- Planning Statement's precedent examples differ from current proposal; featuring smaller buildings/commercial locations.
- Application is about maximising profit.
- Whilst no connection to Kenwell Drive is proposed currently, this may change in the future.
- Many more sites would be better for the development than application site.
- Credentials of the operator queried.
- Planning Support Report states that there is no 5-year housing supply
- Should be prevented from being converted to flats in the future.
- Loss of property value.

Bradway Neighbourhood Group

An additional representation was submitted and is summarised as:

- Previous objections not addressed and remain.
- Loss of Open Space, harm to adjoining residents and loss of biodiversity.
- South Yorkshire Residential Design Guidance used. Not part of the Development Plan.
- Insufficient detail to fully assess impacts on neighbouring properties, i.e. separation distances are not accurate, varying floor to ceiling heights, absence of spot heights, and unrepresentative sections.
- Properties adjoining site, particularly 15 and 24 St Quentin Mount and 216b and 288 Twentywell Lane will be significantly harmed.
- Overlooking from multiple windows at insufficient distances.
- Noise and disturbance. Impacts from car parking.
- No Building for Life assessment. Wider objectives of the South Yorkshire Residential Design Guidance not met.
- Culvert integrity not established
- Phase 2 Site Investigation not adequate.

- No additional parking information. Applicant's other venues not comparable to current site.
- Reliance on COVID 19 as justification is flawed.

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 predate the Framework.

Paragraph 12 of the NPPF 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 NPPF (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 NPPF, 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 NPPF, which at part d) 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 NPPF, 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.

Housing Land Supply

The NPPF 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 NPPF 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 NPPF. The government still however attaches significant weight to boosting the supply of new homes. The 80 bedroom, C2 class care home would constitute a part of the housing land supply since it would release accommodation in the housing market. It would be a positive contribution to the City's obligation to maintaining a 5-year supply of deliverable housing.

Land Use

The Adopted Unitary Development Plan (UDP) designates the site as being within a Housing Area. UDP Policy H10 states that residential institutions (use class C2) are an acceptable use providing other relevant policies are met. This policy closely aligns with the NPPF and therefore is attributed significant weight.

UDP Policy H8 covers Housing for People in Need of Care. This policy states that new housing in the form of care homes will be permitted in suitable areas provided that, amongst other things, they would:

- a) be within easy reach of a shopping centre and public transport,
- b) be suitable for people with disabilities
- c) provide a reasonable and attractive area of accessible private open space

This policy largely aligns with the NPPF, and there is a very strong evidence base to support its use. As such, it is afforded moderate weight.

Whilst Twentywell Lane's gradient is noted, the near proximity to the shopping facilities enables it to be considered within easy reach of them. Bus routes also run from there at Bradway Road. Additionally, the scheme's design includes accessible and well designed private, outdoor space.

Comments made within representations refer to the space as a 'Local Open Space', as per UDP policy LR8 which deals with 'Development in Local Open Spaces'. This policy has however, been superseded by the Core Strategy (Policy CS47).

Notwithstanding this position, it is firstly necessary compare the site to the definition of Open Space set out in the National Planning Policy Framework (NPPF). The NPPF annexe defines open space as “All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreations and can act as a visual amenity”. There is no public access to the land (it is fenced with a locked gate at the entrance), and so doesn’t constitute open space under the NPPF.

The site was identified in the 2013 ‘Draft Proposals Map’ as an Open Space Area, and whilst this document hasn’t been formally withdrawn it has not been subject to public examination and therefore carries very little weight when deciding planning applications. It is also relevant that the site was not included in the 2017 Open Space Audit.

As a result, it would not be legitimate to seek to consider the land as forming Open Space, or to assess the merits of the proposal based upon such a designation. In summary, the proposed use would comply with the provisions of H8 and H10.

Sustainability

Chapter 14 of the NPPF deals with challenges of climate change and identifies the planning system as playing a key role in reducing greenhouse gas emissions and supporting renewable and low carbon energy. Paragraph 153 of the NPPF makes it clear that new development should comply with local requirements for decentralised energy supply unless it is not feasible and viable, and that buildings are designed to minimise energy consumption.

The Climate Change and Design Supplementary Planning Document and Practice Guide 2011 supports Policy CS63 of the Core Strategy which sets out the overarching approach to reducing the city’s impacts on climate change which includes prioritising sustainably located development well served by public transport, development of previously developed land and the adoption of sustainable drainage systems.

Policy CS64 of the Core Strategy seeks to ensure that new buildings are designed to reduce emissions of greenhouse gases through high standards of energy efficient design. Policy CS65 promotes renewable energy and carbon reduction and requires development to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. An equivalent reduction in energy demands via a fabric first approach is now also accepted.

These local policies are considered to robustly align with the NPPF and are afforded substantial weight.

The development is located within the existing urban form, in close proximity to a local shopping centre and within reach of public transport services, and so is considered to be sustainably located.

A preliminary BREAAAM report is provided which indicates a ‘very good’ rating, meeting the requirements of Policy CS64 in this respect. More specific details of this

will be required, and therefore a condition requiring submission is recommended to be included in any approval.

The submitted sustainability statement identifies a Combined Heat and Power system as the likely most appropriate technology to meet the requirements of CS65. As the exact details of complying with this policy are not at this stage clear, precise details will need to be secured by condition within any approval.

The submitted documents do not refer to a green roof, however, the applicants are aware that this is a requirement of the Climate Change and Design Supplementary Planning Document and Practice Guide 2011. In order to ensure the green roof is appropriately detailed a condition will be included within any approval. Sustainable drainage methods are not likely to be achievable for the reasons given below.

The development is therefore considered to be acceptable regarding sustainability.

Need

The Applicant identifies that the Office for National Statistics in 2019 identified that over the next 50 years the over 65 population in the UK is expected to exceed 20 million people forming 26.4% of the projected population. More locally, the City Council's 'Guide for Developing Older People's Accommodation – 2018' identified that by 2023 the number of people aged over 75 is expected to increase by 20% in the five years up to 2023, with the largest projected growth areas being within the south of the city. It also identified that the number of people living with dementia in Sheffield's over 65 population will have risen by 13% from 2014 to 2020.

A 2016 University of Sheffield report identified that in 2015 there were 92,000 people over the age of 65 living in Sheffield, and by 2034 this is projected to increase to 124,000. Additionally, it's stated that this growth will be most rapid amongst the population over the age of 85, which will nearly double over this period. Elsewhere the document states that during the 2015-2034 period the number of older people living in residential care home institutions is projected to rise from approximately 3,000 to 4,500, as based on the DCLG's household projections.

Concerns have been raised that these statistics don't reflect the point that there is a growth in elderly persons remaining in their own homes and receiving care there without the need for care home provision. Additionally, there were also suggestions that numerous care homes currently had vacancies, and that consent had recently been granted for a care home in close proximity at Lowedges Road.

Design

Chapter 12 of the NPPF 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 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;
- optimise the potential of a site and create places that are safe, inclusive and accessible.

Policies CS74 of the Core Strategy and UDP policies BE5 and H14 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 NPPF and are considered to carry substantial weight.

Layout

The existing topography, site configuration and the degree of existing vegetation mean that the development would be largely concealed from public external views, with there being few opportunities for there to be a direct street presence.

The proposed footprint and building are relatively large, as required by the nature of the use, and the site is considered capable of accommodating this without having a dominating impact within the site.

The layout and associated design make good use of the change in levels across the site, providing access and external seating areas at various points. The building would therefore provide a good relationship with the extensively landscaped grounds.

Scale / Massing

The building, at its tallest point features four storeys. Several representations have pointed to these storeys being taller than conventional residential storeys. The proposed storeys would exceed the height of the conventional residential storeys; however, it is relevant that the proposed building is flat roofed without the additional roof structure height. Therefore, the proposal would not be viewed as equivalent to a six-storey residential building as suggested.

Nonetheless, the proposed height would clearly exceed the height of most buildings within the vicinity. Most of the buildings within the surrounding vicinity are two storeys in height, with their additional roof height structure. The proposed building would exceed this, however, the building as identified above would be largely concealed from view from external public viewpoints. As a result it is not considered that it would have an unacceptably overbearing presence within the locality, and neither would it significantly harm the character of the surrounding street scene.

Although the building is large, the proposed approach breaks down and addresses the considerable volume. This is achieved through the incorporation of a flat roof, minimising the height. The elevations are broken down, with the use of recessed elements.

Design and External Appearance

The incorporation of a flat roof, would not accord with the typical roofscape of the locality, however, this serves to lessen the height, and given the limited opportunities for a direct street presence this feature of the building's design will not impact directly on the character of the locality.

The building is provided with modelling and its elevations are broken down way of projecting and recessed portions. Additionally, it isn't wholly four storeys in height, with the northern most part being three storeys in height and forming a tiered arrangement.

The material palette has been amended as suggested by Officers to include a second brick instead of the timber effect cladding, along with the zinc clad attic storey. These materials are of appropriate quality. Full- and large-scale details, including samples of materials and detailing can be secured by condition.

The principle of contemporary architecture, including flat roofed buildings, is both long established and acceptable. Indeed, such architecture, if of an appropriate quality, is accepted on more sensitive sites, including within Sheffield's conservation areas. As such it, as the quality of the architecture has been concluded to be appropriate, it would be unreasonable and inconsistent to resist the principle of a flat roofed contemporary building.

Overall, the design of the building and its impacts within the street scene are acceptable and meet the requirements of the relevant policies.

Amenity Issues

Paragraph 127(f) of the NPPF 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).

H14 (Conditions on Development in Housing Areas) is considered to align with the Framework as it requires new developments in housing areas to provide good quality living accommodation to ensure that basic standards of daylight, privacy, security and outlook are met for existing and future residents. This local policy is therefore afforded significant weight.

Existing Neighbours

- Twentywell Lane Properties

216b Twentywell Lane is located immediately to the north of the site access. It is set at a land level below the application site, and its elevation facing the site is predominantly blank, except for one, non-habitable room window. The nearest point of the proposed building would be over 30 metres from its side boundary and the trees in this part of the site would be retained. As such the proposal would avoid detrimental impacts upon the living conditions of this neighbouring property.

288 Twentywell Lane would be separated from the application building by approximately 31 metres.

The proposal building's flat roof would be approximately 6.5 metres above the eaves level at Num 288. There are a number of protected trees within Num 288's rear amenity area, which is steeply sloped. This separation distance would ensure that detrimental overlooking and privacy impacts would not be created by the proposed development. Similarly, the separation distance would ensure that the building did not have overbearing implications. The Council's Supplementary Planning Guidance for House Extensions requires a 21-metre separation between facing habitable room windows, and the separation is substantially more than that ensuring that the proposed building's additional height would be acceptable. The presence of the protected trees and the topography of the rear space would also be considered to help ensure that the proposal wouldn't create detrimental overlooking of this neighbour's rear amenity space.

290 Twentywell Lane is separated from the proposal building by approximately 50 metres, and its main habitable room windows largely face toward the north-west and south-east. As a result, the proposal would not be expected to have detrimental impacts upon the living conditions of this property's occupants.

- Kenwell Drive Properties

The properties at Kenwell Drive are separated by a minimum of 55 metres from the proposed dwelling. Additionally, due to the sloped nature of the site at this point, the bulk of the southern part of the building would be beneath the ground with only the upper storey exposed. The exposed, upper storey would be at a level below the ground floor level of the Kenwell Drive properties.

As a result, the proposal would be considered to have no significant impacts on the Kenwell Drive properties.

- St Quentin Rise Properties

23 St Quentin Rise is separated by approximately 41 metres from the proposed building. The property is largely elevated above the proposed building's flat roof. Given its elevated level this neighbouring property will not be expected to experience overlooking or overbearing impacts from the proposed building. The orientation of the windows in the relevant southern part of the building would eliminate potential for overlooking of this neighbour's garden space.

21 St Quentin Rise is separated by approximately 48 metres from the proposed building. Its habitable room windows are orientated facing north and southwards, and it is largely elevated above the proposed building. Therefore, the proposed building would not have detrimental impacts on this neighbour in terms of overlooking or overbearing impacts.

- St Quentin Mount Properties

24 St Quentin Mount would be separated by approximately 36 metres from the proposed building. Its eaves level would be approximately one storey below the proposed building's flat roof. Given this separation distance and the relative heights, the proposal would avoid having leading to overbearing and privacy impacts. The distance from the proposed building to the shared boundary ranges from approximately 13 to 20 metres. Trees are present within the site in this intervening space which would obscure and/or screen views depending on the season. Some overlooking onto this neighbouring garden space would potentially occur from the proposed building, but the separation distance and relative heights would result in this not having a detrimental impact upon living conditions in this neighbouring property.

15 St Quentin Mount would be separated from the proposal building by approximately 20 metres. No.15 has been granted an approval for some side and rear extension works which would reduce this separation distance to approximately 16 metres. This approval at the neighbouring site has been implemented and is currently under construction. To prevent the sideward facing windows in this approval from undermining the current application site's development potential, the consent requires the provision of a 1.8 metre fence along the respective boundary.

At a separation distance of 1.5 metres this fence would prevent these windows gaining an outlook and prevent any overlooking and privacy impacts from the proposal building. The Applicant at No.15 through that process was advised that these windows and openings wouldn't be afforded the same level of protection that main habitable room would normally receive due to their proximity to the boundary.

The higher-level windows are required to be obscurely glazed so don't lead to overlooking issues in any case.

In regard to the implementation of No.15's consent, it should be noted that there is an on-going enforcement enquiry relating to the rearward projection of the works to the garage, which potentially may affect a tree within the application site. This investigation is currently progressing. Were the tree to be undermined and ultimately fail because of the works, as it aligns with the .15's living conditions would not be generated.

Overlooking from the proposed building onto the patio area within No.15's approval would be from a minimum distance of approximately 15 metres. Whilst the building's height would exceed the patio level by approximately 3.5 storeys the impacts of overlooking would be considered acceptable, given this separation distance and the presence of trees within the intervening space. The Council's guidance states that 10 metre gardens are required to ensure privacy for surrounding gardens. The proposed building's height excess over a conventional height dwelling is mitigated by the additional separation and intervening tree presence.

- St Quentin View Properties

7 and 10 St Quentin View are separated from the proposed building by approximately 31 metres. The nearest part of the proposed building would exceed the eaves height of these neighbouring dwellings by approximately 8.3 metres.

Notwithstanding this height difference, the proposal building is considered to avoid overbearing impacts upon the occupants of these neighbouring properties.

There would be a separation of approximately 15 metres to the boundary shared between the application building and dwelling at No.10. The roof terraces within this northern part of the proposed building would be accompanied by screens along the relevant side perimeter. Outward views from proposed windows would avoid unacceptable overlooking impacts given the distance of separation, as well as the number of trees within the site in the intervening space. Any views to the parts of No's 7 and 10's gardens most sensitive to overlooking, i.e. the sections closest to the houses, would be from a substantial distance and not be considered to generate harmful impacts.

A Daylight and Sunlight Assessment has been provided by the Applicants. It concludes that the proposal would lead to loss of some day and sunlight, but that this is largely within acceptable levels. Tolerance levels would be exceeded at 5 windows in No. 15 St Quentin Mount and 1 window at No.288 Twentywell Lane. It is considered unacceptable impacts would be avoided, as the affected rooms would be non-sensitive spaces, or rooms served by other unaffected windows. Also, the document assesses effects on the outdoor amenity space, concluding that only the outdoor space of No's 7 and 10 St Quentin View would experience shading of garden spaces, and this would be for a restricted part of the morning period only.

Whilst this document is not of itself determinative in the consideration of these issues, it does serve to positively reiterate the conclusions drawn above.

The Assessment document is considered to demonstrate that it would not be possible to resist the proposal based on the implications of the 'Passivhaus' credentials of Num 288 Twentywell Lane.

Noise, Disturbance and Odour Issues

There is some potential for the development to affect the living conditions of neighbours via plant noise, kitchen extraction and the construction phase impacts. As a result, it is considered that conditions are required to ensure that the impacts of the development are acceptable in these respects. These conditions would address things such as external plant and equipment, kitchen fume extraction equipment and external lighting. Additionally, a Construction Management Plan would be required to be provided and approved, in order to prevent site construction activities being a nuisance or impacting on living conditions of nearby residential occupiers.

Some concerns have been expressed around comings and goings to the site by staff vehicles impacting upon living conditions. There would be scope to control hours of service/delivery vehicles attending site to prevent concerns in that respect. Whilst details of staff shift patterns are not currently clear, the nature of the accommodation will necessitate twenty-four hour care provisions and some potential for movements outside of the normal working day. Some movements during these periods of time wouldn't however be expected to generate significant potential for noise/disturbance impacts.

Overall, the impacts in these respects are therefore considered to be acceptable.

Future Occupiers

The accommodation is made up of single person, en-suite rooms which are supplemented by communal café, lounges, and dining spaces. There are also external terrace areas and accessible external landscaped areas. The living conditions would be acceptable for the proposal's potential occupiers with rooms being adequately sized, lit and ventilated. The supplementary spaces would be used by residents in combination with staff for communal times and socialisation.

A local shopping centre and public transport facilities are available within close proximity, although the gradient of the route along Twentywell Lane from the site may make this a difficult journey for some residents. However, the nature of the facility's potential residents will be such that they are largely dependent on care, which would be likely to lessen the level of independence and need to access shopping facilities. The outdoor spaces and amenity provisions have been designed with this in mind.

Some comments have been made relating to the COVID19 pandemic's implications in care home environments. They suggest that because of these effects the application should not be supported. In response, it is not considered that it would be reasonable to resist the current application for this reason, and that these issues would instead need to be considered outside of the planning assessment process.

As such the proposal would provide potential residents with acceptable facilities and to accord with the appropriate requirements of UDP policy H8.

Access and Mobility Provisions

Appropriate facilities within the external parts of the site are shown within amended plans; including access/mobility parking provisions, drop off area and segregated approaches at acceptable gradients given the site's topography. The Applicants were requested to provide an appropriate proportion of accessible bedrooms and en-suites. In response, more information was provided about the nature of the accommodation, where it was explained that the facility was a managed residential care home, as opposed to independent/supported living accommodation, and that all rooms are wheelchair accessible with assisted bathrooms provided at each floor.

These arrangements are acceptable given the level of care which will be provided.

Overall, the proposal would be acceptable in this respect.

Highways Issues

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Policy H14 states that new development or change of use will be permitted provided that it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

Whilst the Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53, the guidelines don't give explicit standards for care homes.

This policy broadly aligns with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 105 and 106 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

A Transport Statement (TS) has been provided with the Application, covering matters such as acceptability of access, parking provisions, traffic generation, and turning capacity within the site.

The TS concludes that the visibility splays of 2.4 x 65 metres would be achievable at the site access for vehicles exiting, which are described as meeting the relevant requirements. It should be added that splays of 80 metres are said in the TS to be achievable, and from the supplied drawings this is understood to be the case. The proposed visibility is considered to be acceptable taking account of the gradient of the road at this point. The splays would be required to be provided and retained by condition.

The TS also covers forward visibility regarding vehicles turning right into the site. It is considered that the forward visibility at this point to and from the brow of the hill on Twentywell Lane is good, as is visibility of any vehicles waiting to turn into the site by others travelling southwards. As such the proposal provides safe access for vehicles accessing the site when approaching from the north.

It is also noted by the Highway Officer that the access bell mouth will allow two cars to pass, notwithstanding the alignment of the access road. Whilst tracking details show that in some instances the refuse vehicle will have to encroach onto the opposite side of the access and/or Twentywell Lane, the frequency of visits by vehicles of this type and the relatively low vehicular movements associated with the development combined with the length of available visibility splays would not result in this issue leading to unacceptable impacts in highway safety terms. Indeed, this is a common situation across the city.

The TS identifies that the proposal includes 34 parking spaces and uses the TRICS database to conclude that this would be an appropriate amount when compared to other care homes across the country. It is stated that of the 33 staff proposed to be employed within the development, the maximum attending during the busiest daytime periods would be 21. So, on a worst-case assumption that all attend by personal vehicle, 13 spare spaces would remain for visitors. To supplement these

details, information of parking numbers at the Applicants other venues have been provided and the 0.43 spaces per bedroom proposed here would be within the upper third of the parking ratios provided elsewhere.

The proposed parking details and extra information are considered to be acceptable in this context.

The issue of traffic generation is also covered by the TS, where it was concluded that the maximum vehicle movements generated would be 18 (13 arrivals and 5 departures) within the AM peak hour. This is based upon the TRICS database which is an established and acceptable method of estimating vehicle traffic generation, and in this context the traffic generation levels identified would not be considered to be unacceptable or to harm local highway safety.

Concerns have been raised about the issue of construction traffic and it is agreed that this would need to be managed by condition, which would cover issues such as routeing, parking, and manoeuvring areas, and would involve liaison with the Highways Co-ordination group who have knowledge of issues in relation to Twentywell Lane use by HGVs.

Overall, the proposal would be considered to meet Policies H14d) and CS53 and would not have a level of impact that would justify refusal of permission on highway safety grounds as required by the NPPF.

Landscaping Issues

Chapter 15 of the NPPF covers habitats, their protection, enhancement and biodiversity net gain.

Saved Policy GE15 'Trees and Woodland' requires trees and woodlands to be encouraged and protected, by in part b), requiring developers to retain mature trees, copses and hedgerows wherever possible, and to replace any trees which are lost. The policy is afforded moderate weight.

The application has been submitted with a Tree Survey and later an Arboricultural Impact Assessment Report. These show the extent of the tree removal that would be necessary to enable the proposed development.

The documents show that currently there are 100 trees and 28 tree groups, within the site boundary. In f to facilitate the development 15 of these trees and 7 of the tree groups are proposed for removal, perhaps most notably Groups G48 and G70. They are described within the submitted documents as being of low/moderate value.

However, it is noted by the Landscaping Officer that most of the trees around the site boundaries are proposed to be retained, and that these are considered to include most of the larger and better-quality specimens. The removal of G48 as a large group is necessary to allow the building's construction, however, multiple individual smaller trees along the site's western edge would be retained providing screening along this boundary which will develop over time. Around 45 further trees are proposed as replacements through the site. It is also noted that a group trees within

a Tree Preservation Order located adjacent to the site to the south-east will be retained and will not be undermined. On this basis, it is considered that provided a suitable quantity of substitution tree planting is provided in the landscape proposals, the proposed tree removals would be acceptable.

The nature of the site topography necessitates the provision of some retaining structures and releveling works. In order to impact on the root protection areas of retained trees, additional clarification has been provided that incursions onto root protection areas will be minimised through careful operations on the site and undertaken by hand where this would unavoidably encroach into RPAs. It is considered that a limited hand laying of topsoil to tie into adjoining levels would potentially be acceptable within the RPAs of retained trees. A revised Arboricultural method statement to cover maximum depth of topsoil fill, hand digging requirement in RPAs of retained trees, and minimum offset from the base of retained trees for any soil deposition will be required and can be secured by condition.

It is therefore considered that the proposals would have acceptable impacts in terms of the number of trees proposed for removal and also the implications for retained trees.

Ecology

A key principle of the NPPF is to protect and enhance biodiversity. In determining applications, the LPA should ensure that if significant harm to biodiversity results from a development that cannot be avoided it should be adequately mitigated and compensated for; if this is not possible planning permission should be refused.

Saved Policy GE10 (Green Network) of the UDP requires a Network of Green Corridors to be (a) protected from development which would detract from their mainly green and open character or which would cause serious ecological damage. This is consistent with the NPPF's approach and is therefore afforded significant weight.

Saved Policy GE11 (Nature Conservation and Development) of the UDP expects the natural environment to be protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value. GE11 conforms in part with the NPPF, which focuses on biodiversity net gain, and has moderate weight.

Policy CS73 The Strategic Green Network states that a Strategic Green Network will be maintained and where possible enhanced, identifying the main valleys, other strategic corridors, and a network of local Green Links. This policy aligns in part with the NPPF and is therefore afforded moderate weight.

Policy CS74 Design Principles states that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including: a. the topography, landforms, river corridors, Green Network, important habitats, waterways, woodlands, other natural features and open spaces. This policy broadly aligns with the NPPF and is afforded significant weight.

The Council's Ecology Team have been consulted on the application.

A Preliminary Ecological Assessment (PEA) and Ecological Impact Assessment (EclA) have been carried out and submitted. These are each older than their stated shelf-lives, and as a result additional details have been requested and provided.

Badgers

The EclA found no evidence of currently used or partially-used badger setts or latrines, despite there being suitable habitat. The site in general was concluded to hold local value in terms of badgers. A further badger monitoring report was supplied in June 2020, along with a supplementary report provided in October 2020.

The earlier of these concluded that the site was used for foraging and commuting, and that there were no active setts present within the site boundary. The October 2020 document again confirmed that badger setts within the site were found to be disused. An active sett was found off-site, and there is known to be another sett in the same area that is possibly used by the same badger colony. This is considered to be sufficiently distant from the development site and would not be disturbed by the development.

The Council's Ecology Officer has visited the site on a number of occasions and concludes that the sett entrances within the site are disused and none of the proposed construction activities would impact on their use. As part of this visit no evidence of foraging was noted, and little evidence of the wooded western boundary being used as a commuting route was found. It is therefore concluded that the presence of badgers would not represent a significant constraint to the proposal, however, given that the has the potential to be used by badgers for commuting and foraging appropriate mitigations should be delivered through condition.

Bats

The EclA concluded several trees within the site represented suitable potential roosting opportunities, and two of these are proposed for removal. Consequently, it was concluded that the removal of these could lead to the loss of bat roosting habitat and/or disturbance and harm to roosting bats.

A Bat Activity Survey Report was therefore undertaken. This found no evidence that the site was used for roosting, but that it is predominantly used for commuting and foraging purposes by a small number of relatively common and widespread bat species. It is therefore considered that the value of the site to foraging and commuting bats is Low, and with appropriate mitigation the impacts on foraging and commuting bats would be reduced to neutral. This document also concluded that any vegetation clearance within the site will have a minor impact on foraging bats. It is noted that there are other areas present in the wider vicinity which provide a large amount of suitable foraging habitat. Suitable mitigation measures are proposed.

The Council's Ecology Officer concluded that in respect of bats the site is not significant beyond site level.

Birds

The PEA recommended that as the site supports a range of features suitable for supporting breeding birds, a breeding bird survey should be undertaken. A breeding bird survey was not provided with the EclA or separately. Notwithstanding this, the presence of breeding birds within the site is not of itself a reason to resist development. Therefore, the absence of a breeding survey wouldn't form a reason to resist the application. Any approval of the application can however include a condition requiring enhanced mitigation measures to resolve the absence of a breeding bird survey. In addition, works which affect breeding birds brings responsibilities for the developer under the Wildlife and Countryside Act.

Reptiles and Amphibians

The PEA and EclA identified two ponds that may provide suitable habitat for Great Crested Newts (GCN). The first of these was too remote to be affected, and the second was found to be dry. Because of the passage of time from the completion of the EclA, the second pond was revisited in October 2020. It was found to be unsuitable for Great Crested Newts. Additionally, a further search of the available data sources was undertaken and no further records of reptiles were revealed.

On this basis, the Council's Ecology Officer concluded that Reptiles and Great Crested Newts would not be impacted upon by the proposed development.

The proposal is therefore considered to have acceptable impacts in ecological terms and to meet the relevant national and local requirements and policies in this respect.

Flooding and Drainage Issues

Paragraph 165 of the NPPF requires major developments to include sustainable drainage systems unless there is clear evidence this would be inappropriate.

Core Strategy Policy CS67 (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. This policy broadly accords with the NPPF and is afforded significant weight.

Policy CS63 (Responses to Climate Change) also promotes the adoption of sustainable drainage systems (SuDS). This policy accords with the NPPF and is afforded significant weight.

The site is located in flood zone 1, and as a result there are no flood risks relating to the development within the site or off-site.

The proposed surface water drainage would discharge to the culverted watercourse via storage at restricted discharge rates. The principle of this proposed discharge method is considered to be acceptable. The rate of discharge would be the subject of a condition but would be restricted to the greenfield rate. The Applicant has committed to increasing the attenuation capacity to achieve an appropriate discharge rate.

The culvert has been checked, and some minor cracking along a section of it will need to be addressed. The applicant confirms that this will be structurally lined to prevent blockage and will enable free water through the site.

The ground is not suitable for permeable paving, and therefore drainage into adjacent landscape areas is proposed. This element of the proposal will therefore assist in the treatment of the water discharged from the car park, however, in order to ensure it is fully treated a petrol/oil interceptor will be needed, and a condition requiring this can be included within any recommendation for approval.

The proposal would therefore be considered to meet with the requirements of the relevant local policies and NPPF provisions in this respect.

Archaeology

Saved policies BE15 (Areas of historic interest), GE13 (Areas of natural history interest) and BE22 (Archaeological sites) of the UDP consider the importance of Sheffield's historic interest and seek to ensure that archaeological interest is preserved, protected and enhanced. Where disturbance is unavoidable adequate records should be provided of the site and where found remains should be preserved in their original position.

A desk-based archaeological assessment has been carried out in relation to the site in order to identify the heritage significance and archaeological potential of the land. Following assessment of the relevant information sources, the Assessment concludes that the site doesn't contain any designated heritage assets, and that there are no such assets beyond the site which would be sensitive to development within it.

It also concludes that the relevant data leads to the conclusion that there is no potential for there to be prehistoric settlement remains, or significant remains from a later date. It also states that the site's topographical constraints and limited finds within the locality lead to the conclusion that there would be low potential for later remains. There is potential for stray archaeological finds, although this is thought to be limited due to the previous releveling activity.

This document has been considered by the South Yorkshire Archaeology Service. It is concluded that the archaeological potential for the site is very low, and as such it is advised that no further archaeological work is required.

Land Contamination

Saved UDP Policy GE25 sets out the Council's position with respect to this issue, and this is consistent with the NPPF and so is afforded significant weight.

Documentation has been submitted in relation to the application regarding the issues of contamination. These have been assessed by Council Contamination Officers, and it has been concluded that the explorative investigation survey work does not fully characterise the site. Therefore, further work will be needed.

Additionally, regarding risks from ground gases no qualitative comment is provided on the generation potential of the source or on the sensitivity of the proposed end user. These parameters are used to determine the number of monitoring visits required and over what period. The monitoring visits undertaken are not in accordance with current best practice, or in accordance with the recommendation given in the submitted documentation. Additionally, the borehole assessment doesn't include discussion on the potential impacts of high concentrations of methane and carbon dioxide on readings.

As a result of these issues, it is considered that supplementary intrusive investigation works are required along with a remediation strategy to ensure that works are carried out in an approved way and in a way that satisfactorily deals with all contamination issues.

As a result, the proposal would be considered to be acceptable in regard to contamination issues.

Ground Stability

NPPF Paragraph 178 requires decisions to ensure a site is suitable for use regarding any risks from land instability.

Some concerns around the geotechnical capabilities of the land have been raised in representations. These items were given consideration within the Site Investigation Documentation, and the presence of made ground acknowledged and described as likely having implications on the type of foundation which would be considered suitable.

An additional document has been submitted stating the details of initial proposals, and potential methodologies for addressing the issue of slope stability. However, the precise construction methodology is said to be dependent on additional site investigations.

It is clear that appropriate construction options are available depending on the details of additional site investigations, and it is therefore recommended that a condition requiring the submission and agreement of a land stability assessment and resulting construction methods is placed on any approval to ensure the final details are appropriate.

On this basis, it is considered that the implications of the proposal in land stability terms wouldn't give reason to resist the application.

Economic Issues

The NPPF states the purpose of the planning system is to contribute to the achievement of sustainable development, with one of the three overarching objectives of this being an economic objective.

The Applicant has submitted a document detailing the proposal's economic benefits. One aspect of this document relates to the employment benefits of the development

being enjoyed locally. In order to secure a degree of input into this process going forwards it is considered appropriate to include a condition on any recommendation for approval which requires the agreement of a employment and skills document designed to maximise opportunities for employment and training in collaboration with Talent Sheffield. This will help to ensure that local employment opportunities are maximised.

Local Health Care Provisions

The NHS Commissioning Group have not responded to consultation on the application. However, it is reasonable to expect that the proposed care home would ease a degree of pressure on the local health care facilities, as numerous care tasks will be carried out within the care home thereby avoiding input from local GP surgeries etc. Overall, despite concerns expressed within representations, there is no evidence the development would place additional burdens on local health facilities.

RESPONSE TO REPRESENTATIONS

The majority of representations have been addressed in the above assessment section. In regard to the remaining points, the following comments are made:

- Concerns were expressed that should the care home fail, it will not be convertible to other uses. The Applicant is an established care home provider, and suggestions that the facility would fail are speculative. Any applications for change of use would be assessed on their merits on the future.
- Suggested alternative developments such as a small housing scheme, an ecology centre or implementation of the previous consent/s for a bungalow are noted, however, the current scheme is required to be assessed on its individual merits.
- The current scheme differs significantly from that refused under reference 07/04272/FUL, in that it occupies a site largely set away from the road making any development less prevalent, and includes greater parking provisions. It is not considered reasonable to conclude that the current scheme should be refused because of the refusal of that application.
- As each application is required to be assessed on its merits it is not correct that any approval would set a precedent.
- Refuse store details are shown within the drawings.
- The non-provision of an Access Appraisal Report isn't considered to prevent consideration of the application, as the other documents provide sufficient details to allow assessment on this.
- Adequate visibility splays are provided, and pedestrian safety will be therefore be safeguarded.
- There is no proposal to create a pedestrian link to Kenwell Drive.
- A condition covering construction traffic parking and material deliveries will be included in any approval.
- Additional landscaping / planting will include substantial and appropriately sized trees, however, they are considered to supplement the retained trees and landscaping and not as replacements for the removed trees. Therefore, some time lapse for integration and development would not be unacceptable. The species selected would reflect their context and give opportunity for future maintenance.

- As the development is overall considered to have acceptable impacts in ecological terms the reference to surrounding woodland as Plantation rather than a Local Wildlife Site is not considered to undermine the conclusions in this respect.
- Foul sewage would discharge to the public network. Potential impacts on local water pressure, would be a Yorkshire Water issue and not able to be addressed in the planning application.
- Suggestions around previous attempts to change the culvert's topography would not form a material planning consideration.
- The South Yorkshire Archaeology Service assessed the submitted documentation without concerns relating to an ancient track that is said to pass through site. It is therefore not necessary to investigate this issue further.
- In terms of noise disruption, conditions covering plant and equipment are recommended to be included within any approval. Noise created during construction would be controlled by the Construction Management Plan.
- The dependent nature of the proposal's residents will potentially make independent trips to the local shopping centre less frequent, however, there is potential for this to take place by staff, visitors and residents assisted by staff/visitor and mobility equipment.
- Impacts on house prices don't form a material planning consideration, however, some of the factors which do affect these such as living conditions are material and have been assessed above.
- It is suggested that houses vacated by elderly residents won't be affordable to 1st time buyers, however, available housing supply will be increased by generating 'churn' in the housing market.
- Fire safety would constitute an issue dealt with under Building Regulations.
- The impacts of the COVID 19 pandemic on care homes does not represent a reason to resist the current application which continues to be required to be assessed on its merits.
- The failure of a local property planning search to identify the proposal is not a material consideration.
- Any restrictive covenant applying to the land would not be a material planning consideration and would instead need to be dealt with separately.
- Concern that the facility wouldn't be occupied by local residents wouldn't be material to the current assessment.
- It is mentioned that the South Yorkshire Residential Design Guidance has been inappropriately applied, and in part this appears to be so. However, this inappropriate reference on the submitted drawings has not been determinative in the conclusions regarding living conditions of neighbouring occupiers. The suggestion that the Guidance's requirements are not met in full does not prevent the application been considered. There is no local policy requirement for a Building for Life assessment to be carried out.
- Concerns that the proposal is purely about maximising profit are noted, however, this is not a material planning consideration and wouldn't represent a reason to resist the scheme.

SUMMARY AND RECOMMENDATION

The application seeks permission for the formation of an 80-bed care home and associated works, on and existing vacant site located within a Housing Area under the provisions of the Adopted Unitary Development Plan.

The principle of developing the site is considered acceptable, given it is in a Housing Area, and that it doesn't constitute open space given its lack of public accessibility. It is considered that whilst the design will not be excessively prevalent within the local street scene, it is appropriate within its context. It is also considered that implications upon neighbours' living conditions would be acceptable and not cause significant adverse impacts.

The proposal contains adequate off-street parking and satisfactory access arrangements to and from the local highway network. The works would not cause significant impacts in ecological terms, and with appropriate mitigation an acceptable outcome would be provided.

The ground contamination and stability issues would need to be covered by condition to ensure acceptable impacts in these respects. The impacts on trees and landscaping have been assessed and concluded to be acceptable. Relevant conditions will ensure that surface water run-off is appropriately managed.

As the site lies within a Housing Area. It is therefore considered that the housing section policies covering principle of land use, design, living conditions and transport implications are the most important policies for determining the application. As the most important policies align with the NPPF, section d) of paragraph 11 has not been applied in this instance.

Overall, therefore it is considered that the scheme is acceptable, and it is recommended that planning permission is granted subject to the recommended conditions.

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Case Number	19/04594/REM (Formerly PP-08319975)
Application Type	Approval of Reserved Matters
Proposal	Erection of 14 dwellings with associated parking, landscaping works and formation of access road (Application to approve layout, scale, appearance and landscaping as reserved under planning permission no. 17/01543/OUT) (Amended Plans)
Location	49 Pot House Lane Sheffield S36 1ES
Date Received	27/12/2019
Team	West and North
Applicant/Agent	PEB Moller Architects LLP
Recommendation	Grant Conditionally

Time Limit for Commencement of Development

1. The development shall be begun not later than two years from this reserved matters approval, in line with the time limit condition imposed on outline approval 17/01543/OUT.

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:

Plan numbers;

09 Rev A Proposed Block Plan published 13.8.2020
08 Existing block Plan published 13.8.2020
11 Rev E Proposed Site Plan published 19.8.2020
20 Rev C 3 Bed House Type published 19.8.2020
30 Rev B 4 Bed House Type published 19.8.2020
18 Rev B Section AA published 13.8.2020
19 Section BB published 13.8.2020
21 Section CC published 19.8.2020
22 Section DD published 19.8.2020

23 Section EE published 19.8.2020
24 Section FF published 19.8.2020
17 Rev A Elevations N-E-S streetscenes published 13.8.2020
13A Axonometric 1 published 13.8.2020
14A Axonometric 2 published 13.8.2020
15A Axonometric 3 published 13.8.2020
16 Streetview published 13.8.2020
Arbouricultural Report and Method statement published 26.08.2020
Ecology report produced 07.08.2020

Reason: In order to define the permission.

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

3. No development shall commence until the tree protection measures detailed in the Arboricultural method statement published 26th August 2020 have been implemented. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

4. No development shall commence until full details of the construction method for the internal access road in the vicinity of trees T13, 15, 17, 20 and 22 as referred to in the submitted Arboricultural Report by AWA published on 26th August 2020 have been submitted to and approved in writing by the Local Planning Authority. The construction of the access road shall be carried out in accordance with the approved method.

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

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

5. Prior to above ground works commencing, full details of the management and maintenance plan for the landscaped area to the south of the access road shall be submitted to the Local Planning Authority and approved in writing. The site shall be maintained thereafter in accordance with the approved plan.

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

6. Notwithstanding the details shown on the approved plans, the design of the car ports are not approved. Full details of these shall be submitted to and approved in writing by the Local Planning Authority before that part of the development commences. Thereafter, the works shall be carried out in

accordance with the approved details.

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

7. The stone boundary wall surrounding the site shall be retained. Prior to any alteration or repair works, details shall be submitted to and approved in writing by the Local Planning Authority. Any alterations or repairs shall be carried out in matching materials and construction style and in accordance with the approved details.

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

8. Notwithstanding the details on the approved plans, details of a suitable means of site boundary treatment (including the incorporation of hedgehog highways) shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings shall not be occupied 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.

9. 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.

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

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

11. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- i) Eaves
- ii) Feature windows
- iii) Window reveals

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

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

12. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

13. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

14. Prior to the commencement of above ground works, details showing hard surfaced areas of the site being constructed of permeable/porous surfacing shall be submitted to and approved in writing by the Local Planning Authority. The approved porous / permeable paving shall be provided prior to the occupation of the development and retained thereafter.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

15. Prior to the commencement of above grounds works, full details (including siting and design) of the ecological enhancements to be provided within the site as identified in Table 5 of the approved Ecological Impact Assessment produced by Enzygo on 7th August (bat boxes, bird boxes, bug hotels and hibernacula) shall be submitted to and approved in writing by the Local Planning Authority. The approved enhancements shall be installed on site prior to the occupation of the first dwelling.

Reason: In the interests of protecting and enhancing biodiversity.

Other Compliance Conditions

16. Site clearance and construction work shall be carried out in complete accordance with the mitigation measures identified in Table 4 of the approved Ecological Impact Assessment produced by Enzygo dated 7th August 2020.

Reason: In the interests of biodiversity protection.

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

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

Attention is Drawn to the Following Directives:

1. The applicant is advised to have regard to the consultation response provided by South Yorkshire Police relating to Secured by Design standards which is scanned under 22.01.2020 on the online file.
2. The applicant is advised to have regard to the consultation response provided by Northern Powergrid which is scanned 17.01.2020 on the online file.
3. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
4. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

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

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division

Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

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

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

If you require any further information please contact:

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

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

7. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines 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

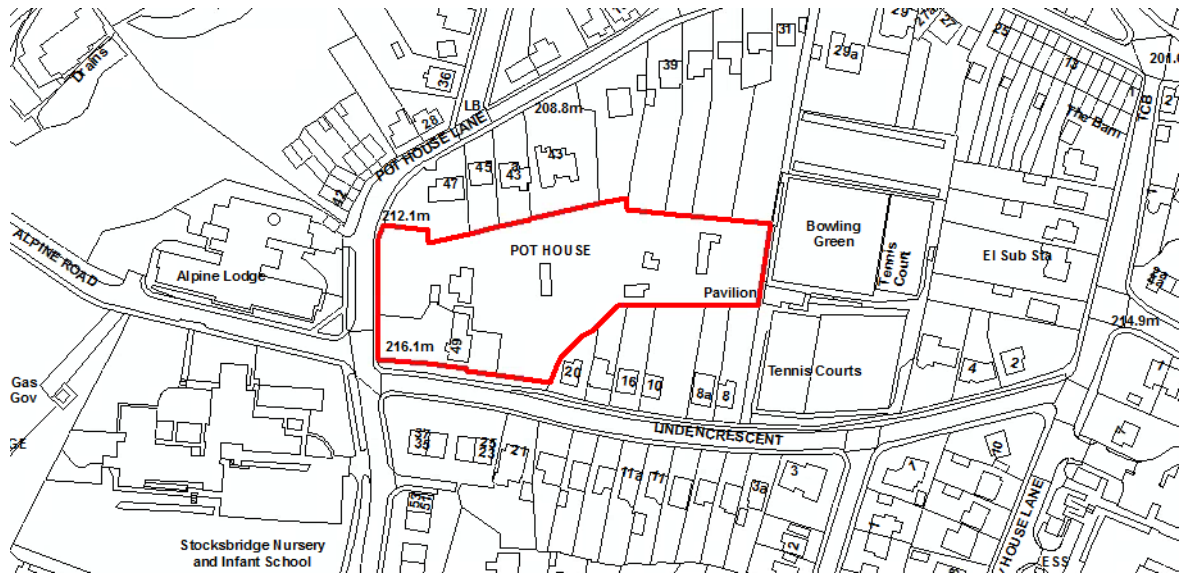
Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

8. The applicant is advised that the proposed hard and soft landscape plan should include the following:

Topsoil specification and depths;
An accurate planting schedule and planting plan at 1:200 or 1:100 scale;
Tree-pit construction details/ spec;
A comprehensive list of species and stock specification;
Details of planting densities and spacings;
Individual location of specimen trees and shrubs;
Areas of grass/wildflowers including seed mix and sowing rates;
Maintenance schedule to ensure the successful establishment of the scheme;
Hard landscaping details, proposed levels, surfacing materials, walls, fencing and street furniture.

9. Works taking place during October to March should be carefully undertaken to avoid injuring hibernating animals by undertaking works in suitable habitat slowly, being particularly careful when using machinery within a foot of ground level or when removing brash or log piles. Piles of deadwood and brash piles can be also provided around the edges of the site for refugia to mitigate for the removal of suitable nesting habitat.

Site Location



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Proposal and Location.

This is a reserved matters application for the development of 14 houses. Outline planning permission was previously approved at Committee in July 2017 for the principle of residential development on this site, with the main vehicular access point also being approved.

The site comprises approximately 0.58 hectares of land on the east side of Pot House Lane, adjacent to its junction with Linden Crescent, in Stocksbridge. The existing site consists of a detached dwelling (no. 49 Pot House Lane which has a long garden to the front and a shorter garden to the rear), and 0.5 hectares of grassland on which are some outbuildings. Both the existing house at no 49 and the 0.5 hectares of grassland have separate vehicular accesses off Pot House Lane. A stone wall runs along the front boundaries of the site.

There are residential properties to the north and south of the site off Pot House Lane and Linden Crescent. On the west side of Pot House Lane, opposite the site, is the Alpine Lodge Care Home. Stocksbridge Nursery and Infant School sit to the southwest of the site.

To the east of the site is a bowling green (Stocksbridge Friendship Bowling Club) and tennis courts (Stocksbridge Tennis Club).

This application seeks approval of the reserved matters of scale, layout, appearance and landscaping.

The previous approval established access arrangements comprising of a new adopted access road off Linden Crescent. The proposed layout shows that this new access road would serve 12 dwellings, with 2 dwellings being accessed off Linden Crescent.

Four dwellings would front Pot House Lane and 2 would front Linden Crescent. The remainder would front the new access road within the site, with gardens backing on to existing properties on Pot House Lane. There would be no vehicular access off Pot House Lane.

Planning History

17/01543/OUT Residential development as amended 16.6.17 was granted 11th July 2017.

Representations

15 neighbours have made representation on this application with some commenting more than once. One of these representations is a letter of comment and the remainder raise concern and object.

Highways

- Concern that there is not much scope for parking other than on the driveways within the development.
- There are already issues with cars from existing properties parking on street and causing bottle necks, additional cars parking on Pot House Lane would worsen this and cause further danger for road users and pedestrians.
- The area is already too busy with traffic due to the nearby schools and bowling club.
- There are already parking issues on Linden Crescent. The loss of on street parking caused by the creation of the access road would push parking towards the junction and result in double parking, leading to highway safety implications.
- Concern is raised regarding increased traffic and parking and safety of school children.
- Request is made for yellow lines.
- Objection to the proximity of the new access to the road junction.
- Road access is poor to Manchester Road with Hole House Lane being a particularly dangerous junction.
- The road and driveways are regularly obstructed due to inconsiderate parking.
- Linden Crescent should be widened and made 1 way.
- Comment is made that the site is not well connected to Sheffield – it is queried whether the train line could be reopened for passenger travel.

Drainage

- Concern is raised about drainage problems and water in the highway.

Design

- Concern is raised regarding the design and materials proposed. They are not of sufficient quality.
- Objection to the projecting boxes on the houses, concern is raised that these would be out of character.
- The scheme should be lower density with larger gardens.
- There is a need for bungalows.

Amenity

- Request for cross sections showing levels in context with existing properties.
- Concern is raised about the impact to properties on Pot House Lane as a result of overlooking and the development being out of scale in height.
- Concern is raised regarding overlooking into property on Pot House Lane.
- Concern is raised regarding loss of light to property on Pothouse Lane, particularly in winter when the sun is low.
- Concern is raised regarding overlooking from gardens resulting from raised ground levels.
- Suggestion is made that alterations to the position of the unit on plot 8 could address some amenity concerns.

- The proposed gardens backing onto Pot House Lane should follow the natural slope of the land.

Other Issues

- There is no evidence of a coal mining risk assessment having been carried out.
- Request is made for a site visit.
- CIL money could be used to enhance a number of local amenities.
- The scheme is not addressing housing need or the demographic of the area. Supply should be smaller units of flats, 2 bedroom units and perhaps some smaller 3 bed units for families. Accessible dwellings should also be developed.
- There has been a lot of piecemeal residential development in the area but a lack of strategic investment in local infrastructure and facilities eg schools, dentists, Drs and public transport.
- Concern is raised regarding the impact of construction on gardens, wildlife and trees. Presence of wildlife in the area is highlighted, particular concern is raised regarding the impact on hedgehogs.
- It would have been preferable for the Council to buy the land and use it for parking.
- Concern is raised regarding loss and damage to the trees which are situated between the site and Nos 31-41 Pothouse Lane.
- There are more preferable sites in the area which could be developed.
- Concern is raised about the condition of the stone boundary wall to the rear of the properties on Pot House Lane, which is over 100 years old and could be compromised with land level increase within the application site.
- Query is raised regarding the responsibility of damage to this wall.

Following the receipt of amended plans the following comments were raised:

- Concern is raised about the loss of on street parking for flats opposite.
- Concern about the impact on wildlife, biodiversity and the green corridor.
- Concerns regarding highway safety were reiterated.
- Call is made for the site to remain undeveloped.
-

Stocksbridge Town Council

- Raised highway safety concerns about the location of the access so close to an existing problematic junction arising from increased vehicle movements. There are problems with visibility and parking associated with the school, nursery, and the development would result in increased congestion.
- Concern is raised about increased access to Pot House Lane from plots 1-4.
- Concern is raised that the road within the site would be used for parking at busy times, which would be detrimental to future occupants.
- Request is made that coal mining and privacy concerns raised by local residents are considered.

South Yorkshire Wildlife Group

- Agree with the findings of the Preliminary Ecological Appraisal, that further bat surveys are required.
- Request that any vegetation clearance should take place outside of the bird breeding season from March to September. If this is not possible, a breeding bird survey must be undertaken by a suitably trained ecologist up to 48 hours prior to any clearance taking place. If breeding birds are observed, then the Ecology Unit at Sheffield City Council should be contacted.
- Supportive of proposals for bird and bat boxes as well as native plant species to be used within the landscape design to increase biodiversity on the site.
- Request for mitigation requirements are put in place for hedgehog.
- Works taking place during October to March should be carefully undertaken to avoid injuring hibernating animals by undertaking works in suitable habitat slowly, being particularly careful when using machinery within a foot of ground level or when removing brash or log piles. Piles of deadwood and brash piles can be also provided around the edges of the site for refugia to mitigate for the removal of suitable nesting habitat.
- Request is made for the above to be conditioned.

PLANNING ASSESSMENT

The following assessment will refer to all relevant material considerations. However, it will also be made clear when matters have already been established as part of the approval of the earlier outline planning permission, and where it isn't appropriate to revisit the fundamentals of those matters.

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in February 2019 (the NPPF) is also a material consideration.

In all cases the assessment of a development proposal needs to be considered in light of Paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are

most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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 NPPF, para 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and states that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer the policies which are most important for determining the application will automatically be considered to be out of date.

While the outline approval for residential accommodation was granted at a time when there was not a 5 year housing supply, the issue of housing supply is not critical to the current assessment, which only deals with the reserved matters.

Paragraph 213 of the NPPF makes it clear that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Set against this context, the current reserved matters proposals are assessed against all relevant policies in the development plan and the NPPF. The weight attributed to the most important local plan policies for determining this application must be judged upon their conformity with the NPPF.

It is considered that the main issues relevant to this application are as follows:

Housing Density and Mix
Design
Living Conditions
Highways Issues
Landscaping
Ecology
CIL
Other Issues

Housing Density

The application site already has the benefit of outline planning permission for residential use.

Core Strategy Policy CS26 (Efficient Use of Housing Land and Accessibility) requires new housing development to make an efficient use of land and stipulates a density range of 30 – 50 dwellings per hectare (dph) in urban areas such as this.

At 24 dph the proposed development sits below this, however the policy states that densities outside this range will be allowed where they achieve good design and reflect the character of an area. The character of the area is medium density and the density proposed would reflect this.

The proposed density ranges set out in Policy CS26 align with the NPPF (paragraph 122) on the basis that they both recognise the need to ensure that new development should use land efficiently and in a manner that is in-keeping with the character of the area and the supports the development of sustainable, balanced communities.

NPPF paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. It then identifies that policies should set minimum density standards for areas well served by public transport.

Policy CS26 can be offered significant weight as it aligns strongly with the NPPF.

It is acknowledged that the scheme proposes a relatively low density, however the site is somewhat constrained by its configuration and the need to provide an access road and turning space. Furthermore, proximity to other residential properties and land level differences affected the layout of the scheme. These factors limit the extent of development. Taking this into account in addition to the general density of the area, the proposal is considered to be acceptable in this regard.

Housing Mix and Type

Core Strategy Policy CS41 (Creating Mixed Communities) encourages housing developments to meet a range of housing needs – including a mix of prices, sizes, types and tenures. This aligns with the NPPF on the basis that a strong principle of sustainable development is the provision of a strong, vibrant and healthy community with a sufficient number and range of homes provided to meet the needs of current and future needs and support a communities' health, social and cultural well-being (paragraph 8 b).

The proposed development of 14 units contains a mixture of house types offering 3 and 4 bedroomed accommodation. Given the small size of the site, this mix is considered to acceptable. The proposal is compliant with Policy CS 41 and the NPPF.

Design

Policy BE5 of the UDP (Building Design and Siting) seeks to ensure good design and the use of good quality materials in all new buildings. Core Strategy Policy CS74 (Design Principles) sets out the design principles that would be expected in all new

developments. It states that high quality development should respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

Paragraph 124 of the NPPF highlights the importance of good design as a key aspect of sustainable development and creating better places to live and work.

Paragraph 127 goes on to set out a series of requirements including that development should add to the quality of the area; have good architecture, layout and landscaping; be sympathetic to local character and history; establish a strong sense of place and create welcoming and distinctive environments.

The key design principles contained within the local development plan policies relate to providing developments that are high quality, distinctive and sympathetic to local character. These principles align closely with paragraph 124 of the NPPF and as such it is considered that they can be afforded significant weight.

The site access point was established in the previous application. The scheme layout has been developed around this to provide houses fronting Pot House Lane and Linden Crescent. This is characteristic of the local area and the scheme has been subject to some amendments to achieve this. The amended scheme reinforces the existing streetscene. The remaining dwellings proposed would back onto properties to the north of the site and front the access road.

The houses are two storey which is an appropriate response to the scale of houses in the vicinity of the site.

The properties are detached and of a traditional form with first floor feature box windows. The scheme originally proposed garages however, during the course of the application, these have been amended to car ports to ensure that the space is available for parking rather than been used for storage. This has the added benefit of securing some views through the site. There is some concern about the form and materials of the car ports in that these weaken the design quality of the scheme. It has been agreed with the agent that the final design and finish of the car ports will be controlled by condition.

During the course of the application the agent has responded positively to concerns about the materials palette originally proposed. This has now been revised so the predominant facing materials would be brick rather than render. Final details of materials will be controlled by condition.

Living Conditions

Policy H14 of the UDP (Conditions on Development in Housing Areas) states that development should not cause residents to suffer from unacceptable living conditions, including noise or other nuisance or risk to health or safety.

Paragraph 127(f) of the NPPF states that development should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and

resilience'. These requirements align with local plan policy H14, as they essentially both seek a high standard of amenity for users of a development. The local plan policies can therefore be afforded substantial weight.

Impact on Existing Residents

The scheme has been altered during the course of the application to improve its relationship with existing properties.

The properties to the north on Pot House Lane are sensitive as they are sited at a lower level and to the north of the site. The closest and most sensitive properties are considered to be no's 43 – 47 Pot House Lane. Some of the units that back onto these properties have been pulled forward to provide a more generous separation distance. The separation distances is now at least 21 metres and the rear gardens of the new plots are also at least 10 metres in depth. In addition land levels have been revised to avoid these being built up and amendments to the house design have removed the elevated rear terraces which would have increased the perception of overlooking. Instead a stepped access is shown to the garden level.

It is acknowledged that the development of the site will have an impact on these residents compared to the existing very open and green nature of the site, but the separation distances are ample and the development would not have unacceptable overshadowing or overbearing implications.

The position of the unit on plot 13 was brought forward to line up with and improve its relationship with the existing house (20 Linden Crescent).

The resulting relationships are typical of what is expected in urban areas where there are topographical changes. There is adequate separation distance between the site and the surrounding properties so that unacceptable loss of privacy would not arise.

Amenity of future occupants

The scheme provides an acceptable level and quality of amenity space for each plot. The dwellings relate well to each other and would not result in unacceptable overshadowing or overbearing implication between plots.

As the scheme is considered to achieve appropriate standards of living conditions, the proposal meets the local policy's and NPPF paragraph 127(f)'s requirements.

Highways Issues

UDP policy H14 (d) seeks to ensure that development would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

Paragraph 109 of the NPPF states that development should only be prevented 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 main access point was approved under the outline planning application. This submission provides details of a further two access driveways to serve the two plots fronting Linden Crescent. These are further away from the junction of Linden Crescent and Pot House Lane than the main development access and offer appropriate visibility. No vehicular accesses are proposed off Pot House Lane.

The access road is designed as a shared surface and the development would provide at least two off street parking spaces per dwelling which is considered adequate given the size of the dwellings. A further 4 on street parking spaces have been shown, which could be used by visitors. These have been designed to accessible standards.

The amount of parking within the scheme is acceptable.

The branch off the access road also provides as a right of way to third party land to the north of the site.

The site is in an accessible location, close to bus routes.

Whilst it is acknowledged that this is a heavily parked area at peak times due to the presence of the school, the development would not exacerbate this and it provides sufficient parking. Some on street parking would be displaced due to the provision of 2 access driveways along Linden Crescent. The level of displacement is limited and does not raise any significant highway safety concerns.

The scheme would have an acceptable impact on highway safety and be compliant with the aims of the local policy and paragraph 109 of the NPPF. These policies closely align and the local policy can be given significant weight.

Landscaping

UDP Policy BE6 expects good quality landscape design in all new developments and Policy GE15 seeks for mature trees to be retained where possible and replacement planting provided for any which are lost.

NPPF paragraph 127(b) requires developments to be "visually attractive as a result of...effective landscaping". BE6 is therefore in alignment with the requirements of the NPPF, and as a result it is offered significant weight. Paragraph 170 of the NPPF seeks to ensure that decision contribute to and enhance the natural and local environment and recognises the value of trees and woodland which aligns with the aims of GE15.

There are a number of trees within and on the boundaries of the site. The submitted tree survey identifies 6 Category B (moderate value) trees / vegetation groups with the remainder being of a lower value. Some trees and vegetation will need to be removed to facilitate the development.

There are 3 Field Maples on the Pot House Lane site frontage that are the most significant trees and good visual amenity value. Two of these would be removed. Whilst this is regrettable, their removal allows for the development to address the Pot

House Lane frontage and, in the longer term, the replacement trees which will be required in this location will mitigate this loss. The remaining trees to be removed are not considered to be noteworthy.

The tree report highlights that the creation of the access road in the root protection zone of trees beyond the site boundary (in neighbouring gardens to the south) could potentially have a negative impact on these third party tree roots. The report refers to 5 trees. For three of these the impact is likely to be restricted by the presence of the stone wall which is likely to have limited root growth in this direction. One tree is of poor value and is unlikely to be detrimentally affected by the scheme. A large sycamore may be affected, however it is suggested that this could be overcome or minimised by employing a 'no-dig' type construction method with no significant ground level changes and a porous final surface. A condition will be attached to ensure that the impact of construction to third party trees in this area is minimised.

There is opportunity within the scheme for replacement tree planting within gardens, and also within the small landscaped amenity area which is proposed next to the on-street parking spaces.

The proposal is considered to meet the requirements of NPPF paragraph 127(b) and the aims of paragraph 170 as well as the relevant local policy.

Ecology

Policy GE11 of the UDP seeks to ensure that the natural environment will be protected and enhanced. It expects development to respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Paragraph 170 of the NPPF states that development should enhance and contribute to the natural and local environment. Paragraph 175 d encourages biodiversity improvements in an around development especially where it can secure measurable gains for biodiversity. The local and national policy aims align and significant weight is given to the local policy.

Ecological Surveys have been carried out, including additional surveys required during the course of the application. These have confirmed a likely absence of roosting bats within the site. Precautionary measures have been recommended during demolition and during the felling or other works to identified trees with bat roosting potential.

The survey assessed the impact on nesting birds and found limited general nesting potential and both on ground and above. Site clearance can be controlled to mitigate any harm.

The report recommends the suitable disposal of invasive flora.

Hedgehogs have been observed on the site and site clearance will need to be conducted in a sensitive manner under the supervision of an Ecological Clerk of Works as proposed in the survey.

The survey also proposes a series of measures to seek to compensate for the loss of habitat on site and provide some biodiversity gain. The measures detailed include; good quality native planting within the site, bat and bird boxes, bug hotels and hibernacula (piles of dead wood).

Subject to the development being carried out in accordance with the above measures as recommended in the surveys the scheme would avoid, mitigate and compensate for impacts on habitats and species in the area and may offer some enhancement.

The scheme complies with the aims of the NPPF and policy GE11.

Community Infrastructure Levy (CIL)

In this instance the proposal falls within 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.

Other Issues

Matters of drainage, sustainability and coal mining were addressed under the previous approval and relevant conditions were attached.

RESPONSE TO REPRESENTATIONS.

Many of the issues raised in representations have been discussed in the above assessment. Those which are not covered in the report are addressed as follows:

- Request is made for yellow lines

Whilst this is a busy area for parking at peak times, the scheme does not necessitate this.

- The road and driveways are regularly obstructed due to inconsiderate parking.

The development has sufficient parking and the scheme would not worsen this issue. Illegal or inconsiderate parking is controlled by other bodies.

- Linden Crescent should be widened and made 1 way.

Whilst this is a busy area for parking at peak times, the scheme does not necessitate this.

- It is queried whether the trainline could be reopened for passenger travel.

The scheme does not necessitate this.

- The scheme does not address the housing need and demographic of the area.

On larger developments there would be a requirement for a greater mix of housing. This site is small and does provide some mix.

- There has been a lack of investment in local infrastructure and facilities. CIL money could be used to enhance a number of local amenities.

The size of the scheme does not trigger the need to provide any specific contributions other than CIL. The CIL money is allocated outside the application process.

SUMMARY AND RECOMMENDATION

The planning application is for the erection of 14 residential properties. The application seeks approval of reserved matters, following the approval of outline permission in 2017 which reserved all matters except access.

The submitted scheme would sit comfortably with the existing street scene by reinforcing the two existing road frontages. The house designs are acceptable subject to finalising the car port design.

The layout has allowed sufficient separation distances so that unacceptable implications through overshadowing, overbearing and overlooking should not arise. The principle of the development and position of the main access has been established in the outline permission and the additional access points and parking provision within the development are acceptable in terms of their impact on highway safety.

The loss of some trees within the site would arise as a result of the development and there is concern about the health of others close to the access road. A combination of replacement planting and appropriate construction methods seeks to mitigate these impacts.

Subject to the attached conditions, impact on habitats and species within the site can be avoided, mitigated and compensated for. The impact on the natural environment is acceptable.

The scheme is compliant with the UDP Policies; H10, BE5, H14, BE6, GE15 and GE11 of the UDP and policies CS23, CS47, CS24, CS26, CS41, and CS74, and the relevant parts of the NPPF.

The outline consent was approved when there was not a 5 year housing supply, so the issue of housing supply is not critical to the current assessment. Given that the relevant local policies typically strongly align with the NPPF they are collectively considered to be up-to-date, and in accordance with paragraph 11 of the NPPF are afforded significant weight. It is therefore recommended that the reserved matters be approved subject to appropriate conditions.

Case Number	20/02233/FUL
Application Type	Full Planning Application
Proposal	Erection of a two-storey side extension to dwellinghouse and provision of a rear patio area with retaining wall
Location	27 Twentywell View Sheffield S17 4PX
Date Received	07/07/2020
Team	South
Applicant/Agent	Mr Timothy Steedman
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:

Location Plan received 07th July 2020 (ref: 20/06/05/001)
Proposed Plans and Elevations received 07th July 2020 (refs: 20/06/05/022, 20/06/05/023, 20/06/05/024, 20/06/05/025, 20/06/05/026 20/06/05/027, 20/06/05/028, 20/06/05/029, 20/06/05/030, 20/06/05/031 and 20/06/05/032)
Proposed Rear Site Section received 04th November 2020 (ref: 20/06/05/039A)
Proposed Section showing levels published 09th September 2020 (ref: 20/06/05/037)

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)

Other Compliance Conditions

3. The proposed facing materials shall match the facing materials to the existing building and those matching materials shall be in place before the two storey side extension is brought into use.

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

4. The proposed roofing materials shall match the roofing materials to the existing building.

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

Attention is Drawn to the Following Directives:

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

Site Location



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LOCATION AND PROPOSAL

This application relates to a two-storey detached dwelling located close to the cul-de-sac head on Twentywell View in the Bradway area of the city. The site is in an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The locality is residential in character, predominantly consisting of Bungalows and detached properties, of late twentieth century design.

The dwellinghouse the subject of this application is faced in buff brick with an ochre pantiled roof. The property and number 25 Twentywell View are somewhat of an anomaly within the street scene as both have side gardens wrapping around the property when most other properties nearby are much closer together. Additionally, the host property is situated at a significantly raised land level to the public highway with a drive to access a garage perpendicular to the highway. The resulting front garden is sloped and tiered up to the dwellinghouse and there are access stairs up to the front entrance door resultantly. The front entrance door is approximately 12.5metres from the highway.

To the rear of the property, the garden slopes up toward the rear boundary and is accessed via further steps leading toward the rear boundary, where an outbuilding lies adjacent to number 29 Twentywell View. A paved patio wraps around the property from the front entrance door and finishes close to the boundary with number 29.

To the rear, the boundary with the neighbours on Twentywell Road is marked by a mix of hedging with fence behind at a raised land level to the ground floor of the property. The boundaries to adjacent neighbours at numbers 25 and 29 Twentywell View are timber, approximately 1.8 metres high. Ground levels between no's 25 and 27 vary considerably with number 25 being approximately 3 metres lower than the applicant property. Number 29 is at a similar land level with no significant difference, however, as this property is a bungalow with garage at lower ground level it appears lower.

This planning application seeks consent for the erection of a two-storey side extension and significant landscaping and engineering works which requires a 1.7 metre high retaining wall around three sides of the rear garden in order to level it.

SUMMARY OF REPRESENTATIONS

Councillor Martin Smith objected, raising concerns with the potential impact of the extension on neighbouring properties due to the elevated position of the site.

Immediate neighbours were notified of the application by letter. 11 representations were received objecting to the proposed works, all of which are from people living locally.

Planning Issues Raised:

- Previously there were no accepted side extensions on Twentywell View.
- The cul-de-sac is uniform and homogenous.

- 27 Twentywell View is already on a prominent plot.
- A 2 storey side extension will result in detrimental visual impact on the character as it is out of keeping.
- The extension is overbearing.
- Affect sunlight to properties across from the house and to number 25 Twentywell View.
- Loss of privacy and light to neighbouring properties.
- Loss of open aspect of the neighbourhood.
- Overdevelopment of the plot.
- Drainage as result of the landscaping to the rear.

Non-Planning Issues Raised:

- The original developer wished that no individual alteration could be made and this is stated in the conveyancing documents.
- Devaluation of neighbouring properties.
- Structural concerns to neighbouring properties from excavation.
- Loss of views because of the extension.
- Noise, dirt and disruption during the building of the extension.

PLANNING ASSESSMENT

Planning Policy Context

Unitary Development Plan Policies BE5 ('Building Design and Siting') and H14 ('Conditions on Development in Housing Areas'), and Core Strategy Policy CS74 ('Design principles'), require good quality design in keeping with the scale and character of the surrounding area. Also relevant is the Council's Supplementary Planning Guidance (SPG) on 'Designing House Extensions' which provides advice on design as well as privacy standards.

These policies are in conformity with the National Planning Policy Framework and in particular paragraph 127 which states that planning decisions should ensure that developments are visually attractive as a result of good architecture and result in a high standard of amenity.

Design

Twentywell View was built as one development in the late 1980s or early 1990s, the dwellings have a similar material palette, with most properties appearing slightly different, however it is clear that the properties were all constructed at the same time to form a harmonious street scene.

The two-storey side extension has been designed with features, materials and windows which match those of the existing property. The boundary with no. 25 Twentywell View is at an angle due to the plot shape, and as such the proposed two storey side extension retains a separation of between 2 metres and 0.6 metres to the boundary with number 25 Twentywell View. This neighbouring property is at a lower land level and is positioned with a gap to the boundary. An overall separation of

approximately 8.5 metres is retained between the two properties. The projection and design of the extension proposed are considered to appropriately reflect and respect the built form of the host dwelling and its neighbours.

The application form and accompanying drawings submitted state that the proposed extension would be finished in buff brickwork with Ochre pantiles matching those of the host dwelling. This is to be welcomed and will ensure that the extension is entirely compatible with the character of the host dwelling. Whilst, the two storey side extension will result in a property that is wider than others within the vicinity, the proposed materials, features and design ensure that the proposal does not appear out of character.

It is considered that the extension proposed is acceptable in scale, design, and materials in relation to the built form of the host dwelling and its neighbours, and no adverse effect on the street-scene or the character of the area is envisaged as a result of the development proposed.

It is noted that the proposed landscaping works to the rear of the dwelling are extensive but the rear garden will not be visible from the public realm and will result in no alteration to the character or built form of the locality.

Amenity/Living Conditions

UDP Policy H14 states that new development in Housing Areas should not cause harm to the amenities of existing residents, and Core Strategy Policy CS74 requires that development contributes to the creation of successful neighbourhoods. SPG Guideline 4 also advises that over development of a house plot with extensions that leave little garden space will not be permitted.

As stated above, these policies are in conformity with paragraph 127 of the NPPF which requires the creation of places with high standards of amenity.

In relation to the existing footprint of the dwelling house and adequately sized rear garden, the proposed extension is considered to maintain ample outdoor amenity space for use by residents of the property.

Impact on neighbouring occupiers

Guideline 4 of the SPG requires a minimum of 50 square metres of rear amenity space is provided and that the distance to the rear boundary should be no less than 10metres. The rear garden provides approximately 135sqm of space, and the distance to the rear boundary is approximately 10m. It is noted that the two-storey side extension does not project to the rear of the property and therefore does not result in the dwelling being closer to the rear boundary.

Guideline 5 of the SPG advises that unreasonable overshadowing and over dominance of neighbouring dwellings should be avoided.

The two-storey extension will not project beyond the rear elevation of the existing dwelling, and therefore is not at risk of breaking a 45-degree angle with the nearest

rear facing ground floor windows of the adjacent dwellings.

There are no side-facing windows at number 25 which would experience loss of direct sunlight. Whilst it is recognised the two storey side extension will result in the property being closer to number 25 and therefore some additional overbearing and over shadowing will result, a separation of approx. 8.5 metres with garden between will ensure that the proposal has little impact on the side elevation of number 25. It is therefore considered the overbearing or over shadowing is not so injurious to warrant refusal and is ultimately considered acceptable.

As the proposed two storey side extension does not project beyond the front or rear elevations of the property, it shall result in no additional no overbearing or over shadowing to number 29 than currently exists.

Properties directly opposite are approximately 28 metres from the proposed extension. Guideline 5 of the SPG requires a minimum separation of 12 metres from the nearest ground floor windows of neighbouring properties to ensure no unacceptable overbearing or over shadowing occurs, this is well in excess of the guideline, as such no unacceptable overbearing or over shadowing is envisaged to properties directly opposite the property.

Guideline 6 of the SPG advises that extensions should protect and maintain minimum levels of privacy.

The proposed two storey side extension does not include any side-facing windows which would result in a loss of privacy to adjacent dwellings.

A separation of 28 metres to neighbours directly opposite will be maintained, SPG guideline 6 requires a minimum separation of 21 metres between facing windows. Neighbours to the rear are approximately 32m away. Due to the separation provided by the length of rear gardens no material additional loss of privacy is envisaged for neighbours to the southeast (rear) of the site or the northwest (front). It is considered that the extension proposed would result in no material harm to the amenity of neighbouring occupiers.

The excavation of the garden to the rear shall not result in overbearing or over shadowing of neighbouring dwellings nor shall it result in a loss of privacy to adjacent properties and amenity. Existing boundary treatments will be retained to ensure privacy is maintained.

RESPONSE TO REPRESENTATIONS

The majority of issues raised through representations are discussed in the above report. Those which are not, are addressed in the section below.

- A request for a site section was made to clarify the relationship and the subsequent drawing was received 30th August 2020 and uploaded to the application file on 09th September 2020.

- Issues relating to drainage (for a development of this scale), subsidence, noise, damage to neighbouring gardens and devaluation of neighbouring properties are not

planning considerations.

- Issues concerning building or protracted works at this scale of development fall outside of the planning process as it is a domestic extension. Hours of work, and noise nuisance are covered by separate legislation (Environmental Protection Act).

SUMMARY AND RECOMMENDATION

In summary, the proposed landscaping works and two storey side extension are considered acceptable in scale and design and no adverse effect on visual amenity or the character of the area is envisaged. Equally the development will not result in any significant harm to the amenity of neighbouring residents.

The proposal is considered to accord with the provisions of the UDP, the Core Strategy, adopted SPG and the National Planning Policy Framework, and it is recommended that planning permission be granted subject to the listed conditions.

Case Number	18/04034/OUT (Formerly PP-07353753)
Application Type	Outline Planning Application
Proposal	Outline application (all matters reserved) for the erection of 22 dwellings (Additional/amended supporting statements) (Amended Description)
Location	Land Adjacent 127 - 139 Long Line Sheffield S11 7TX
Date Received	25/10/2018
Team	South
Applicant/Agent	ADAS
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The site is located within land designated as Green Belt where there is presumption against inappropriate development. The proposal constitutes inappropriate development, which would result in significant impact on openness and harm to the character and appearance of the Green Belt. The other considerations that have been put forward by the applicant, individually or cumulatively do not outweigh the harm to the Green Belt, therefore the very special circumstances that are necessary to justify this inappropriate development in the Green Belt do not exist. The development would therefore conflict with Chapter 13 of the National Planning Policy Framework and Policies GE1, GE2, GE3, GE4, GE5, GE8 of the Unitary Development Plan, Core Strategy Policy CS71.
- 2 Insufficient information has been submitted to enable a full and detailed assessment of the impact of the development on the natural environment (The Peak District Moors Special Protection Area and the South Pennine Moors Special Area of Conservation) in respect of a Habitats Regulation Assessment (HRA). The Local Planning Authority must therefore conclude that the proposed development is contrary to Policy GE11 of the Unitary Development Plan, and paragraphs 170 and 175 of the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

1. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

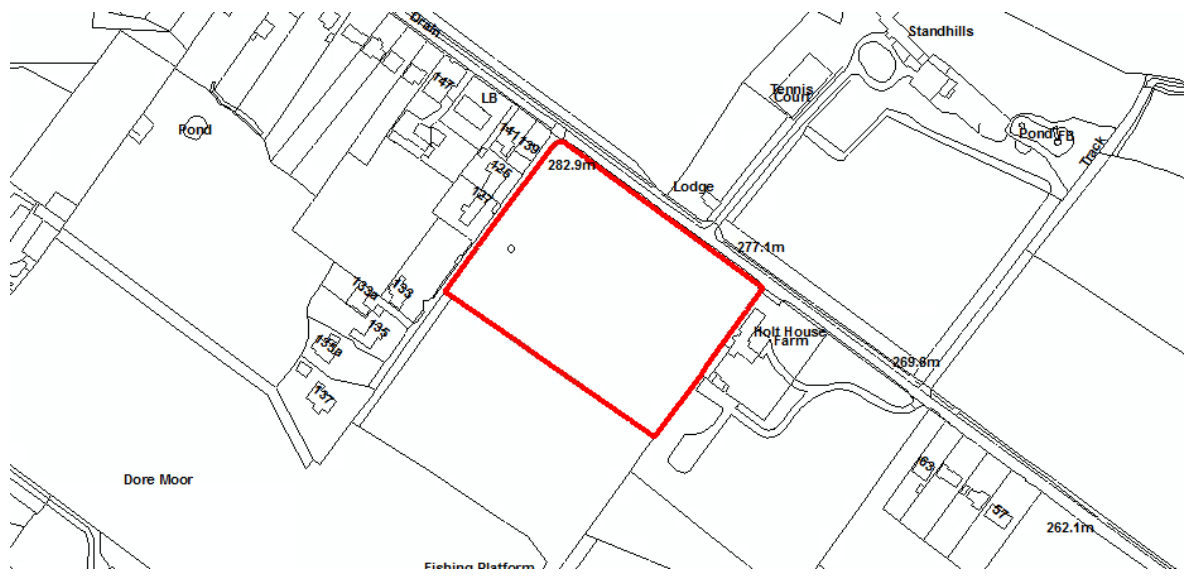
Site Location Plan Scan Date 25 Oct 2018

Site Plan with Ground Floor Layout 017028-AAD-00-GF-DR-A-0001-P04
Scan Date 15 Sep 2020

Site Plan with bio-diversity 017028-AAD-00-02-DR-A-0003-P04 Scan Date
15 Sep 2020

2. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirement(s), and, there being no perceived amendment(s) that would address these shortcomings without compromising the fundamental intention of the scheme the Local Planning Authority had no alternative but to refuse consent.
3. The screening for the Habitat Regulation Assessment (HRA) document submitted by the applicant does not go into enough detail about the existing habitats, impact pathways, construction disturbance etc, and is based on reports which contain insufficient information.

Site Location



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LOCATION AND PROPOSAL

The application relates to a site on the south west side of Long Line between Holt House Farm which is to the south east of the site, and the access track running perpendicular to Long Line which serves 125-137 Long Line. The site comprises of an open field containing no visible structures measuring approximately 1.6 hectares in area. The land slopes slightly from north down to the south by approximately 10 metres over the length of the site fronting Long Line which is approximately 150 metres long and 100 metres deep.

The site is bound by dry stone walls along three sides, with a post and wire fence along the south west boundary, and is within Sheffield's Green Belt.

Outline planning permission is sought for the erection of 22 dwellings with details of access included for approval at this outline stage. All other matters, of layout, scale, appearance and landscaping are reserved for subsequent approval.

An indicative layout accompanying the application shows 22 dwelling, consisting of a mixture of two, three and four bedroom properties with a landscape buffer, and access to be taken from Long Line. The applicant has submitted further details which identifies that 13 of the units will be affordable units, (4 older person units, 4 two bedroom units and 5 three bedroom units) with the remainder consisting of 4 market older person units for the market and 5 four bedroom units for the market.

PLANNING HISTORY

A pre-application enquiry was submitted in 2017 for the erection of 3 dwellings. The advice given was that any proposal for housing on the site would unlikely be considered favourably by the Authority owing to a conflict with Green Belt Policy.

SUMMARY OF REPRESENTATIONS

Olivia Blake MP for Hallam objects on the following ground:

- The site is part of the Green Belt, and the Dore Moor Local Wildlife Site. This alone should make for inappropriate development. It does not meet National Green Belt Policy, NPPF para 143,144, 145 or 175(a) nor local policy.
- The site is viewable from the Peak District National Park and the scale of this proposal would spoil the character.
- The site has historical importance as one of the first Green Belts outside of London.
- Drainage and water run-off is already a problem along Long Line and this proposal would further exacerbate this.
- The proposal would heavily over-develop the site, it would be out of character and out of scale.
- Bus services are in-frequent, and households would likely require private transport, this would greatly add to congestion in the area, making walking along Long Line even less safe for pedestrians.

- Proposing a commuter community that would be dependent on travelling to work or to the shops fails to be sustainable.
- There is strength and depth of community feelings against this proposal with the large number of objections. There has not been enough community engagement, and this lack of concern for those who already live on the site is reflected in the application.

Councillor Colin Ross strongly objects to the proposal. The is development in the Green Belt, and there are no grounds on which to justify this major development and breach of the Green Belt.

Councillor Martin Smith and Councillor Joe Otten have objected to the proposal as the site is in the Green Belt, and the development would be totally out of keeping with the local environment.

Campaign to Protect Rural England (CPRE)

- The site is located with the Green Belt and an Ecological Local Natural Site (part of Dore Moor Local Wildlife Sites).
- Sheffield's lack of a five-year housing land supply means that relevant development plan policies are deemed out of date, As a result, there is no justification for approving the application purely in relation to meeting housing need. Consequently the application must show very special circumstances needed to approve development in the Green Belt.
- This 1.6 hectare site which is all in the Green Belt will inevitably harm the Green Belt. NPPF paragraph 143 states by definition; that inappropriate development is harmful to the Green Belt. The only relevant exception would be that the application displays very special circumstances, and this application does not.
- There is some support for the proposals from people living in the wider area, and these reflect the support for more affordable homes generally, which we do too. But there is adequate housing land available that is not in the Green Belt.
- We share the applicants assessment that there is a need for elder persons housing, but this site is not well enough connected, is not in a sustainable location and there is enough urban housing land.
- It is hard to see how a standard foot way would be created, and it would not run along the whole of Long Line, or make the crossing over Hathersage Road any safer. It would also damage the rural nature of this location through further urbanisation.

Peak District National Park

- The landscape assessment needs to assess the impact in the context of the statutory National Park.
- The fringe landscape of the National Park plays a really important role of protecting the wilder experience.
- The dense, compact and urban form of the proposed development only serves to consolidate urban qualities in what is a more rural character at this

point. Long Line is largely single depth in terms of its layout, interspersed with historic farmsteads and spaces of rural character.

- It is the wrong location for a development of this size, number and layout. It is therefore inappropriate in this location, which forms a valued setting to the Peak District National Park.

Sheffield Wildlife Trust

- The site is designated as a Local Wildlife Site in the Greenbelt and is not designated for development. The application should therefore be refused as it is not in line with Sheffield Council's own strategic land allocation and associated policies.
- The ecological assessments are inadequate, including the fact that the field was mown just prior to the botanical survey, and the updated survey took place in December. No impact assessment has been carried out and a Habitat Regulation Assessment required under the Habitats Directive has not been carried out.
- Loss of species-rich grasslands and heathlands to be replaced by trees in 'biodiversity enhancement zone', this is not appropriate for this Local Wildlife Site.
- The biodiversity enhancement zone is now better thought out, but the amount of mitigation/compensation is still inadequate by a local of Biodiversity Net Gain.

Dore Village Society

- The proposal does not achieve sustainable development. The site is outside the urban area of Sheffield on Green Belt and is remote.
- The proposal would not support the current development along Long Line.
- The proposal would not contribute to protecting and enhancing our natural built and historic environment, sites of biodiversity, or the Peak District National Park.
- The development would contravene the purpose of Sheffield's Green Belt
- The proposal can not be justified by Very Special Circumstances, and does not meet any of the exceptions listed in para 145.
- The proposal does not accord with CS26 (Density) CS74 (Design Principles), CS73, GE1, GE2, GE5, GE8, GE10 (Green Belt), H14 (Highways).
- Also, the proposal does not comply with the Dore Neighbourhood Plan DN2 (Landscape Sensitivity of the Setting of the Peak District National Park), DN3 (Green Infrastructure), or DN4 (Long Line Substantially Developed Road Frontage).
- The developers statement does not reflect the general opposition expressed by the local community, with Dore Village Society comprising over 1000 members, and on whose behalf these objections are made.

Dore Neighbourhood Forum

- The site falls within the Green Belt, and there is no possibility of this site being released from the Green Belt.

- The proposal is not 'limited infilling in villages' nor 'limited affordable housing for the local community needs' contrary to NPPF paragraph 145. Long Line is not a village, and it is not close enough to Dore Village to be considered potential infilling.
- Affordable Housing should not be in a location that is isolated not only from the City, but also Dore.
- The proposal does not comply with DN2 of the neighbourhood plan, this substantial housing development makes no attempt to conserve or enhance the landscape character of the Green Belt and Local Wildlife Site.
- The application would conflict with DN3, in that it does not restore or enhance connectivity for nature and people through linking sites.
- The proposal is contrary to DN4, which limits development along Long line to the existing groups of dwellings, and this proposal does not sit in one of these locations.
- The site is well within the landscape setting of the National Park, and close to the Parks Natural Zones. Building a 22 house estate of houses on a Local Wildlife Site and on an otherwise linear development within existing green gaps is unacceptable, and cannot be solved by any screening (i.e any woodland).

Long Line Residents Association (LLRA) have submitted comments which are summarised below:

- The proposed development is within an Area of High Landscape Value, close to the boundary of the Peak District National Park, this suburban style housing is out of character with the rural nature of Long Line
- The proposal is within the Green Belt and does not meet the exceptions tests in para 145 of the NPPF,
- The Very Special Circumstances submitted do not outweigh the harm to the Green Belt.
- The infrastructure along Long Line is not adequate for affordable housing or elderly person units.
- The proposal would increase the potential for localised flooding.
-

In addition to this, the LLRA have submitted 8 Appendices which contain 44 pages of documents. These are of an assessment/critique of the reports submitted by the applicant. It is not possible to summarise the points raised, however the general theme is that the reports have not been carried out by an independent group, they are objectively and factual inaccurate, are not based on accurate or current information and assessments. The reports have been undertaken without any consultation with residents of Long Line, the community users, local agencies, Local Councillors or the MP.

Individual Representations:

Objections

89 Objections have been received. Some of these representations have commented more than once, and this number reflects each individual

representation and therefore there may be more than 1 per household. A handful of these objections are from outside of the City.

Green Belt

- The site is not allocated as a Housing Area, but is an important and invaluable Green Belt area that stretches into the Peak District National Park
- The site has historical connections defining Green Belts in the UK through Ethel Haythornthwaite's work.
- This sensitive environment must be protected and proposed buildings are inappropriate,
- It is an inappropriate location within the setting and view from the National Park
- The negative impact in this already fragile area would be a disaster.
- The site is within an area of high landscape value and should remain as such.
- Other houses along Long Line have had planning restrictions on their properties being in the Green Belt.
- There are plenty of brown field sites available in Sheffield, without building on the Green Belt.
- The area has very limited infrastructure that would not be suitable for such a large development.
- New development would change the character of this countryside location
- The proposal is contrary to Council's adopted local plan, and does not meet any of the exceptions rules in the NPPF for developing in Green Belt.
- The proposal is contrary to NPPF paragraphs 143, 144 and 145, and Core Strategy Policy CS71.
- The proposal would be further development on land of high landscape value between the National Park and existing suburban settlements
- The proposal will set a precedent for neighbouring Green Belt sites.
- The open space between the current three groups of properties should be maintained, not only as a crucial part of the green belt but also as a vital corridor for wildlife, and for continued uninterrupted views both to and from the Peak District.

Affordable

- There is doubt that the houses will be affordable, an average small house along Long Line goes for £500k.
- The type and values of the properties on Long Line would in no way be in keeping with the type of affordable properties required over the coming years
- The affordable units will be aimed at young families, yet the schools in Dore are oversubscribed and the road is too dangerous for children to walk down.

Traffic/highways

- It would be detrimental in terms of noise and excessive traffic

- There is no footpath along Long Line, and an additional 22 properties would add to congestion and to the safety of pedestrians, and inadequate lighting.
- It is a long way to walk to Dore Centre and then walk back up hill with shopping bags with no footpath and crossing Hathersage Road.
- The traffic at the moment does not adhere to the 30mph limit and it is a very dangerous road.
- Whilst there are several bus stops along Long Line, there is an infrequent bus service (2 a day) and not at the weekend, and not suitable for commuters, so the development will be heavily car dependant.
- The distance to local services would mean older people or families with young children could only reach them by car.
- The Transport Statement refers to a direct link to the railway station, yet as residents for over 35 years, we know of no such link. (The information submitted is incorrect). There have also been several serious accidents along this stretch of road in recent years.
- The bus links along Hathersage Road are not suitable for people with mobility problems or young families as you have to walk along Long Line which is a narrow road/track and is some places only single file especially without a footpath.
- It will increase traffic using the dangerous road junction of Long Line/ Hathersage Road/ Cross Lane
- There would be major congestion during construction.
- The increase in traffic generated would alter the dynamics of the site.

Design/Density

- 22 homes on the site would be an unacceptably high density of buildings for this area.
- A suburban type estate of 22 houses is totally out of character with the rural nature along Long Line which consists of farm buildings, and elderly bungalows of individual design
- The overdevelopment of the area would ruin the views and surrounding houses and destroy the neighbourhood

Local Services

- There are already pressures on the village amenities and parking.
- There is an oversubscription on school places in Dore
- The proposal would lead to increase demand on dentists and healthcare.

Sustainability

- The proposal is too far away from the centre of Dore to support village centre sustainability.
- There are ample sites all over Sheffield with better access to the city centre and public transport than this site.
- The energy report is a theoretical report with no concrete basis

Drainage

- The drains already flood during periods of high rainfall, resulting in high volumes of water running down the road. Additional hardstanding will increase run off and cause more drainage problems.
- There is a culvert running under Holt House Farm and an underground spring emerges in the proposed development site.
- The existing culvert may not have the capacity to cope with the SUD's drainage from 22 new homes
- The biodiversity area is in a much better location now and is shown as containing two-surface-water reservoirs/ponds and this is viewed favourably, whereby excessive surface water will accumulate followed by the slow release. This should be implemented irrespective of any planning permission.
- There have been several instances of flooding in this position in recent years, including flood levels of more than 150mm.
- The existing culvert cannot be expected to handle any excess of surface water run-off from the application field.
- The site adjacent contains high clay content, and this may impact on this sites permeability.
- There are flooding issues due to excessive water run-off from the land above
- The proposal contravenes the NPPF and Policy CS63 and CS67.

Amenity

- Increased stress levels of local residents through increase in noise and disturbance.
- The proposed development runs adjacent to a lane serving a number of properties and will encroach on privacy, and restrict views of the surrounding countryside.
- House Plot 1 lies within 10 metres of the boundary wall of an existing neighbouring property.
- The proposals would overlook the existing adjacent properties and create of a loss of light to these windows.
- The proposal would impact on air quality.

Ecology

- The proposal will disturb the habitat of the wide range of wildlife that exists in the area.
- The proposal will be contrary to paragraph 175a of the NPPF, and Policy G1 of the of the emerging Policies and Sites document.
- The ecology appraisal is not accurate and the field survey was taken when the field has recently been cut.
- The report claims an enhancement of bio-diversity net gain due to tree plantation and two ponds on a narrow strip of the site. However there will be a loss of a meadow which is frequented by wildlife.

Sheffield Development Plan

- The next stage of the Sheffield Development Plan will be published within the next few months, no permissions should be given for developments of this size on an ad hoc basis whilst the future housing plan for Sheffield is in flux.
- The site has not been identified in the Green Belt review as being suitable for housing.

Dore Neighbourhood Plan

- The development would be contrary to the Long Line Policy in the Dore Neighbourhood Plan.

Others

- There is a flurry of activity supporting this development recently, the vast majority of these comments supporting the scheme live nowhere near the site. They are listed as neighbours but aren't.
- The level of publicity for the application is too narrow, and does not include anyone who cycles, runners, horse rides etc. in the area.
- The proposal is supported by a number of technical reports which have been engaged to support the application. The independence and reliability seems questionable.
- Open green areas improve the mental health of a community.

Support

18 Representations have been received in support of the application. These have generally come from people who are not immediate neighbours and some on which do not live in Sheffield. The representations vary in length from a single word of 'Support' to a couple of sentences. The main comments raised include:

- More new bungalows are need in this area.
- Sustainable, energy efficient housing project.
- Great asset to Sheffield and the Peak District if the homes are truly affordable, especially to young families and older people.
- High demand for affordable housing on this side of Sheffield.
- The road is easily accessible and would be able to support the additional volume of cars the development would attract.
- This a great incentive for first time buyers and families.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) set's out the Government's planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic

environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Policy Context

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework revised in February 2019 (NPPF) is a material consideration.

The Sheffield Plan – 'Issues and Options' consultation is only 'emerging' and not at draft stage. Any potential future spatial strategies proposed do not therefore have any weight yet.

The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

Paragraph 12 of the NPPF makes 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. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The relevant policies of the statutory Development Plan are set out below under each sub-heading, along with an assessment of their degree of consistency with the policies in the NPPF. Conclusions are then drawn as to how much weight can be given to each policy in the decision-making process in line with the requirements of NPPF paragraph 213.

The assessment of this development proposal also needs to be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, (d) 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:

- (i) The application of policies in the NPPF which relate to protection of certain areas or assets of particular importance provides a clear reason for refusing the development proposed⁶, or
- (ii) 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'.

Footnote⁶ sets out a list of areas/assets of importance to which paragraph 11 d) i) applies, and this includes the Greenbelt in this instance.

Paragraph 11 of the NPPF also makes specific provision in relation to applications involving the provision of housing, and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer, the policies which are most important for determining the application will automatically be considered to be out of date.

Dore Neighbourhood Plan

The Dore Neighbourhood Plan has reached the Publication Consultation (Reg 16) stage with the consultation period finishing on the 26th October 2020.

Para 48 of the NPPF states: 'Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)'

The appointment of an examiner is now being progressed. The policy weight will only change once the examiner's report has been issued. Policies are considered to have limited weight if there is no inconsistency with the NPPF, and no unresolved significant objections. These policies would then need to be considered alongside all other development plan policies and material considerations.

Policy DN2 'The Landscape Sensitivity of the Setting of the Peak District National Park' applies to this development proposal. At present, this policy has limited weight as it is consistent with the NPPF. Other policies which are applicable are DN3 'Green Infrastructure Strategy', DN4 'Long Line Substantially Developed Road Frontage' and DN6 'The Provision of Smaller Homes.' These 3 policies at present are considered to have no weight due to inconsistency with NPPF paragraph 16(d).

Key Issues

The main issues to be considered fall under the following headings;

- Housing Land Supply
- The acceptability of the development in land use policy terms and its impact on the Green Belt,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided,
- The impact of the proposal upon the existing landscape of the site.

Housing Land Supply.

Policy CS22 'Scale of the Requirement for New Housing' of the Core Strategy is the most up to date development plan policy in relation to delivering a sufficient supply of housing for Sheffield, stating that a 5 year supply of deliverable sites will be maintained at all times.

This policy is only partly in conformity with the NPPF, as the Core Strategy is now more than 5 years old, the NPPF states that the housing requirement must be based on the local housing need figures using the Governments standard methodology.

Using this method, the housing requirement in April 2019 was 2,124 net additional homes per year for Sheffield (699 homes per year higher than the figure in Policy CS22. This translates to a requirement to provide 10,620 net additional homes over the 5-year period from 1 April 2019 to 31 March 2024 inclusive.

A 5% buffer is applied to this figure to ensure choice and competition in the market for land as required by NPPF paragraph 73. This produces a total net 5-year housing land requirement of 11,151 homes over the period 1 April 2019 to 31 March 2024 inclusive.

The majority of Policy CS22 therefore carries very limited weight. However, the policy states that a 5-year supply of deliverable sites will be maintained at all times, and the most recent published monitoring data (February 2020) concludes that there is 5.1 year supply. This part of the policy is in conformity with the NPPF.

- Five Year Housing Land Supply Position

The Five-Year Housing Land Supply Monitoring Report (published May 2020) sets out the housing land supply position for Sheffield as at 31 March 2019. The five-year period runs from 1 April 2019 to 31 March 2024 inclusive.

The report identifies a gross supply of 11,642 new homes over the 5-year period from sites with full or outline planning permission, development plan allocations, sites with permission in principle and sites identified on the brownfield register. Estimated losses of 250 are deducted from this figure producing a net supply of 11,392 additional homes over the 5-year period compared with a net requirement for 11,151 additional homes.

Sheffield can therefore demonstrate a 5.1-year housing land supply.

Paragraph 73 of the NPPF requires LPA's to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years worth of housing against their housing requirements.

Therefore, when considering housing land supply the presumption in favour of sustainable development as set out in paragraph 11 is not applied to the tilted balance in this case, with Sheffield demonstrating a deliverable 5- year land supply.

- Housing Delivery Position

The 2019 Housing Delivery Test confirms that 112% of Sheffield's housing requirement has been built over the last 3 years (also 112% in 2018). Therefore, there has not been significant under delivery within the District over this period in relation to the 45% threshold set out in the transitional arrangements detailed at NPPF paragraph 215.

This result also indicates that SCC's Development Plan policies will not be considered out of date solely on the basis of past delivery.

- Previously Developed Land

CS24 'Maximising the Use of Previously Developed Land for New Housing' is the most up to date policy for promoting the use of previously development land. This aligns with the paragraph 118 of the NPPF which gives 'substantial weight to the value of using suitable brownfield land within settlements for homes' and is reflected in the policy target of delivering no more than 12% of new homes on greenfield land.

However, the NPPF does not specifically advocate a brownfield first approach. CS24 does state that green field sites will be developed only whereby it is connected with housing renewal; in connection with identified sites and areas; small sites in urban areas and larger villages; in Owlthorpe Township, or sustainably located larger sites in a or adjoining urban areas or larger villages where there is less than a 5 year supply of deliverable sites.

This site is clearly a green field site and does not sit within the criteria set out by Policy CS24 as detailed above. Therefore, the application is contrary to Policy CS24. Paragraph 117 of the NPPF requires that decisions should promote the effective use of land in meeting the need for new homes, whilst safeguarding the environment, and this proposal would not achieve this.

- Efficient Use of Land

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. This is reflected in para 123 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

Policy CS31 'Housing in the South West Area' of the Core Strategy limits housing development at appropriate densities to infill and windfall sites in the urban area and developments in highly accessible locations. This reflects the approach of the NPPF whereby substantial weight to the value of using suitable brownfield land within settlements for homes is applied, however, additional land may be needed to meet future housing needs, and therefore moderate weight should be applied in determination of the application.

For a site such as this, within which is within a rural area, CS26 part (e) is relevant and states that a range of 30-40 dwellings per hectares is appropriate. This part Long Line and the immediate surroundings is generally characterised by lower density development due to the presence of a high number of large dwellings which are set in substantial plots.

The application site is approximately 1.6 of a hectare, and the 22 proposed units would give a density of approximately 13 dwellings per hectare. This falls below the suggested range within the CS26 (e). Whilst the Council seeks to encourage efficient use of land, in this instance in this rural location within the Green Belt, a density to reflect the policy requirement would not reflect the prevailing density of the area.

This site is not an infill or windfall site, is not brownfield land, is not within the main urban area, and is not within a highly accessible location. Furthermore, the indicative plans show that to accommodate 22 dwellings into the site, these are likely to be 3 dwellings deep, and not just have a frontage onto Long Line. This is at odds with the characteristic of the area, and therefore the proposal does not accord with CS31 of the Core Strategy and paragraph 122 of the NPPF.

- Summary of Housing Need

The proposal is to develop a greenfield site, in a location which is not within or immediately adjacent to the main urban area and is not in a sustainable location.

Therefore on this basis, the proposal is inappropriate development within this isolated green belt location and where Sheffield can demonstrate a 5.1 year housing land supply to which considerable weight has been attached. This is contrary to Policies CS24 and CS31 of the Core Strategy and paragraphs 117 and 122 of the NPPF.

Green Belt

- Introduction

Chapter 13 'Protecting Green Belt Land' of the NPPF states that the Government attaches great importance to Green Belts, and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

Policy CS71 of the Core Strategy is the most up to date local policy which seeks to safeguard the countryside by maintaining Green Belts. Development needs will be met through the re-use of land and buildings rather than expansion. The supporting text to Policy CS71 requires that the policy will be implemented through the development management process in accordance with national policy and therefore defers to NPPF paragraph 145.

Policies GE1, GE2, GE3, GE4, GE5 and GE8 are UDP policies relating to protection of the Green Belt. These are all assessed with relevant weight given to each in the sections below.

The following assessment is split into 5 main headings:

- (i) Whether or not the proposal is inappropriate development in the Green Belt.
 - (ii) Whether there would be harm to the Green Belt
 - (iii) Other considerations which weigh in favour of the development
 - (iv) Whether very special circumstances exist.
 - (v) Green Belt Balancing Exercise.
- Whether Inappropriate Development

Policy GE3 'New Building in the Green Belt' states 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 and cemeteries, and other uses which would comply with Policy GE1.

Policy GE5 'Housing Development in the Green Belt' deals with the principle of new houses in the Green Belt. It details that other than those needed to support agricultural and other acceptable uses (as set out in Policy GE3 above), they will only be permitted where they would involve either; (a) infilling of a single plot within the confines of an existing village, group of buildings or substantially developed road frontage; or (b) replacement of an existing housing on the same site, providing that the new house is not significantly larger than the one it replaces.

All of the exceptions listed in Policy GE3, and GE5 where new buildings are allowed in the Green Belt, correspond with some of those listed in NPPF paragraph 145 and significant weight can be given to those parts of GE3 and GE5.

Paragraph 145 sets out that new buildings are regarded as inappropriate and lists 7 criteria (a-g) which are exceptions to this. These are:-

- a) buildings for agriculture and forestry;
- 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;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an

identified affordable housing need within the area of the local planning authority.

The proposal for 22 houses is not considered to fall within any of the 7 exceptions, and as such is inappropriate development, by definition.

Policy GE5 of the UDP only allows for a single plot within the confines of an existing village, group of buildings or substantially developed road frontage, whereas part (e) refers to limited infilling in villages. The NPPF does not explain the term limited infilling for the purposes of a Green Belt assessment.

Long Line is characterised by small groups of houses at intervals along the southern side of Long Line, with only a few dwellings along the northern side. This existing development can be described as ribbon/strip development, and this site at present forms a significant and important gap between two groups of dwellings between Holt House Farm to the south east and No. 139 Long Line to the north west.

The proposed layout (although indicative) is suburban and does not reflect or reinforce the rural, and ribbon development character of the area. The scale of development swamps the entire plot with suburban style housing, and it is clear that 22 houses within a field which has a road frontage of 150 Metres, would not accord with the term limited infilling, whatever the layout.

Part (f) of para 145 refers to 'limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites). Firstly, it clearly states 'limited affordable housing for local community needs under policies set out in the development plan'. Sheffield's development plan consists of saved UDP policies and the Core Strategy, neither of which include such a policy and therefore this cannot be applied. Secondly, this clause is designed to deal with local community needs. Generally, this would mean needs that are specific to a Green Belt community (i.e. a specific village).

Sheffield's affordable housing need is calculated at a citywide level and disaggregated by housing market area (HMA). However, even that need which is identified at the housing market area level (i.e. South West HMA or Peak District HMA) is not locally specific to Long Line as a 'community', and therefore would not be sufficient to justify application of this clause in the NPPF.

In conclusion, the proposal fails to meet any of the exceptions list in Paragraph 145 of the NPPF and amounts to inappropriate development in the Green Belt. This is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- Would there be harm to the Green Belt

Openness

Policy GE1 'Development in the Green Belt' of the UDP, states that development will not be permitted, except in very special circumstances, where it would: (a) lead

to unrestricted growth of the built-up area; or (b) contribute towards merging of existing settlements; or (c) lead to encroachment of urban development into the countryside; or (d) compromise urban regeneration. Fundamentally, this is the same approach as paragraph 134. Allowing development only in very special circumstances accords with NPPF paragraph 143, and significant weight can be given to GE1.

Paragraph 134 states the Green Belt serves five purposes:

- a) To check the un-restricted 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.

Paragraphs 145 and 146 of the NPPF, state that where development is allowable in the Green Belt, it should not have a greater impact on openness than the existing development or should preserve openness.

Openness is viewed as the absence of development. In this instance, the site at present consists of open countryside, which is confined by the existing stone wall/post and wire fence which encloses the site. The site creates a positive sense of openness and is viewable from a number of vantage points.

The proposed dwellings would be a permanent and substantial form of development which would stretch approximately 150 metres along the road frontage, where currently there is a significant gap in built form, but also 100 metres back into the site essentially being 3 houses deep.

The development would constitute urban sprawl bringing a significant development to an area of scattered homes that is physically isolated from the main urban area. In addition, the proposal site would be considered 'countryside' and certainly meets that Green Belt purpose. Almost all land within Sheffield's Green Belt can be considered to meet Green Belt purpose which relates to assisting urban regeneration by encouraging recycling of urban land – as by protecting land in the Green Belt, development is naturally funnelled into the urban area. Furthermore, the site is clearly open in nature, and the fundamental aim of Green Belts (NPPF para 133) is to prevent urban sprawl by keeping land permanently open.

Therefore, a significant loss of openness would occur in the Green Belt from the erection of 22 houses on this site, contrary to the fundamental aims of Green Belt policy as listed in paragraphs 133, 134.

Character and appearance

Policy GE2 of the UDP 'Protection and Improvement of the Green Belt' requires that measures shall be taken at part (a) to maintain and enhance those areas with a generally high landscape value. The NPPF at paragraph 141 states that Local Planning Authorities should plan positively to retain and enhance landscapes and

visual amenity, which aligns with GE2, and significant weight can be afforded to GE2.

Policy GE8 'Areas of High Landscape Value and The Peak National Park' reinforces that in areas of high landscape value (AHLV), protection and enhancement of the landscape will be the overriding consideration. The policy is broadly consistent with the natural environment section of the NPPF which states that policies should protect and enhance valued landscapes. The AHLVs referred to in GE8 would be relevant to this. Further, para 172 of the NPPF specifically gives great weight to conserving and enhancing National Park landscapes. The National Park's landscape assessments recognise that landscapes extend beyond the National Park's boundary and therefore protection of those fringe landscapes through this policy is consistent with the approach in the NPPF.

This site is outside the Peak District National Park which is located approximately 500 metres to the west, and it does sit within the fringe landscape.

Indicative plans have been submitted and these show that the creation of 22 dwellings on this site would create a domestic activity which would envelope the site. This is through the buildings themselves, coupled with the individual boundary treatments, either soft or hard, garden equipment and play equipment, roads through the site, the presence of vehicles, street lighting and people movement.

The site is clearly seen from a range of viewpoints and is totally out of character with the surrounding forms of development. This suburban layout featuring 22 houses which extend deep into the site will have a far greater urbanising effect than the existing minimal levels of linear development which is concentrated mainly on the road frontage. This will have a significant impact on the character and appearance of the surrounding Green Belt, which will also impact on its openness.

Landscape and Visual Impact

A Landscape and Visual Impact Appraisal (LVIA) has been submitted with the application. This defines the site as being an open field in fair condition with no built structures, infrastructure, or vegetation on the site. The LVIA contains 8 viewpoints within a 2km study radius and assesses the impact of the proposal from these points.

The impact varies from 'negligible' whereby the development is not seen as a result of either elevated topography or areas of woodland between the site and viewpoint, to 'large adverse' impact from the nearest properties. However, it is clear that there are large areas from which the proposed development can be clearly be seen and will have an impact upon the landscape character.

Considerable emphasis is placed within the LVIA on significant landscaping within the site, so that in the medium to long term, these landscape enhancements would mitigate the more prominent adverse landscape and visual impacts of the proposed development. The very fact that landscape works are necessary to mitigate the visual appearance of the development underlines the visual impact on the surrounding landscape.

As the application is for outline consent, the LVIA at Reserved matters stage could vary significantly on the design approach, scale, massing and layout of the development. However, at this outline stage, it is clear that there will be an unacceptable impact of erecting 22 houses on this site, on the surrounding landscape.

Sustainability

Paragraph 7 of the NPPF states 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'. Paragraph 8 goes on to say at part c) environmental objective – to contribute to protecting and enhancing our natural, built and historic environment. Development of this parcel of open countryside within the Green Belt, would not protect or enhance this natural environment and the site is not in a sustainable location.

- Other considerations which weigh in favour of the development

Paragraph 144 of the NPPF requires decision makers to ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In this instance, two reports have been submitted by the applicant in support of the development. The first is a Very Special Circumstances Report (VSC) which was updated in October 2020 and highlights concerns about housing affordability nationally and in Sheffield, and most particularly in Dore and the south west of Sheffield. This was then supplemented with an additional report written by Lichfield's which proposes 13 of the 22 units to be affordable housing units, in the form of 4 older person units, 4 two-bedroom units and 5 three bedroom units

Several case studies are cited within these reports, but these are not comparable to this case. They are either based on land that was previously developed; or refer to instances where there is a significant lack of a 5-year housing supply; or where if there was a 5 year supply the scheme provided a substantial amount of housing (of 500+ units), meaning that any perceived benefits were considered to have much more significant impact.

The VSC report lists 50 items which the applicant stipulates are material considerations that contribute to the VSC of this application, and which give a positive impact in a balancing exercise.

These are categorised into the following main headings (with some of the subheadings in brackets):

- Policy and Green Belt Matters (The site does not strongly conform to the 5 Green Belt purposes, Sheffield has out of date Local Plan Policies, and cannot demonstrate a 5-year supply only having around 3.6 years).
- Housing Provision - Market, Affordable and Specialist Housing for Elderly People (On site contribution to market family housing, affordable housing for Dore and elderly occupants)
- Social Sustainability (Inclusive and mixed community, providing homes for those with protected characteristics, and support for local community services)
- Economic Stability (Economic stimulus to COVID recession, construction jobs, and generating an associated population to increase spending in the local area).
- Environmental Sustainability and Biodiversity Enhancements (Enhancement of the Local Wildlife Site, Bio-diversity net gain, networked green spaces, and the removal of invasive species)
- Water Drainage (Removes the pressure for development in higher risk Flood Zones in the city, and Sustainable Urban Drainage being proposed.)
- Landscape (Retention of key characteristics such as the stone boundary wall, and added value to local landscape)
- Sustainable Transport and Location (Long Line being well served by public transport links, improved public footpaths, potential traffic calming, on site electric car charging points)
- Architectural Design (Inclusive design, with market and affordable housing being indivisible from one another)
- Sustainable Energy (Low carbon energy supply and a reduction in carbon emissions).
- Financial Contributions. (A contribution to local council tax and a CIL contribution).

There are then 2 negatives which are listed as:

- Inappropriate development in the Green Belt (market housing does not fall under the exception text, however affordable housing does)
- Impact on openness (the proposal will impact on openness, but substantial weight is given to any harm through VSC).

Firstly, the VSC report by Lichfields gives a figure of 59% affordable housing provision within the scheme. It is important to note that this figure is derived by simply dividing the number of affordable units by the total number of units (13/22 = 59%).

The Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (SPD) which includes Affordable Housing, calculates the percentage to be applied as a proportion of gross internal floor area rather than a percentage of unit numbers. The site plan submitted, indicates that of the 13 units, there are 4 bungalows, 5 x 3-bedroom units and 4 x 2-bedroom two storey smaller houses.

A further figure has been provided in the updated VSC report which gives 44% of

the total gross floor space as affordable, and it is this figure which is most important and relevant to the policy.

The policy requirement as set out in the Community Infrastructure Levy and Planning Obligations SPD for this area is 30% and this would need to be calculated in full at reserved matters stage which would include detailed design. However, what is clear, is that this application is not seeking to provide 59% affordable housing, but closer to 44% depending on the final designs. On this basis this meets and exceeds the policy target for affordable housing on the site.

The vast majority of the 50 items referred to in the VSC report are not exceptional circumstances as they are all required to comply with policy, such as an energy efficient building, the contribution to CIL, bio-diversity net gain etc. A development of 22 houses, is not going to significantly boost spending in the local community or provide a significant amount of council tax revenue. These other considerations neither collectively nor individually outweigh the significant harm to the Green Belt as identified in the sections above, and nor do they demonstrate why this particular site is required to provide these other considerations.

- Whether very special circumstances exist.

As assessed in the sections above, the proposal would constitute inappropriate development, and substantial weight should be given to any harm in the Green Belt. Furthermore, there would be a loss of openness and visual intrusion into the character of the Green Belt. When taken individually or cumulatively, the other considerations put forward by the applicant do not clearly outweigh the harm that has been identified. Consequently, the very special circumstances that are necessary to justify this inappropriate development in the Green Belt simply do not exist.

- Green Belt Balance.

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As such, substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm by reason of inappropriateness is clearly outweighed by other considerations.

The proposal would be contrary to the relevant policies of the UDP and Core Strategy with respect of development within the Green Belt but, for the reasons set out above those policies are not up to date and have varying degrees of weight. In accordance with Paragraph 11(d) of the NPPF, where policies that are most relevant for determining an application are out of date, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development. As listed in footnote 6 the Green Belt is one such protected area.

In this instance, the development would amount to inappropriate development within the Green Belt. This would impact on the openness and visual character of the Green Belt. The other considerations that would arise from the proposal are

cumulatively of limited weight. They do not clearly outweigh the substantial weight that the NPPF requires to attach to the harm to the Green Belt through inappropriateness and loss of openness, nor the harm to the character and appearance of the area.

For the reasons set out above, the very special circumstances that are necessary to justify this inappropriate development in the Green Belt simply do not exist.

Therefore, the proposal is considered to be contrary to Policy GE1, GE2, GE3, GE4, GE5, GE8 of the UDP, Core Strategy CS71 and paragraph 134 and 143, 144 and 145 of the NPPF.

Residential Amenity

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

This is further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice detailed guidelines and principles for new build structures and their relationship to existing houses.

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

These UDP policies are therefore considered to align with the requirement of paragraph 127 so should be given significant weight in in the context of carrying out an analysis of whether a proposal complies with the development plan.

The closest neighbouring properties to the site are The Lodge, Standhills which is on the opposite side of Long Line; Holt House Farm which is to the south east of the site; and No's 125-139 Long Line which are to the north west of the site.

Whilst this is an outline planning application with details of layout, scale, design and landscaping being reserved for subsequent approval, the proposal will involve built development of dwellings and roads and the provision of drainage, open space and landscaping.

The application site is of sufficient size to ensure the proposed development can be accommodated and provide sufficient separation between proposed and existing buildings to ensure there would be no significant overlooking, overbearing or overshadowing of existing and future residents.

The proposal would cause noise and disturbance during the construction phase, and create noise and disturbance from the movements of people and vehicles during the operational phase when the dwellings are occupied, however such impacts would not be so significant as to harm the living conditions of existing residents in the locality. The impact on air quality would not be significant. The

production and implementation of a Construction Environmental Management Plan (CEMP) would be required in the event of permission being granted.

It is considered that the proposed development would not significantly harm the living conditions of existing and future residents in the locality.

The proposal would, subject to satisfactory details at the reserved matters stage and the imposition of conditions, comply with UDP Policy H15, and paragraph 127 of the NPPF.

Design/Layout/Non-Green Belt Specific Character

Policy GE4 'Development and the Green Belt Environment' of the UDP states that the scale and character of any development which is permitted within the Green Belt, or would be conspicuous from it, should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment. Policy GE8 'Areas of High Landscape Value and The Peak National Park' requires that in Areas of High Landscape Value protection and enhancement of the landscape will be the overriding consideration.

More generally, BE5 'Building Design and Siting' of the UDP and CS74 'Design Principles' require high quality design and the use of good quality materials, which take advantage of and enhance the surrounding area.

Core Strategy Policy CS31 deals with housing in the south west area and this says that priority will be given to safeguarding and enhancing its areas of character. The policy defines "south west" as between the Manchester Road and Abbeydale Road corridors.

Chapter 12 of the NPPF aligns with the UDP and Core Strategy Policies and requires good design, whereby paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 130 requires that planning 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. Paragraph 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally so long as they fit in with the overall form and layout of their surroundings.

It is considered that the design policies within the UDP and Core Strategy reflect and align with the guidance in the NPPF, and therefore are considered consistent with it and so have full weight in the context of carrying out an analysis of whether or not a proposal complies with the development plan.

The character of the area is primarily rural, and the site is entirely within the Green Belt. Development along Long Line can be described as ribbon/ strip development.

The application is for outline consent only, and whilst an indicative plan has been submitted, the specifics of design and layout of the proposed development are

subject to reserved matters stage approval only.

Setting aside matters of Green Belt policy conflict, a scheme could be developed that has a strong and positive frontage onto Long Line, including a well thought out boundary treatment which is likely to retain the existing stone wall. Overall heights and the scale of the proposed dwellings could be designed to mirror those found in the immediate area, which vary from single to two storey buildings. Furthermore, there is a variety of design styles and building materials in the locality.

However, what the indicative plans show is a layout which is suburban in character and does not reflect or reinforce the rural, ribbon pattern of development in the area. They show a scale of development which swamps the entire plot with suburban style housing, which is essentially 3 houses deep, and totally out of character with any other development along Long Line.

In conclusion, this application is just for outline consent, with all matters of design, layout and appearance subject to reserved matters stage. The general design and appearance of any future buildings could complement those within the surrounding street scene, however what is clear is that the layout for 22 houses, as per the indicative plans or a variation, show that in order to fit the 22 houses into the site, it will need to have a new road layout created which extends back into the site, creating a suburban style housing scheme. This is at odds with the overall character of the area.

This is contrary to Policies GE4, GE8, and BE5 of the UDP, Core Strategy Policies CS31 and CS74 and Chapter 12 of the NPPF.

Highways

Policy BE9 'Design for Vehicles' of the UDP requires that new developments should provide safe, and adequate parking provision including space to manoeuvre. UDP Policy 15 (Design of New Housing Developments), part (a), expects new development to provide easy access to homes and circulation around the site for people with disabilities or with prams. Policy CS53 'Management of Demand for Travel' of the Core Strategy seeks to make the best use of the road network, promote good quality public transport, walking and cycling and use travel plans to maximise use of sustainable forms of travel and mitigate the negative impacts of transport. Policy CS51 'Transport Priorities' identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

The NPPF seeks in Chapter 9 (Promoting Sustainable Transport) to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. It is important to note that 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.'

The UDP and Core Strategy policies broadly align with the aims the NPPF, although it should be noted that in respect of parking provision, the NPPF at

paragraphs 105 and 106 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

The applicant proposes a priority junction onto Long Line to serve the 22 dwellings which would be an appropriate highway safety response in this situation. Visibility is good in both directions, but steps should be taken to enhance the area around the junction to ensure drivers on Long Line are aware of the junction.

What is clear is that there are no formal pedestrian facilities past the site on Long Line. Requiring the developer to provide facilities along the site's frontage would be of little benefit as there is no existing footway along the rest of Long Line for these facilities to tie into.

Long Line has an infrequent bus service. The No.181 runs Monday to Friday 3 times a day into Sheffield, and 2 times a day coming out of Sheffield. With this infrequent bus service, occupiers of the proposed development are more likely to use the stop on Hathersage Road which is approximately 700m from the site for more regular services on the wider network, but that this is still infrequent. This fact coupled with the lack of pedestrian facilities would suggest that the site will be car dependant.

The Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53, and for a 2-3-bedroom dwelling outside of the city centre 2 spaces are required as a maximum, with 1 space per 4 units for visitors. Taking parking ratios in isolation, and notwithstanding the issues relating to the design and the location off this site in the Green Belt, a scheme could be designed at reserved matters stage to maximum guidelines.

Even with a car dependant scheme which is designed to maximum standards, the traffic generation from this site for 22 dwelling, is not likely to be so significant as to pose a severe impact on the surrounding highway network, including at the junction with Hathersage Road and Long Line, which is already used frequently as a route from Dore to other areas of western Sheffield to the north and vice/versa.

The proposal therefore complies with UDP, Core Strategy and NPPF policies as listed above.

Affordable Housing

Core Strategy Policy CS40 states that all new housing developments over and including 15 units to contribute towards the provision of affordable housing where this is practicable and financially viable.

The Council's Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (December 2015) includes guidance on affordable housing and is based on gross internal floor space.

The proposed development exceeds the 15 or more dwellings threshold and lies within an area where there is a required level of contribution of 30% identified in Guidelines GAH1 and GAH2 of the Planning Obligations document.

The applicant has confirmed that it is the intention to far exceed the policy requirement of 30% with 13 out of the 22 units being for affordable housing and it would not seem unrealistic to be able to achieve the 30% policy requirement which is based on a gross internal floor space.

This would need to be secured as part of a legal agreement should planning permission be granted.

The proposal would, therefore, comply with Core Strategy Policy CS40.

Ecology

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

GE11 aligns with the NPPF and is therefore relevant to this assessment. To clarify, NPPF paragraph 170 a) and d) identify that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 175 a) 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.

The site and surrounding area is designated as a Local Wildlife Site in the Green Belt. It is in close proximity to two Natura 2000 sites to the west. These are a network of nature protection areas. These two sites are Peak District Moors (South Pennine Phase 1) Special Protection Area (SPA) and the South Pennine Moors Special Area of Conservation (SAC).

A screening document for a Habitat Regulation Assessment (HRA) has been submitted and includes reference to the original ecological survey and a second updated survey. These documents have a lack of complete information on the main habitats on the site. Botanical surveys have been sub-optimal due being undertaken at the wrong time of year or following mowing. Furthermore, there is no reference to impact pathways, loss of supporting habitat, or potential impact of construction disturbance etc.

A Habitats Regulations Assessment (HRA) is used to determine if a plan or project may affect the protected features of a habitats site before deciding whether to

permit it. All plans and projects (including planning applications) which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration – typically referred to as the ‘Habitats Regulations Assessment screening’ – should take into account the potential effects both of the plan/project itself in combination with other plans or projects.

The National Planning Policy Guidance advises that where the potential for likely significant effects cannot be excluded, a ‘competent authority’ (in this case the LPA) must make an appropriate assessment of the implications of the plan or project for that site, in view of the site’s conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site’s integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.

In the light of the poor quality of the screening submission, including primarily, as above the poor base information used adverse effects cannot be ruled out.

Owing to the overriding Green Belt issues as detailed above, this further information has not been requested from the developer.

Therefore, it is concluded that there is insufficient information on the exact nature of this habitat to enable a full assessment to be made.

- Biodiversity Net Gain

This is an outline application with all matters reserved except for access. An indicative site layout has been provided which shows dwelling positions, along with a Bio-diversity buffer area.

A Biodiversity Net Gain Assessment (BNG) should not be based upon an indicative site plan that is still to be decided at reserved matters stage. A BNG assessment at this stage should only include the baseline information and then show a worst-case scenario of 100% loss of biodiversity. However, although there cannot be a definitive BNG outcome in an outline application with all matters reserved there still needs to be a requirement for a BNG assessment to be completed at reserved matters stage.

In the event of planning permission being granted, a suite of conditions could ensure that an appropriate Habitat Regulation Assessment is carried out to accompany the Reserved Matters application, along with a BNG assessment, and a Construction Environmental Management Plan to wildlife and habitats.

In light of the above, insufficient information on the exact nature of this habitat has been provided to enable a full assessment to be made.

Landscaping

UDP Policy BE6 'Landscape Design' expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

CS74 'Design Principles' part (a). requires high-quality development that will respect, take advantage of and enhance natural features of the City's neighbourhoods.

These are the most important policies in the consideration of this application. They are considered to align with the NPPF and therefore be relevant to this assessment – on the basis that paragraph 127 c) expects new development to be sympathetic to local character, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

At present there are no trees or significant shrubs within the site, with it consisting of just open countryside/field. Landscaping is to be dealt with at reserved matters, but a suitable and appropriate landscaping scheme could be proposed.

Air Quality

UDP policies include Policies GE22 and GE23 relating to pollution and air pollution which seek to ensure development is sited so as to prevent or minimise the effect of pollution on neighbouring land uses or the quality of the environment and people's appreciation of it.

NPPF paragraph 170 also seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution (amongst other matters).

An Air Quality Assessment is not required because of the scale of the development, the anticipated number of vehicles per hour and the site's position. A proposal for 22 houses is not likely to have a significant effect on local air quality. Condition(s) to secure a construction environmental management plan to mitigate the impact of dust during construction would be necessary in the event of planning permission being granted.

The proposal complies with UDP Policies GE22 and GE23, both of which carry weight in the decision-making process, and the Government's planning policy guidance on air pollution contained in the NPPF.

Flood Risk and Drainage

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. It seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also seeks to reduce the extent and impact of flooding through a series of measures including limiting surface water runoff, through the use of Sustainable drainage systems (Suds), de-culverting watercourses where ever possible, within a general theme of guiding development to areas at the lowest flood risk.

Policy CS67 is considered to align with Section 14 of the NPPF. For example, paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided and development should be directed away from areas at the highest risk. Paragraph 163 states that when determining applications, LPA's should ensure that flood risk is not increased elsewhere with relevant applications being supported by a Flood Risk Assessment. Paragraph 165 expects major developments to incorporate sustainable drainage systems unless there is clear evidence to demonstrate otherwise.

- Flood Risk

The site does not fall within a high or medium risk flood zone that would affect the principle of the development, however as the site is over 1 hectare in flood zone 1, it has the potential to cause flooding elsewhere so does require a Flood Risk Assessment to be carried out. This demonstrates that the site is not likely to flood.

- Drainage

This area has a history of problems with the watercourse system therefore this site needs to manage its surface water to avoid any increase in flow.

Discharge via infiltration is unlikely to succeed owing to the prevalence of shallow watercourses within the area. Discharge to the watercourse (culvert) within the site is therefore the most sustainable solution and would need to be explored further at reserved matters stage.

The indicative plans have been amended to show a biodiversity zone which is now placed to the southern (low) side of the site. This could then be utilised for surface detention of flows in a wetland. Road surfaces could be built as lined permeable paving to provide treatment and storage. The sub-base can be upsized to accommodate roof water if unadopted by the Highway Authority. The density of this housing could allow a swale system to be developed to take road water either side the road. If surrounding levels are carefully considered around houses, then roof water could be directed to these swales on or near the surface.

Details of sustainable drainage (SUDS), drainage infrastructure management and discharge rates would be required with a reserved matters submission.

The Lead Local Flood Authority have advised that sufficient information has been received with regard to surface water management at outline stage. Details of sustainable drainage (SUDS), drainage infrastructure management and discharge rates will be required with a reserved matters submission.

Therefore, if planning permission were to be granted, a suite of suitable drainage conditions could be attached to any approval, to be dealt with at Reserved Matters Stage.

Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places

a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 5. Within this zone there is a CIL charge of £80 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'.

SUMMARY AND CONCLUSION

This application seeks outline planning permission for erection of 22 houses in the Green Belt. It is only access which is to be dealt with at this outline stage, with all other matters (appearance, landscaping, layout, and scale) to be dealt with at reserved matters stage.

An indicative plan has been submitted, and this demonstrates that the site can accommodate 22 houses in a layout that would provide good quality living accommodation and would not result in highway safety impact.

It is anticipated that a satisfactory solution to site drainage can be accommodated in a way that it doesn't result in flooding, with potential for bio-diversity net gain.

The creation of these 22 dwellings would be a relatively small but welcome contribution to city's housing supply, however this is limited as the Council can demonstrate a deliverable housing land supply of more than 5 years.

However, despite these benefits the site is a prominent Green Belt site in an Area of High Landscape Value, close to the boundary with Peak District National Park. In this instance, the development would amount to inappropriate development within the Green Belt. This would adversely impact on the openness and visual character of the Green Belt, essentially plugging a significant gap in the existing ribbon development which fronts on to Long line, in a manner that would be wholly out of character with the immediate location.

The other considerations which have been put forward by the applicant in their supporting statements are cumulatively of limited weight. They do not clearly outweigh the substantial weight that the NPPF requires to attach to the harm to the Green Belt through inappropriateness and loss of openness, nor the harm to the character and appearance of the area. Therefore, the very special circumstances that are necessary to justify this inappropriate development in the Green Belt simply do not exist.

Insufficient information has been submitted to enable a full and detailed assessment of the impact of the development on the natural environment (The Peak District Moors Special Protection Area and the South Pennine Moors Special Area of Conservation) in respect of a Habitats Regulation Assessment (HRA). The Local Planning Authority must therefore conclude that the proposed development is contrary to Policy GE11 of the Unitary Development Plan, and paragraphs 170 and 175 of the National Planning Policy Framework.

Therefore, overall although paragraph 11 of the NPPF promotes a presumption in favour of sustainable development, paragraphs 113, 143, 144 and 145 of the NPPF provide a clear reason for resisting the development, and the adverse impacts of granting development significantly outweigh the benefits.

The proposal is therefore contrary to policies CS24, CS31, CS71, CS74 of the Core Strategy, Policies GE1, GE2, GE3, GE4, GE5, GE8, GE11 and BE5 of the Unitary Development Plan and Paragraphs 117, 122, 134, 143, 144, 145 and 175 of the National Planning Policy Framework, and it is recommended that planning permission is refused.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 17 November 2020

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Marie Robinson 0114 2734218

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
17 November 2020

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for provision of first-floor balcony to front of dwellinghouse at 37 Empire Road Sheffield S7 1GJ (Case No 20/01453/FUL)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for demolition of dwellinghouse and erection of two dwellinghouses with associated parking (Resubmission of planning permission 18/02477/FUL) at 499 Loxley Road Sheffield S6 6RP (Case No 20/00500/FUL)

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of a detached double garage to dwellinghouse at 40 Bridle Stile Gardens Sheffield S20 5EH (Case No 20/01238FUL)

(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of rear and front dormer to dwellinghouse at 26 Logan Road Sheffield S9 4PF (Case No 20/00948FUL)

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission erection of a dwellinghouse (Re-submission of planning permission 17/03139/FUL) at curtilage of the coppice 10 Stumperlowe Hall Road Sheffield S10 3QR (Case No 18/02685/FUL) has been dismissed.

Officer Comment:-

The Inspector concluded that, when considered as a whole, the development

would cause unacceptable harm to the character and appearance of the area, with particular regard to the loss of trees on the site which are the subject of a TPO.

This is contrary to UDP Policy GE15 which protects trees and woodlands and requires developers to retain mature trees wherever possible. It also conflicts with criterion f) of Policy BE5, which requires designs to take full advantage of the site's natural and built features, and Policy CS31 of the Core Strategy, which gives priority to safeguarding and enhancing the character of this area, including its natural setting, trees and mature gardens. In addition, the proposal would conflict with paragraph 127 of the NPPF which requires that developments add to the overall quality of the area and are sympathetic to local character including landscape setting.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for replacement of an existing 14.90m monopole with a 20.0m high monopole, ancillary equipment cabinets and associated works at land adjacent 51 Redmires Road Sheffield S10 4LA (Case No 19/03678/FULTEL) has been dismissed.

Officer Comment:-

The appeal site is a grass verge adjacent Redmires Road. The area is primarily residential in nature, with the drop in topography into a golf course opposite giving a semi-rural character. The main issue is the effect of the proposed development on the character and appearance of the area. The Inspector observed that the prevailing characteristic of the area is its openness and concluded that the development would cause harm to the character and appearance of the area in conflict with UDP Policies H14 and BE14 which seek to ensure telecommunications development should be sited and designed so as to minimise its visual impact and is on a scale consistent with the residential character of the area.

The Inspector considered the proposal would also fail to accord with paragraphs 124 and 127 of the NPPF, which combine to require that all development is of good design, adds to the overall quality of the area, is visually attractive and is sympathetic to local character.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of two-storey side extension, single-storey rear extension, alterations to roof to form hip to gable roof, rear dormer extension and formation of front porch at 34 Littleedale Road Sheffield S9 4GB (Case No 19/04203/FUL) has been part dismissed, part allowed.

Officer Comment:-

The Inspector agreed with the Council in that no objection had been raised to the single storey rear extension or the porch. He therefore allowed this element of the proposals (the Council is unable to issue a split decision but the Inspectorate can).

The main consideration therefore was in respect of the two storey side extension with hip to gable roof extension. The Inspector noted that the form of the extension would represent a significant change to the massing of the building in an area where hipped roofs are almost universally retained. He considered that the extension would therefore disrupt the consistent pattern of development and be out of character. He also considered the rear dormer to be dominant and imposing relative to surrounding dwellings. These elements of the proposal were therefore dismissed as being contrary to the UDP, SPG and NPPF.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of 20m monopole and associated equipment cabinets (Application for determination if approval required for siting and appearance) at land at junction of Sandygate Road and Carsick Hill Road Sheffield S10 3LW (Case No 19/04172/TEL) has been dismissed.

Officer Comment:-

The main issue was the effect of the proposal on the character and appearance of the area, including the effect on the setting of the grade II listed Lodge at the junction of Carsick Hill Road and Coldwell Lane.

The Inspector considered that the proposed 20 metre high monopole, with a number of stacked antennas and dishes, would stand significantly above and intrude upon the immediate setting of the Lodge only some 20 metres away, particularly in views from Coldwell Lane where it would appear above the top of the Lodge. Consequently it was found that the siting and appearance of the monopole would fail to preserve the setting of the listed Lodge and would significantly harm the character and appearance of the area, conflicting with UDP Policies H14 and BE14 which require new development in housing areas to be on a scale consistent with the residential character of the area, and require telecommunications development to be sited and designed to minimise visual impact wherever possible. It would also conflict with UDP Policy BE15 which states that development which would harm the character or appearance of Listed Buildings or Conservation Areas will not be permitted.

The Inspector felt that the harm to the setting of the listed building would be less than substantial and should therefore be weighed against public benefits.

Given the NPPF's support for communications infrastructure nationally, the Inspector accepted that there would be considerable public benefits which would arise from the development, but found that the evidence was insufficient to show that there are no alternative sites available which would cause less harm. Consequently, it was concluded that the harm in this case would not be outweighed by the public benefits of the scheme.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for erection of a dwellinghouse with associated parking at land to the rear of 16 Newton Avenue Sheffield S36 1EL (Case No 19/03385/FUL) has been dismissed.

Officer Comment:-

The main issues were the effect of the proposed development, which occupies a steeply sloping area of overgrown ground at the end of a cul-de-sac, on the street scene; its impact upon the living conditions of future occupants and neighbours; and whether sufficient information was provided to evaluate coal mining risk and land contamination.

The Inspector considered that the dwelling's immediate proximity to the cul-de-sac would give it a dominant, overbearing quality and make it look out of place in comparison to the neighbouring dwellings, and that the loss of 5 prominent trees would diminish the level of visual separation with the rear elevations of dwellings under construction on adjoining land and adversely affect the character and appearance of the street scene. It would therefore fail to accord with UDP Policies BE5 and H14(a) and Core Strategy Policy CS74.

The Inspector agreed that, as the proposed dwelling would sit 16.5 metres away from the rear elevation of the house to the rear, which sits almost 2-storeys above the appeal dwelling, the occupants of the proposed dwelling would suffer an unacceptable loss of privacy. The development therefore fails to accord with UDP Policy H14(c) which seeks to protect the privacy of future occupants, as well as advice set out in the Council's Designing House Extensions: Supplementary Planning Guidance.

The Inspector also found that the 'Report on Site Investigation' prepared for the planning application submitted some years ago for 6 dwellings on the adjacent site, did not provide sufficient information in relation to the planning application site so the potential risks to human health and the environment could not be properly evaluated.

(vi) To report that an appeal against the delegated decision of the Council to refuse planning permission for new signage to public house including:
A - pole signs; low level roof sign; panel signs; and individual letter sign
B - high level 'Wetherspoon' roof sign at Damons Restaurant 2 Sevenairs Road Sheffield S20 1NZ (Case No 20/01064/ADV) has been dismissed.

Officer Comment:-

The Inspector noted that the advertisement would be attached to the roof of a distinctive, large, circular building and concluded that the sign would detract from the curved roof which is an important architectural feature of the building. He considered that the advertisement would draw the eye and would be a visually dominant addition due to its size, siting and design. The openness of the site would exacerbate the prominence of the sign when viewed from the highway. It would break the skyline and would be an incongruous addition to the building.

He noted that the advertisements associated with the retail park are significantly more discrete than this scheme and that the scheme would result

in an unusual and out of character addition due to the siting of the sign on the roof. The proposed sign would result in the number of advertisements appearing excessive in comparison to the modest advertisements within the area and compared to the advertisements associated with the existing building.

He therefore dismissed the appeal

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for single illuminated 48-sheet digital advertisement display unit at Sheffield Parkway, Land Fronting The Gateway, Blast Lane Sheffield S4 7TA (Case No 20/01395/ADV) has been dismissed.

Officer Comment:-

The Inspector concluded that, in combination, the proposal and existing digital hoardings at Park Square would result in a proliferation of advertisements which would detract from the visual amenity of the area. It would result in this section of the highway being dominated by large advertisements that would add a sense of unregulated clutter to the street scene. The proposed advertisement and the existing advertisement situated on Park Square would be clearly visible, in tandem, to drivers approaching the roundabout. He considered that the digital display would result in an unsympathetic addition by reason of its siting and scale and the combined effect with nearby advertisements.

He therefore dismissed the appeal

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the committee decision of the Council to refuse planning permission for erection of a single-storey front/side extension and erection of a rear dormer to dwellinghouse at 9 Hollow Gate Sheffield S35 1TZ (Case No 20/01244/FUL) has been allowed.

Officer Comment:-

The main issue was the effect of the development on the appearance of the host dwelling, a semi-detached stone house, and the area.

The proposed extension projects forward of the house, but the Inspector considered that the materials and simple roof form allowed it to sit comfortably in the street scene and with the existing property.

(ii) To report that an appeal against the committee decision of the Council to refuse planning permission for erection of 17.5 metre high monopole and associated equipment cabinets (Application for determination if approval required for siting and appearance) at Junction Of Fulwood Road And Old

Fulwood Road Sheffield S10 3QG (Case No 19/03991/TEL) has been allowed.

Officer Comment:-

The main issue was whether the siting and appearance of the proposed installation preserves or enhances the character or appearance of the street scene and the Fulwood Conservation Area, having regard to the potential availability of alternative sites.

The Inspector found that the proposed mast would occupy a prominent location towards the brow of the hill on Fulwood Road and would appear as an incongruous addition to the street scene, resulting in less than substantial harm to the Conservation Area.

The Inspector felt that alternative locations for the proposed installation had been satisfactorily explored and that the installation in this location provides a significant public benefit to the wider area and community, to which he attached substantial weight, concluding that the benefits resulting from the proposed development would outweigh the less than substantial harm to the significance of the conservation area.

5.0 CIL APPEALS DECISIONS

Nothing to report

6.0 ENFORCEMENT APPEALS NEW

Nothing to report

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report

8.0 ENFORCEMENT APPEALS ALLOWED

i) To report that an appeal against the Enforcement Notice issued by the Council for unauthorised:
(a) change of use of the building and land to residential use and;
(b) unauthorised alterations to the building and land to facilitate the change of use of the building to residential use
at Land at Little Intake Farm, Woodhead Road, Grenoside, Sheffield, S35 8RS (Planning Inspectorate Ref APP/J4423/C/20/3249273 has been allowed.

Officer Comment:-

The appellant appealed against the service of an enforcement notice on

grounds (d) that the time when the notice was issued it was too late to take enforcement action.

In an appeal on ground (d) the onus is on the appellant to show that the residential use has occurred continuously for more than 4 years prior to the date the notice was issued.

Various evidence in the form of tenancy agreements and photographs were submitted along with details of a claim in the County Court for an unsecured deposit and rent paid to the appellant, for the property being unsuitable for human habitation. This claim was dismissed, whilst the reason for the judgement was not given but the inspector gave wait that the property was indeed habitable at that time.

The Inspector considered the evidence and concluded that on balance of probability the building was suitable for residential purpose and met the test for providing for the main activities of a day-to -day domestic existence. He also concluded that barn was used for residential purposes continuously for 4 years.

The appeal was allowed, and the enforcement notice was quashed.

9.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

17 November 2020

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