

Planning and Highways Committee

Tuesday 12 January 2021 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, 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 telephone number 0114 273 35033 or by emailing abby.brownsword@sheffield.gov.uk.

FACILITIES

N/A

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
12 JANUARY 2021**

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 - 16)
Minutes of the meeting of the Committee held on 8th December 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 17 - 18)
Report of the Director of City Growth
- 7a. Application No. 19/01553/FUL - Land to rear of 32-38 Greenhill Main Road, Sheffield, S8 7RD** (Pages 19 - 40)
- 7b. Application No. 20/03338/FUL - 1 Ecclesall Road South, Sheffield, S11 9PA** (Pages 41 - 56)
- 7c. Application No. 20/03202/FUL - Land at rear of 17 To 31, Tetney Road, Sheffield, S10 3GZ** (Pages 57 - 76)
- 7d. Application No. 20/03153/FUL - Land to front of 26 & 28 Drury Lane, Sheffield, S17 3GG** (Pages 77 - 88)
- 7e. Application No. 20/04068/FUL - 240 Greystones Road, Sheffield, S11 7BR** (Pages 89 - 96)
- 8. Enforcement Update Report** (Pages 97 - 118)
Report of the Director of Development Services
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 119 - 126)
Report of the Director of City Growth

10. Date of Next Meeting

The next meeting of the Committee will be held on Tuesday 2nd February 2021.

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 8 December 2020

PRESENT: Councillors Jayne Dunn (Chair), Jack Clarkson, Tony Damms, Roger Davison, Peter Garbutt, Dianne Hurst, Alan Law, Bob McCann, Peter Price, Chris Rosling-Josephs, Andrew Sangar, 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 Zahira Naz and Peter Rippon.
- 1.2 Councillors Adam Hurst and Garry Weatherall acted as substitutes.

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 Further to Agenda Item 7f, Application No. 20/02081/FUL – Land adjacent to 18 Muskoka Drive, Sheffield, S11 7RJ, the Chair confirmed that she had received a representation from an objector which had been sent to all Members of the Committee. Members confirmed that they had all received the representation.
- 3.2 Further to Agenda Item 7g, Application No. 18/04034/OUT – Land adjacent 127 – 139 Long Line, Sheffield, S11 7TX, the Chair confirmed that she had received a representation from the agent which she had forwarded to Members of the Committee. Members confirmed that they had all received the representation.
- 3.3 Councillor Roger Davison declared a personal interest in Agenda Item 7f, Application No. 20/02081/FUL – Land adjacent to 18 Muskoka Drive, Sheffield, S11 7RJ, as a local ward member. Councillor Davison 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 17th November 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. 20/03193/FUL - 51-57 HIGH STREET AND SECOND FLOOR OF 59-73 HIGH STREET, CITY CENTRE, SHEFFIELD, S1 2GD

- 6.1a Amended conditions were included within the Supplementary Report circulated and summarised at the meeting.

- 6.1b 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.

- 6.1c Susan Crowley and Stephen Hodder attended the meeting and spoke in support of the application.

- 6.1d 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.

- 6.1e **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now submitted, including the amended conditions for the demolition of 51-57 High Street and erection of a 39-storey tower plus basement comprising; 206 apartments (Use Class C3); plant at basement level; a commercial unit (commercial, business and services (Use Class E) or drinking establishment or hot food takeaway (Sui Generis) with mezzanine and ancillary residential accommodation at ground floor level; use of part of second floor of 59-73 High Street as ancillary residential accommodation; works including hard and soft landscaping to King Street and reconfiguration of access at the King Street/Angel Street junction at 51-57 High Street and second floor of 59-73 High Street, City Centre, Sheffield, S1 2GD (Application No. 20/03193/FUL)

6.2 APPLICATION NO. 20/02631/FUL - LAND BOUNDED BY HOLLIS CROFT AND BROAD LANE, SHEFFIELD, S1 3BU

- 6.2a Amended conditions were included within the Supplementary Report circulated and summarised at the meeting.

- 6.2b 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.

- 6.2c Nikki Sills attended the meeting and spoke in support of the application.
- 6.2d 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.
- 6.2e **RESOLVED:** That an application for planning permission be GRANTED, conditionally, subject to the completion of a legal agreement, for the reasons set out in the report and supplementary report, now submitted, including the amended conditions for the demolition of existing buildings and erection of a ten to twenty seven storey building providing 519 students beds (69 cluster flats and 45 studios) with associated facilities, servicing, access and landscaping at land bounded by Hollis Croft and Broad Lane, Sheffield, S1 3BU (Application No. 20/02631/FUL)
- 6.3 APPLICATION NO. 19/01970/OUT - WIGGAN FARM, 30 TOWNGATE ROAD, SHEFFIELD, S35 0AR**
- 6.3a A further representation and an additional condition were included within the Supplementary Report circulated and summarised at the meeting.
- 6.3b 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.
- 6.3c Robin Hughes and Councillor Penny Baker attended the meeting and spoke against the application.
- 6.3d Roland Bolton attended the meeting and spoke in support of the application.
- 6.3e 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.
- 6.3f **RESOLVED:** That an application for outline planning permission for residential development of up to 67 dwellings (All matters reserved except Access) (Amended supporting submissions) at Wiggan Farm, 30 Towngate Road, Sheffield, S35 0AR (Application No. 19/01970/OUT) be REFUSED, as it would cause loss of non-designated heritage assets and cause harm to the setting of listed buildings and the final wording of the reasons for refusal would be agreed by officers in conjunction with the Chair.
- 6.4 APPLICATION NO. 20/02081/FUL - LAND ADJACENT 18 MUSKOKA DRIVE, SHEFFIELD, S11 7RJ**
- 6.4a An additional condition was included within the Supplementary Report circulated

and summarised at the meeting.

6.4b 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.

6.4c Jane Shelton, Tracey Johnson and Councillor Barbara Masters attended the meeting and spoke against the application.

6.4d 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 condition, now submitted and also having regard to representations made during the meeting.

6.4e **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 demolition of garage, erection of a dwellinghouse including provision of off road parking at land adjacent to 18 Muskoka Drive, Sheffield, S11 7RJ (Application No. 20/02081/FUL).

6.5 APPLICATION NO. 18/04034/OUT - LAND ADJACENT 127 - 139 LONG LINE, SHEFFIELD, S11 7TX

6.5a Additional representations and a report clarification were included within the Supplementary Report circulated and summarised at the meeting.

6.5b 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.

6.5c Geoff Wilson, Christopher Pennell, Ian Cracknell and Councillor Colin Ross attended the meeting and spoke against the application.

6.5d Sean Molyneaux, Kenny Dhillon and Laura Johnson attended the meeting and spoke in support of the application.

6.5e 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.

6.5f **RESOLVED:** That an application for planning permission for an outline application (all matters reserved) for the erection of 22 dwellings (Additional/amended supporting statements) (Amended Description) at Land adjacent 127 - 139 Long Line, Sheffield, S11 7TX (Application No. 18/04034/OUT), be REFUSED, for the reasons set out in the report and supplementary report, now submitted

6.6 APPLICATION NO. 20/03052/FUL - 45 WESTBOURNE ROAD, SHEFFIELD,

S10 2QT

- 6.6a Further representations and a report correction were included within the Supplementary Report circulated and summarised at the meeting.
- 6.6b 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.
- 6.6c Robin Hughes, Emma Boardwell and Richard Pearse attended the meeting and spoke against the application.
- 6.6d Mark Boyd and Nic Brereton attended the meeting and spoke in support of the application.
- 6.6e 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.
- 6.6f **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 conversion of two dwellinghouses to form a single dwellinghouse, including replacement of single-storey rear extension with two-storey rear extension, alterations to existing openings, formation of additional lightwell to basement and provision of new vehicular access and parking area at 45 Westbourne Road, Sheffield, S10 2QT (Application No. 20/03052/FUL).

6.7 APPLICATION NO. 19/04536/FUL - SITE OF FORMER 2 THE COMMON, SHEFFIELD, S35 9WJ

- 6.7a An amended condition and a deleted condition were included within the Supplementary Report circulated and summarised at the meeting.
- 6.7b 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.
- 6.7c 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.
- 6.7d **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 2x retail units (Use Class A1) and a cafe with drive-thru facility (Use Class A3), formation of associated access and parking at the site of Former 2 The Common Sheffield S35 9WJ (Application No. 19/04536/FUL).

6.8 APPLICATION NO. 20/02409/FUL - LAND TO THE REAR OF 15 AND 17 BIRCH HOUSE AVENUE, SHEFFIELD, S35 0FH

- 6.8a 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.
- 6.8b 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.
- 6.8c **RESOLVED:** That an application for planning permission for the erection of a dwellinghouse with integral garage and associated parking at land to the rear of 15 and 17 Birch House Avenue, Sheffield, S35 0FH (Application No. 20/02409/FUL), be REFUSED, for the reasons set out in the report, now submitted.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 7.1 The Committee received and noted a report of the Chief Planning Officer detailing new planning appeals received and planning appeals allowed or dismissed by the Secretary of State.
- 7.2 Michael Johnson (Service Manager - Development Management) informed Committee that two appeals had been lodged against Committee decisions.
- 7.3 An appeal had been received against the granted application adjacent 59 Daniel Hill Mews, Opposite 75 Daniel Hill Mews, adjacent 1 Daniel Hill Mews, opposite 6 Daniel Hill Mews, adjoining 83 Daniel Hill Mews, Sheffield, S6 3JJ (Application No. 19/00331/FUL) as the applicant disagreed with the restrictions placed on the garage usage.
- 7.4 The Inspector had dismissed an appeal against the Committee decision to refuse planning permission for erection of 2 dwellings with associated parking at Land Between 94 and 98 Wheel Lane, Grenoside, Sheffield, S35 8RN (Application No: 19/03073/FUL). The Inspector agreed with Committee that the main issues to be the effect of the proposed development on 1) the character and appearance of the area, 2) the living conditions of occupants of 98 Wheel Lane with regard to outlook and light, and 3) the living conditions of future occupants of house two with regard to garden size.

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 12th January 2021 at 2pm.
- 8.2 The Chair wished everybody a Merry Christmas and a Happy New Year.

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 12/01/2021

Subject: Applications under various acts/regulations

Author of Report: Chris Heeley and Dinah Hope

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	19/01553/FUL (Formerly PP-07781841)
Application Type	Full Planning Application
Proposal	Erection of 4 dwellinghouses (Re-submission of 17/05025/FUL) (Amended Plans)
Location	Land to rear of 32-38 Greenhill Main Road Sheffield S8 7RD
Date Received	01/05/2019
Team	South
Applicant/Agent	Darwent Architecture Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

186 _PL001 (Location Plan), as published on the 1st May 2019;
186 _PL003 (Existing Landscape Plan), as published on the 1st May 2019;
186 _PL002 revision A (Site Block Plan), as published on the 4th September 2020;
186 _PL004 revision D (Proposed Landscape and Roof Plan), as published on the 19th November 2020;
186 _PL005 revision C (Proposed Typical Floor Plans), as published on the 19th November 2020;
186 _PL006 revision D (Proposed Elevations), as published on the 19th November 2020;
186 _PL007 revision D (Proposed Side Elevations), as received on the 22nd December 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 full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

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

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

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

5. The dwellings shall not be occupied unless the hardsurfaced areas of the site are constructed of permeable/porous material/surfaces. Thereafter the approved permeable/porous surfacing material shall be retained.

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

6. Large scale details, including materials and finishes, at a minimum of 1:10 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Details of rainwater goods;
Doors;

Windows;
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.

7. 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.

8. Before that part of the development is commenced, full details of the proposed external materials shall have been submitted to and approved in writing by the Local Planning Authority.

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 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.

11. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the 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.

12. The dwellings shall not be occupied unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to any of the dwellings being occupied, and shall thereafter be retained.

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

13. The dwellings shall not be used unless the car parking accommodation for 2 vehicles per dwelling 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.

14. Full details of an ecological management plan with the aim of encouraging biodiversity enhancements and mitigation for the site, shall have been submitted to and approved by the Local Planning Authority, thereafter, the details outlined in the approved plan shall be implemented prior to any of the dwellings being occupied and, thereafter retained.

Reason: In the interests of biodiversity and the ecology of the area.

15. Notwithstanding the details shown on the approved plans, before the development is commenced, full details of the proposed solar PV panels shall have been submitted to and approved in writing by the Local Planning Authority. The solar PV panels shall be the type that lay flush with the roofing material. Once the details of the solar PV panels have been approved, those approved solar PV panels shall be installed prior to any of the dwellings being occupied, and thereafter, the approved solar PV panels shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in the Greenhill Conservation Area.

Other Compliance Conditions

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

Reason: To ensure satisfactory drainage arrangements.

17. 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.

18. No gates shall, when open, project over the adjoining public highway on James Andrew Crescent.

Reason: In the interests of pedestrian safety.

19. Where access driveways give both vehicular and pedestrian access to a dwelling, the driveway shall be at least 3.2 metres in width.

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

20. 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.

21. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of any of the dwellings which would otherwise be permitted by Class A to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted dimensions of development site.

Attention is Drawn to the Following Directives:

1. 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.

2. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
3. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

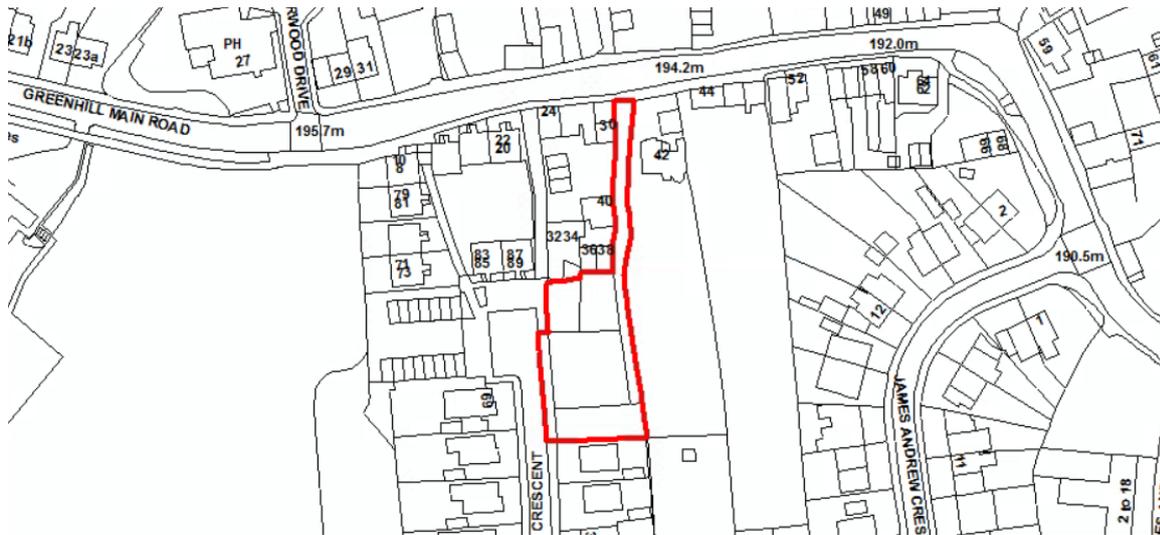
This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980, and dealt with by:

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

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

4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
5. 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 is a revised scheme to a previously refused application for residential development on land located at the rear of 32-38 Greenhill Main Road. The previously refused scheme sought consent for 5 dwellings in a single terraced block whereas, this current proposal now (as amended) seeks consent for 4 dwellings (2 pairs of semi-detached units).

The site is located within a Housing Policy Area and is also in the Greenhill Conservation Area.

The application site currently forms part of the rear gardens of nos. 32, 34, 36 and 38 Greenhill Main Road. A pedestrian footpath (serving James Andrew Crescent) runs along the full length of the western boundary of the site. The footpath provides pedestrian access through to Greenhill Main Road, where shops, schools and other services are located.

The eastern boundary of the site consists of a natural stone boundary wall of approx. 1.4 metres in height, the stone boundary wall segregates the application site from the rear garden of a neighbouring residential property (no. 42 Greenhill Main Road). There are numerous mature trees and shrubs in the garden of no. 42 Greenhill Main Road adjacent to the natural stone boundary wall.

There are a mixture of house styles and designs on James Andrew Crescent, with the common theme in this location being that most of the properties are bungalows. The western boundary of the development plot (i.e. the boundary fronting James Andrew Crescent) would form the principal frontage of the development site.

When originally submitted, this application was for 4 new dwellings in a single terraced block. However, the latest submitted plans (as amended), shows 4 new residential homes (in the form of two pairs of semi-detached dwellings) with associated car parking and landscaping.

Each of the proposed new dwellings would have open-plan living/kitchen/dining space at ground floor level and 2 bedrooms and a bathroom at first floor level. Each dwelling would also have two off-street car parking spaces, designated bin storage areas and rear garden/amenity space.

The front elevations of the new dwellings would be faced in random coursed stone and the roof would be faced in natural blue slate (the rear elevation of the new dwellings would incorporate some sections of white render). The dwellings would also incorporate solar panels to the front and rear roof slopes.

The scheme is designed such that the new access points (pedestrian and vehicular) are taken off James Andrew Crescent and, as a consequence, this would involve new openings being formed in the existing stone boundary wall.

RELEVANT PLANNING HISTORY

83/01149/OUT – This was an outline application for the erection of two bungalows

and garages on land at the rear of 32 and 34 Greenhill Main Road. This application was conditionally approved in February 1983 but was never implemented.

17/01724/PREAPP – A pre-application enquiry to establish whether or not the site would be suitable for residential development (6 terraced dwellinghouses). The appropriate response (sent in January 2018) confirmed that whilst the principle of housing on the site was acceptable, the scheme being presented raised major concerns with officers. Those concerns related primarily to the scale of the development and the impact the development would have on the character of the area and on the living conditions of existing and future residents.

17/05025/FUL – This was an application for the erection of 5 terraced dwellinghouses. This application was refused by the Local Planning Authority (LPA) in November 2018. The LPA considered the development to be an over-development of the site and, that it would lead to unsatisfactory living conditions for the future residents of the dwellings due to poor outlook and, poor garden/amenity space. The LPA also considered that the development would be harmful to the character of the street scene and the Greenhill Conservation Area (as a result of the loss of an attractive stone boundary wall). The LPA further considered that the proposed dwellings (due to their close proximity to the rear boundary wall) would be overbearing on the rear garden of no.42 Greenhill Main Road).

The applicant appealed against the Council's decision and subsequently (in August 2019) the appeal was dismissed by the Planning Inspectorate. The Planning Inspectorate highlighted various concerns including matters relating to the scale and design of the development, the harm that would be caused to the character of the Greenhill Conservation Area, the impact on neighbouring residents and, the quality of living conditions for the future occupants of the new dwellings.

SUMMARY OF REPRESENTATIONS

When the application was originally submitted in May 2019 (4 dwellings in a terraced block), 35 representations were received (all objecting to the proposal).

Subsequently, the scheme was amended in October 2019 (4 dwellings – 2 pairs of semi-detached dwellings) and neighbours were re-consulted which resulted in a further 11 individual representations and a petition (with 11 names on) all objecting to the proposal.

The plans were amended again in January 2020 and November 2020 (reduced ridge height and minor changes to the front facades). It wasn't considered necessary to reconsult neighbours at these stages because the changes were considered relatively minor and an improvement. However, these changes did prompt 1 further objection being received.

The objections have been summarised and are listed below:-

Design, Conservation and Character

- Officers had previously stated that the proposed form, scale and design of the new dwellings was a cause for concern because of the resulting bulky development that didn't respond positively to the existing character. This is still the case and the site will still be an over-development of the plot and will still not complement the existing buildings and character.
- The proposal will result in the loss of significant sections of the stone wall fronting James Andrew Crescent, this would be harmful to the character of the street scene and harmful to the character of the Greenhill Conservation Area and, therefore would be contrary to UDP Policy BE16. The whole of the boundary dry stone-walling should be preserved as set out on the "Greenhill Conservation Area Proposal April 2008" extending from Greenhill Main Road through to James Andrew Crescent.
- The proposed front building line of the new dwellings will be a lot closer to the public footpath on James Andrew Crescent and as such, these new dwellings will be out of character with the street scene.
- The white render on the rear elevation of the new dwellings is not in keeping and, was also a facing material that was previously rejected by officers.
- The height of the roofs appears to have been raised, as the space under the solar panels seems bigger, this will lead to loss of light.

Living Conditions

- The close proximity of the new dwellings to the rear garden of 42 Greenhill Main Road will cause loss of privacy and loss of light onto neighbouring gardens, and therefore would be in conflict with UDP Policy H14.
- Despite the new dwellings achieving the 50sq metres, the rear garden lengths will still be less than 10m. The Council's SPG requires the minimum garden depth of gardens spaces to be at least 10 metres.
- Unlike the previous scheme, there will be no obscure glazed windows at the rear at first floor level to the new properties and as such, privacy to the rear garden of 42 Greenhill Main Road will be compromised.
- The new dwellings would still have an overbearing relationship onto the rear garden of no.42 Greenhill Main Road (particularly as the new dwellings will all be two-storey in nature), and as such would be in conflict with UDP Policy H14.
- Residents would be more likely to support bungalows on the site because they would be more in keeping and have a much lesser impact on neighbouring residents.
- The two-storey dwellings will block out views of the existing mature trees and greenery behind the site on the garden of 42 Greenhill Main Road (a contributing feature in the conservation area).

- Bringing the development forward in order to accommodate the required 10 metre distance from the garden of no.42 Greenhill Main Road at the rear, brings the development significantly forward of the building line of the bungalows on that side of James Andrew Crescent and also brings the new dwellings closer to the houses directly opposite on James Andrew Crescent thereby causing loss of privacy to those neighbours.

Highway/Parking matters

- Access needs to be maintained to the garages and parking spaces located at the head of the cul-de-sac on James Andrew Crescent. Traffic levels have increased in the area and there are already many instances when people (particularly at school pick-up times) park on James Andrew Crescent. This proposal will add to the traffic congestion/levels and could compromise pedestrian safety.
- The creation of multiple crossing points will increase the risk of harm to pedestrians walking along the public footpath on James Andrew Crescent.
- The proposal will result in the removal of all on-street/kerbside parking in that end of the cul de sac currently used by carers, visitors and tradespeople coming to the flats.
- The end of James Andrew Crescent is the area where most vehicles have to turn around, and therefore, it's important that the area remains clear of traffic and parked cars. The new development would lead to more associated traffic parking in this area which could hamper vehicles needing to turn around.
- There's no off-street car parking provision for visitors coming to the development.
- Vehicles reversing out of the parking spaces will create risks for pedestrians walking along the footpath.
- The reduction of the scheme from 5 units to 4 units will have no effect on the traffic problems on James Andrew Crescent because the congestion and parking problems have increased since the initial application for development on the site was lodged.
- It is essential that there is parking and easy access at the turning space for emergency vehicles, refuse lorries, community transport etc.

Other issues

- There are some errors in the Design & Access Statement, it refers to the address being 32-38 James Andrew Crescent , this is incorrect and misleading (it should be 32-38 Greenhill Main Road).

- The scheme still creates the same issues that were mentioned in the previous officer's planning report for refused the 5-dwelling scheme.
- The loss of large areas of the stone boundary wall on James Andrew Crescent will create significant security issues for neighbouring properties.
- There are several mature trees in the rear garden of the neighbouring property (no.42 Greenhill Main Road). Some of those trees have root zones that extend into the development site and which could be affected by the development.
- There would be a lot of disruption and nuisance caused for the local residents that live on James Andrew Crescent as a result of the heavy traffic, noise, parking congestion etc. during the construction phase of the development.
- The removal of bushes and trees at the southern end of the site would detract from the appearance of the site.
- The applicant is urged to reconsider the current proposals and to go down the line of the earlier outline application (83/01149/OUT) which saw two bungalows with garages approved on the site. Such a proposal would be more in keeping with the character of the immediate area.
- If any planning permission is to be granted for the site, conditions should be imposed requiring 2 metre high close boarded fencing at the side and rear of the plots thereby helping with security and maintaining some degree of privacy at ground level.
- There is already an on-going problem with drains on James Andrew Crescent relating to property nos. 36 to 42. Allowing this development with more hard surfacing would make the drainage situation worse.
- The comments raised by the Planning Inspectorate when determining the Planning appeal raised several concerns which have still not been addressed in this current application. Some of those comments included:-
 - i) The backdrop and views of foliage and trees on the garden of no.42 Greenhill Main Road make a valuable contribution to the character of the conservation area, the loss of those views of the trees and shrubs would be detrimental to the conservation area. Likewise, the Inspector also considered that the loss of virtually all of the stone boundary wall (fronting James Andrew Crescent) would be detrimental to the conservation area.
 - ii) Some of the contemporary design features and facing materials of the scheme were considered to be at odds with the character of the conservation area.
 - iii) Because of the close proximity of the new dwellings to the rear boundary, the dwellings would have an overbearing presence on the rear garden of 42 Greenhill Main Road. Furthermore, because of the high number of first floor windows of all of the new dwellings and, the

close proximity of those dwellings to the boundary, the Appeal Inspector took the view that despite those first floor windows being obscure glazed, they would create a perception of overlooking and loss of privacy onto the rear garden of no.42 Greenhill Main Road.

The applicant has stated on the original application form that the proposal will have no impact on any biodiversity. Local residents however have stated that there is bat activity in the area, as well as toads and, it's quite possible that there may be some other protected species in the area.

PLANNING ASSESSMENT

Policy

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's revised planning policies for England and how these are expected to be applied. The key consideration to be taken from the NPPF is a 'presumption in favour of sustainable development'. The document summarises delivering sustainable development as planning for prosperity (economic role), for people (social role), and for places (environmental role).

Paragraph 11 states that decisions should apply a presumption in favour of sustainable development which for decision making means:

- (c) approving developments that accord with an up to date development plan without delay; and
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i) The application of policies in this Framework that protect 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 the framework taken as a whole.

With specific regard to Housing, the NPPF confirms the Government's key objective as being to increase significantly the delivery of new homes. The housing delivery should include increasing the supply of housing; delivering a wide choice of high-quality homes and opportunities for home ownership; and creating sustainable, inclusive and mixed communities.

In addition, the NPPF attaches great importance to the design of the built environment. It seeks to ensure planning decisions optimise site potential to accommodate development, whilst responding to local character and the identity of local surroundings.

Local Policy

The site is identified on the Sheffield Unitary Development Plan (UDP) Proposals Map as being within a Housing Policy Area and also being within the Greenhill Conservation Area.

The most relevant UDP policies in considering the merits of the application are:

- BE5 (Building Design and Siting)
- BE15 (Areas and Buildings of Special Architectural or Historic Interest)
- BE16 (Development in Conservation Areas)
- BE17 (Design and Materials in Areas of Special Architectural or Historic Interest)
- H10 (Development in Housing Areas)
- H14 (Conditions on Development in Housing Areas)

Relevant Core Strategy Policies are:

- CS22 Scale of the Requirement for New Housing
- CS23 Locations for New Housing
- CS24 Maximising the Use of Previously Developed Land for New Housing
- CS26 Efficient Use of Housing Land and Accessibility
- CS74 Design Principles

Principle of Development, Land Use and Housing Supply

The site is in an allocated Housing Area as defined in the Sheffield UDP. Policy H10 of the UDP 'Conditions on Development in Housing Areas' identifies housing (use class C3) as the preferred use of land in the policy area. Therefore, the principle of the redevelopment of this site for housing purposes is considered to accord with policy H10. Policy H10 promotes new homes as the priority use in housing areas across the city, which facilitates housing delivery and is consistent with paragraphs 59 and 67 of the NPPF.

Policy CS22 – 'Scale for the Requirement for New Housing' of the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026. The NPPF 2019 provides more up to date guidance on this matter and requires local authorities to identify a 5-year supply of specific 'deliverable' sites for housing.

Policy CS22 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 figure using the Government's standard methodology. In accordance with the Sheffield Housing and Economic Land Availability Assessment report, as of September 2020, the gross number of dwelling completions was 3,101 homes in 2019/20 (this represents a 55% increase on the previous year), the majority of 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 a 5.1 year supply. This part of the policy is in conformity with the NPPF.

In respect of paragraph 11 of the NPPF, as Sheffield is able to demonstrate a five-year housing supply, the most important policies in the determination of this application are not automatically considered to be out of date. The most important local policies in the determination of this application, which in this case relate to housing land supply, design, highway related impacts, sustainability, amenity and, conservation area impact, do, when considered as a collection, align with the Framework. As such section d) of paragraph 11 is not applied in this instance.

The development of 4 dwellings would make a small contribution towards the Council's housing land supply of deliverable sites and this should be afforded some weight as a material consideration.

Paragraph 68 of the NPPF states that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.

Sustainable Use of Land

National Planning Policy Framework (NPPF) at paragraph 123 identifies the importance of making sure developments make optimal use of the potential of each site. Para 123 c) states that local authorities should refuse applications which they consider to not make efficient use of land, taking into account the policies contained in the NPPF.

Core Strategy Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area. The proposals are in accordance with this policy.

Paragraph 118(c) of the NPPF gives "substantial weight to the value of using suitable brownfield land within settlements for homes", which is consistent with the strong approach taken in Policies CS23 and CS24, and reflected in the policy target of delivering no more than 12% of new homes on greenfield land (in this instance the proposal is located on a greenfield site since the NPPF states that the definition of 'previously developed' excludes land in built-up areas such as residential gardens). Greenfield development can be accepted on small sites within the existing urban areas where it can be justified on sustainability grounds as specified in Policy CS24 (b) or where monitoring shows that there is less than a 5-year supply of deliverable sites – CS24 d). Given the fine margin in Sheffield's Housing supply at present (5.1 years), part d) of the policy is considered to have moderate weight.

Currently in Sheffield, as development on greenfield land only accounts for approx. 5 to 6%, officers are satisfied that the proposed development of the site would accord with the aims of paragraph 118 of the NPPF and also satisfying Core Strategy Policy CS24, thereby supporting the Government's objective of significantly boosting the supply of new homes in the city (NPPF paragraph 59).

Core Strategy policy CS26 seeks to make efficient use of land for new homes and

sets out appropriate density ranges for different types of location according to accessibility. This site is located close to regular bus routes, schools, shops and services at Greenhill and therefore is considered to be in a relatively sustainable location.

The site is in an urban area where CS26 identifies the appropriate density range is between 30 to 50 dwellings per hectare. In this instance, the proposal seeks to erect 4 dwellings on a piece of land with a site area of approximately 704sqm. The proposed development would therefore have a density level of approximately 57 dwellings per hectare.

This density range would be marginally higher than the recommended density range (30 to 50 dwellings per hectare). The policy does allow for densities outside the specified range where this reflects the character of the area. The impact of the development on the character of the area is considered in more detail elsewhere in this report, however for the purposes of policy CS26 the density reflects that of the surrounding area and the marginal exceeding of the density range is, in principle considered acceptable.

Design and Impact on the Character of the Conservation Area

Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area. This is echoed in UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building Design and Siting' which require good design to be in keeping with the scale and character of the surrounding area.

Chapter 12 of the NPPF requires good design, with paragraph 124 stating 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 opportunities available for improving the character and quality of an area.

The NPPF focuses on achieving well designed places and good design. Policies BE5, H14 and CS74 are consistent with the NPPF and are therefore considered to carry significant weight.

As the site lies within the Greenhill Conservation Area policies BE15 'Areas and Buildings of Special Architectural or Historic Interest', BE16 'Development in Conservation Areas' and BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' of the UDP are relevant.

These policies require high quality developments which seek to preserve or enhance the character of conservation areas and the city's heritage.

Chapter 16 of the NPPF considers the conservation and enhancement of the historic environment and states that when considering the impact of a development on the significance of a heritage asset, great weight should be given to the asset's conservation, and (para 194) that any harm to the asset from development within its setting should require clear and convincing justification. It further states that substantial harm to assets of the highest significance should be wholly exceptional.

This approach is reflective of the aims of policies BE16, and 17, and therefore these policies can be afforded significant weight.

Paragraph 196 of the National Planning Policy Framework requires that where a development results in less than substantial harm to the significance of a designated heritage asset, such as a Listed Building or Conservation Area, this harm should be weighed against the public benefits of the proposal.

The site lies on the outer edge of the Conservation Area and represents something of a buffer between the historic features of Greenhill village and modern housing on James Andrew Crescent. That is not to say that development of the site should not occur, and a development which successfully relates to the Conservation Area can be supported.

The proposed development has been scaled down from what had originally been proposed (i.e. from 5 dwellings in a single terrace block, to 4 dwellings as 2 pairs of semi-detached dwellings). Two-storey semi-detached dwellings are not uncommon in the area and there are semi-detached dwellings on James Andrew Crescent and on Greenhill Main Road.

By having two pairs of semi-detached dwellings, the mass of built form has been broken down and this has also allowed for some space to be created between the two blocks, thereby allowing views from James Andrew Crescent, between the dwellings/blocks on to the existing trees and greenery located at the rear of the development site in the rear garden of no.42 Greenhill Main Road. This is a positive response to the Inspector's reasoning in the dismissed appeal.

The introduction of the two pairs of semi-detached houses does not conflict with any well - established rhythm of street scene given that it sits between two very distinct groups of development.

To allow for a rear garden depth of 10 metres, the new dwellings have been edged forward towards the back edge of the footpath on James Andrew Crescent. Whilst it will lead to a staggered front building line and the new dwellings having smaller front gardens, this is a common feature of the Conservation Area reflecting a more organic approach to layout patterns in the locality. As an example, nos. 12 to 22 Greenhill Main Road have virtually no front gardens and have principal windows close to the public footpath.

The latest plans show the new dwellings to be faced in natural stone with improvements now also being made to windows and doors (now showing as being better proportioned and, framed in stone heads, cills and vertical surrounds). The new front doors to the dwellings will all be solid 4-panel doors in an appropriate heritage colour. The proposed windows would also have 100mm reveals which adds to the overall design quality of the scheme making the dwellings look more attractive and sympathetic to the character of the conservation area. In terms of their appearance, these proposed new dwellings now closely resemble the stone-built dwellings located at nos. 48 to 54 Greenhill Main Road. The revised plans now also show some soft landscaping in the short front gardens of the new dwellings, which

will help soften the appearance of the development.

The design, facing materials and detailing of the new dwellings is now considered to be more appropriate in this Conservation Area setting. Although partial render is being proposed on the rear elevations of the new dwellings, those elevations are not visible in the public domain and therefore it would be difficult to argue any harm in this instance.

The changes to layout, form, facing material and detailing ensure the development relates to the conservation area rather than the design and form of the bungalow properties on James Andrew Crescent.

Although it will be reduced in height to 900mm, the development will retain more substantial sections of the stone boundary wall (that faces onto James Andrew Crescent) than had been proposed with the previously refused scheme. It is considered that this will help to preserve to an acceptable degree an attractive feature of both the street-scene and the conservation area. Stone boundary walls represent a distinctive feature of the Greenhill Conservation Area. The relatively small sections to be lost would facilitate vehicular access in a manner which is common throughout the Conservation Area.

The overall design and use of materials on the new dwellings is considered to be of good quality and will maintain the character of the Conservation Area.

Appropriately worded planning conditions would need to be imposed to ensure that the quality of the scheme is not diluted in any way and that good quality materials will be used throughout the scheme.

This being the case it is considered that the proposal creates less than substantial harm to the identified heritage asset.

Paragraph 196 of the NPPF states 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.

In this case the public benefits arise from the provision of additional housing to the city's housing stock, and the short-term economic benefits of job creation in construction.

Overall, the proposals are considered to maintain the character of the Greenhill Conservation Area. In these circumstances, the proposals comply with Policies BE15, BE16, BE17, and, CS74 and the corresponding paragraphs of the NPPF.

Living Conditions

Unlike the previously refused application where the dwellings had rear garden depths of between approx. 5.5 to 6.5 metres, this scheme shows the rear gardens as being 10 metres which satisfies supplementary planning guidance (SPG) guidelines on minimum separation distances of rear gardens.

Officers acknowledge the Planning Inspector (when dealing with the planning Appeal, with a 5.5 to 6.5m distance) indicated that the high number of first-floor windows would despite being obscure glazed still create a perception of overlooking onto the rear garden of no.42 Greenhill Main Road. In the current scheme, the applicant has achieved the minimum 10 metre rear garden depth requirement and the first-floor windows facing no.42 are clear glazed. These windows serve one rear facing bedroom on each property and would have a 10m distant view of a garden area towards the far end of the garden of no.42. rather than the area closest to the dwelling where privacy needs are greater.

The presence of existing trees located within the rear garden of no 42 Greenhill Main Road offers some additional screening in the summer when the trees are in leaf.

Supplementary Planning Guidance requires a minimum of 50sq metres private amenity space for each dwelling. In this instance, the smallest plot will achieve approx.78 sq. metres of amenity space and the largest plot will achieve approx. 81 sq. metres. In this respect therefore, the development will achieve adequate amenity space for the needs of the future occupants of the development.

Each of the 4 new properties will have its own dedicated bin storage area.

In this context it is considered that the proposals have appropriate living conditions for future occupants and will not result in a harmful impact upon the living conditions of neighbouring residents.

Highway Considerations and Car Parking

The NPPF (at paragraph 109) states that development should only be refused or prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

Policy H14 of the UDP states that planning permission will be granted for houses only if there would be appropriate off-street car parking for the needs of the people living there.

The Council's Car Parking Guidelines indicate that the maximum provision for a 2-3 bedroom dwelling should be 2 off-street spaces, which the proposal accommodates in a tandem formation which although not an ideal arrangement, reduces visual impact and is a commonplace arrangement. Each access drive has also been widened slightly to improve visibility in conjunction with the existing stone boundary wall being reduced in height to 0.9 metres.

The provision of off-street parking will prevent the congestion issues raised by residents from materialising.

The proposal will require an existing street light (on James Andrew Crescent) to be relocated to accommodate a new access drive. The relocation of the street light would have to be done at the applicant's expense.

In this context, officers are satisfied that the proposal raises no highway safety concerns.

Climate Change

Core Strategy policy CS65 seeks to promote renewable energy and carbon reduction and requires developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

Because the streetscape calls for an east-west orientation of the units, the applicant is proposing to install solar PV panels that are easterly and westerly facing, this will generate renewable energy that would service the new dwellings and go a long way in meeting the requirements of core strategy CS65. In order to minimise the impact of these features on the character of the Conservation Area, a condition will be imposed to secure appropriate details.

With regard to flooding and flood risk, the site is located within Flood Zone 1 area (low risk) and therefore a flood risk assessment is not required in this instance. Drainage conditions can ensure an appropriate level of surface water discharge from the site

Landscaping & Biodiversity

NPPF paragraph 170 states that developments should contribute to and enhance the natural environment and provide net gains for biodiversity and paragraph 175 d) states that opportunities to incorporate biodiversity improvements should be encouraged in new development.

The development would result in the removal of areas of vegetation including some small ornamental trees and shrubs from the site particularly towards the southern end adjacent to the boundary wall that fronts onto James Andrew Crescent. Whilst this is not ideal the existing features are not of sufficient public amenity or ecological value to prevent development. Substantial green areas will be reintroduced and planning conditions requiring a soft landscaping and bio-diversity measures (for example bird and bat boxes) will be incorporated.

Community Infrastructure Levy (CIL)

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

In this instance the proposal falls within a Zone 4 area where there is a CIL charge of £50 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 RECOMMENDATION

This is a revised application of a previously refused scheme which was also subsequently dismissed on Appeal by the Planning Inspectorate. The application seeks planning permission for the erection of 4 residential dwellings (2 pairs of semi-detached dwellings) on greenfield land at the rear of 32 – 38 Greenhill Main Road. The site is located within a Housing Policy Area and is also within the Greenhill Conservation Area.

The proposed new dwellings would be 2-bed units and each of the units would have 2 off-street car parking spaces.

The application has resulted in excess of 40 representations being received and a separate petition with 11 names on from local residents. All of the representations have raised objections to the proposal. The key reasons for objections are based on the new dwellings being an over-development of the site; the new dwellings being harmful to the character of the street-scene and the conservation area; the detrimental impact on the amenities of neighbouring residents (overbearing/loss of privacy); the loss of an attractive stone boundary wall and highway safety issues.

However, the proposed development is a reduced and improved scheme from the previously refused application. The dwellings meet the recommended guidelines for minimum separation distances and garden sizes as outlined in the Council's SPG for householder extensions. The living conditions for neighbouring residents and future occupants will therefore be acceptable.

The site is located within a sustainable location and a density level that is marginally higher (at 57 dwellings per hectare) than the recommended density level for this type of area (30 to 50 dwellings per hectare) is accepted as it reflects the character of the area. The proposal will not create any highway safety issues.

The new dwellings will be constructed in high quality materials (natural stone and blue slate) and, will incorporate traditional design features that are appropriate in conservation areas. More substantial sections of the boundary wall are retained and space between dwellings is increased relative to the previous approval.

The provision of a further four housing units overall would make a small but positive contribution to the city's housing supply at an acceptable density, would contribute to the diversity of the housing stock in the area and provide economic benefit during construction all of which amount to a public benefit.

The harm to the Greenhill Conservation Area is considered less than substantial and the public benefits of the scheme are considered sufficient in this case to outweigh that less than substantial harm.

Furthermore, given the push by Local Government for diverse, quality residential developments, the scheme is considered to fall within the overarching aims of the National Planning Policy Framework. The NPPF's presumption in favour of sustainable development supports the scheme as do those local policies which align with their counterparts within the NPPF.

For the reasons described above, it is considered that it has been demonstrated that there are no significant adverse impacts as a consequence of this application being granted, and there will be a small benefit to housing supply of granting permission for four dwellings on the site.

Furthermore, it is considered that the relevant development policies that are most important for determining this application can still be afforded substantial weight as they accord with the corresponding sections within the NPPF.

In conclusion, given the above it is therefore felt that, the scheme meets the relevant requirements of the NPPF and UDP policies BE5, BE15, BE16, BE17 and H14, and Core Strategy policies CS23, CS24, CS26 and CS74.

Overall, the proposals are considered acceptable and in accordance with the intention of the quoted policies. It is therefore recommended that planning permission be granted subject to appropriate conditions.

Case Number	20/03338/FUL (Formerly PP-08702527)
Application Type	Full Planning Application
Proposal	Change of use from car showroom (Use Class Sui Generis) to offices (Use Class E) including the alteration of cladding (Amended Description & Additional Details including supporting / highways information)
Location	1 Ecclesall Road South Sheffield S11 9PA
Date Received	24/09/2020
Team	South
Applicant/Agent	Urbana Town Planning
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 / 823-CPA-ZZ-ZZ-DR-A-0001 Revision A
- 2.1 Proposed ground floor plan / 9/16 of Banner Cross Showroom Design Study
- 2.2 Proposed first floor plan / 10/16 of Banner Cross Showroom Design Study
- 2.3 Elevation study / 11/16 of Banner Cross Showroom Design Study
- 2.4 Proposed elevations / 12/16 of Banner Cross Showroom Design Study

Reason: In order to define the permission.

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

3. The office space accommodation hereby approved shall not be used 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.

4. The office space accommodation hereby approved shall not be used until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

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

5. The office space accommodation hereby approved shall not be used until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

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

6. 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.

7. 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:

Windows
Window reveals
Doors
External wall construction
Brickwork detailing

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

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

8. 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, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies T1, T7, CS51 and CS66.

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 the use hereby approved commences, 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 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.

11. 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.

12. 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.

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

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

14. The office accommodation hereby approved 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.

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

Reason: In the interests of 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.

16. Use of the office accommodation hereby approved shall not commence until a Car Parks Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Car Parks shall permanently operate in accordance with the approved Car Parks Management Plan thereafter.

Reason: In the interests of traffic safety.

17. The office accommodation approved shall not be occupied until the parking spaces reserved for low-emission vehicles as shown on the drawings hereby approved have been provided. Such car parking shall only be used by low emission vehicles, and thereafter such car parking accommodation shall be retained for the sole use of such vehicles.

Reason: In the interests of local air quality.

18. Before the use hereby approved is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the approved office accommodation shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

19. Notwithstanding the details of the approved parking layouts, the parking bays for disabled users are not hereby approved, and before the use hereby approved commences details of revised disabled parking shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the use hereby approved commences and permanently retained thereafter.

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

Other Compliance Conditions

20. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0730 to 2000 on Mondays to Saturdays and between the hours of 0900 to 2000 on Sundays and Public Holidays.

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

21. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the office space hereby approved shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class E.

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

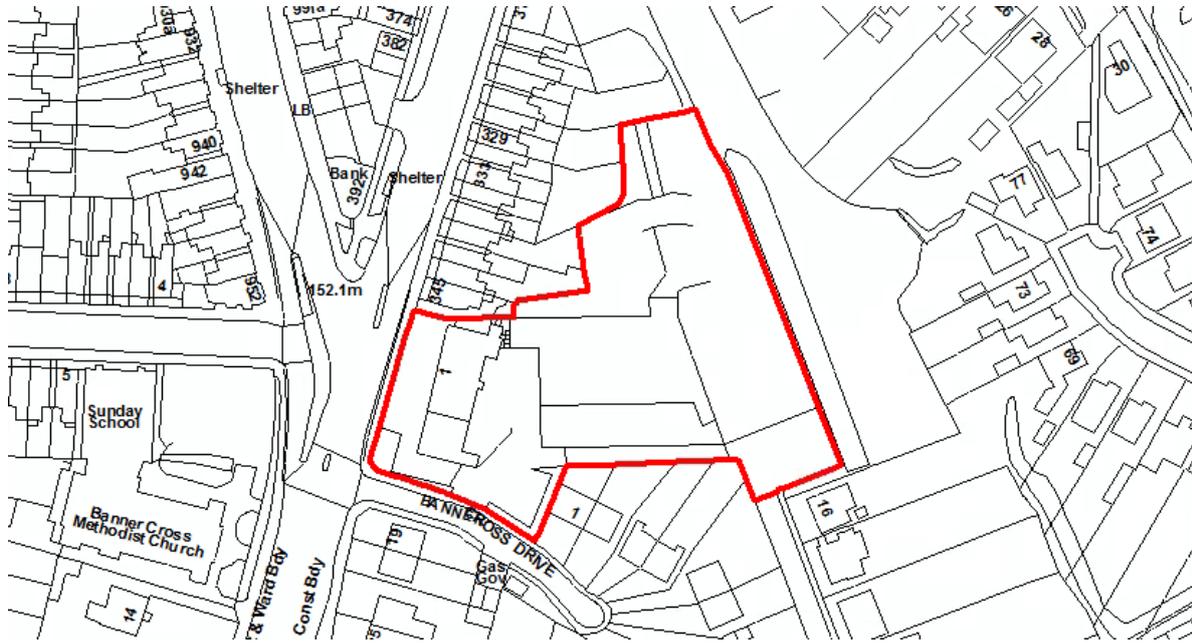
22. The office accommodation hereby approved shall not be used unless the entrances have been provided with entrance doors of minimum effective clear widths of 1000mm, and thereafter such doors shall be retained.

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

Attention is Drawn to the Following Directives:

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

Site Location



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LOCATION AND PROPOSAL

The application site is located to the east of Ecclesall Road South, immediately to the south of the junction with Psalter Lane. It is allocated as being within a Housing Area under the provisions of the adopted Unitary Development Plan (UDP).

The site's immediate surroundings on the eastern side of Ecclesall Road South have a strong residential character. Banner Cross District Shopping Centre is on the opposite side of Ecclesall Road South, running northwards along both sides of Ecclesall Road.

The site was historically the premises of the Gilders car dealership, which included substantial showroom and workshop buildings as well as areas of external car parking/storage.

In April 2019 (further details outlined below), consent was granted for development of the site including works to enable the conversion of the showroom and workshop buildings to provide A1/A3 retail/café/restaurant, D1 Gym uses and B1 offices, along with car parking. The remaining portions of the site were approved for the construction of eight dwellinghouses.

This approval has been partly implemented, with the approved office use occupying the middle level of the ex-workshop building as well as the upper level for its car parking.

The current application seeks to use the showroom building set toward the site's front as office space. This would include use of both of its levels and works to fully internalise the partly open space at the ground floor. 797 sqm of office space would be provided.

It would utilise the car parking provisions located in the ex-workshop building's bottom level.

RELEVANT PLANNING HISTORY

- 08/04852/FUL; Demolition of existing buildings and erection of mixed-use development comprising food retail unit (outline planning permission) and 16 no. dwellinghouses - Refused – 12.8.09

The retail unit was proposed in outline form to be approximately 1,300sqm. The application was refused on the basis of:

- Over-intensification of Talmont Road/Brincliffe Edge Road access, and detrimental impacts on safety and traffic flow,
- Insufficient car-parking for retail unit,
- Delays caused by proposed highways reconfiguration,
- Insufficient information regarding affordable housing, &
- Lack of evidence that a high standard of energy efficiency and decentralised energy would be achieved.

-10/01942/FUL; Mixed use development comprising alterations and extensions to existing disused car showroom and workshop buildings to form retail accommodation, bar/restaurant and 7 apartments, and erection of 7 dwellinghouses
Approved – 9.9.11

This approval involved:

- The use of the showroom building as a retail unit at the ground floor, with a restaurant at the 1st floor level;
- The use of the workshop building's ground floor as a car parking area for the retail and restaurant.
- The conversion of the workshop building's first floor to 7Nos. x two and three bedroom apartments.
- The erection of 7Nos. dwellinghouses on the rear of the site and accessed from Talmont Road, as well as 12Nos. car parking spaces for the apartments.

-18/04104/FUL; Alterations to car showroom and workshop (Use Class Sui Generis) to allow use as two commercial units (A1/A3), gym (D2) and offices (B1), erection of 8 dwellings (C3), provision of associated parking for all uses, landscaping and access work - Approved – 16.4.19

Committee Members may recall that following representations and discussions during the meeting, extra conditions were added to the recommendation which had been set before them. One of these (Condition 37) required the submission of a highways safety study to cover whether works were necessary to provide safe highway access and to minimise the scope for conflicts between highway users relating to three specific points; preventing vehicles turning right into Ecclesall Road South from Banner Cross Drive, preventing vehicles using Brincliffe Edge Road to make U-turns to Ecclesall Road South, and increasing the size of the pedestrian island for crossing of Psalter Lane.

This approval has been implemented, in that the approved office use now occupies part of the old workshop building in the middle of the site. The approved A1/A3 and gym (D2) uses in the old showroom building at the front of the site haven't commenced as things stand.

-18/04104/COND1; Application to approve details relating to specific conditions, including Condition 37 - Approved – 31.1.20

The required highways safety study was submitted, concluding that no safety issues existed in relation to the identified points of the highway layout. These details were considered and assessed by the Highways Officer, and the findings of study were considered to be acceptable. As a result, no further highways adaptation works were concluded to be necessary, and the condition was discharged.

SUMMARY OF REPRESENTATIONS

Following two rounds of neighbour notification, 7 representations have been received from 3 different addresses. These are summarised as:

HIGHWAYS ISSUES

- Parking

- Submission doesn't show proposed parking details. Existing office conversion has led to increased traffic and off-site parking.

- Proposal includes significant additional employees. Agent states proposal generates need for 28 spaces of available 71 spaces, ignoring existing office conversion's use of roof-top car park. Remaining parking bay numbers are inadequate. Details given in Transport Statement provided with 18/04104/FUL would necessitate 64 bays (minimum) provided for current scheme.

- Impacts observed on parking and access on Banner Cross Drive since office conversion. Parking on Banner Cross Drive occurs on-pavement and often involves double-parking, affecting pedestrian's pavement use. Accessing / exiting driveways can be unachievable and can make deliveries difficult / impossible. Emergency vehicle access would be affected. Office staff use residents' driveways for turning. Double yellow lines should be continued to maintain residents' access / prevent parking. A disabled bay would also be beneficial.

- Highway Network and Vehicles Trips / Movement Issues

- Banner Cross Drive / Ecclesall Road South junction doesn't lend itself to increased traffic. Surrounding network used by school children.

- It's stated there'll be no use of site at weekends, but current office conversion is accessed at weekends.

- Increases in traffic levels not accounted for. Data from site's previous use is irrelevant due to much lower employee numbers.

- Use of 'Crashmaps' website is flawed as it only records police-report incidents.

- General Highways Issues

- No secure cycle parking. Application represents opportunity for green travel; including integrated cycle routes, improved pedestrian access and safer crossing points.

- No highways transport / parking assessment included.

- No opening times are stated (should match the workshop's hours).

-Existing Permission Issues.

- Work has already started on-site, in conflict with past consent. The position on the requirement for 10% renewable energy provisions is unclear. Status of the Community Infrastructure Levy (CIL) contribution queried. The required cycle / low emission vehicle parking is not present. Car park associated to existing office conversion has picnic benches on 6 bays, preventing usage.

- Access/Mobility Issues.

- Current application doesn't show disability parking spaces, and recommendations made by the Access/Mobility Officer during the 20/01138/FUL scheme aren't adopted.

- Local Plan Issues.

- Scheme conflicts with UDP policy H14(i), which requires non-housing proposals to occupy only a small area, and not lead to a concentration of housing uses. Also conflicts with H11, which covers the Broomhall and Nether Edge Housing Area, and refers to non-housing uses generating problems around parking and increased

traffic.

Banner Cross Neighbourhood Group have submitted two representations.

These are summarised as:

- Development of site is supported in principle, as a commercial boost to area. Current scheme represents a substantial increase in people on site.
- Concerns regarding traffic impacts at; Banner Cross Drive/Ecclesall Road South junction, Brincliffe Edge Road and Ecclesall Road South junction and Psalter Lane traffic lights.
- Vehicles turning right into Banner Cross Drive would create a danger, holding up traffic continuing to Psalter Lane.
- Vehicles turning right out of Banner Cross Drive will cause blockages.
- Pedestrian island at Psalter Lane is currently inadequate, and increased pedestrian traffic will worsen this.
- Condition 37 of 18/041104/FUL approval was meant to respond to highway concerns, but it didn't and application wasn't determined at Planning Committee as had been expected. The software data used is inadequate, which under-records actual incidents giving false impressions. Also ignored car dealership's usage of Talmont Road, which doesn't feature as part of the commercial element of the 18/041104/FUL scheme. Full reappraisal of the traffic hazards should take place and include on-site observations and evidence (from residents and others). Simple alterations to traffic islands have been suggested, which would resolve these issues.
- Agent's data is misleading. Gym and shops' customer bases would've been local, accessing site by foot. Proposed office users will be more widely located and be car reliant, expecting to park at site. Submitted documents fail to understand differences in vehicle timings accessing the site, where office users would arrive and leave at similar times. Traffic volumes at Ecclesall Road South have increased over last decade, and likely to continue to do so. 08/04852/FUL was largely refused on traffic grounds, with the Highway Officer's solutions dismissed by the committee chair. Current scheme creates the same impacts and doesn't resolve them.
- Current application must be dealt with at Committee and not be a delegated decision.

Cllr Masters and Teal have each provided a representation.

Cllr Master's comments are summarised as:

- Continuing road safety concerns in area. Residents' concerns on pedestrian and road user safety have been raised for several years. Documents submitted with application do not make clear if consideration has been given to traffic generation. Concerns raised in relation to previous applications should be revisited as local issues still exist. U-turn manoeuvres (or attempts) at Brincliffe Edge Road and Gisborne Road will continue, and Psalter Lane crossing island remains inadequate.

Cllr Teal's comments are summarised as:

- Contacted by residents expressing concerns about scheme. Significant changes are proposed, and it's felt the matter should be dealt with by Planning Committee.

Scheme has implications on disability discrimination issues, traffic, parking, pedestrian safety, environmental and community infrastructure levy implications.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets 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.

Policy Context

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

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

The above is often referred to as the tilted balance. All local policies referred to in this report will be assessed in association with their consistency with the NPPF and offered weight accordingly.

The Development Plan in this case comprises the Unitary Development Plan (UDP), 1998 and The Core Strategy, 2009.

Principle of Proposed Use

The application site is located in a Housing Area under the Adopted Unitary Development Plan's (UDP) designation. UDP Policy H10 'Development in Housing

Areas' states that B1 business uses are 'Acceptable', providing the relevant aspects of the supplementary policy H14 'Conditions on Development in Housing Areas' are met. The B1 use class, has now become part of the 'Class E – Commercial, Business and Service' grouping, and so would be classed as acceptable in principle under this policy.

Policy H10 meets with the relevant NPPF provisions, and therefore is afforded significant weight.

Policy H14 'Conditions on Development in Housing Areas' in part i) states any non-housing uses shouldn't lead to a concentration of non-housing uses that would threaten the residential character of the Housing Area, and in l) requires any non-housing uses to be on a scale consistent with the Area's residential character. As the site is currently occupied by a non-housing use, a different non-residential use wouldn't increase the relevant concentration. Neither, for the same reason, would it be considered to be out of scale with the residential character of the area. These aspects of H14 are not directly referenced in the NPPF, so they can only be afforded moderate weight.

The Sheffield Development Framework – Core Strategy at Policy CS3 identifies priority locations for offices and promotes the City Centre as the main office location, requiring 65% of total office accommodation in the city to be located there. Currently this percentage is being achieved. CS3c also states some small-scale office provisions (less than 1,000 square metres) such as the current scheme, are acceptable where they're on high-frequency public transport routes. Ecclesall Road South is a high-frequency public transport route, and so the proposal would meet the requirement of CS3c).

Policy CS3 accords with the relevant NPPF provisions and is afforded significant weight.

Overall, the principle of the proposed office space would be acceptable in this location.

Highway Issues

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

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

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

Each of the local plan policies accord with the NPPF, and so are afforded significant weight.

As identified above, the 18/04104/FUL approval has been implemented via the office conversion in part of the ex-workshop building. Whilst, the A1/A3 and Gym(D2) uses also approved at that time have yet to be implemented the previous approval very much represents a material planning consideration relevant to the current assessment. Accordingly, the current proposal's implications are required to be compared with and considered against the implications arising from the previously approved use/s.

Parking

The site currently contains 70 parking bays available for use by the commercial units. This was considered more than adequate when determining the previous application. The 'over-provision' above Council maximum guidelines was considered acceptable to prevent 'over-spill' parking on the surrounding road network and also as it utilised existing parking provisions.

In regard to the current proposal, combined with the parking needed to serve the previously approved office space, a maximum of 29 bays would be required to meet with the Council's guidelines. These numbers would again be comfortably accommodated within the parking provisions available within the site.

As part of the previous application, the Applicant's highway consultants provided supplementary information covering the projected usage/availability of parking spaces. It was stated that the 895m² of office use would occupy a maximum of 34 of its 36 bays (on a typical weekday between 1000-1100 hrs). The currently proposed 797m² of office space is marginally less than the approved area, and so the 34 bays available to the proposed use would accommodate the maximum amount of parking generated by the proposed use.

Concerns have been raised by neighbours about parking on Banner Cross Drive since the office use commenced in the ex-workshop, because of implications on accessing/exiting individual properties. There was some construction/contractor vehicle parking and the applicant raised the need for greater sensitivity around this. It appears that there have also been instances where parking by office staff has taken place along Banner Cross Drive for convenience purposes. It is difficult to control this type of parking. However, the current scheme includes more than adequate parking bay numbers, giving no reason to park in the manner described.

As such there is no reason why it should become a significant or frequent problem, and it would be unreasonable to resist a development on the assumption (albeit supported by anecdotal evidence) that users will not park in allocated spaces, especially when those allocated spaces exceed guidelines as is the case here. Overall, it is considered that the off-street parking required by the proposed and existing office uses would be comfortably accommodated within the site.

Vehicle Movements

The relevant national database on vehicle movement/s has been used to compare vehicle movements between the approved and currently proposed uses. In the AM peak-hour, the proposed office use (and the approved office spaces in the ex-

workshop) would be expected to lead to 51 two-way movements, as opposed to 80 generated by the uses within the approved scheme. In the PM peak-hour the combined office spaces would produce around 36 trips, compared to 102 movements connected to the approved uses.

Therefore, it is considered that the proposed office uses would lead to fewer vehicle movements than the approved uses, and that the scheme would have a lesser impact on the highway network than what has already been approved.

On this basis, it is considered that the application would meet the relevant aspects of UDP policy H14. As the scheme would be considered to avoid unacceptable impacts on highway safety and severe impacts on the road network, the NPPF instructs that the application should not be refused.

Neighbouring Living Conditions

NPPF para 127 f) requires a high standard of amenity for existing and future users.

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

This local policy is in conformity with the NPPF and so is afforded significant weight. The proposed office use would be a predominantly daytime activity, and so wouldn't cause significant movements and disturbance outside of the building.

The internal activities would not generate a degree of noise/disturbance which would affect living conditions of neighbours.

Based upon these conclusions, it is not considered necessary to impose restrictions on operating times.

As a result, the proposal is considered to have acceptable impacts upon the living conditions of neighbours.

Access/Mobility Issues

UDP Policy BE7 'Design Of Buildings Used By The Public' requires safe and easy access to buildings and provision of appropriate parking spaces.

This policy accords with the NPPF's provisions and so is afforded significant weight.

Both floors of the building provide level access, from Psalter Lane (ground floor) and from the car park (first floor). Internally there is no direct link between the floors and access between the two floors would be via external steps. To provide access between floors or to each level independently from the public highway without steps would require a route to be identified, most likely via the Banner Cross Drive entrance to the site. Therefore, a condition requiring the submission and implementation of appropriate details should be included as part of any approval.

The workshop ground floor layout drawing shows space for 3 'over-wide' bays for disabled parking or 2 fully compliant disabled parking bays. This level of provision would be adequate for the proposed office space and should therefore be covered by condition as part of any approval.

Overall, the proposal would be considered as being acceptable in terms of its access and mobility provisions.

Sustainability Issues

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) would require the commercial elements of the scheme to reach a BREEAM 'Very Good' rating.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions, and would require the development to provide 10% of its predicted energy needs from decentralised and renewable, low carbon energy or a fabric first approach.

Each of these policies closely accord with the NPPF and so are afforded significant weight.

The previous approval included a condition requiring details of how CS65's requirements were to be met. Details of improvements to the building/s showing how there was to be a 21% reduction in energy consumption between the existing and improved buildings was submitted. These measures met with the condition's requirements and so the details were approved.

Whilst it may be assumed that a similar strategy will be implemented again, it is nevertheless necessary to reapply a similar condition so that it is met in relation to this approval.

The ground level parking area includes a significant cycle parking facility, and 3 electric vehicle parking bays. These are welcomed and will be of benefit in sustainability terms and so conditions will be imposed requiring their implementation.

Overall, the proposal is acceptable in regard to sustainability issues.

RESPONSE TO REPRESENTATIONS

The majority of comments have been addressed as part of the assessment. In regard to the other items, the following feedback is provided:

- Concerns have been raised that Condition 37 of 18/04104/FUL was not fully dealt with and didn't involve on-site survey work. The condition required the undertaking of a highway safety study, along with the completion of any highway improvement works concluded to be necessary to provide safe access to the highway and minimise the scope for conflicts between pedestrians, cyclists and vehicles.

The submitted desk-based study was considered to be comprehensive and thorough, assessing the existing situation via available data sources. It was fully considered by the Council's Highway Officer, who agreed with the study's findings that the existing situation was not unsafe and that no highway safety improvements were necessary. The condition was discharged, and 18/04104/FUL later implemented. Consequently, there is not scope for the issues around this condition to be reassessed here or to apply similar condition/s to any approval that may be granted.

- The previous approval has met its obligations in Community Infrastructure Levy terms.

- The site is not located in the Broomhall and Nether Edge Housing area, and so the application hasn't been assessed in light of the policies applying to that designation.

- On-street disabled parking bay provision falls outside of planning controls.

SUMMARY AND RECOMMENDATION

The application relates to an ex-car showroom building, which forms part of a larger site. The application seeks permission to allow the building to be used as office space.

The proposal would be considered to provide adequate off-street parking, and to avoid any significant detrimental impacts on the local highway network.

The proposal would safeguard living conditions of surrounding neighbouring occupiers, and the residential character of the locality would not be lessened. The scheme would be capable of providing satisfactory arrangements in access and mobility terms.

Overall, the scheme is considered to meet the requirements of the relevant local and national planning policies. Consequently, the scheme is considered acceptable and conditional approval is therefore recommended.

Case Number	20/03202/FUL (Formerly PP-09072808)
Application Type	Full Planning Application
Proposal	Erection of 4x dwellinghouses with associated parking and landscaping works (Resubmission of application 18/01297/FUL)
Location	Land at rear Of 17 To 31 Tetney Road Sheffield S10 3GZ
Date Received	16/09/2020
Team	West and North
Applicant/Agent	Freeths LLP
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

Drawing 134-10-C Proposed Site Plan
Drawing 134-11-B Site Sections
Drawing 134-12-B Plots 1 and 2 Proposed Plans and Elevations
Drawing 134-13-D Plots 3 and 4 Proposed Plans and Elevations

Reason: In order to define the permission.

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

3. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the

site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

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

5. Before any work commences upon site, including any site clearance works, the applicant shall submit to the Local Planning Authority for approval, a statement confirming that the site is not occupied by protected species and, if development is to commence within the bird nesting season, to confirm that no nesting birds will be affected by the proposed works. The statement shall be prepared by a qualified ecologist and shall include measures that will be undertaken during course of development to protect wildlife. Thereafter development shall proceed in accordance with these approved measures.

Reason: In the interest of biodiversity.

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

6. 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.

7. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation and access driveway shall have been submitted to and approved in writing by the Local Planning Authority. This shall include details of lighting and how water will be prevented from spilling onto the highway where the drive meets Tetney Road.

The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

8. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

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 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.

11. Details of a suitable means of site boundary treatment to all plots, around the car parking area and to the raised terraces as well as to the periphery of the development shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority. The development shall not be used unless such means of site boundary treatment have been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of the visual amenities of the locality and the amenity of residents.

12. Prior to the commencement of development a management plan detailing responsibilities for the short and long term management and maintenance of the access and boundary hedging shall have been submitted to and approved in writing by the Local Planning Authority. The management plan shall thereafter be implemented as approved.

Reason: To ensure that an appropriate management plan is in place and the access

driveway and boundary hedging are maintained and managed to an acceptable standard.

13. Before the dwellings are occupied full details of bat and bird boxes that are to be erected within the site shall be provided for approval by the Local Planning Authority. The boxes shall thereafter be erected and maintained.

Reason: To increase biodiversity.

Other Compliance Conditions

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

Reason: To ensure satisfactory drainage arrangements.

15. 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.

16. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no enlargement, improvement or other alteration or extension of the development which would otherwise be permitted by Class A to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking or re-enacting that order), the parking spaces within the properties on plots 1 and 4 shall not at any time be enclosed.

Reason: To ensure that adequate parking provision for the development is maintained.

18. The hard surfaced areas of the site shall be constructed of permeable/porous materials. Thereafter the approved permeable/porous surfacing material shall be retained.

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

Attention is Drawn to the Following Directives:

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

3. The developer is advised that, in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority
4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

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

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

5. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
6. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
7. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

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

8. 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

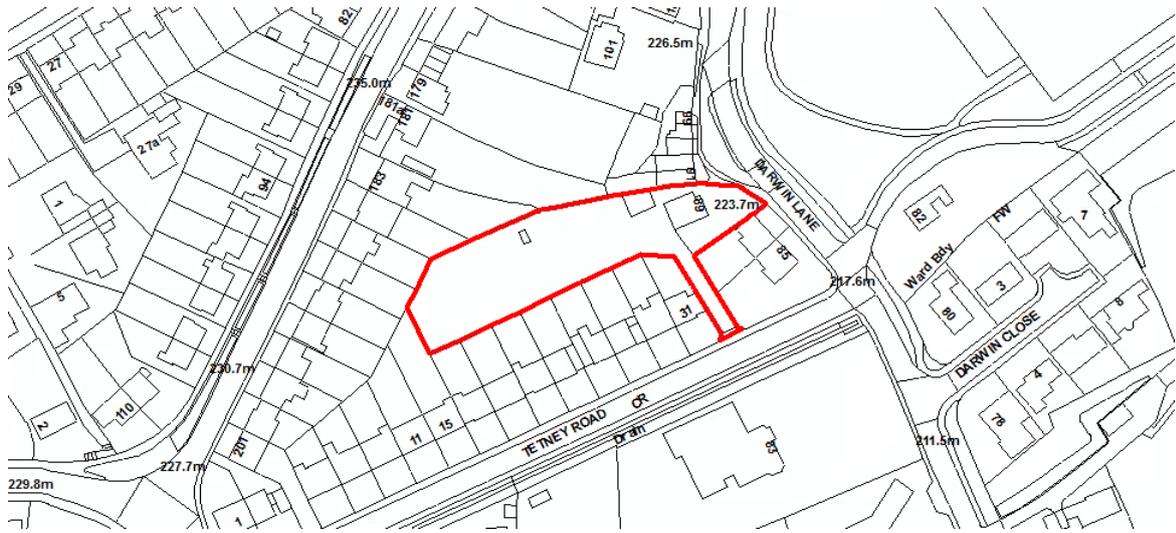
9. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond 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

Site Location



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LOCATION AND PROPOSAL

The application relates to a vacant piece of land that forms part of the curtilage of 89 Darwin Lane. The site measures some 1,400sqm and there is an existing vehicular access into the site between the rear gardens of No.87 / 85 Darwin Lane (which are a pair of semi-detached properties) and the side of No.31 Tetney Road.

The site slopes steeply to the north, such that properties to the south of the site on Tetney Road are at a significantly lower level. To the north-west the site is bounded by the rear gardens of properties on Watt Lane. These dwellings are set at a higher level than the site. The southern and western boundary of the site consists of a high conifer hedge and to the north is a dry stone wall.

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area and is surrounded by residential properties.

Planning permission is sought for the erection of 4 dwellings on the site. These would be in the form of two pairs of semi-detached properties arranged around a parking court. The properties would be set at right angles to dwellings on Tetney Road with windows facing north-east and south-west. The properties would be flat roofed with accommodation over three levels, and would be cut into the site. To the rear of the dwellings on Plots 3 and 4 an elevated terrace is proposed to provide access from the properties to the garden area below.

The dwellings on Plots 1 and 2 would each have 4 bedrooms and the dwellings on Plots 3 and 4 would each have 3 bedrooms.

The development would be accessed via a private drive from Tetney Road. On the ground floor of the properties on Plots 1 and 4 two parking spaces are proposed. Parking for Plots 2 and 3 would be set between the pairs of properties (with each property having 2 spaces). Two visitor parking spaces are also proposed. A new driveway would be created to provide parking for 89 Darwin Lane and this would be taken directly from Darwin Lane.

RELEVANT PLANNING HISTORY

Planning permission was refused earlier in the year for the erection of 5 dwellings on the site. These properties were proposed to be in a single terrace run with windows facing north and south towards the rear of properties on Tetney Road. Application 18/01297/FUL refers.

It was considered that the proposed development would result in unacceptable overlooking and would be overbearing in relation to adjoining residential property on Tetney Road and so would result in an unacceptable effect on the living conditions of occupiers of adjoining property.

Overall, the proposed development was considered to be contrary to UDP Policy H14, policy CS74 of the Core Strategy or paragraph 127 of the revised NPPF (2019) which is why it was refused.

SUMMARY OF REPRESENTATIONS

A combined Resident Objection Letter has been submitted on behalf of 23 neighbouring households.

This raises the following issues:

The proposed development would result in overlooking between the properties across the parking court, there being around 15m separation. This is contrary to the Council's Supplementary Planning Guidance on Designing House Extensions which requires 21m between habitable room windows.

No detail has been given as to how pedestrians would access the site and the proposal would be detrimental to pedestrian safety. This would be contrary to UDP Policy H14.

A refuse lorry would not be able to access the site. Bins left at the entrance to the development would affect the width of the drive way which may be detrimental to highway safety.

The private driveway would not be as wide as is shown on the submitted plans, as the measurements are taken from the centreline of the hedge.

The orientation of the buildings mean that they will be energy intensive due to a lack of passive solar gain and natural light. It is not clear how the development would meet the 10% carbon reduction as required by Core Strategy Policy CS64.

Future occupiers of the properties could insert windows on the side elevations which would then overlook neighbouring homes and gardens.

The development would not be particularly user friendly for people with disabilities, being accessed by a steep driveway and steps to the reach the side and rear of some of the plots.

The proposed dwellings would not be pleasant to live in.

Some of the trees along the southern boundary of the site have already been removed.

The landscaping scheme should be submitted for consideration now and not be conditioned.

No tree survey or arboricultural impact assessment have been provided.

The development may not comply with National House Building Council (NHBC) Standards 2020, Foundations – Part 4, Section 4.2 Building near Trees.

10 of the trees to the rear of 23 Tetney Road are not within the site ownership of No.89 Darwin Lane.

If the trees are to be retained a construction and long term maintenance plan should be secured through the consent.

The Landscape Note is confusing setting out two different scenarios (one retaining the conifer hedge to the southern boundary and the other replacing it with an 'instant hedge').

Any maintenance regime should be for a minimum of 5 years.

The ecology report sets out that the hedge provides habitat for birds and foraging bats. The landscaping of the site should seek net gains for bio-diversity.

Contrary to the findings of the ecology report no bat or bird boxes are shown on the plans.

Screen fencing or walling should be considered to the boundary.

The plans do not show any visitor parking.

The level of parking indicated is not adequate for homes of this size and this is contrary to UDP Policy.

The size of the garages cannot be accurately determined from the plans and it is questioned whether they are wide enough.

The bin store to the rear of the garages is unlikely to be used.

What is to stop owners of the properties from converting the garages or putting on doors and using the space for storage (the properties have no lofts).

The site would not be accessible by the emergency services with a fire appliance unable to access and turn within the site.

The site is within a heavily trafficked area with significant parking issues particularly at school times and must not add to existing parking problems on Tetney Road and Darwin Lane.

In addition to the combined objection letter individual representations have been received from 21 households.

They re-iterate the concerns raised in the combined letter and in addition raise the following points:

The development is seeking to squeeze too much onto the site and is garden grabbing.

One representation suggests that two properties on the land would be more appropriate.

The development makes no reference to the local context.

It is not clear who would maintain the trees / boundary when development is completed, particularly the hedge along the driveway.

There are security concerns with the development potentially opening up access to the rear of properties.

How would the development (including the access driveway) be lit. This could cause issues for neighbours.

The amount of hardsurfacing would result in increased surface water run off which may cause problems for properties on Tetney Road which are at a lower level.

The surrounding roads are narrow and cars idling whilst waiting to negotiate parked cars result in increased emissions. The development is likely to exacerbate these problems with increased traffic using the surrounding road network.

Loss of view, parking for construction traffic during the works and access to the site for construction vehicles were also cited; however, these are not planning considerations.

PLANNING ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 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.

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 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.

At the current time, the Council can demonstrate a five year supply. The Council's most recent assessment of supply, contained in the 5 Year Housing Land Supply Monitoring Report, which was published in May 2020, shows a 5.1 year supply of sites, and this includes the appropriate buffer. Consequently policies that are important for determining this application are not considered to be out of date due to a lack of housing supply.

Set against this context, the development proposal is assessed against all relevant policies in the development plan and the NPPF below.

Principle of Development

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area. Within such areas UDP Policy H10 sets out that housing is the preferred use.

Housing Supply and Density

As set out previously, the NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer (paragraph 73).

Core Strategy (CS) Policy CS22 - Scale for the Requirement for New Housing - sets out Sheffield's housing targets until 2026 and states that a 5 year supply of deliverable sites will be maintained at all times. While the targets themselves carry little weight, as the Local Plan is now more than 5 years old and 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, the latter part of the policy conforms with the NPPF.

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 addition, paragraph 68 of the revised NPPF sets out that 'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.

Policy CS24 seeks to prioritise the redevelopment of previously developed sites and sets out that not more than 12% of dwellings should be erected on greenfield land. It goes on to say that, in the period to 2025/26, greenfield sites should also only be developed for housing in certain circumstances, including on small sites in urban

areas or larger villages where it can be justified on sustainability grounds.

As the NPPF actively promotes the reuse of brownfield (previously developed land) but does not specifically advocate a 'brownfield first' approach, policy CS24 carries reduced weight.

Nevertheless, the Council is below the 12% dwelling completion rate on greenfield site, and the site is within a sustainable location within an existing urban area.

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

The site is not within a Conservation Area and the garden that is to be developed does not contribute greatly to the character and appearance of the area; being concealed behind existing properties and primarily laid to lawn.

The submitted plans seek to develop the site with 4 dwellings. The density of development would equate to around 29 dwellings per hectare. This is roughly in line with the aspirations of Core Strategy Policy CS26 which sets an appropriate density range for this location of between 30 - 40 dwellings per hectare.

Para122 of the NPPF sets out that planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services –both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.
- The proposal would achieve an efficient use of land and would make a positive contribution to the supply of housing.

It is considered that in principle the development of the site for housing would accord with Core Strategy Policies CS22, CS24, CS26 and CS31 as well as paragraph 68, 73 and 122 of the revised NPPF (2019).

Affect Upon Character and Appearance

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 revised NPPF sets out that decision should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

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

The proposed development would take the form of 4 town houses, set in two pairs, which would face each other across a parking / vehicle turning area. The properties would be elevated above the semi-detached dwellings to the front (south of the site) on Tetney Road and set below properties to the rear on Watt Lane.

The dwellings would be three-storeys in height with flat roofs and so would be of a similar scale and massing to neighbouring dwellings (which are generally two-storey but have pitched roofs and many have accommodation within the roof space). There are variations in building styles / ages within the area and a mixture of detached and semi-detached dwellings.

The proposed development would be constructed from natural stone to the front elevations and render to the sides and rear. Amended plans have been received which introduce a step (of 450mm) between the properties which improves their appearance. It is considered that on balance the development is of an acceptable design.

Impact Upon Residential Amenity

UDP Policy H14 seeks to ensure that the site would not be overdeveloped or deprive residents of light, privacy or security.

UDP Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met. It also expects that walls or fences are provided around rear garden areas next to roads, footpaths or other open areas.

The proposed development would be sited so that the front and rear of the dwellings would be at right angles to the properties on Tetney Road. These properties are set at a lower level and have steeply sloping rear gardens. At present a high conifer hedge forms the rear boundary to properties on Tetney Road and it is intended that this be maintained. Failing that the applicant has set out that an 'instant hedge' could

be provided along this boundary using trees that were of sufficient size to provide instant screening.

As the development would be set to the north of the properties on Tetney Road with a separation of 18m at the closest point, it is considered that the development would not result in unacceptable levels of overshadowing or loss of light to the properties themselves.

Cross sections of the proposed development show that the existing conifers that form the rear boundary of the properties on Tetney Road are to be reduced in height and width and that if this cannot be achieved replacement planting, at height would be introduced.

It is considered that the proposed boundary treatment would be adequate to prevent unacceptable levels of overlooking from the development to properties on Tetney Road, in particular from the proposed raised terrace to the rear of Plot 4. There are no windows on the side elevations of the properties and it is recommended that permitted development rights be removed so no windows can be inserted in future without planning permission.

To the rear, at the closest point, there would be a distance of over 21m to properties to the north-west on Watt Lane. These are set at a higher level and would be at an angle to the development. As such it is considered that the proposal would not give rise to unacceptable levels of overshadowing / loss of light in this direction.

A degree of overlooking to the rear gardens of properties on Watt Lane would occur from upper floor windows in the new development, however these properties have long gardens and the areas that would be overlooked would not be the most private garden area (i.e. the area directly behind the house).

To the northern boundary of the site is a stone wall. A degree of overlooking could potentially occur from the rear terrace of the site on Plot 3 to the garden of properties to the north on Watt Lane, particularly as the development will come very close to this rear boundary. To overcome this it is recommended that a condition be imposed requiring a privacy screen to be erected to the northern edge of this terrace.

From the edge of the terrace on Plot 3 there would be a distance of around 26m to the rear of No.91 Darwin Lane and more than 30m to the rear of 89 Darwin Lane. This is sufficient to prevent unacceptable levels of overlooking from occurring.

As already mentioned, no windows are proposed on the side elevations of the properties. Main facing windows would face north-east or south-west. A degree of overlooking between the proposed properties would occur, with a distance of 15m between windows across the parking / vehicle turning area. This is below the Council's recommended standard of 21m; however it is across a communal area and is no different to overlooking across a street, which is often beneath the 21m threshold. Potential occupiers of the development would be aware of the close proximity of the neighbouring properties and would be making a purchase in the knowledge that a degree of overlooking would occur between the primary elevations.

Each of the proposed dwellings would have ample private garden space and No.89 Darwin Lane would also have sufficient useable amenity space, having a reasonably sized garden to the side as well as retaining a small garden to the rear.

Paragraph 127 (f) of the revised NPPF sets out that development should ensure a high standard of amenity for existing and future users. Similarly, UDP Policy H14 sets out that development should not deprive residents of light, security or privacy.

When weighed in the balance it is considered that, subject to the imposition of conditions, the development would not have a detrimental effect upon neighbours and occupiers of the development would be afforded satisfactory living conditions. The development would be complicit with UDP Policy H14 and H15, Core Strategy Policy CS74 and paragraph 127 of the NPPF.

Highways

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

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the city including applying maximum parking standards to all new developments to manage the provision of private parking spaces.

The scheme would provide 2 spaces within integral garages for the dwellings on plots 1 and 4 and 2 spaces each in a parking court for plots 2 and 3. As the development is only for 4 houses and there is ample room for turning in front of the properties, an area that was previously identified as a turning space part way along the drive is to be made into 2 visitor parking spaces (amended plans have been received which show this).

The applicant has shown that the garages would be of ample width to park two cars and open car doors, each having an internal width of 6m.

The level of parking proposed is therefore considered to be adequate and in the spirit of Core Strategy Policy CS53.

To prevent owners from adding garage doors and using the space for storage or conversion to an additional room, it is recommended that, should planning permission be granted, permitted development rights be removed so that this work cannot be carried out without planning consent.

The development would utilise an existing vehicular access from Tetney Road. This would be a private drive. Amended plans have been received indicating that although the driveway would be shared by vehicles and pedestrians, this could be hardsurfaced to provide a degree of separation. It is recommended that, should planning permission be granted, conditions be imposed requiring full details of the proposed driveway including materials and details of lighting. In addition a condition

will be required to ensure that surface water from the driveway does not run onto Tetney Road.

The new vehicular access to serve No.89 Darwin Lane also raises no significant highway safety concerns.

It is acknowledged that there are parking problems within the area, particularly around school drop off and pick up times and this can lead to localised congestion; however as the level of parking for the development is considered to be adequate it is considered that a highways based refusal of the application cannot be justified.

Landscape and Ecology

Policy GE11 of the UDP seeks to protect and enhance the natural environment and promote nature conservation. UDP Policy BE6 requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation that is to be removed or retained

The southern and western boundary of the site consists of very high conifer hedging. The applicant is proposing to significantly reduce this in terms of height and width; however if this is not possible replacement planting in the form of an instant hedge is proposed. This will ensure that the development remains screened from properties on Tetney Road from the outset.

It is considered that this approach is satisfactory, subject to conditions requiring details of the maintenance and retention of the hedge.

Details of tree protection measures also need to be provided to ensure that the development does not affect trees / hedging on neighbouring land.

A question has been raised as to the ownership of the site, claiming that some of the land and trees within the garden of No. 23 Tetney Road have been included within the site. This has been checked by the applicant, looking at their title deeds, and they have confirmed that the development site will not encroach into neighbouring gardens.

Landscape details, both hard and soft, for the entire development will be required. This can be secured by condition.

A key principle of the revised NPPF is to conserve and enhance the natural environment (Chapter 15). The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures (paragraph 170).

The proposed development would not result in the loss of habitat for any protected species. The site has been used as garden land but has more recently become overgrown. The applicant has provided an ecology report, prepared by Skyline

Ecology. This sets out that although there are records of protected species within the wider area, a walkover survey confirmed that none were present on the site.

Subject to appropriate conditions requiring the developer to prepare a statement setting out how the site is to be developed with protected species in mind, there are no specific concerns relating to habitat loss.

The applicant has indicated that they would be willing to erect bird or bat boxes within the site to assist in increasing bio-diversity. The landscaping of the site could also bring about net gains for bio-diversity.

Subject to the imposition of conditions, it is considered that the development would comply with UDP Policy GE11 as well as the revised NPPF.

Land Drainage

Yorkshire Water have confirmed that, subject to compliance with standard conditions, the development does not raise any drainage concerns.

It is also recommended that a condition be attached to any consent requiring details of all hard surfaced areas to be submitted for approval prior to the commencement of development and that all hard surfaces will need to be finished in a porous / permeable material in order to reduce surface water run-off.

Sustainability

Policies CS63, CS64 and CS65 sets out the Council's sustainability objectives with regard to new development.

Policy CS63 sets out the overarching approach to reducing the city's impact 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 seeks to ensure that new buildings are designed to reduce emissions of greenhouse gases through high standards of energy efficient design, and policy CS65 promotes renewable energy and carbon reduction and requires significant developments 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.

As described, the requirements of policies CS64 and CS65 apply to significant developments of 5 dwellings or more and so are not applicable in this instance. Nevertheless, the development is in a sustainable location and the large openings will maximise solar gain and natural light into the development.

Community Infrastructure Levy (CIL)

The Council's Community Infrastructure Levy (CIL) Charging Schedule (June 2015) sets the levy rates applicable to certain developments. The site is within zone 3 where the CIL charge for residential development is currently £30 per square metre. The development proposes 598sqm of residential floor space.

RESPONSE TO REPRESENTATIONS

The main body of this report covers the majority of issues raised in the representations.

With regards to servicing of the site, the applicant has confirmed that bins would be taken, by the occupiers of the development, to the end of the private drive where it meets Tetney Road. This is a similar arrangement to elsewhere in the city and would not be a reason to withhold planning permission. Occupiers of the development would be aware of this when purchasing a property.

The site would not be accessible to a standard fire appliance; however the applicant has set out that a dry riser system would be used. This is a matter for Building Regulations and is not a material planning consideration.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of 4 dwellings on a sizeable garden area to the rear of properties on Tetney Road, Watt Lane and Darwin Lane.

The UDP identifies the site as being within a Housing Area where housing is the preferred use of land.

The proposed layout and massing would be similar to neighbouring properties and there is variation in building styles within the area such that the proposed flat roofs would not appear incongruous. The proposed materials (stone and render) are appropriate as there are a variety of materials used in the area.

The development would provide parking for 10 cars (8 for the dwellings plus 2 visitor spaces), each property having two off-street parking spaces either in an integral garage or the parking court. It is considered that the level of parking is adequate and the cumulative impacts upon the highway network would not be severe. It is considered that a refusal of the application on highway safety grounds cannot be justified.

The development would not result in unacceptable levels of overlooking or overshadowing of neighbouring property and occupiers of the proposed development would be afforded satisfactory living conditions with ample private amenity space.

Subject to conditions the development could result in a net gain for bio-diversity and would not result in a loss of habitat for any protected species.

Overall, the proposed development is considered to be in accordance with UDP policies BE5, GE11, H10 and H14, and policies CS22, CS24, CS26, CS31, CS64, CS65 and CS74 of the Core Strategy as well as guidance contained within the

revised NPPF.

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

Case Number	20/03153/FUL (Formerly PP-08913098)
Application Type	Full Planning Application
Proposal	Change of use of land to form residential curtilage on land outside nos 26 and 28 Drury Lane.
Location	Land to front of 26 & 28 Drury Lane Sheffield S17 3GG
Date Received	11/09/2020
Team	South
Applicant/Agent	Alex Mylotte And Sophie Douglas
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:

Amended Location Plan published 03rd December 2020 (ref: DL_PA_0001)
Proposed Site Plan received 11th September 2020 (ref: DL_PA_0002)
Highways Record published 17th December 2020 (ref: HR)

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)

4. Details of any boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and thereafter such means of boundary treatment shall be retained.

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

5. Before the development is commenced, full details of measures to protect the existing tree to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures shall thereafter be implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

Other Compliance Conditions

6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no walls, fence or other means of enclosure, which would otherwise be permitted by Class A to Part 2 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: In the interests of the visual amenities of the Dore Conservation Area.

7. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no provision of a hard surface within the site which would otherwise be permitted by Class F to Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: In the interests of the visual amenities of the Dore Conservation Area.

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. This site contains trees, which are protected by Tree Preservation Orders or Conservation Areas. These trees must be retained and protected and the Local Planning Authority may pursue legal action where vegetation is illegally damaged or removed. The Wildlife and Countryside Act may also be a legal consideration in the removal or works to trees, if the trees are providing a habitat to protected species or a nest site to wild birds.

LOCATION AND PROPOSAL

This application relates to a pair of semi-detached dwellings at 26 & 28 Drury Lane situated in a Housing Area as defined in the Sheffield Unitary Development Plan. The property is situated adjacent to Dore Conservation Area, with the Conservation Area boundary following the highway running in front of the dwellings along Drury Lane and includes the grass verge where the change of use is proposed.

The dwellinghouses which are the subject of this application are faced in white render with stone to the lower section of the property and a tiled roof. The properties are situated at a similar land level to the public highway with each having their own drive to access the dwellings.

There is an existing low stone boundary wall to the front of the properties which spans across the front of the plots with an opening for the driveways at either end. Between the stone wall and Drury Lane lies a grass verge with a tree within it.

This planning application seeks consent to change the use of the existing area of grass verge currently maintained by Highways to become an extension of the current domestic curtilage. The applicant's intention is to also re-position the existing stone boundary wall.

The area of land, to which the change of use relates, formerly formed part of the title of the land now occupied by 26 and 28 Drury Lane. The land was given over to highway when the two properties were built, as Drury Lane at the time was subject to a widening Order under Section 30 of the Public Health Act 1925. This Order was subsequently revoked in 1990 and results in an irregular area of highway to the front of the two properties.

The front boundary wall would be moved forward by approx. 5.1 metres to enclose the land, it would be constructed at the same height, using the original stone, and would be approximately 0.9 metres high.

RELEVANT PLANNING HISTORY

There is no planning history relevant to the determination of this application.

SUMMARY OF REPRESENTATIONS

Immediate neighbours were notified of the application by letter. 16 representations were received, with 12 objecting to the proposed works and 4 being in support. 13 of the comments are from people living locally, 2 are from local Councillors and 1 from the Dore Village Society.

Objections

Councillor Martin Smith expressed concerns that the change of boundary of a conservation area would set a worrying precedent for the local area.

Councillor Colin Ross raised great concerns due to the application taking a verge which is part of the conservation area and that granting permission will create a

precedent for other applications in Conservation Areas.

Dore Village Society commented that the land is not part of the existing residential curtilage and is presumably not owned by the properties. This issue needs to be settled by Sheffield City Council. The land falls within the Dore Conservation Area with the boundaries for the properties forming the boundary of the Dore Conservation Area. The change of use will set an unacceptable precedent. The change of use will irrevocably change the character of the section of Drury Lane. Planning permission should be refused.

A summary of the comments received from neighbouring properties is below:

- The grass verge is within the Conservation Area, and the change of use to domestic will impact on the appearance of Dore Conservation Area
- Impact on the highways tree
- No benefit to the community or village amenity if the land is in private ownership
- There are no footpaths at this point on Drury Lane and the grass verge allows pedestrians to avoid traffic
- The grass verge adds to the unique character of Dore

Support

A summary of the comments received is below:

- A verge of 2.5m is retained and is ample for pedestrians
- Most pedestrians use the other side of Drury Lane at this point as this is where the footpath is
- The street scene may be more attractive than poorly kept grass which the owners of the property already maintain given how infrequently the council services it
- Reducing the size of grass verge will not change the character of the area as it's a small strip of grass rather than an architectural or historical feature
- Space remains for pedestrian access

Non-Planning Issues Raised:

- The applicants do not own the land and have no right to apply for a change of use. Public land should remain public
- The authority should ensure the wall is re-built in its former position before considering the application

RESPONSE TO REPRESENTATIONS

Issues regarding the principle, and highways, are addressed in the Planning Assessment. The remaining issues are addressed below:

- Planning permission is for the use of the land. Ownership is not a determining factor in the outcome of the application.
- This application does not change the Dore Conservation boundary, rather the relocation of a front boundary wall to domestic properties.
- Demolition of the wall does not require planning permission therefore the local authority cannot demand that the wall be re-built.

PLANNING ASSESSMENT

Principle of the Use

The application site is located within a Housing Area, as defined in the adopted UDP. UDP Policy H10 'Development in Housing Areas' lists housing (C3) as the preferred use, so the proposed use of the land for residential purposes is clearly acceptable in principle.

Policy H14 relates to conditions of development in housing areas, with (a) and (l) being relevant in this case, which require good design, in scale and character of the area.

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.

None of the Policies within the Dore Neighbourhood Plan strictly relate to this application, however it is noted that Policy DN12 'Demolition in Dore Conservation Area' ii) relates to the demolition of a gate, fence wall or railing more than one more high next to the highway or public open space; or more than two metres high elsewhere. At present, this policy has limited weight as it is consistent with the NPPF. However, as the existing wall is less than a metre in height, DN12 cannot be applied.

Impact on the Character of the Area, and Conservation Area

Unitary Development Plan Policies 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.

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.

Policy BE16 states that in Conservation Areas permission will only be given for proposals which contain sufficient information to enable their impact on the Area to be judged acceptable and which would preserve or enhance the character or appearance of the Conservation Area.

Policy BE17 states that in Conservation Areas and Areas of Special Character, a high standard of design using traditional materials will be expected for alterations and extensions to existing buildings.

The NPPF in paragraphs 193 to 196 requires great weight to be given to the significance of heritage assets such as conservation areas.

The change of use includes proposals for the re-location of an existing stone boundary wall which will use the existing stones and be identical in appearance, additionally a grass verge of 2.75 metres and existing highways trees are intended to be retained.

The boundary treatments along Drury Lane are of an irregular and organic nature, with the properties at number 26, 28 and 30 set unusually far back from the highway, with a tree in the verge which largely screens the two properties when approaching from the north. Most other properties within the immediate vicinity are a more traditional distance from the highway, with the front boundary wall of number 24 being approximately 1 metre from the public highway and front boundaries to flats at Southbourne Court and properties directly opposite from the applicant site being similarly setback from the highway as the proposed. Therefore, front boundary treatments closer to the public highway are evident within the immediate vicinity, and the proposal would not form an incongruous feature which is at odds with the character of Drury Lane.

Concerns have been raised regarding the removal and relocation of the existing stone wall at the end of the original garden space. The wall is approximately 8.2 metres from the roadway and is partially screened by vegetation. As above, it's removal could take place without requiring planning permission, and it is not therefore considered it would be reasonable or legitimate to resist granting permission due to impacts relating to the loss or reconstruction of the walling.

Overall, the proposal is considered to have an acceptable impact upon the character of the area and results in no harm to the Dore Conservation Area. therefore, the relevant local planning policies would be satisfied and there would be no conflict with the provisions of the National Planning Policy Framework.

Highway Issues

The proposals to increase the residential curtilage of both properties raise no highway safety issues.

This development will require an area of highway verge to be permanently stopped up, as shown on the plan number HR\D209. As a result of an Order under Section 30 of the Public Health Act 1925, the original developer of numbers 26 and 28 was required to give up a strip of land that would widen Drury Lane along the frontage of the development. In 1990 this Order was revoked, removing this requirement for future developments on this street. Consequently, this has resulted in an irregular area of highway, which can be seen on the plan, and which for the most part does not serve the purpose of a highway i.e. to pass and repass. The highway verge outside 26-28 Drury Lane is currently approximately 8.2 metres wide. Closure of the subject area will reduce the width of the verge to 2.75 metres, though this is more in keeping with much of this side of Drury Lane.

Therefore, closure of this part of the highway verge should not affect the public's use of Drury Lane as a highway. The closure is necessary for the proposed development and it is considered that it will have no detrimental effect on the surrounding highway network.

The land was previously a grass verge adjoining the front boundary wall of the properties, which is considered of little use to highway users and would not give rise to detrimental impacts, as this would only mirror common situations typical elsewhere along Drury Lane.

Closure of the highway will rationalise the highway boundary at this location, whilst retaining a more than adequate highway verge of 2.75m.

Given these circumstances, the principle of the change of use is not considered to have detrimental impacts in highways terms.

Impact on Neighbouring Occupiers

The proposed change of use of the land is not considered to result in any negative amenity impact on neighbouring occupiers. Approximately 2.75 metres of highway verge will be available for pedestrians and does not give rise to highways safety concerns as this exceeds the 2m required for a footpath.

Tree Within the Highway Verge

One of two existing mature trees is situated close to the existing drive at number 28 within the grass verge and contributes both to public amenity and to the character of the Conservation Area. There are no proposed additional hard surfaces in close proximity to the tree, but it is considered necessary to ensure no such works take place in future that would harm the tree and a condition can prevent this.

In addition, if a boundary wall is constructed at the extent of the site closest to Drury Lane, as proposed by the applicant it has the potential to impact on the longevity of the tree because of damage to tree roots. As set out above, the principle of erecting a wall in this location is acceptable but it is essential that it and any future replacement boundary features have no impact upon the tree. Therefore it is considered necessary to prevent the uncontrolled erection of boundary features by the removal through condition of Class A, Part 2, of Schedule 2 permitted development rights which pertain to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

The applicant has not provided full details of the proposed wall in terms of its precise location relative to the tree, construction methods or tree protection measures. A further condition will require full details of any proposed boundary treatment to be submitted for approval before construction. This will enable full consideration of the impact of the boundary on the tree and can ensure both a method of enclosure that would cause no harm to the tree and would be appropriate for the Conservation Area. If a stone wall cannot be constructed in this location without harm to the tree, an alternative form of boundary could be accommodated – for example hedging of an appropriate species.

SUMMARY AND RECOMMENDATION

Planning Permission

The proposal for increasing the extent of residential curtilage to the two properties by taking up public highway is acceptable use of the land, raises no highway safety concerns and subject to conditions regarding boundary treatment results in no harm to the character of the Dore Conservation Area.

It is therefore considered that the development would be in accordance with UDP Policies H10, H14, BE16 and BE17 and does not conflict with the provisions of the National Planning Policy Framework, and it is recommended that planning permission be granted subject to the listed conditions.

Stopping Up of Highway

An Order authorising the stopping up (removal of public rights of way) of any highway can be made, if the Secretary of State is satisfied to do so, to allow development to be carried out in accordance with a valid and relevant planning permission granted under Part III of the Town and Country Planning Act 1990.

The highway to be stopped up must be being developed upon and fall within the planning boundary or be a condition of the planning permission. The Order may also include the provision of new or improved highways as long as these also form part of the planning permission.

A conflict between the planning permission and a public right of way is essential for the grant of a stopping up order. The highway itself does not need to be obstructed by a physical development, a change of use of the land can be sufficient, provided the change of use requires the highway to be closed.

Section 247 of the Town and Country Planning Act 1990 enables the Council to make an order stopping up a highway in its area if it is satisfied that it is necessary to do so in order to enable development to be carried out. The Council's highway officers have considered the application and consider that the stopping up and diversion is acceptable in all material respects to enable development pursuant to planning permission.

Members are therefore requested to confirm that they:

- Raise no objection to the proposed Stopping Up of the areas of highway shown on the plan referenced as HR\D209, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected.
- Authorise Legal Services to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town and Country Planning Act 1990.

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Case Number	20/04068/FUL (Formerly PP-09265338)
Application Type	Full Planning Application
Proposal	Demolition of attached garage and porch, erection of two-storey side and single-storey front extension to dwellinghouse with rear decking
Location	240 Greystones Road Sheffield S11 7BR
Date Received	19/11/2020
Team	South
Applicant/Agent	Mr Matthew Gregg
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 shall be carried out in accordance with the following approved drawings:

Location Plan and Site Plan (Drawing 1 of 2) (published 19.11.2020)
Proposed Elevations and Floor Plans (Drawing 2 of 2) - as amended by drawings received 17.12.2020 (published 21.12.2020).

Reason: In order to define the permission

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

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

3. The materials to be used externally shall match those of the existing building in colour, shape, size and texture.

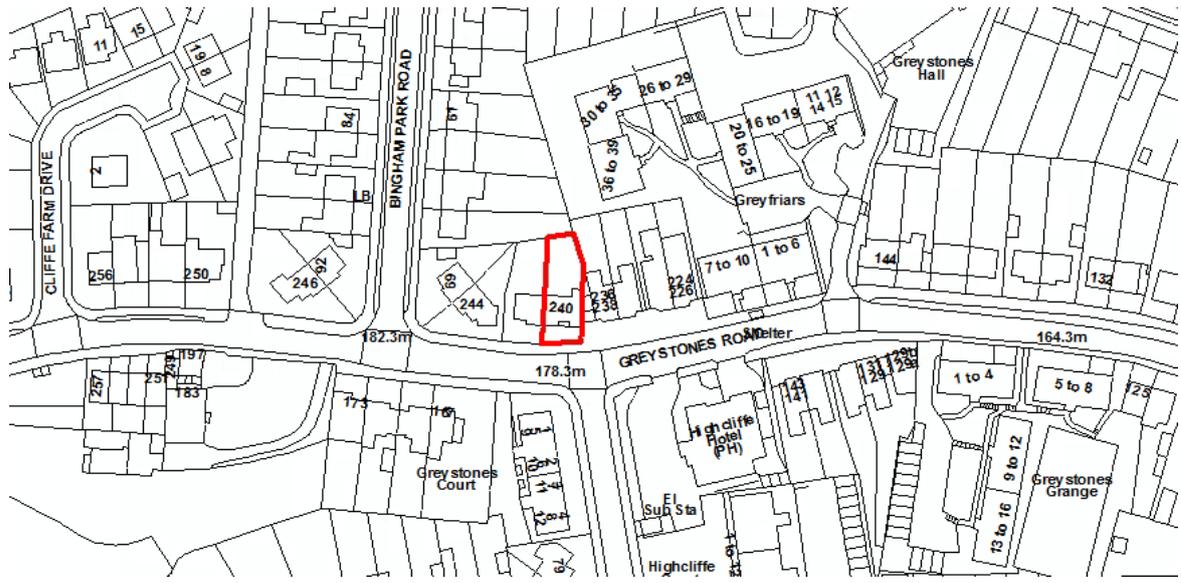
Reason: In order to ensure an appropriate quality of development.

Other Compliance Conditions

Attention is Drawn to the Following Directives:

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

Site Location



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LOCATION AND PROPOSAL

The subject property is a part brick, part rendered semi-detached dwelling with a hipped roof and feature front gable. It is on a relatively steeply sloping section of Greystones Road almost opposite the junction with Greystones Drive. Whilst the area is predominantly residential in character this house is situated directly next door to KTN Food & Wine Convenience store to the east and diagonally opposite the Greystones Public House. Greystones Court, a three-storey, flat roofed block of flats, is opposite the site.

It is proposed to demolish the existing attached single storey garage and replace it with a two-storey extension comprising a store and extended kitchen area on the ground floor and a bathroom and bedroom on the first floor. A raised deck is also proposed at the rear of the extension and the existing kitchen but this only covers half of the rear elevation and is sited approximately 5 metres away from the boundary with the adjoining semi-detached house (number 242).

The plans have been amended since their first submission owing to officer concerns in respect of design and impact in the street scene.

PLANNING HISTORY

There is no planning history relevant to the determination of this application.

REPRESENTATIONS

Immediate neighbours have been notified and no representations have been received.

PLANNING ASSESSMENT

Policy Context

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area. This assessment takes account of Policies BE5 and H14 from the Sheffield Unitary Development Plan (UDP) and the provisions of Policy CS74 of the Core Strategy regarding design principles. The Supplementary Planning Guidance (SPG) on Designing House Extensions is also relevant to the determination of this application.

The National Planning Policy Framework (paragraph 127) states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character. Innovation should not be prevented but developments should add to the quality of an area whilst providing a high standard of amenity for existing and future users. This assessment will have due regard to this overarching principle.

It is considered that the development plan policies being relied upon in making this recommendation below remain in accordance with the National Planning Policy

Framework and can be offered substantial weight.

Design

Guidelines 1 to 3 of the Supplementary Planning Guidance on Designing House Extensions state that development must be compatible with the character and built form of the area; development should not detract from the host dwelling or from the general appearance of the street or locality; and extensions should be built of matching materials and features.

The first-floor extension is proposed to align with the existing front wall of the dwelling whilst the store will project forwards to align with the existing porch at single storey level with a mono-pitched canopy tying in both structures. The ridge line to the extension has been set down from the main ridge line which helps to create some subservience and distinguish the extension from the host dwelling. This also helps to mitigate any potential future issues with regard to a terracing effect should the occupiers of the neighbouring building choose to extend in the future. The angled relationship between both properties will help to provide some separation also in this respect.

The roof profile which is hipped to reflect the roof form of the existing property will ensure that the proposals do not detract from the built form of the area and the stepped roof profile will help to maintain the already staggered appearance of roofs along Greystones Road owing to the naturally sloping topography of this street. It is noted that in an attempt has been made to retain a similar roof pitch as the existing dwelling at the front part of the extension, which is welcomed, however, the setting down of the roof height will create an asymmetrical element, particularly to the rear portion of the dwelling. Whilst this is not ideal, it is not considered that it will be overly visible when approaching the site up Greystones Road given that part of the existing shop will obscure much of it. It may be visible from other angles within the street but it is considered important that the staggered roof form is retained to prevent any future terracing and as such is considered acceptable in this instance and will not detract from the character of the immediate area.

Matching fenestration to the front elevation will ensure a coordinated approach which is sympathetic to the existing property in addition to matching existing facing materials and as such the proposals will not detract from the street scene.

The proposals are therefore acceptable in design terms and in accordance with the policies set down above.

Amenity/Impact on Neighbours

Guidelines 4 to 6 of the Supplementary Planning Guidance on Designing House Extensions state that development should not lead to an overdevelopment of house plots or leave little garden space; they should ensure that minimum levels of privacy are maintained; and not lead to unreasonable over-shadowing or overdominance of neighbouring dwellings.

The building to the east of the site angles away owing to the slight bend in

Greystones Road, in addition to projecting in front of the rear wall of the application site. Given that this is the case, the proposals do not give rise to any amenity issues in relation to overshadowing/overbearing.

There are two windows to the side elevation of the flat above the shop which face onto the application site. However, these windows are both obscurely glazed, serving both a landing area and bathroom and as such will not be significantly affected by the proposals.

A decked area is proposed to the rear which will project 2.1 metres with a width of 5.1 metres. The deck will be elevated by just over 1 metre owing to land levels to the rear of the site. However, it is unlikely that any amenity issues will be raised from the location of the deck. The shop currently extends beyond the site and users of the proposed deck will not be able to readily view into the garden area of this property.

The adjoining semi, No. 242 has a single storey extension which projects some 3 metres close to the shared boundary and the deck is stepped in considerably from that boundary and as such no significant amenity issues are raised in this respect.

The large site area, particularly the rear garden area will not result in an overdevelopment of the house plot.

It is considered that the proposals do not raise any significant amenity issues and meet with the intentions of the relevant UDP policies and SPG guidance on

Designing House Extension.

Highways

Guideline 8 of the Supplementary Planning Guidance states that developments should not lead to highway safety issues and should provide adequate parking arrangements.

There is currently a driveway which serves one off-street parking space. The proposals will result in a 4 bedroomed property and whilst it would be beneficial to include an additional parking space from a highways perspective, it is noted in this case that in creating an extra space, loss of an attractive stone wall would occur which is a feature of this residential area. In addition it would remove the ability for one additional vehicle to park on street. Given that this is the case, it is considered that one off street parking space is acceptable in this instance.

CONCLUSION AND RECOMMENDATION

It is considered that the proposed development is well designed, in scale and character with the host dwelling and the wider street scene and it will not lead to adverse impacts on adjoining properties. As such it is considered that the proposed development would be in accordance with UDP Policies H14 and BE5, as well as Policy CS74 of the Core Strategy; Paragraph 127 of the NPPF, and the Council's SPG on Designing House Extensions.

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

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Development Services

Date: 12 January 2021

Subject: Enforcement Update Report

Author of Report: Khalid Mahmood

Summary: Progress report on enforcement actions authorised by Committee or under delegated powers within the City.

Reasons for Recommendations:

The purpose of this report is to inform Committee members of progress on current enforcement cases in the City.

Recommendations:

That members note the current progress on actions

Background Papers:

Category of Report: OPEN

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UPDATE ON LIVE ENFORCEMENT CASES WHICH HAVE BEEN GRANTED AUTHORITY UNDER DELEGATED POWERS OR BY MEMBERS

Report abbreviations

PP	Planning Permission	EN	Enforcement Notice
PD	Permitted Development	PCN	Planning Contravention Notice
BCN	Breach of Condition Notice	S330	Notice under Section 330 of the Act requiring details of interest in land
S215	Notice under Section 215 of the Act – Land adversely affecting amenity of neighbourhood.	S225	Notice under section 225 of the Act requiring removal of illegally displayed placards or posters
		PO	Planning Officer
		EA	Enforcement Authority
		NFA	No Further Action
TSN	Temporary Stop Notice	LBEN	Listed Building Enforcement Notice

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

CITY CENTRE & EAST AREA

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
1.	23 Brathay Close, S4 8BQ	Retention of outbuilding and erection of a new boundary fence to the south-east elevation of the site fronting Holywell Road	22/04/2020	30/11/2020 – An application (20/02765/FUL) has been submitted for consideration. EA to be held in abeyance until application has been determined – Monitor (20/00014/ENUHD – JB)
2.	432 Grimesthorpe Road, S4 8LE	Unauthorised car sales	25/09/2020	30/11/2020 – An EN has been served on the 08/10/2020 took effect on 11/11/2020 with a 6-month compliance period. (16/00417/ENCHU – LB)

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
3.	270 Handsworth Road, S13 9BX	Breach of condition (19/00674/FUL)	04/08/2020	30/11/2020 – As part of the approval a condition was imposed to secure full details of the proposed drainage arrangements to be submitted before the adjacent land was used. This was not complied with and the land was being used in connection with the car sales use. A TSN has been served to stop the use of the neighbouring land, this has been complied with and the vehicles have been removed. A conditions application (19/00674/COND2) has also been submitted to discharge the landscaping scheme, which is pending consideration. (20/00207/ENBC – KM)
4.	10 Orchid Crescent, S5 6GL	Breach of condition 12 - The condition relating to the PD rights has not been complied with a fence has been erected at the front of the property.		30/11/2020 – An EN has been drafted and sent to legal to be served. (18/00262/ENBC – KM)
5.	150 Newman Road, S9 1LT	The erection of an extension/porch at the frontage of the property facing Newman Road.	24/01/2020	30/11/2020 – An EN served 29/09/2020 and took effect on 02/11/2020, with a 6-month compliance period from when the notice took effect. (18/00168/ENUHD – KM)
6.	Land adjoining the Adelphi, Attercliffe Road, S9 3RH	Change of use of the land as a car sales pitch and the erection of security fence	18/09/2020	30/11/2020 – the use as for car sales has ceased. With regards to the security fence an EN has been drafted and is with legal to be served as soon as possible. (19/00393/ENCHU – KM)
7.	Land at Sandersons Weir Brightside	Trees have been removed and the land		30/11/2020 – Awaiting clarification from tree officer on the type of trees that need to be re-planted before the EN

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
	Lane, S9 3YD	has been re graded to a create an area for the storage of vehicles		is served. The owner is also in correspondence with officers to find an acceptable solution. (19/00182/ENCHU – KM)
8.	Bowden Houstead Allotment Gardens Prince of Wales Road, S9 4ER			30/11/2020 – An EN was served on 11/03/2019, it took effect on 15/04 2019 and required compliance 3 months from the day the Notice took effect. The EN has not been complied with and a prosecution file is being prepared. (17/00477/ENCHU – KM)
9.	42 Dundas Road, S9	Single Storey Side Extension to Shop & siting of a refrigeration container	14/12/18	30/11/2020 – EN served requiring removal of extension and container by 15/07/2019. EN not complied with. A prosecution file prepared & sent to Legal. Awaiting a court date. (18/00239/ENUHD – LB)
10.	Gleeson Development, Fretson Park, Fretson Road & Queen Mary Road & Archdale Road	Non –compliance with c18 – driveway surfacing / c19 – surface water drainage / c13 landscape failures of 16/04208/FUL	6/12/2018	30/11/2020 – Some works have been carried out to comply with the BCN. Checking with highway officers if there is any harm from water runoff on to the highway to establish if further action should be taken. 28/2/19 - BREACH OF CONDITION NOTICE 1 (Plots 1-6) served on developer, GLEESON only. Requires removal of existing driveways within 56 days ·& replace with spec provided (compliance required by 25/4/19) OR submission of alternative scheme within 56 days ·& implementation of approved alt. scheme with 112 days (by 20/6/19). 24/5/19 - 16/04208/COND1 was submitted as alternative scheme. Decision made 22/12/19...The details submitted for c18 are satisfactory & therefore C18 is discharged subject to implementation in accord with approval.

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				<p>C19 details for drainage of driveways was not approved. Site visit required to check compliance with BCN in relation to drainage c19. Further BCN or EN required for remaining driveways sloping towards highway that do not have correct drainage method installed.</p> <p>17/12/18 Details sent to Legal for service of BCN, following dismissal of an appeal to remove this condition under ref 17/00498/FUL. EN & STOP Notice also being prepared. (17/00421/ENBC – LB)</p>
11.	31 Hinde House Lane, S4	Erection of external stairway and alterations to 1 st floor rear elevation form a doorway in place of original window.	18/09/2018	<p>30/11/2020 – EN has been served on 13/05/2019, an appeal was made which was dismissed on 06/03/2020, and required compliance with 3 months from the Inspectors decision. The Notice has not been complied and a prosecution file is being prepared.</p> <p>(17/00331/ENCHU – LB)</p>
12.	36 Jermyn Avenue, S12	Extension to garage to create second storey at the front of the property	10/08/2018	<p>30/11/2020 - EN has been served on 25/09/2018 and an appeal has been made. Appeal was dismissed. New application (19/03358/FUL) was submitted and subsequently refused with EA. A prosecution file prepared & sent to Legal. Awaiting a court date.</p> <p>(16/00451/ENUHD – JB)</p>
13.	Land at Barleywood Road, S9 5FJ	Unauthorised use as a breakers yard and erection of a building	01/11/2016	<p>30/11/2020 – Court hearing for non-compliance with BCN. Owner pleaded not guilty. Trial was set for 30th April 2020. Trial postponed due to covid-19. Litigation writing to owner asking to comply with the Notice.</p> <p>26/11/2018 – A BCN has been served and most of the required works have been done. We have received</p>

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				<p>assurance from the owner the works will be completed by end of November – Monitor. 16/04/2018 – Planning permission (16/04583/FUL) for retention of building for repair and maintenance of vehicles (Use Class B2) and use of land for storage of car parts (Use Class B8) has been granted with conditions. Site will be monitored to check if the scrapyards use has stopped and conditions are being complied with. 20/04/2017 – EN served 01/11/2016 took effect on 05/01/2017 compliance by 10/06/2017.</p> <p>(16/00434/ENCHU - LB)</p>
14.	142 Devonshire Street, S3	Unauthorised signs and the repainting of the shop front	09/08/2016	<p>30/11/2020 – The original case officer has left the Council and the case has been reallocated to new Officer for new statement to be done. Checks being carried out to identify new occupiers.</p> <p>08/08/2017 – EN has not been complied with and planning application remains invalid. Statement to be done for prosecution. 20/04/2017 – Listed Building EN has been served on 06/01/2017 took effect on 13/02/2017 16-week compliance period. An application (17/00796/FUL) has also been submitted for the existing sign, which is currently invalid.</p> <p>(15/00068/ENLBD – KM)</p>
15.	126 Birley Spa Lane S12 4EJ	Unauthorised flue, and shipping container, and prevent the unauthorised use as a Fast Food Takeaway.	09/08/2016	<p>30/11/2020 – The business owner was found guilty and find. A new business owner has taken over the property and a letter has been sent asking him to comply or the matter will be reported for prosecution. Also considering taking direct action to get the industrial container removed.</p>

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				<p>16/04/2018 – The case was reported for prosecution and the business owner has pleaded not guilty at the first hearing because he states that he was not the business owner at the time we witnessed the breaches. The case is now being heard as a full trial on the 24/05/2018. A letter has also been sent to the new business owner asking to comply with the Notice. 08/08/2017 – The use is still continuing, and the container and the flue have not been removed either. Evidence is being gathered for prosecution for non-compliance with EN. 20/04/2017 – A TSN was served and was not complied with. The company and the occupier have been prosecuted and were fined a total of £1988. An EN has also been served on 07/12/2016</p> <p>(16/00314/ENUD- JB)</p>
16.	15 Westfield Terrace, S1	Signage	17/05/2016	<p>30/11/2020 - The original case officer has left the Council and case has been reallocated to new officer for a new statement to be done.</p> <p>08/08/2017 – File being prepared for 2nd prosecution. 20/04/2017 – The company has been prosecuted and fined a total of £1950. A reminder letter to be sent to new company that the signs need to be removed within a reasonable time period and if not, the matter will be reported for prosecution again.</p> <p>(16/00110/ENLBD – JB)</p>
17.	55 Bawtry Road, S9	External wall insulation	24/06/2014	<p>30/11/2020 – Due back in court but trial was postponed due to covid-19. Awaiting further information from Magistrates.</p> <p>26/11/2018 - Statement being done for prosecution.</p>

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				<p>20/04/2017 – Reminder letter to be sent to installer. 17/10/2016 – Works have begun to comply with Notice – Monitor. 08/02/2016 – An extension of time has been given to resolve the issue until 01/02/2016, No work has been done – chasing progress, if no progress then that matter will be reported for prosecution. 20/10/2015 – Within compliance period. 08/07/2015 - An EN has been served on 25/06/2015 comes into effect on 27/07/2015 unless appeal is made and needs to be complied by 27/11/2015.</p> <p>(15/00058/ENBC – LB)</p>
18.	1 Blackmore Street & 72 Princess Street, S4	Re-roofing of a listed building	16/06/2015	<p>30/11/2020 – LBEN not complied with letter sent to new owner warning of 2nd prosecution for non-compliance with LBEN.</p> <p>26/11/2018 – In discussions with new owner to resolve the issue. 16/04/2018 – The owner was fined a £1500, £450 costs and £150 surcharge. A timescale has been submitted for the works to be carried out. 13/07/15 - LBEN served requiring unauthorised roof materials to be removed & replace with appropriate / traditional materials by 15/12/15</p> <p>(14/00207/ENUD – LB)</p>
19.	484 Staniforth Road, Darnall, S9 3FW	Unauthorised roof extension	25/01/2010	<p>30/11/2020 – The owner has been in discussion with the officers to resolve the issue.</p> <p>26/11/2018 – Given that the owner has been prosecuted three times before and the fines have been very small due to the owner's financial circumstances. It is considered that we give a further 2 years to comply with the Notice before reporting the matter for prosecution. 08/08/2017- The owner was found guilty and fined £250, costs £350 and £30</p>

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				<p>Surcharge. 20/04/2017 – A prosecution statement has been done and the case is due in Court on the 6 June. 17/10/2016 – The owner was found guilty for the 2nd time and was fined £140.00 with £260 costs. A letter has been sent asking for the EN to be complied with – no response received therefore the matter will now be reported for 3rd prosecution. 03/05/2016 – Court hearing on the 9/03/2016 and was subsequently adjourned until 12/05/2016. 08/02/2016 – prosecution file with litigation waiting for court date. 20/10/2015 – 2nd prosecution statements being done. 08/07/11-Fined £200+100 costs, reminder to be sent to comply with EN. 20/01/2011</p> <p>(10/00384/ENUD – LB)</p>

SOUTH AREA

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
1.	109 Norton Park Road, S8 8GR	Unauthorised extension	09/11/2020	30/11/2020- Planning permission (20/03160/FUL) for alterations to roof to form additional habitable accommodation including erection of rear dormer window with juliet balcony, erection of two-storey side extension, and single-storey front and rear extensions to dwellinghouse refused with EA. The work is being carried out as per the refused application. EN to be drafted and served as soon as possible. (20/00484/ENUHD and 20/00360/ENBC – JB)
2.	174 Lowedges Road S8 7LF	Two metal storage containers have been sited at the front of the property.	06/11/2018	30/11/2020 - EN was served 07/11/2018 and appeal was made which was subsequently dismissed on 01/11/2019, with a 3-month compliance period from when the appeal was dismissed. Prosecution statement has been done and awaiting a court date. (17/00580/ENUHD – JB)
3.	13 Rupert Road	Unauthorised erection of a pitched roof to a detached garage	20/03/2020	30/11/2020 – EN has been drafted and is with legal to be served as soon as possible. (19/00454/ENUHD – KM)
4.	42 Woodseats House Road, S8 8QF	Erection of a front dormer	07/10/2020	30/11/2020 – EN to be drafted. (20/00426/ENUHD – KM)
5.	15 Rosedale Gardens, S11 8QB	Erection of single-storey rear/side extension and provision of canopy to front of dwelling house	06/10/2020	30/11/2020 – EN to be drafted. (20/00427/ENUHD – KM)
6.	126 Sandford Grove Road, S7 1RT	Unauthorised fence	05/06/2020	30/11/2020 – EN has been drafted and is with legal to be served as soon as possible.

				(20/00069/ENUHD– KM)
7.	37 and 39 Crookes Road, S10 5BA	Unauthorised replacement of door and door surround at the front of the property	08/01/2020	30/11/2020 – EN has been served on 22/09 2020 and took effect on the 02/11/2020 with a 6-month compliance period. (17/00408/ENART4 and 17/00409/ENART4 – KM)
8.	Ozmen International Food Centre, 45- 53 John Street, S2 4QT	Breach of condition 3 land contamination, condition 6 sound attenuation, condition 10 cycle parking, condition 11 receptacle for disposal of litter, condition 12 car parking, condition 14, surface water, condition 16 external lighting, condition 18 landscaping, condition 20 boundary treatment	28/11/2020	30/11/2020 – the BCN has been drafted and is with legal to be served as soon as possible. (18/00364/ENBC – KM)
9.	351 Ecclesall Road South, S11 9PX	Unauthorised fence	09/01/2019	30/11/2020 – EN served on 23/09/2019 an appeal was made against ground f and g. The time period was extended in the notice to 8 weeks from 02/03/3030. The EN has not been complied with a reminder letter to be sent. (18/00317/ENUHD – KM)
10.	5 Cemetery Avenue	Unauthorised front Dormer	28/06/2019	30/11/2020 – EN has been served on 14/07/2020 took effect on 20/08/2020 with a 6-month compliance period. An application 20/02629FUL was also submitted which was refused, an appeal has been made against this application.

				(19/00042/ENUHD – KM)
11.	202 Chippinghouse Road, S7 1DR	Unauthorised creation of hardstanding at the front of the property	22/10/2019	30/11/2020 – EN has been served on the 12/12/2019, it took effect on the 10/01/2019 with a 3-month compliance period. The Notice has not been complied with the matter is to be reported for prosecution.
				(17/00265/ENART4 -KM)
12.	7 Priory Road, S7 1LW	Unauthorised fence	14/05/2019	30/11/2020 – An EN was served on the 13/05/2019 and took effect on the 17/06/2020 with a 4-week compliance period. The notice has not been complied with. Discussions have taken place with the owner to plant some vegetation before the fence is removed.
				(16/00632/ENUHD – KM)
13.	192 Whitham Road, S10 2SS	Shop front signage	04/06/2019	30/11/2020 – A new application (20/03183/ADV) has been submitted and subsequently granted. Letter to be sent asking to replace signs with the approved signs.
				(19/00221/ENOA – KM)
14.	429 Glossop Road, S10 2PR	Replaced of door within an Article 4 area	10/01/2018	30/11/2020 - EN served on the 10/01/2018 an appeal was made which was dismissed. The EN took effect on the 24/09/2018 with a 3-month compliance period. It was agreed with the owner to allow extra time to comply with the Notice. The EN has not been complied and the matter is to be reported for prosecution.
				(15/00526/ENART4 – KM)
15.	12 Croydon Street, S11 8BD	Unauthorised ground floor extension	14/02/2017	30/11/2020 – No further works have been carried out on site and it appears that the property is empty. Legal advice is that we monitor the property until such time that either the owner is back, or we have resources to carry out works in default. No response received from family members.

				<p>16/04/2018 – The case came before the Magistrates for a second time on the 30/01/2018. It appears that the owner has been detained under the Mental Health Act prior to the hearing. Litigation advice is to withdraw the prosecution. Further contact is to be made with family members in trying to resolve this issue. 08/08/2017 – EN has not been complied with and the matter has been reported for prosecution. 21/04/2017 – EN has been served on 15/03/2017 and takes effect on the 24/04/2017 compliance by 05/06/2017 – SV to be done to check if work has been done.</p> <p>(14/00435/ENUHD – KM)</p>
16.	369-373 Abbeydale Road, S7 1FS	Unauthorised canopy	14/02/2017	<p>30/11/2020 – EN not complied with. Prosecution being prepared.</p> <p>26/11/2018 – Reminder letter to be sent before statements are done for prosecution. 08/08/2017 – EN was served on 09/05/2017, took effect on 12/06/2017 and has a 16-week compliance period 02/10/2017. 21/04/2017 – EN being drafted and to be served.</p> <p>(16/00362/ENUD – LB)</p>
17.	137 - 139 Abbeydale Road, S7 1FE	Unauthorised timber rear extension	01/03/2013	<p>30/11/2020 – EN was served on 01/03/2013 and took effect on 01/03/2013 with a 4-month compliance period. Some works have been done to comply with the EN. It appears that the property has been sold. Checks being carried out to identify new owner/occupiers before it is reported for prosecution.</p> <p>(12/00537/ENUD – LB)</p>
18.	44 Grange Crescent, Nether Edge, S11 8AY	Unauthorised replacement of windows, roof tiles, guttering, door and	07/02/2011	<p>30/11/2020 – The windows on the ground and first floor have been replaced and painted in an acceptable colour – the 2nd floor windows, guttering and the roof slates still need to be replaced. Continue to monitor site to make</p>

		repainting of headers, sills and architectural feature		<p>sure that rest of the work is done but considered as a low priority.</p> <p>16/04/2018 – The case was in court on the 26/09/2017 and the owner was fined £5000, £570 costs and £130 surcharge. The owner has given assurances that work will be done soon. 08/08/2017 – Statement has been prepared and file is with Legal Services. 21/04/2017 – No work has been carried out. Statement to be done for 3rd prosecution. 03/05/2016 - A new phased deadline has been given for the works to be carried out. If the first phase is not carried out before the 25/06/2016 then the matter will be reported for 3rd prosecution.</p> <p>(10/00370/ENART4 – KM)</p>
19.	263 Cemetery Road, S11 8FS	Unauthorised replacement of windows to the front and side of 263 Cemetery Road, S11, facing Grange Crescent Road and Cemetery Road, the erection of a new soil pipe facing Cemetery Road, a new down pipe adjacent to the bay window facing Grange Crescent Road, the replacement of guttering and the erection of roof felt on the ground floor bay windows.	05/11/2013	<p>30/11/2020 – As the company is registered in Isle of Man it is outside of the jurisdiction of the Court and prosecution is not possible until the property is registered in the UK or there are resources available to carry out direct action works.</p> <p>(13/00131/ENUD – KM)</p>
20.	Ball Inn, Mansfield Road, S12 2AG	Unauthorised Hoarding	21/06/2010	<p>30/11/2020 – No response received from the letter sent asking to remove hoarding. DN to be drafted and served but considered as a low priority.</p>

			(10/00189/ENHOA – LB)
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WEST AND NORTH AREA

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
1.	Malin Bridge Inn 194 Holme Lane S6 4JZ	Unauthorised extension to outside bar	21/09/2020	30/11/2020 – Planning application (20/00644/FUL) has been refused with EA. EN to be drafted as soon as possible. (19/00095/ENUD – LB)
2.	18 Town End Road S35 9YY	Unauthorised of roof terrace over existing flat roof	21/04/2020	30/11/2020 – Planning application (20/00197/FUL) has been refused with EA and further application (20/01965/FUL) was submitted which has also been refused. An appeal to made against the application. EN to be served as soon as possible. (19/00312/ENUHD - LB)
3.	10A Hillsborough Place, S6 4JJ	The property is being used as a vehicle repair workshop without consent.	15/09/2020	30/11/2020 – EN has been sent to legal to be served as soon as possible. (19/00105/ENCHU – LB)
4.	Former Loxley Works, Low Matlock Lane, S6 6RP	Breach of condition 26 relating to foul drainage	19/08/2020	30/11/2020 - BCN has been served on 10/09/2020 with an 80-day compliance period. Work is in the process of being carried to comply with the Notice (18/00109/ENBC – KM)
5.	Plough Inn, 288 Sandygate Road, S10 5SE	Unauthorised change of use of land to storage use	13/02/2020	30/11/2020 - EN served on 26/05/2020 and took effect in the 01/07/2020 with a 3-month compliance period to remove all materials associated with the use. Recent site visit appears to show that the use has stopped but not all the materials have been removed. The matter has been reported for prosecution.

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				(19/00265/ENS215 – KM)
6.	244A High Greave, S5 9GR	Change of use of building into a vehicle repair workshop & the display & sale of motor vehicles	09/09/2020	30/11/2020 - EN has been served on to 12/11/2020 and took effect on the 17/12/2020 with a 12-month compliance period.
				(17/00317/ENCHU – LB)
7.	Field at rear of 254A High Greave, S5 9GR	Change of use of land & erection of a large timber building, erected for & used in connection with the house at 254A HG	04/09/20	30/11/2020 - EN to be prepared requiring cessation of the domestic / residential use of that part of the field & removal of the unauthorised building, following refusal of retrospective planning application ref. 15/02654/FUL on 09/04/2020.
				(14/00577/ENUHD – LB)
8.	131 Oakbrook Road, S11 7EB	Dormer extension added to front roof slope	12/06/2020	10/11/2020 - EN served on 16/06/2020 took effect on the 17/07/2020 with a 3-month compliance period. Pp was granted for an acceptable alternative under ref. 18/01906/FUL. The EN has not been complied with and a prosecution file being prepared.
				(16/00473/ENUHD – LB)
9.	2 Whiteways Road, S4 8FJ	Dormer Windows - Non-compliance with approved plans. (i) Lower section of windows not obscure glazed. (ii) full height window casements open on side hinges. Should be small top opening casements, top	16/01/2020	30/11/2020 – BCN served on the 29/09/2020 and needs to be complied with by the 01/04/2021.
				(19/00003/ENBC - LB)

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
10.	Land at Rear Of 72-78 Pexton Road, S4 7DA	hung (17/02674/FUL) Tipping of waste materials, demolition rubble on land within grounds of 4 residential flats & raising of land level	24/10/19	<p>30/11/2020 – An EN was served on the 07/07/2020 and took effect on the 08/08/2020 with a two-month compliance period. The EN has not been complied with and a prosecution file being prepared.</p> <p>24/10/19 - TSN served to stop import of waste materials arriving on tipper trucks. The tipping stopped immediately. Tipping re-started 26/6/20. 2/7/20 - EN served requiring all tipped waste materials to be removed & taking to authorised waste facility & the land to be made tidy by 8/10/20.</p> <p>(19/00423/ENUHD – LB)</p>
11.	69 Oldfield Road, S6 6DS	Erection of a conservatory with a raised platform / balcony	21/8/19	<p>30/11/2020 – Planning application (20/00185/FUL) has been submitted for an alternative proposal and was subsequently refused and appeal has been made.</p> <p>14/09/20 – EN not complied with. Legal proceeding is required to bring about satisfactory resolution. EN served on the 21/11/2019, took effect on the 23/12/2019 with a 3-month compliance period.</p> <p>(18/00140/ENUHD – LB)</p>
12.	234 Barnsley Road, S4 7AG	Conversion of garage into a self-contained living accommodation	30/05/19	<p>30/11/2020 – An appointment to be made with the owner to arrange a site visit to confirm that the use has stopped.</p> <p>EN served 11/7/19 requiring use of the building for self-contained living accommodation to stop & requiring internal fittings. Appeal lodged against the EN, which was dismissed on 22/1/20. Compliance with notice required by 22/7/20. Visit required to check for compliance.</p>

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				(19/00198/ENCHU – LB)
13.	Site of Former Chapeltown Glass Co. Now numbered 1-9 Orchard Court, S35	Conditions relating to the works to the footpath & boundary treatment have not been complied with as required by PP 15/00485/FUL to erect 9 houses	10/04/2018	30/11/2020 – Identifying new developer and asking for work to be done to make it acceptable. If work not carried out, we serve for enforcement action to serve EN.
14.	Fulwood Head Farm, Fulwood Head Road, S10	3 sites: Building A – unauthorised conversion works begun to create a new dwelling Site B – New House being constructed on site of a cow shed & on adjacent land Building C – Barn converted to dwelling	08/01/2018	(17/00530/ENBC – LB) 30/11/2020 – EN mostly complied with - monitor 13/08/20 – Application ref.20/01046/FUL submitted for Erection of storage building on SITE B & for alterations & extension to BUILDING A on building on adjacent field to form a house, which is pending 5/8/20 – retrospective pp ref.17/05207/FUL granted with conditions for conversion BUILDING C to a house. Discharge of conditions application being prepared as at 11/9/20. 'SITE' B (& adj some land in field) - COURT DATE hearing arranged (put back to 30/4/20 due to covid19, this has further postponed until further notice by Courts) 26/11/2018 – Two applications have been submitted application (18/00113/FUL – this application for erection of a house on site B, Building A & adjacent land has been abandoned) 16/04/2018 – A TSN has been served to stop works on the building these works have stopped. An application has been submitted 18/00113/FUL for the conversion of former agricultural barn and erection of building for use as a

NO	SITE	BREACH	DATE OF AUTHORITY	CURRENT SITUATION
				dwellinghouse, which is currently invalid. Monitor. (17/00565/ENOTH – LB)
15.	White Acres Farm, Spout Lane, S6 6EF	Unauthorised alterations and change of use of barn to a dwellinghouse	22/11/2016	30/11/2020 - Site visit to be carried to assess progress on compliance. It appears not to be complied with when viewed from the highway. Letter to be sent to owner requesting appointment. 26/11/2018 – The Appeal has been dismissed. 18-month compliance period set by the Inspector 03/10/2019 to stop the use as a dwelling and alter the building back to a barn. 08/08/2017 – A Public enquiry has been opened on 13/06/2017 and has been adjourned to 21/11/2017. 21/04/2017 – EN has been served on 06/01/2017 and an appeal has been made against the EN and Planning decision (15/04365/FUL. (15/00607/ENUHD – LB)

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 12 January 2021

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Abby Hartley

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

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 the removal of 12.4m mast and erection of 20m monopole and associated equipment cabinets and ancillary works (Application for determination if approval required for siting and appearance) at telecommunication mast opposite 518 Bellhouse Road, Sheffield, S5 0EP (Case No: 20/02971/TEL)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for Retention of and alterations to dormer window to front of house in multiple occupation (HMO) at 5 Cemetery Avenue, Sheffield, S11 8NT Case No: 20/02629/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 the removal of 9.7m monopole and associated cabinets and erection of 20m monopole with 7no associated equipment cabinets and associated works at telecommunications mast north west of 285 Psalter Lane, Sheffield, S11 8UU (Case No: 20/02204/FULTEL)

(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 20m monopole and associated equipment cabinets and ancillary works (Application for determination if approval required for siting and appearance) at telecommunications mast 56M south of junction with Danewood Avenue and Castlebeck Avenue, Sheffield, S2 1DS (Case No: 20/02180/TEL)

(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for alterations to and raising roof height of garage to provide living accommodation for dependent relative at Far End Cottage, Rye Lane, Sheffield, S6 6GX (Case No: 20/01862/FUL)

(vi) An appeal has been submitted to the Secretary of State against the committee decision of the City Council to refuse planning permission for the hybrid application for change of use of existing buildings to be retained, altered vehicular access from Loxley Road with secondary public transport access from Rowell Lane and associated works with outline approval (with all other matters reserved) for demolition of existing buildings and structures, provision of a residential led mixed-use development that will deliver up to 300 dwellings, reinstatement works, site remediation, green infrastructure, landscaping and associated infrastructure (Amended Description) at Hepworth Properties Ltd, East Works, Storrs Bridge Lane, Sheffield, S6 6SX (Case No: 20/01301/OUT)

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a digital advertisement board at 253 Halifax Road, Wadsley Bridge, Sheffield, S6 1AD (Case No: 20/01329/ADV) has been dismissed.

Officer Comment:-

The main issue was the effect of the proposed advertisement on the amenity of the area.

The Inspector noted that the 'V' shaped structure with 2 LED display screens would be located opposite a defined shopping centre but within the visual context of a residential area to the north and open areas to the south, against which the sign would appear as obtrusive clutter. They considered that the visual harm would be exacerbated by the illuminated and changing nature of the images such that the proposal conflicts with policy BE13 of the UDP and with the National Planning Policy Framework with regards to achieving well-designed places.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a detached double garage to dwellinghouse at 40 Bridle Stile Gardens, Sheffield, S20 5EH

Officer Comment:-

The Inspector considered the main issues to be the effect of the development on the amenity of the adjoining property; highway and pedestrian safety; and the character and appearance of the area.

They concluded that the garage would, by reason of its height and length, cause unacceptable harm to the garden area of the adjoining property by appearing dominant and enclosing. They also concluded that the garage would result in the loss of a turning area at the end of a private drive which would result in long reversing manoeuvres and conflict between pedestrians and vehicles.

Whilst the overall design of the garage was considered acceptable, the above two factors meant that the proposal was unacceptable and contrary to the development plan, supplementary planning guidance and the national planning policy framework.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the provision of rear timber fence and gate to storage area and provision of decking with timber balustrade, ramp and handrail to rear yard area at Sport Shack, 706 Chesterfield Road, Sheffield, S8 0SD (Case No: 20/00994/FUL) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as being the impact of the development on occupiers of adjoining residential property with particular regard to noise and disturbance.

She noted the juxtaposition of the external area with flats above the unit and neighbouring properties and concluded that the noise and disturbance from comings and goings, presence of gathered groups of customers, and from the bar below when doors were being constantly opened would be harmful to the living conditions of those residents, as would the proximity to the external staircase access to the flat above in conflict with policy S10 of the UDP.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of rear and front dormer to dwellinghouse at 26 Logan Road, Sheffield, S9 4PF (Case No: 20/00948/FUL) has been dismissed.

Officer Comment:-

The Inspector considered that the main issue was the impact of the front dormer on the character and appearance of the host building. The Inspector noted that it would be offset from the windows below and would disrupt the symmetry of the window composition as a result. The appeal was therefore dismissed as out of character with the host dwelling, contrary to Policies BE5 and H14 of the UDP, Core Strategy Policy CS74 and the Supplementary Planning Guidance on Designing House Extensions.

(v) To report that an appeal against the delegated decision of the Council to refuse planning permission for the 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) has been dismissed.

Officer Comment:-

The main issues were the effect of the development on the character and appearance of the area and the living conditions of future occupiers of the

dwellings with regard to the provision of external amenity space.

The Inspector particularly felt that the level of amenity space was acceptable and policy compliant, but that the design of the replacement properties with a deep plan form, multiple roof windows and loss of space between dwellings, as well as masking views of the adjoining terraced properties, would lead to an erosion of character on this part of Loxley Road, including a loss of glimpsed views to the valley behind. She concluded that the proposal would be contrary to BE5, H14, CS74 and the Loxley Valley Design Statement.

(vii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the retention of conservatory with undercroft storage and Juliette balcony (re submission of 19/01224/FUL) (Amended description) at 69 Oldfield Road, Sheffield, S6 6DS (Case No: 20/00185/FUL) has been dismissed.

Officer Comment:-

The main issue was the effect of the development on the living conditions of occupants of 67 Oldfield Road with regard to privacy.

The Inspector concluded that, as a result of the elevated position and splayed garden boundary, the extensive conservatory glazing and Juliette balcony would result in a loss of privacy which would harm the neighbour's living conditions, contrary to Policy H14 of the Sheffield Unitary Development Plan, Chapter 12 of the National Planning Policy Framework and guidance contained in the Council's Supplementary Planning Guidance 'Designing House Extensions.'

(viii) To report that an appeal against the committee decision of the Council to refuse planning permission for the erection of 20.0m high monopole and associated equipment cabinets to replace existing 17.0m high monopole and associated equipment cabinets at St Aidan's Drive and St Aidan's Road, Sheffield, S2 2NH (Case No: 19/04395/FULTEL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the development on the character and appearance of the area. She noted that the current street scene has an open and undeveloped quality and that the proposed pole would be taller and wider than the existing pole with more prominent antenna. She considered that the structure would be highly prominent and obtrusive when viewed from adjacent areas. The number and location of the accompanying cabinets exacerbates these concerns and the lack of evidence presented for the need for this pole in this location was a contributory factor in reaching her conclusion that the proposal was in conflict with UDP Policy BE14 and Paragraph 115 of the NPPF.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for alterations and extensions to detached garage including formation of flat roof with 1.2m screen fencing above and formation of car port, and erection of boundary wall and gates to front at 27 Sandygate Park Road, Sheffield, S10 5TX (Case No: 20/01647/FUL) has been allowed.

Officer Comment:-

The main issue was the effect of the car port on the character and appearance of the host dwelling and area.

The Inspector felt that the car port would project beyond the front porch, but not to significant extent. Moreover, owing to its low profile, open-fronted form and limited width, the car port would be a modest addition comparative to the two-storey host building.

The Inspector concluded that the car port would not cause unacceptable harm to the character and appearance of the host dwelling or area.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of a 11.70m high monopole and associated equipment cabinets and erection of 20m high monopole with associated equipment cabinets at telecommunications mast adjacent Pavilion, Angram Bank Recreation Ground, Foster Way, Sheffield, S35 4GE (Case No: 19/03872/FULTEL) has been allowed.

Officer Comment:-

The main issue was the effect of the development on the character and appearance of the area.

The Inspector concluded that the replacement mast would result in some limited harm to the area's character and appearance, with particular regard to the proposal's scale and siting, but that the harm would, on balance, be outweighed by the economic and social benefits that would arise as a result of the proposed upgrade which would not be achieved with a mast of a lower height, in accordance with Policy BE14 of the UDP and paragraphs 112 and 113 of the NPPF where it outlines that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for removal of a 11.7m monopole with a 20.0m high monopole supporting 12 no antenna apertures, 8x equipment cabinets and ancillary works at telecommunications mast to the front of the Telephone Exchange, Greenhill Parkway, Sheffield, S8 7QY (Case No: 19/02281/FULTEL) has been allowed.

Officer Comment:-

The main issue was the effect of the development on the character and appearance of the area, including the nearby Greenhill Conservation Area.

The Inspector considered that the replacement mast would be prominent as it would be taller than other established features including nearby trees, and owing to the separation from the Conservation Area's historic core would result in less than substantial harm to the heritage asset.

The Inspector gave significant weight to the public benefits of enhanced communication capabilities for the general public and emergency services and concluded that these outweighed the less than substantial harm to the conservation area and the general location and allowed the appeal in accordance with Policy BE14 of the UDP and paragraphs 112 and 113 of the NPPF where it outlines that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

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

Nothing to report

9.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

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