

Planning and Highways Committee

Tuesday 6 July 2021 at 2.00 pm

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

The Press and Public are Welcome to Attend

Membership

Councillors Peter Price (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Dianne Hurst, Bob McCann, Zahira Naz, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams and Alan Woodcock

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

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

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

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

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

Further information on this or any of the agenda items can be obtained by speaking to Abby Brownsword on telephone no. 0114 273 5033 or by emailing abby.brownsword@sheffield.gov.uk.

FACILITIES

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

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

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
6 JULY 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 - 14)
Minutes of the meeting of the Committee held on 19th May and 25th May 2021.
- 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 15 - 16)
Report of the Director of City Growth
- 7a. Application No. 20/01930/FUL - Spout House, Spout Lane, Sheffield, S6 6EF** (Pages 17 - 54)
- 7b. Application No. 20/01932/LBC - Spout House, Spout Lane, Sheffield, S6 6EF** (Pages 55 - 60)
- 7c. Application No. 20/04308/FUL - 51 Carrington Road, Sheffield, S11 7AT** (Pages 61 - 76)
- 7d. Application No. 21/00763/FUL - 15 Brocco Bank, Sheffield, S11 8RQ** (Pages 77 - 106)
- 7e. Application No. 21/01059/RG3 - Land Between Birley Moor Avenue And Birley Lane, Newstead Road, Sheffield, S12 3BH** (Pages 107 - 142)
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 143 - 146)
Report of the Director of City Growth
- 9. Date of Next Meeting**
The next meeting of the Committee will be held on Tuesday 27th July 2021 at 2pm in the Town Hall.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

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

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

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Planning and Highways Committee

Meeting held 19 May 2021

PRESENT: Councillors Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Dianne Hurst, Bob McCann, Zahira Naz, Peter Price, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams and Alan Woodcock

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

2. APPOINTMENT OF JOINT CHAIRS

2.1 RESOLVED: That Councillors Dianne Hurst and Peter Price be appointed Joint Chairs of the Planning and Highways Committee for the Municipal Year 2021/22.

3. DATES AND TIMES OF MEETINGS

3.1 RESOLVED: That meetings be held on Tuesday 25th May 2021, and every three weeks thereafter, at 2.00pm, as follows:-
15th June 2021,
6th July 2021,
27th July 2021,
17th August 2021,
7th September 2021,
28th September 2021,
19th October 2021,
9th November 2021,
30th November 2021,
21st December 2021,
18th January 2022,
8th February 2022,
1st March 2022,
22nd March 2022,
12th April 2022,
3rd May 2022,
24th May 2022 and
14th June 2022.

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 25 May 2021

PRESENT: Councillors Dianne Hurst (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Bob McCann, Peter Price, Chris Rosling-Josephs, Garry Weatherall, Tim Huggan (Substitute Member), Barbara Masters (Substitute Member) and Cliff Woodcraft (Substitute Member)

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1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Zahira Naz, Andrew Sangar, Richard Williams and Alan Woodcock.
- 1.2 Councillors Tim Huggan, Barbara Masters and Cliff Woodcraft acted as substitutes for Councillors Alan Woodcock, Richards Williams and Andrew Sangar.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

- 3.1 Councillor Brian Holmshaw declared a personal interest in Agenda Item 7b, Application No. 20/03568/FUL – 162-170 Devonshire Street, Sheffield, S3 7SG, as he had objected to the previous application prior to becoming a Councillor. Councillor Holmshaw left the meeting and took no part in the discussion or voting thereon.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the meeting of the Committee held on 6th April 2021 were approved as a correct record.

5. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

5a. APPLICATION NO. 21/00497/FUL - SITE OF SOUTH YORKSHIRE TRADING STANDARDS (WEST SITE), THORNCLIFFE LANE, SHEFFIELD, S35 3XX

- 5a.1 A correction to condition 2 (list of approved plans) was included within the Supplementary Report circulated and summarised at the meeting.

5a.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

5a.3 Keith Nutter attended the meeting and spoke in support of the application.

5a.4 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.

5a.5 **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 food store (Use Class E) together with access, car parking, servicing, landscaping and associated works at the site Of South Yorkshire Trading Standards (West Site), Thorncliffe Lane, Sheffield, S35 3XX (Application No. 21/00497/FUL).

5b. APPLICATION NO. 20/03568/FUL - 162-170 DEVONSHIRE STREET, SHEFFIELD, S3 7SG

5b.1 A further representation, along with the officer response was included within the Supplementary Report circulated and summarised at the meeting.

5b.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

5b.3 Nick Roscoe attended the meeting and spoke against the application.

5b.4 Charles Dunn attended the meeting and spoke in support of the application.

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

5b.6 **RESOLVED:** That an application for the demolition of existing buildings and erection of a four-storey office building (Use Class E) (Amended information, including Heritage Statement, published on 10 February 2021) at 162-170 Devonshire Street, Sheffield, S3 7SG (Application No. 20/03568/FUL) be REFUSED on the grounds that the design of the scheme was out of character in the street scene and would be harmful to the setting of the nearby Grade II listed Wharncliffe Fireclay Works. Members felt that the new building would dominate

and be an obtrusive feature in the street and would not be a harmonious addition to the historic terrace. Furthermore they considered that the development would result in an adverse impact on occupiers of adjoining property due to its proximity, overbearing nature and loss of light. The final wording of the refusal reasons, with appropriate policy references, to be agreed by officers and Co-Chairs.

6. ENFORCEMENT REPORT

- 6.1 A representation from Miriam Cates MP in support of the proposed enforcement action was included within the Supplementary Report circulated and summarised at the meeting.
- 6.2 The Officer presented the report which gave details of the proposed enforcement and highlighted the history of the site and the key issues set out in the report.
- 6.3 The Officer informed Committee that a number of planning applications on the site had been refused and no appeal had yet been made against the most recent refusal. Unauthorised footings remained on the site, along with a number of containers and plant equipment. The owner had been contacted on a number of occasions and been asked to remove the equipment and containers and return the land to its original condition, but that had not been done. Enforcement action was the next step.
- 6.4 Mark Barlow, Paul Salt and Cheryl Hall attended the meeting and spoke in support of the proposed enforcement action.
- 6.5 The Committee considered the report and recommendations having regard to the history of the site and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.
- 6.6 **RESOLVED:** That the Planning Enforcement Team of Development Services be authorised to take any appropriate action including under Parts VII and VIII of the Town and Country Planning Act 1990 and instructing the Director of Legal & Governance to institute legal proceedings to secure the cessation of the storage use and the removal of the metal containers, fork truck, fencing, building and non-building materials and other paraphernalia etc. and the removal of the footings/foundations that have been laid and associated waste.

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 Members attention was drawn to an appeal that the Inspector had allowed at The White House, Vicarage Lane, Sheffield, S17 3GX which had been refused by Committee against the officer recommendation.

- 7.3 The Inspector considered that the proposal, despite having a greater presence, was not at a level that could be considered harmful to living conditions of 5, 17 and 19 Vicarage Lane and found no conflict with policies BE5, H14 (UDP), CS31, CS74 (Core Strategy) and paragraph 127 of the NPPF.

8. SITE VISIT

- 8.1 **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.

9. DATE OF NEXT MEETING

- 9.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 15th June 2021 at 2pm.



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 06/07/2021

Subject: Applications under various acts/regulations

Author of Report: Chris Heeley and Dinah Hope 2039183

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

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

Category of Report: OPEN

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Case Number	20/01930/FUL (Formerly PP-08753580)
Application Type	Full Planning Application
Proposal	Extension of existing dwellinghouse and outbuildings to form two detached dwellinghouses and erection of detached dwellinghouse with ancillary annexe with associated landscaping and access (Amended Plans, Updated Ecology Report and Landscaped drawings)
Location	Spout House Spout Lane Sheffield S6 6EF
Date Received	16/06/2020
Team	West and North
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 shall be carried out in accordance with the following plans:-
 - Drawing No. 2811-001 Revision Q (Site Plan and Site Location Plan);
published on the 25 June 2021
 - Drawing No. 2811-002 Revision B (Proposed Site Section);
 - Drawing No. 2811-003-Revision A (Site Visibility Splays);

- Drawing No. 2811-P101 Revision J (Plot 1 -Proposed House - Elevations)
- Drawing No. 2811-P102 Revision H (Plot 1 - Proposed House Plans)
- Drawing No. 2811-P103 Revision B (Plot 1 Ancillary Accommodation - Proposed Elevations)
- Drawing No. 2811-P104 Revision C (Plot 1 Ancillary Accommodation - Proposed Plans)

- Drawing No. 2811-P109 Revision A (Plot 1 - Proposed Garage)
- Drawing No. 2811-P110 Revision A (Plot 1 - Existing Garage)

- Drawing No. 2811-P111 Revision C (Plot 1 - Analysis)
- Drawing No. 2811-P112 Revision B (Rear Extension 3D View)

- Drawing No. 2811-P201 Revision E (Plot 2 - Proposed Elevations);
- Drawing No. 2811-P202 Revision E (Plot 2 - Proposed Ground and First Floor Plan)
- Drawing No. 2811-P203 Revision D Plot 2- View)
- Drawing No. 2811-P207 Revision B (Proposed Sections)

- Drawing No. 2811-P301 Revision E (Plot 3 - Proposed Elevations);
- Drawing No. 2811-P302 Revision E (Plot 3 - Proposed Floor Plans)
- Drawing No. 2811-P304 Revision B (Plot 3 - Proposed Garage)

published on the 14 April 2021; and

- Drawing No. 2811-P113 Revision A (Proposed Glazed Extension)

published on the 7 May 2021

Bat Surveys (dated 10 September 2019) prepared by Witcher Wildlife Ltd
 Ecological Consultants
 Ecological Impact Assessment (EclA) Revision B (updated April 2021)
 prepared by Weddle Landscape Design
 Arboricultural Impact Assessment and Method Statement (May 2020)
 prepared by Weddle Landscapae Design

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

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

4. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

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

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

5. No development shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 2l/s based on the area of the development. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development

commences in order to ensure that the proposed drainage system will be fit for purpose.

6. No development shall commence until the culverted watercourse, which has been identified as potentially running through the site, has been fully investigated including calculations and appropriate model results and the details have been submitted to and approved by the Local Planning Authority and Lead Local Flood Authority. Thereafter the surface water drainage scheme and its management shall be implemented in accordance with the approved details.

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

7. Intrusive investigations recommended in the approved Coal Mining Risk Assessment report (Eastwood & Partners ref. 54053-001; 21/05/2020) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

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

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

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

shall be obtained only at the approved points.

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

10. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive receptors. It shall reduce any potential harmful effects of the development on natural features of value and habitats, 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 the adjoining properties and to ensure that the development does not lead to any harm on the site's high ecological value

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

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

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

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

commence given that damage to archaeological remains is irreversible.

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

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

13. No development shall commence until details of mitigation measures as set out within Section 5 of the Badger Survey prepared by Weddle Landscape Design (Revision A - dated May 2020) have been submitted to, and approved in writing by the Local Planning Authority. Mitigation measures are specific to the following paragraphs of the Badger Survey:

- i. Sett Mitigation - Closure of sett - Paragraph 5.1 (p12);
- ii. Mitigation for Indirect Impacts - Paragraph 5.2 (p13); and
- iii. Long Term Mitigation Measures - Paragraph 5.3. (p14).

The details will include a timetable for the implementation of mitigation measures. Thereafter, the development of that phase shall be carried out in accordance with the approved details.

Reason: To ensure adequate protection of species and habitats.

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

14. The means of ingress and egress at the site's south-eastern corner shall not be brought into use until details have first been submitted to and approved in writing by the local planning authority incorporating measures to improve visibility to Spout Lane. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

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

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

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

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

17. The dwellinghouses shall not be occupied unless the hardstanding areas of the site are constructed of permeable/porous materials or they drain to permeable areas within the curtilage of the site. Where this permeable hardstanding meets the perimeter of the site to Spout Lane, the ground shall be graded so that it meets the road at an acceptable gradient ratio, details of which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of allowing acceptable access in and out of the site at the south-eastern corner of the site adjacent to Spout Lane.

18. The stone site boundary wall shall be retained. Details of amendments to the stone site boundary wall, and of all other boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellinghouses shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

19. The construction of the new dwellinghouse or conversion of the outbuildings shall not commence until the following schedule of works to Spout House has been carried out to the satisfaction of the Local Planning Authority, for which full details shall first be submitted to and approved in writing by the Local Planning Authority.

Schedule of works:

- Replacement/repair of roof using like for like materials which will include timber purlins and rafters and sandstone slab tiles
- Reinstatement and replacement of ridge stones (sandstone)
- Replacement/repair of all windows and doors
- Repair to stonework and mortar that will include a programme of remedial tying between walls and floors/roof and internal cross walls
- Replacement of rotten with new at rear corner of the western elevation of the north-south range and masonry made good
- Repair to structural cracks
- Removal of concrete or pebble dash render
- Repointing with appropriate mortar mix

Reason: In the interests of the restoration and repair of the heritage asset.

20. The development shall be carried out in accordance with Landscape Masterplan (Drawing No. SHS 10) Revision A prepared by Weddle Landscape Design, which shall include a 5 year landscape management plan to cover regular, seasonal and annual maintenance operations.

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

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

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

22. No development shall commence until a lighting design strategy for biodiversity and sensitive species has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and, badgers; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) and demonstrate that the areas to be lit will not disturb the above species. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in

accordance with the strategy.

Reason: To ensure adequate protection of species and habitats

23. The excavation of a trench to provide a french drain within the Root Protection Area (RPA) of Beech tree T20 (Category A) shall not be carried out by mechanical digger and shall be supervised by a qualified arboriculturist to ensure that the exact location of the trench can be adjusted if necessary to reduce impact on the tree's root system.

Reason: To prevent unnecessary harm to the tree in the interests of its long term welfare.

24. The approved landscape works, including replacement tree planting, 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.

Other Compliance Conditions

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the western elevation of Plot 1's annexe accommodation facing No. 19 Acorn Drive without the prior written approval of the Local Planning Authority.

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

26. The three windows on the side elevation of the proposed annexe accommodation to Plot 1 facing No. 19 Acorn Drive shall be non-opening and fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

27. The dwellinghouses 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.

28. All trees and site clearance shall be carried out outside the bird nesting season (March to August). In the event that trees are removed within the bird nesting season, the trees shall be checked for nesting birds by a qualified ecologist before work is allowed to commence

Reason: In the interest of nature conservation

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

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

30. The development shall be carried out in accordance with the Landscape Masterplan prepared by Weddle Landscape Design, updated April 2021

Reason: In the interests of visual amenity

31. The development shall be carried out in accordance with the recommendations and mitigation measures set out in the Ecological Impact Assessment prepared by Weddle Landscape Design, dated April 2021 and the Bat Surveys prepared by Whitcher Wildlife Ltd Ecological Consultants, dated 10 September 2019. The mitigation measures, that shall include the provision of a minimum of two integrated bat boxes on the new dwellinghouse and a selection of bird boxes on trees within the site boundary, shall be carried out prior to the development being brought into use.

Reason: To ensure adequate protection of species and habitats.

Attention is Drawn to the Following Directives:

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/coalauthority
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. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

4. 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

5. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
6. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
7. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

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

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

Site Location



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INTRODUCTION

The application relates to Spout House, a Grade II Listed building in Stannington. Spout House was subject to a fire in 2016 that resulted in serious damage to the building, including the collapse of the roof and substantial damage to its historic fabric. Following the fire, the site has been boarded up and made secure. The building is partly covered in scaffold and protected from the elements by a metal tin roof.

LOCATION AND SITE CHARACTERISTICS

Spout House is a two storey detached dwellinghouse that sits within a very generous curtilage of some 0.52 hectares. The dwellinghouse is of traditional design and dates from the 17th Century. It is faced in natural stone walling and has a natural slate roof, although as previously described much of the roof has collapsed to expose the building's timber trusses. Features of the building include a prominent two storey rear off-shot, chimney breast and well-ordered fenestration. The site's curtilage contains two stone outbuildings, one along the eastern boundary of the site (a former stable) and the other, an 'L' shaped structure (a former cowshed) that is situated adjacent the listed building's north-western corner.

The site is positioned on the corner of Spout Lane, close to the junction with Stannington Road and to the west of Acorn Drive. Spout Lane, which feeds off Stannington Road, wraps around the edge of the site along its southern and eastern boundaries, where the site is enclosed by stone walling. The buildings on site are all located at the northern end of the site which allows for an expansive residential curtilage that rises up in a southern direction

towards Stannington Road. The site contains a high number of mature and semi-mature trees, both deciduous and coniferous, that are protected by a group Tree Preservation Order (TPO). The site has a rich biodiversity with species and habitats that are subject to protection by law. The site contains a pond around its midpoint.

The site of Spout House is located in a designated Housing Area that is characterised predominately by late 20th Century detached and semi-detached housing (the Acorn Housing Estate). To the north of the site are 2-storey semi-detached and detached houses that front onto Spout Copse. To its east are detached and semi-detached houses that front onto either Acorn Drive and Spoon Mews. To the west, across Spout Lane, is farmland designated as both Green Belt and an Area of High Landscape Value.

PROPOSAL

Full planning permission and listed building consent are being sought for the restoration and extension of Spout House, alterations and extensions to the site's two curtilage outbuildings to form an annexe to Spout House and a new dwellinghouse, and the erection of a split levelled detached dwellinghouse to the western side of Spout House. Planning permission and listed building consent are also being sought for the erection of two detached garages, one serving Plot 2 and the other Plot 3. The proposed would result in a total of three dwellinghouses across the development site, including Spout House.

RELEVANT PLANNING HISTORY

There have been two recent pre-application enquiries seeking advice for the redevelopment of the site for housing (Reference Nos. 18/02698/PREAPP and 19/03955/PREAPP). In addition to these pre-application enquiries, there have been several recent tree applications that have been approved and the works implemented (Nos. 17/00983/TPO, 17/01712/TPO, 18/04087/TPO) and 19/01865/TPO).

SUMMARY OF REPRESENTATIONS

A high number of representations have been received in response to neighbour notification and the posting of site notices.

Comments have also been received from Sheffield and Rotherham Wildlife Trust, The Society for the Protection of Ancient Buildings, Bradfield Parish Council and Friends of Loxley Valley.

In total 13 representations (11 objections and 2 neutral comments) have been received from occupants of neighbouring properties, which are summarised below.

- Highway safety

Have traffic problems and access to the site by heavy lorries and machinery been factored into the plans.

Highway safety concerns with the use of the south-eastern access point onto Spout Lane.

- Drainage matters

The culverted stream floods in heavy weather. Rainwater runs down Spout Lane drains onto Spout House through the entrance and through the walls onto neighbouring properties. It is important that the camber of the new drive does not direct water onto neighbouring properties. Expert advice states that the existing drains are inadequate to deal with an increased flow and will result in flooding. A new drainage strategy to direct water away from neighbouring properties needs to be adopted.

A surface drainage system should be added along the boundary between Spout Copse and Spout House. If the current porous ground is replaced with hard standing, surface water run-off will head towards neighbouring properties. This could cause damage to properties, landslides in sloped gardens or undermine the foundations of the dry stone boundary wall.

The small stream flowing down the hill on the east side of Spout Lane just about seems to cope with flooding in times of heavy rain. Additional water services and land surface drainage going into this water course could cause flooding further down the hill and properties at flood risk if drainage at the site as well as below the site is not improved alongside the development. The underground drainage for the four houses at the end of Spout Copse already regularly blocks. If this development is relying on the same underground drains, consideration needs to be given to whether it is fit for purpose.

- Landscape character of the area

The site has always provided a welcome 'green buffer' between the Acorn Housing Estate and the Green Belt. This buffer has been eroded by the removal of large trees. The application would turn the site into an extension of the housing estate.

It is recommended that two large trees at the top of the drive be removed. The branches of these trees have grown almost completely over the garden and block out much of the sun and light. Owing to their age and height, the trees have become unstable and dangerous to my property, especially in high winds.

- Design and heritage issues

The proposal represents an overdevelopment of the site and much of the historic context of the Listed Building would be lost. The dividing up of the site to form three separate dwellinghouses would be detrimental to the Listed Building and its setting.

The conversion and alterations to the curtilage outbuildings should retain as much of the original features as possible.

The plot 3 house with garage appears too close to Spout Lane.

- Residential amenity issues

As Plot 2 is situated on higher ground, the proposed dwellinghouse will look directly into main bedrooms and gardens of properties on Spout Copse. Regardless of any proposed fencing, there would be an increase security risk and loss of privacy to neighbouring properties.

A two storey annexe building will result in both loss of privacy and light to neighbouring properties. It is not clear whether the windows facing No. 19 would be obscured glazed and non-opening.

The bathroom window visible on the north elevation of Plot 2 is not marked as being frosted.

The increase in height of Plot 2 is of concern when compared to the existing properties on Spout Copse. An additional floor to the barn will present an imposing structure and reduce light into neighbouring gardens.

A 1.8m high fence should be erected along the driveway to provide privacy to adjacent gardens.

The northern boundary wall is in a dangerous state of disrepair and there is a lack of information regarding fence enclosures to protect privacy.

The ground floor window of Plot 2 should be obscured glazed to protect properties on Spout Copse

- Ecology issues

Adequate measures are required to protect the wildlife on site, in particular the badgers, owls and bats.

The badger mitigation should be monitored, and adjustments made if required in consultation with SCC Ecology Unit and the South Yorkshire Badger Group.

- Non material planning issues

Loss of property values.

Materials displaced by the construction should be professionally removed from site.

Disruption during building work.

Sheffield and Rotherham Wildlife Trust – Neutral comments

In terms of badgers, it would be preferable that the badger sett was to remain in its current location, but largely accept the proposed mitigation and support SY badger group's comments that the mitigation plan would be improved by improving the badger access at the perimeter of the site to make it easier for cubs to climb the dry stone wall.

The Ecological report predicts no significant effects to the site. Like to see a greater proportion of native species in the landscape and a condition for an Ecological Management Plan. A condition should also be attached about site clearance to avoid the bird breeding season.

The retained woodland on site should be brought into good management through selective thinning to increase light levels. Design of surface water attenuation and drainage features

to include habitats of ecological importance such as wet grasslands, marginal vegetation, reedbeds or standing water.

Tree and shrub planting to include native species of local provenance and native cultivars of wildlife value.

Improvement of shrub and ground flora diversity within the woodland.

The Society for the Protection of Ancient Buildings

The Society welcomes the proposal to repair Spout House and its curtilage buildings, however, they are unable to support the current scheme for the following reasons:

Lack of information and justification. The Heritage Statement is limited, and the Statement of Significance contained therein, is inadequate. The report offers little new information to that which is already known about the building and very little information has been provided in respect of the building post fire - i.e. the extent of fabric lost and what survives.

A full structural report, looking at both the overall structural condition, and at individual elements, needs to be undertaken and submitted as part of the application.

The proposed scheme, by virtue of the alterations and extension to the principle building, and those to the curtilage buildings, is considered to have a harmful impact. Spout House should retain its status as the key building on the site, with the curtilage, and any other new buildings, remaining visually subservient.

Of particular concern in this regard is the new building (plot 3), and the considerable extension of the cowshed (plot 2). The result, it would appear from the application drawings, is that the development would dominate, or at least significantly challenge and adversely affect, Spout House and its setting.

The proposals will erode parts of the historic plan (through the demolition of walls) and result in the loss of significant historic fabric (walls, windows, staircase). The significance of the elements affected have not been assessed, nor is any justification offered for the harm/loss that would occur as a result of the proposals.

The location of the proposed extension is both highly significant and sensitive. We strongly advise therefore that if extension of the building continues to be pursued, that alternative and less harmful locations/options are explored. There are also no details (incl. roof plans) to show the repair/re-construction of the roof, and the new addition.

The proposed conversions of the curtilage buildings would erode much of the agricultural character, with plot 2 (cowshed) being particularly unsympathetic as a result of the alterations and considerable extension. The conversions need to work more with the existing fabric and plan, avoid/minimise domestic design detailing/features, use existing apertures/minimise new openings in walls and roofs etc. In respect of cowshed (plot 2), we remain to be convinced that the building should be extended, and particularly in the manner proposed (additional storey).

The accuracy of the drawings should be checked. Some details (such as kneelers, mullions etc) appear to be missing or drawn inaccurately, and the proportions (gables, roof pitches, apertures) appear incorrect.

Bradfield Parish Council

There are concerns that the proposal represents an overdevelopment of the site and object if the building in its present form is not retained.

Friends of Loxley Valley

Friends of Loxley Valley has stated that they object to the pair of applications. Whilst not wishing to lose the historic listed buildings, and they are supportive of their sympathetic restoration, aspects of the current proposal are considered to be unacceptable and they support the concerns of neighbours.

They say the buildings need a lot of work in order to save them but the additional building proposed will make for an overdevelopment of the site and result in the loss of a secluded, wooded habitat supporting listed species.

They note there is no automatic presumption to allow building on garden land as it is regarded as greenfield site and Sheffield have 5.1 years supply of housing land.

The site provides a buffer between the Acorn housing estate and the greenbelt, which is also an Area of High Landscape Value.

Concerns regarding the safety of the proposed access and egress from the site for up to 9 vehicles.

Disappointed by the lack of comment from Historic England, when consulted.

Concerns about the viability of the construction of a new badger sett on site.

Concerned by the clearance of site vegetation including TPO trees in the nesting & breeding season and that this may jeopardise the retention of wildlife habitats for owls and bats.

Concern that some of the trees close to the boundary need some maintenance in order to render them safe.

South Yorkshire Badger Group (SYBG)

SYBG would like to see a significant number of points for badger access/egress from the site perimeter. The drystone wall beside Spout Lane is probably only accessible by adult badgers, thus limiting cubs to the site itself. If the wall was lowered in a couple of places or creep holes inserted this would help. Several access points to the east and south would help mitigate the obvious reduction of amenity for the badgers within the site. If this can be arranged SYBG would not wish to object to the planning application.

Historic England

On the basis of the information available, Historic England did not wish to offer any comments.

Highways England

No objection.

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.

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 13 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

In addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, paragraph 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.

On 16 December 2020 the Government published an update to planning practice guidance 'Housing and economic needs assessment'. The update introduces a change to the standard method for calculating the local housing need figure.

Paragraph 004 provides the steps used to calculate the local housing need figure as well as the specific data inputs to be used in terms of demographic baseline and adjustment for affordability. The most recent publication now includes an additional step 4 – the 'cities and urban centres uplift'. This requires a 35% uplift to be applied to the local housing need figure for the 20 largest cities and urban centres, including Sheffield.

The effect of the urban centres uplift is to increase Sheffield's local housing need figure for 2021 to 2,923 new homes per annum.

The Council's most recently published position in relation to the deliverable 5 year housing land supply situation is set out in the '5 Year Housing Land Supply Monitoring Report', December 2020. The monitoring report sets out the position as at 1 April 2020, with respect to the period 2020/21 to 2024/25. The monitoring report provides evidence of a 5.4 year deliverable supply of housing land.

Until an update is produced with a base date of 1 April 2021, the monitoring report remains the Council's stated position.

Therefore, 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 relate to heritage, landscaping, drainage, ecology and highway related impacts.

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

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

- The principle of development – policy and land use;
- Highway matters;
- Heritage and design matters;
- Residential amenity matters;
- Drainage matters;
- Ground conditions;
- Coal mining issues;
- Tree and landscaping matters;
- Ecology matters;
- Green belt and landscape character;
- Archaeological matters;
- Community Infrastructure Levy (CIL); and
- Other Issues

The Principle of Development – Policy and Land Use

The application site is identified within the Sheffield Unitary Development Plan as a Housing Area. Under Policy H10 of the UDP housing is the preferred use of land.

Policy CS26 of the Core Strategy relates to the efficient use of housing land. In parts of the urban area that are close to high frequency bus routes such as here, it details that the density of development should be in the order of 40-50 dwellings per hectare, though the policy does allow densities outside these ranges in instances where they achieve good design, reflect the character of an area or protect a sensitive area.

The development of two further houses on this 0.52 hectare site equates to a density of approximately 5.8 dwellinghouses per hectare. While the proposed density would fall significantly below the recommended density range set out in Policy CS26, a lower density on this site can be justified given that the proposal relates to development within the curtilage of a grade II listed building, where a greater level of protection can be afforded under the terms of this policy.

It is also considered that the proposal would not conflict with Core Strategy Policy CS24, which relates to the use of previously developed land for new housing, and states that priority will be given to the development of previously developed sites and that no more than 12% of dwelling completions be on greenfield sites between 2004/05 and 2025/26. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface. Amongst other things, the definition excludes land in built-up areas such as residential gardens, which would include the garden curtilage of Spout House.

Policy CS24 is broadly consistent with the NPPF, which states at paragraph 117 that policies should set out a strategy for meeting housing needs in such a way that 'makes as much use as possible of previously-developed or 'brownfield' land' and, at paragraph 118, that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

As the Council is currently achieving a build rate of over 95% on previously developed land, the redevelopment of this greenfield site for housing would not conflict with policy CS24.

Highway Matters

UDP Policy H14 sets out at part (d) that in Housing Areas, new development will be permitted provided that it would provide safe access to the highway network and be provided with appropriate off-street parking and not endanger pedestrians.

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

There are two access points into the site, one from the north west from Spout Lane, and the other from a steep drive at its south-eastern corner, close to the junction with Stannington Road. At present, access to Spout House is only taken from Spout Lane as the south-eastern access is overgrown and unusable.

Spout House (Plot 1) would be served from the existing steep driveway at the site's south-eastern corner. Plots 2 and 3 would be accessed from the north west. The dwellinghouses would each be provided with a minimum of three off-street parking spaces. These would be provided adjacent to the houses and/or within the two proposed double garages, along with appropriate turning areas. This amount of parking is considered to be sufficient to meet the expected parking demands of the developments' future residents.

Use of the existing access from Spout Lane is considered to be acceptable from a highway perspective as it has good sight lines in both directions.

In relation to the access point close to the junction with Stannington Road, the sight lines are not ideal and fall below what would normally be required to ensure safe access to the highway. Highway officers also raised concerns regarding the distance of the property to the public highway, in relation to fire safety and bin collections. However, it is acknowledged that this access, whilst it has not been used in recent years, is an established vehicular access point from the site onto the adjacent highway that could be reinstated by the applicant without the need to seek planning permission. Moreover it will only serve 1 dwelling. It is therefore considered to be acceptable subject to a condition requiring full details of this access to be provided, including measures to improve visibility and appropriate surfacing of the driveway.

Heritage and Design Matters

This part of the report is split into two sections, the first relating to proposed works to the grade II listed Spout House, and the second relating to the proposed new dwellinghouse and alterations and extensions to the site's curtilage buildings, having specific regard to the listed building's setting.

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

Policy BE19 (Development Affecting Listed Buildings) requires developments which affect the setting of a listed building to preserve the character and appearance of the building and its setting.

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

Paragraph 192 states that, in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities

including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF advises that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

It goes on to say that any harm to the significance of a heritage asset requires 'clear and convincing justification'. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities are advised to refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraphs 194-195).

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal' (paragraph 196).

It also advises local planning authorities to look for opportunities 'to enhance or better reveal' the significance of Conservation Areas when dealing with applications for development within their boundaries, treating favourably those proposals that 'preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance)' (paragraph 200).

UDP policies BE15 and BE19 are considered to align with the NPPF as they seek to protect heritage assets, though they do not focus on significance in the same way as the NPPF.

In considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

UDP Policy BE5 and Core Strategy Policy CS74 set out the local design principles. Policy BE5 requires development to incorporate good design, the use of good quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the City, its districts and neighbourhoods, including (a) the topography; (c) the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials; and (d) the distinctive heritage of the city.

UDP Policy H14 relates to conditions on development in Housing Areas. It details at part (a) that new buildings and extensions should well designed and in scale and character with

neighbouring buildings, and at part (c), that sites should not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

These policies are broadly in line with the NPPF (paragraph 124) which states that good design is a key aspect of sustainable development, while paragraph 127 states that development should contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.

Spout House

Spout House is a grade II listed building and so it is a building of special interest (over 90% of all listed buildings fall in this class). It was listed in 1972 and the list description states:

House. Probably late C17, extensively remodelled in late C18. Coursed, square sandstone, gritstone quoins, stone slate roof partly missing and partly replaced by Welsh slate at rear. T-shaped plan with wing projecting to rear. 2 storeys and attic, 4 bays with central 2-bay gable. Large quoins. Central blocked door, now window, in eared architrave with cornice; a similar surround (now rendered) between bays 3 and 4. Central door flanked by 20-pane sashes in chamfered surrounds with projecting cavetto - moulded lintels, similar windows to 1st floor with central, reset, sundial. Outer bays have 2-light chamfered mullion windows to both floors, a similar attic window to central gable, mostly with leaded lights although ground floor bay 4 has casement in altered opening. Moulded kneelers and gable copings to end and front gables, gadrooned finials. Truncated ridge stack to left of bay 2, inserted stack in front of ridge to right. Rear: 3-light double-chamfered mullion window to ground floor left. To left return of wing: A quoin to right bears the date 1671, crudely inscribed. Doorway to left with chamfered, quoined surround and shaped lintel, 3-light double-chamfered mullion window to 1st floor right. Attached building to rear left in angle with wing not of special interest.

The submitted Heritage Statement says that the first available map which shows the site in detail is the first edition 6" Ordnance Survey (OS) map of 1855. Spout House, the L-shaped cowshed, and the stable block are all depicted with access to the site gained from the south east corner and a pond in the centre of the Site.

The 1890 25" OS map shows the sub-divisions within the Site which include a walled garden to the south of Spout House.

According to the statement, little change is visible within the site on subsequent editions of the OS maps, until the 1920 6" OS map which depicts a large barn constructed to the west of the cowshed. This barn features on the OS maps until the late 1970s, but has since been demolished.

Spout House is of special interest, with its significance drawn from its past use as a farmhouse, and the agricultural nature of the post-medieval landscape in which it was built, as well as its use of local materials, its plan form, and the development of architectural style during the late seventeenth and eighteenth centuries when the building was constructed.

Although the building is not recorded on the Heritage at Risk Register although, it is in a poor and deteriorating condition following the fire in 2016.

With the exception of a single storey rear extension, the proposed works to Spout House are largely limited to the restoration of the building, including the reinstatement and repair of the roof, new windows and doors and the rebuilding of damaged stone walling. The reinstatement of the building to something akin to its former condition is strongly supported and would allow the retention and re-use of this heritage asset as a dwellinghouse.

The proposed extension would be erected adjacent the north-eastern corner of the house and is a simple contemporary 'glass box structure' that would be constructed with a flat roof and black coloured narrow aluminium frames, built off a low reclaimed stone wall. The design of the extension has been amended during the course of the application on the advice of the Conservation Officer, and as amended it is considered to be of acceptable architectural quality, having a lightweight and highly glazed form that would contrast but not compete with the traditional appearance of the dwellinghouse. Views through the structure to the existing stone walling behind would be provided and the original plan form would remain legible.

A number of conditions are recommended to secure the appropriate quality of development, including a full schedule of works, large scale details, and details of all internal and external materials.

It is considered that the proposed works to this grade II listed building, as amended, are acceptable. Taking into account the building's poor state of repair, the retention of original fabric and the sensitive design of replacement features will preserve and enhance the character and appearance of the existing buildings and bring it back into full use, which is a benefit, and officers are satisfied that the proposed extension would not result in any harm to the significance of Spout House.

In respect of the works to Spout House, UDP Policies BE5, BE15 and BE19 and government policy contained in paragraphs 192 and 193 in the NPPF are considered to be satisfied.

Other Development and Impact on Setting of Spout House

Owing to the poor state of Spout House, a degree of enabling development is proposed within the curtilage of the site to allow the restoration of Spout House to a good condition. It is known that the 2016 fire resulted in substantial damage to the listed building, most notably with the destruction of the roof, as well as damage to the fabric of the structure. The cost of restoring the building will be significant, which is evidenced by the cost estimate and the structural issues identified in the structural report submitted with the application. The cost of the repair and conversion works will exceed the resulting land value.

It is accepted, therefore, that restoration of the listed building is unlikely to be financially viable without a form of enabling development within its curtilage and, if this is not secured, the building is likely to deteriorate further, potentially leading to greater restoration costs or a call for its demolition. Based on this, and to avoid further deterioration of this important listed building, it is considered reasonable that a modest form of residential development be permitted within the site's curtilage subject to a consideration of impact.

The proposed enabling works within the site of Spout House include the erection of a single storey detached dwellinghouse and alterations and extensions to the site's curtilage buildings to form a dwellinghouse and an annexe to Spout House. Lengthy discussions have been held with the applicant and their agents, which has led to the scheme now proposed.

The proposed dwellinghouse (Plot 3) would be erected to the western side of Spout House, close to the site of a large barn which previously stood to the west of the cowshed. It would be split level, on account of the ground levels which fall from south to north, presenting itself as a single storey building facing south and two-storey facing north. It has been designed to reflect closely the architectural style of a traditional stone barn. It would be linear in form (approximately 22m by 5.5m) and be constructed with a traditional pitched roof to a height of 4.15m (on its lower side) and 6.75m (on its higher side). To the rear would be a modest two-storey off-shot that would house the staircase to the upper floor. The dwellinghouse would have well-ordered fenestration, including a series of vertically emphasised openings along its front and rear elevations. It would be faced in natural stone and have a slate roof. Window frames and doors would be timber.

From a design perspective, the proposed dwellinghouse is considered to be of an acceptable design quality. The applicant's agreement to revisit the design of the dwellinghouse has resulted in a building that responds more positively to the adjacent listed building and historic character of the site – that of a farmhouse in an agricultural setting. To prevent the building competing with Spout House and having a harmful impact on its setting, the height of the dwellinghouse is some 2.6m lower than the listed building and positioned slightly behind its principal (southern) elevation. Consequently, it is considered that the building would read as a subservient and ancillary outbuilding to the listed building, particularly in key views taken from the southern end of the site. It is considered that the proposed, dwellinghouse represents an appropriate form of development, and while having some impact on the setting of Spout House, its size, design and relationship with the listed building would result in less than substantial harm to the designated heritage asset.

In terms of works to the site's two stone outbuildings, these have also been subject to revisions that have led to significant design improvements from the scheme originally submitted for consideration. As previously stated, the former cowshed to the north of Spout House would form a separate 4 bedroomed dwellinghouse (Plot 2), while the former stable block along the eastern side of the site would provide annexe accommodation to Spout House.

The Heritage Statement identifies the L-shaped cowshed and stable block to be of medium heritage significance due to their historic and architectural interests and the contribution that they make to the setting of Spout House and its former agricultural use.

The former cowshed is attached to the north west corner of Spout House. Its 'L' shaped plan forms a loose three-sided courtyard to the rear. It is constructed of coursed sandstone with gritstone quoins and lintels and is partially roofed in mid-twentieth century corrugated sheeting, but appears to retain earlier roof trusses. The interior of the building was significantly altered during the twentieth century with concrete stalls and floor.

The stable block is a modest two storeys and rectangular in plan and is located to the front right of Spout House on the right hand side of the former driveway (adjacent the eastern site boundary). It is constructed from coursed sandstone and has a mid-twentieth century corrugated sheeting roof. The roof trusses are thought to have been replaced during the twentieth century (Plate 12). The building has openings on all four elevations, including its eastern elevation facing towards 19 Acorn Drive.

The amended proposals largely involve repairs and only minor changes to the retained outbuildings as part of their conversion for residential use. While the annexe in the stable block would have two floors of accommodation, this is achieved by utilising the roof void and does not involve increasing the height of the building. Existing openings are supplemented by a series of Conservation style rooflights and only a small number of new openings.

It is considered that the proposed treatment of both outbuildings is acceptable and that they would retain their architectural integrity and historic significance. Moreover, it is considered that the proposed alterations would not harm the significance of the designated heritage asset, Spout House, and so it is not necessary to weigh the development against the public benefits of the proposal.

It is acknowledged that the proposed development involves the subdivision of the site into three separate residential plots which will result in some harm to the setting of the listed building as a result of boundary treatments, additional garage accommodation and residential paraphernalia. However, this harm is considered to be less than substantial, with Spout House retaining a very substantial curtilage as well as the site's outbuilding along its eastern boundary. The listed building would also benefit from its own separate access and driveway. It is nevertheless important that the means of subdivision is carried out sensitively, incorporating soft boundary treatments such as hawthorn hedging or similar, as opposed to high timber fencing, particularly between Spout House and the new dwellinghouse along the side of their respective south facing gardens.

The less than substantial harm identified above and resulting from the erection of the proposed new dwellinghouse and the subdivision of the site into three separate residential plots is considered to be outweighed by the repair and preservation of the badly fire damaged grade II listed Spout House and sensitive retention of the retained outbuildings, which is a clear public benefit.

Residential Amenity Issues

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development provided that: (c) the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood; and (e) it would not suffer from unacceptable air pollution, noise or other nuisance or risk to health or safety.

This is in line with NPPF paragraph 127 f) which states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

The application site is bound by residential properties on two sides. To the north of the site are two storey detached and semi-detached houses that front onto Spout Copse (Nos. 1-

11), and to its east are semi-detached houses that front onto either Acorn Drive or Spoon Mews. Apart from these adjacent properties, it is considered that all other properties within the vicinity of the site are adequately distanced from the site to prevent any significant harm to their residential amenity in terms of overlooking, loss of light or loss of outlook.

In terms of the houses on Spout Copse, save for the property to the far west which has a gable facing towards the application site, these properties' rear elevations are orientated towards the site and set back from the common boundary shared with Spout House by between 7m and 8.5m. These properties currently benefit from extensive screening from the site by mature landscaping along the shared boundary.

These properties will primarily be affected by the conversion of the 'L' shaped curtilage outbuilding into a dwellinghouse (Plot 2), which would be a minimum of approximately 4.5m from the common boundary. However, the converted building is modest in scale and it will have only a single ground floor kitchen window in its north facing elevation. A proposed garage to serve plot 2, which was to be located in the north eastern corner of the site adjacent the rear boundary of no.3 Spout Copse, has been omitted from the scheme. It is considered that the impact of the development on the amenities of the occupants of properties on Spout Copse will not be harmful and that there will be no significant loss of privacy, overshadowing or loss of outlook.

In terms of the proposed dwellinghouse (Plot 2), a distance of over 25m would be maintained between the new house and the rear of properties on Spout Copse, a distance in excess of the 21m referenced in guideline 6 of the supplementary planning guidance 'Designing House Extensions' required to protect neighbour's privacy.

Houses on Acorn Drive and Spoon Mews are situated beyond the site's eastern boundary. With the exception of two properties (Nos 21 and 23 Acorn Drive), which are perpendicular to the site, these neighbouring properties have their rear elevations orientated towards the site, with their gardens set back from the eastern stone boundary wall between 8m and 14m on account of their angled position to the site.

The proposed garage serving Plot 1 is situated adjacent the eastern side boundary close to the parking area of Nos 21 and 23 Acorn Drive. This is an existing structure that will be extended slightly. An existing high stone wall will largely obscure the garage from view from Nos 21 and 23 and from Acorn Drive and so it will have no amenity impacts, with any additional overshadowing limited to the neighbour's driveway.

New residential accommodation in the existing outbuilding along the eastern boundary will largely face towards the application site. The outbuilding will not be increased in height or have any additional windows along its eastern elevation. The proposed rooflight (in the eastern roof slope) would be situated at a height that would prevent overlooking, and the three existing windows in the eastern elevation will be obscured glazed and non-opening (reserved by condition). It is also considered that any noise associated with its use as an annexe would not be so significant that it would harm the amenity of neighbouring properties.

It is considered that the extension to Spout House would not result in any harm to the amenities of occupiers of neighbouring properties as this structure will not extend any closer to neighbouring properties than the existing side elevation.

In light of the above, it is considered that UDP Policy H14 (c), which seeks to protect the amenities of occupiers of neighbouring properties from new development, is met.

It is also considered that the three proposed dwellinghouses would be afforded with a high level of amenity, with well-appointed living accommodation and good sized garden curtilages that would afford appropriate levels of outlook and privacy to the benefit of the properties' future residents. While the three dwellinghouses would be situated close to one another at the northern end of the site, it is considered that careful consideration has been given to the proposed siting of the new dwellinghouse and its relationship with Spout House and the converted outbuilding to prevent any significant concerns with regard overlooking and outlook. The main garden area to the south of Spout House would be subdivided to form two equally sized curtilages to serve Spout House and the new dwellinghouse. Plot 2 has a much more modest but sufficiently sized garden to the west and courtyard to the east.

Drainage Matters

The application has been subject to a high number of objections relating to drainage issues with many raising concerns that the proposed development would exacerbate existing drainage issues in the area. The Lead Local Flood Authority (LLFA) suspect that the problems experienced by the adjacent properties are due to an historical lack of maintenance of land drainage, including the watercourse that runs through the site and the pond located to the southern end of Plot 3.

On account of the drainage issues, the applicant commissioned Eastwood and Partners to devise a drainage strategy, which is set out on Drawing No. 45053/001. The strategy has been developed in conjunction with LLFA and drainage consultants acting on behalf of the applicant.

As set out in the EclA report, two small streams enter the top of the site and converge in a shallow depression before entering a surface water culvert and sewer.

The intention of the strategy is to materially improve drainage in the area by introducing drainage management measures to a site which currently has no management in place. The drainage system is underpinned by the topography of the site and includes the following key features:

- Catch pits/surface water drainage tank

Catch pits and a surface water drainage tank will be located at the northern end of the site where the majority of development is proposed. The Catch pits are located in positions to where the gradient of the site will naturally direct surface water. This measure will ensure the removal of sedimentation prior to discharge to the local watercourse to reduce the likelihood of blockages and provide an element of treatment.

The existing chamber to west of the site which will be reused subject to a conditions survey and a new surface water drainage tank with a capacity of 128 cubic metres would be installed at the northern end of the site within cellular attenuation crates beneath the parking area. This discharges into existing riparian ditch via an existing connection, which has been confirmed by a dye test.

- Permeable gravel bound surfacing

The drainage scheme includes permeable surfacing, which will extend from the driveway from the southern entrance off Spout Lane to the annexe accommodation on Plot 1. This measure also ensures oxygen exposure to tree roots is retained as requested by the Council's Ecology Section.

In addition to the above, the drainage strategy includes the retention of the existing pond, surface water discharge from impermeable areas limited to 2l/s, and Groundwater exceedance intercepted via a French drain and piped to the riparian ditch to mitigate the risk of migration to 3rd party land.

The Lead Local Flood Authority (LLFA) have confirmed that they are generally satisfied with drainage strategy subject to the imposition of conditions that include discharge rates at a maximum rate of 2l/s and further site investigation to be carried out as part of a detailed and sustainable drainage solution for the site. They also advise that an informative be attached to any grant of planning permission that draws the applicant's attention to his responsibility to investigate and repair/divert any damaged watercourse within the site boundary to prevent historic problems of flooding to neighbouring properties.

Ground Conditions

Intensifying the residential use of the site merits a Phase 1 risk assessment to identify any risk factors. It is recommended that the usual suite of ground contamination conditions be attached to any grant of planning permission.

Coal Mining Activities

The application site falls marginally within the defined Development High Risk Area (DHRA) with the Coal Authority records indicating that historic unrecorded underground coal mining is likely to extend beneath the south western edge of the site. The Coal Authority has stated that the proposed new build lies entirely outside the DHRA, and is entirely within a Development Low Risk Area (DLRA), something that they say would not normally require a Coal Mining Risk Assessment.

Nevertheless, the applicant has submitted a Coal Mining Risk Assessment (CMRA) report (21 May 2020, prepared by Eastwood & Partners) which identifies that two coal seams are likely to be present at shallow depths beneath parts of the site. It indicates that the areas of the site where coal will be present at shallow depth will be dependent upon the position of a fault which crosses site. It concludes that whilst the seams are unlikely to have been worked in the past, any such unrecorded workings could pose a risk of surface instability. The report goes on to recommend that boreholes are drilled to determine the extent and depth of any shallow workings and to inform a programme of drilling and grouting stabilisation measures where necessary. It also advises that reinforcement of foundations is likely to be required in any case.

The Coal Authority raises no objection to the proposal and states that it is for the LPA to determine as part of its assessment of ground conditions whether it considers that the undertaking of the investigatory works outlined in the submitted report within the DLRA are

required in this instance. The Coal Authority recommend that in the interests of public safety, two directives be attached to any grant of planning permission, one which requires them to be notified if any coal mining feature is encountered during the development, and that any intrusive activities on site in respect of former coal mining workings will require prior written approval of the Coal Authority.

Tree and Landscaping Matters

UDP Policy GE15 relates to trees and woodland and states that trees and woodland will be encouraged and protected by a) requiring developers to retain mature trees, copses and hedgerow, wherever possible, and replace any trees which are lost, and c) not permitting development, which would damage existing mature and ancient woodlands.

This policy is broadly consistent with government policy contained in paragraph 175 of the NPPF, where at part c) it states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

The application was accompanied by an Arboricultural Impact Assessment and Method Statement prepared by Weddle Landscape Design. This was been updated in April 2021 due to layout changes and additional drainage requirements.

The report details that the site consists of a mixed plantation of deciduous and coniferous woodland that is entirely covered by an Area Tree Preservation Order (TPO – No 360). The tree survey includes an assessment of life stage, life expectancy and general observations on condition and categorisation. The survey found that there are three trees that are considered to be of high quality (Category A), two beech trees (T20 and T63), and a Sycamore (T141). These are located along the site's frontage to Spout Lane. A row of Western Hemlock (T90-T99) are located along an existing stone wall running north-south at the centre of the site, and a row of larch (T115-T118) are located along the eastern track. These trees are recorded as being of moderate quality (Category B). In addition to these, the survey found a number of Norway Spruce and Scots Pine that are located in the centre of the site. Many of these trees were found to have defects and/or low life expectancy and are considered to be low quality (Category C) or unsuitable for retention (Category U).

As a result of the development to erect a new dwellinghouse and the reconfiguration of the access road and driveways, the report identifies a total of 44 trees would be removed. Of these 44 trees, 26 would be removed for arboricultural reasons, as they are either dead, dying, have limited life expectations or are severely suppressed or having a severe lean.

Fourteen (14) trees would be removed as part of the proposed development taking into factors such as the condition of existing trees, parking provision, and service access easements. Of these 14 trees, the report details that 12 trees are recorded as low quality (Category C), and two trees, a Western Hemlock (T99) and Aspen (T12) are considered to have moderate quality (Category B).

Four (4) further trees are proposed to be removed on account of the site's significant issues with drainage and overground water. The report details that the proposed drainage strategy has changed since the original Arboricultural Impact Assessment was carried out in May

2020, but has been developed in conjunction with the applicant's drainage consultant (Eastwood and Partners) to minimise the impacts on the site's trees. These four trees include three Western Hemlocks (T94, T95 and T96), recorded as having moderate quality (Category B) and a sycamore (G103) that is recorded as having low quality (Category C).

With the exception of the trees scheduled for removal for the reasons set out above, the report details that all other trees on site will be retained. It recommends that protective fencing will be erected to surround all retained trees, ground protection measures to root protection areas (RPAs) to allow access during construction and for access roads to be surfaced using a no-dig construction. The report also points out that the proposed drainage layout is located close to Beech T20 (Category A), which will require the excavation of a trench for a french drain within part of the RPA. On account of this, it is considered necessary that on-site arboricultural supervision be provided to ensure that the exact location of the trench be adjusted to reduce impact on any significant roots should these be encountered.

In terms of mitigation for the loss of trees, the report states that the application provides the opportunity to implement a woodland and landscape management scheme to safeguard the site and its trees in a good condition for the long term. Additionally, a Landscape Masterplan has been produced for the site that includes new tree planting across the site as well as other ecological enhancements to improve the shrub and ground flora diversity within the woodland. The report concludes that the overall impact from the loss of low quality and unsuitable for retention trees is low and that with additional planting, together with proposals for the site's long term management, the impact of the development would be satisfactorily mitigated.

The Landscape Masterplan is considered to be robust with the proposed long term management of the site and additional tree planting adequate mitigation for the site's substantial tree loss. The recommendations set out in the Arboricultural Impact Assessment and Method Statement will be secured by conditioned.

Ecological Matters

UDP Policy GE11 relates to nature conservation and development and it states that the natural environment will be protected and enhanced. It goes on to say that the design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

These policies are broadly consistent with government policy contained in the NPPF at paragraph 170, which sets out that decisions should contribute to and enhance the natural and local environment through measures that include a) protecting and enhancing valued landscapes, sites of biodiversity, and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 175 of the NPPF sets out that when determining planning applications, local planning authorities should apply a number of principles, including a) that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an

alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The application was accompanied by a Phase I Habitat Survey and Ecological Scoping Report and an Ecological Impact Assessment (EclA) prepared by Weddle Landscape Design, the latter report was updated in April 2021 to reflect amendments secured during the course of the application.

As previously stated, a significant proportion of the site is made up of woodland, with the report finding the woodland has some reasonable species diversity. There is a lack of shrub and field layers and it is unlikely to qualify as a priority habitat, but it does provide opportunities for a range of local wildlife. The three buildings on site are all derelict, with the site's two outbuildings exposed which has allowed water and damp to ingress into the structures.

A daytime assessment of the buildings was carried out in August 2019. This assessment found that all three buildings were considered to have moderate suitability for bats. Further surveys were carried out including an initial dusk emergence survey in August 2019 and a dawn re-entry survey in September 2019. These surveys found no field signs of bats during the daytime assessment with no bats seen to enter or emerge from the buildings on the site during the activity surveys. A separate Preliminary Bat Tree Roost Assessment was carried out in September 2019, updated in March 2021 to assess all the trees that are proposed to be felled as part of the revised scheme. The assessments concluded that the trees to be removed all fall within the low or negligible risk of potential roosts category. The 2019 dusk and dawn surveys did however identify Common Pipistrelle foraging along the central tree line, and as some of these trees are subject to be removed, the report does identify that there would be some impact on the site's foraging habitat.

The reports concludes that while no bats were identified within the buildings and trees on site, the development will result in a reduction of potential bat roost features, and that without appropriate mitigation, there would be a significant adverse effect on bats at a local level. As mitigation, the report recommends that two integrated bat boxes should be incorporated into the proposed building, external lighting be designed to ensure that lights are angled downwards and that night-time light levels remain relatively low, replacement tree planting and all tree removal be undertaken by an arboriculturist experienced in working on trees with bat roost potential.

The Council's Ecology Section is satisfied with the findings of these reports and asks that the recommended mitigation measures are secured by planning condition.

Having found evidence of the presence of badgers during a site walkover, the applicant commissioned the undertaking of a more detailed badger survey, desk study and Method Statement. A mitigation strategy has been prepared which sets out a number of requirements and recommendations. This will include an opening in the wall to allow badger cubs to exit the site.

The Council's Ecology Section has inspected the badger survey report and recommends a condition that requires these mitigation measures to be incorporated within the scheme.

It is acknowledged that the removal of a high number of trees across the site will have an impact on biodiversity. However, it is considered that adequate mitigation measures can be provided, including replacement tree planting and integrated bat boxes in addition to a strategy for the protection and welfare of badgers. It is also considered that, along with the proposed long term management of the site, the mitigation measures should ensure a net gain in bio-diversity on a site that has been neglected for many years.

Green Belt and Landscape Character

The application site is situated wholly within a Housing Area, but land to the west of Spout Lane is designated as Green Belt and lies within an Area of High Landscape Value (AHLV).

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

UDP Policy GE8 states that in Areas of High Landscape Value, protection and enhancement of the landscape will be the overriding consideration.

These policies are considered to be broadly consistent with government policy contained in the NPPF which states, at paragraph 133, that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics being their openness and their permanence, and at paragraph 170 part a), that planning decisions amongst other things should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity.

It is considered that the proposed development would not result in any harm to the openness of the Green Belt, or detract from the high landscape character of the surrounding area. The site benefits from substantial tree cover along the site's western boundary, the majority of which would be retained as part of the development. This extensive tree belt together with the siting of the new dwellinghouse at the northern end of the site, where the land levels are significantly below the land levels on Spout Lane, will prevent the development impacting on the open character and landscape setting of the adjacent Green Belt and AHLV.

Archaeological Matters

Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

As previously described, Spout House is an important building which, with its attendant outbuildings, demonstrates the nature of 18th and 19th century Stannington. The proposed redevelopment retains most of the existing fabric, but the South Yorkshire Archaeological Service (SYAS) recommends that significant changes be recorded prior to being altered. It also advises that groundworks have the potential to expose elements of earlier fabric and surviving evidence from land use prior to the construction of Spout House. SYAS therefore

recommend that their standard condition be attached to any grant of permission, requiring a strategy for archaeological investigation in the form of a Written Scheme of Investigation (WSI).

Subject to this being attached, it is considered that the requirements of paragraph 189 of the NPPF would be met.

Community Infrastructure Levy

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development.

The site falls within CIL Charging Zone 3 (north west). Within this zone there is a CIL charge of £30 per square metre.

Other Issues

Due to the proximity of neighbouring properties to the site, the Environmental Protection Service (EPS) has recommended that a directive be attached to remind the applicant of the standard construction hours of working, which are 0730-1800 (Monday to Friday), 0800 to 1300 (Saturday) and no working on Sundays or Public Holidays.

SUMMARY AND RECOMMENDATION

The application relates to the site of Spout House, a grade II listed building on the edge of Stannington.

Full planning permission and Listed Building Consent (LBC) are sought for the restoration and extension to Spout House, alterations and extensions to the site's two curtilage outbuildings to form an annexe to Spout House and a new dwellinghouse, and the erection of a new two-storey detached dwellinghouse to the western side of Spout House. Planning permission is also being sought for the erection/extension of detached garages to serve Plots 1 and 3.

The application has been amended during the course of the application which has resulted in significant improvements to the layout and design of the proposed new dwellinghouse, as well as revisions to the two annexe buildings. The proposed dwellinghouse has well-ordered fenestration, not dissimilar to a converted barn, and is considered to be respectful to the listed building's setting.

It is accepted that the erection of the new dwellinghouse and subdivision of the site to provide three curtilages would lead to some harm to the setting of the listed building, but it is considered that the harm to the significance of this designated heritage asset is less than substantial and would be outweighed by the public benefits of the proposal, which will secure the restoration of the fire damaged listed building, its remaining curtilage buildings and improved drainage in the interests of reducing flood risk. The applicant is agreeable to a condition that would secure the restoration works to the listed building in advance of other works commencing on site, including the erection of the proposed dwellinghouse. This would ensure that the restoration of the listed building is at the forefront of the development

and that the enabling development, whilst required to provide funding, is secondary to the preservation of the listed building.

It is acknowledged that the development includes the loss of a number of protected trees, but as many of these are Category C and U trees, and with a number of trees being removed to accommodate a comprehensive drainage scheme and improved siting of the new dwellinghouse, it is considered that their loss can be justified. The supporting Landscape Masterplan includes tree planting to compensate for the loss of the trees across the site.

From a highway perspective, the proposal is considered to be acceptable, and while site lines are not ideal at the site's access at its south-eastern corner close to Stannington Road, this site entrance is historic and can be used without the need to seek planning permission. This entrance would only be used by one property and, in combination with some improvements, it is considered that its re-use would not significantly impact on highway safety.

The scheme includes a comprehensive drainage scheme that should help to address existing drainage problems within the site boundary and surrounding area.

It is considered that future occupants of the site would be afforded good levels of amenity and that any effect on the residential amenity of neighbouring properties in terms of loss of outlook, loss of privacy or overshadowing would not be significant.

For the reasons given in the report and having regard to all other matters, it is considered that the development would be in general accordance with UDP Policies H10, H14, BE5, GE4, GE8, GE11, GE15, BE15 and BE19 and Core Strategy Policy CS74 and government policy contained in the National Planning Policy Framework.

It is therefore recommended that full planning permission and Listed Building Consent be granted subject to conditions.

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Case Number	20/01932/LBC (Formerly PP-08753580)
Application Type	Listed Building Consent Application
Proposal	Repair and restoration of Spout House including erection of single storey rear extension, alterations and extensions to outbuildings to form an annexe to Spout House and a new dwellinghouse, erection of a new dwellinghouse and associated landscaping - Amended description
Location	Spout House Spout Lane Sheffield S6 6EF
Date Received	16/06/2020
Team	West and North
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 Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Approved/Refused Plan(s)

2. The development shall be carried out in accordance with the following plans:-

- Drawing No. 2811-001 Revision Q (Site Plan and Site Location Plan);

published on the 25 June 2021

- Drawing No. 2811-002 Revision B (Proposed Site Section);
- Drawing No. 2811-003-Revision A (Site Visibility Splays);

- Drawing No. 2811-P101 Revision J (Plot 1 -Proposed House - Elevations)
- Drawing No. 2811-P102 Revision H (Plot 1 - Proposed House Plans)
- Drawing No. 2811-P103 Revision B (Plot 1 Ancillary Accommodation - Proposed Elevations)
- Drawing No. 2811-P104 Revision C (Plot 1 Ancillary Accommodation - Proposed Plans)

- Drawing No. 2811-P109 Revision A (Plot 1 - Proposed Garage)
- Drawing No. 2811-P110 Revision A (Plot 1 - Existing Garage)

- Drawing No. 2811-P111 Revision C (Plot 1 - Analysis)
- Drawing No. 2811-P112 Revision B (Rear Extension 3D View)

- Drawing No. 2811-P201 Revision E (Plot 2 - Proposed Elevations);
- Drawing No. 2811-P202 Revision E (Plot 2 - Proposed Ground and First Floor Plan)
- Drawing No. 2811-P203 Revision D Plot 2- View)
- Drawing No. 2811-P207 Revision B (Proposed Sections)

published on the 14 April 2021

Reason: In order to define the permission

Pre-Commencement Condition(s)

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

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

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

4. A schedule of all fixtures and fittings, with a photographic record, and details of their retention, repair, removal or relocation shall be approved in writing by the Local Planning Authority before that part of the development commences. The development shall then be carried out in accordance with the approved schedule.

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

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

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

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

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

7. A comprehensive and detailed hard 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.

8. 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.

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

Windows

Doors

Window reveals

Eaves and verges

Rainwater goods

Rooflights

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

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

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

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

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

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

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

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

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

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

14. Details of all new joinery and timber structural elements and/or the repair, alteration or replacement of existing timber elements (including roof and floor timbers, partitions, stairs, balustrades, screens, wainscoting) shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter, the development shall be carried out in accordance with the approved plans.

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

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

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

Other Compliance Conditions

16. Rooflights shall be conservation style whereby no part of the rooflight shall project above the surface of the roofing slates.

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

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

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

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

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

Report and site location as previous application (20/01930/FUL)

Case Number	20/04308/FUL
Application Type	Full Planning Application
Proposal	Change of use from dwellinghouse (Use Class C3) to a 4 bedroomed house in multiple occupation (Use Class C4).
Location	51 Carrington Road Sheffield S11 7AT
Date Received	01/12/2020
Team	South
Applicant/Agent	PAR Architectural
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 Number 008 rev * (OS MAPS) published 03 Dec 2020
 - Drawing Number 003 rev 1 (PROPOSED FLOOR PLANS LAYOUT) published 22.06.2021
 - Drawing Number 004 rev 1 (PROPOSED FLOOR PLANS LAYOUT) published 22.06.2021
 - Drawing Number 005 rev 1 (ROOF PLANS LAYOUT) published 22.06.2021
 - Drawing Number 008 rev 1 (PROPOSED ELEVATIONS LAYOUT) published

22.06.2021

- Drawing Number 009 rev 1 (PROPOSED ELEVATIONS LAYOUT) published 22.06.2021

- Drawing Number 1715/02 (OUTSIDE SPACE) published 17.05.2021

Reason: In order to define the permission.

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

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

Other Compliance Conditions

3. The use hereby approved shall incorporate a maximum of four bedrooms.

Reason: In order to define the permission and in the interests of the amenities of the occupiers of the accommodation.

4. The reception room as shown on the 'Proposed Lower Ground Floor Plan' shall not be occupied at any point as a bedroom or a main habitable room.

Reason: In order to define the permission and in the interests of the amenities of the occupiers of the accommodation.

5. The alterations to the existing car port as shown on approved Drawing Number 1715/02 (OUTSIDE SPACE) shall be undertaken before the commencement of the use hereby permitted, and the space shall be permanently available for the intended amenity space and bin storage purposes thereafter.

Reason: In order to define the permission and in the interests of the amenities of the occupiers of the accommodation.

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 south of the junction of Carrington Road and Louth Road. It features an end-of-terrace dwellinghouse, which is currently vacant having been previously occupied as a residential dwelling (Use Class C3). The Adopted Unitary Development Plan designates the property as being within a Housing Area.

The site is within an area covered by an Article 4 direction restricting permitted development changes of use from C3 (dwellinghouse) to C4 (House in Multiple Occupation for between 3 and 6 residents) uses. As a result of this Article 4 direction, planning permission is required to be sought for the proposed change of use to a House in Multiple Occupation to include 4 bedrooms (Use Class C4).

PLANNING HISTORY

There is no relevant planning history.

REPRESENTATIONS

Following neighbour notification, a total of 33 representations, all in objection have been received. The comments are summarised below:

Highways Matters

-Existing parking issues will be worsened. It will be especially difficult for shift

workers. Previous elderly homeowner didn't have a car. Endcliffe Park visitors use streets for parking. Side streets are used as a cut through.

- Extra vehicles will make crossing road at Louth/Carrington Rd junction more dangerous. This corner is often subject to illegal parking.
- Use of the garage would lead to loss of on-street spaces. The garage is too narrow to be used. Use of the car port will lead to refuse storage on street. It will also block a fire escape route. Submitted plans show 2 off street spaces, but there is no pavement alteration/s/'H' road marking to show permissible off-street parking.
- The application form and supporting statements are in conflict regarding formation of additional parking.
- Local bus services mainly only serve City Centre.
- Parking permit scheme should be considered.
- Conflict with UDP Policy H5(c) and H14(d) which requires appropriate off-street parking. NPPF para 105 requires local car ownership levels to be considered. Area is one of high car ownership.

Design

- The Juliette balcony (to front) is not in keeping with the street.
- Amended drawings show a barrier across the rear dormer Juliette balcony, which is out of keeping.
- Rear dormer is a large overbearing structure. New roof line will appear much higher than the already imposing property / roof line. Visible from public highway.
- Conflict with Core Strategy and UDP policies; CS74, H14a and BE5c, and Guideline 2 of the Designing House Extensions SPG.

Neighbours Living Conditions

- Impacts on privacy.
- Rear dormer will effectively add another floor with overbearing impacts. Much larger than existing dormer. It will be overpowering when viewed from neighbouring properties and gardens. Impacts made worse by the Juliette balcony. It will cause overlooking and privacy loss. Glazed balustrading won't attenuate these concerns.
- Privacy impacts will be made worse by the proposal to introduce an additional 1st floor window.
- Side glazing to the dormer window leads to overlooking and reduces privacy.
- The unobscured side facing window leads to overlooking and privacy loss (would contravene Human Rights Act.)
- Conflicts with UDP policy H14c, BE5a and c & CS74. Also in conflict with Designing House Extensions SPG.

HMO Issues

- The Area is covered by an Article 4 direction to maintain family based residential community. Lack of family housing in the area, which is popular amongst families due to schools.
- HMOs tend to be occupied by a transient population. Conflict in lifestyles, undermining quiet nature of area. Intrusive noise and anti-social behaviour (tenants and visitors). Would affect shift workers sleep in day.
- Less commitment to maintenance. Concern regarding future management of the

HMO.

- Already too many HMOs within immediate surroundings. The Council's HMO density list prepared in 2014 doesn't give true picture. There are several unregistered HMOs within 200metres of the site, and there is an unacceptable concentration of HMOs in the area. The Agent's argument that Policy CS41 is met is based on inaccurate Council data.
- Many local HMOs are 3/4 bedrooms, so aren't picked up in HMO license list. HMO data is acknowledged by Officers to be an under representation.
- Many student accommodation developments have been built, so the need to convert family accommodation is queried.
- HMO living is detrimental to mental health.

Accommodation Quality and Layout

- Contrary to UDP policy H5b) there is no outdoor amenity space. It is likely tenants will socialise at the front of the house and on pavements, leading to increased noise disturbance.
- The proposal includes 3 reception rooms (one with a shower), giving potential for a 5/6 bedroom property. It should be modified to show a 6 bed roomed HMO.
- Increase in refuse storage
- Front attic bedroom is inadequately sized (and below the 6.51m² required form HMO rooms). Would contravene H5b of UDP.

Other Issues

- Inadequate neighbour notification.
- Applicant doesn't live at site as stated. Property is vacant despite comment in application forms.
- Planning Committee should make a site visit.
- Application motivated by profit.
- Isolating in shared accommodation is hard.
- Inaccurate/wrongly drawn drawings.
- Initially provided drawings include inaccuracies. Don't show attached property's gable and off-shot has been drawn incorrectly, and dormer would more visible than indicated.

Neighbour Comments Received Following Amendments

Through the course of the application a number of revisions were made to the drawings to correct some discrepancies and to deal with other matters. In response to these, the following comment has been provided:

- Rear Dormer railings have been replaced by a barrier, which is out of keeping

Councillor Objections

Cllr Barbara Masters & Shaffaq Mohammed have submitted a joint representation, which can be summarised as follows:

- Concerns of neighbours relate to; appearance out of keeping, loss of neighbours'

privacy, on-street parking issues and queries regarding the amount of off-street parking.

-The proposed change of use will impact on neighbours in the immediate vicinity. It will change the character of the neighbourhood, dominated by family homes forming a settled community, as opposed to transient occupants without personal investment in community.

-Three large reception rooms gives the potential for two more bedrooms without further permission. Any increase will significantly impact on the locality, especially on parking and medical services.

-The property will be out of scale and out of keeping in the area.

Cllr Masters provided a 2nd representation echoing neighbours' concerns, and also asking for a Committee site visit to take place.

MP Representation

A representation was received from Olivia Blake MP, which summarises concerns of a constituent and neighbour to the application site.

The representation includes a quote from a message sent to Olivia Blake by the neighbour. The points made are summarised as:

-uncertainty of HMO size.

-insufficient outdoor space for HMO and inadequate internal living spaces, contravening UDP policy H5.

-inadequate parking provision, contravening UDP policy H5 and H14.

-impacts of additional parking in neighbourhood.

-highway safety concerns.

-inaccurate plans.

Also it is queried whether an Officer site visit has taken place.

PLANNING ASSESSMENT

Planning Policy Context

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

The Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in February 2019 (the NPPF) is a material consideration (paras 2 and 212 of the NPPF).

Paragraph 213 of the NPPF provides that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the NPPF.

In all cases the assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

This is referred to as the “tilted balance” and this assessment will have due regard to this.

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, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life. The following assessment will have due regard to these overarching principles. Paragraph 8b details the ‘social objective’ of this as being the support of strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

The Council’s development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. It is considered that the local plan policies being relied on below remain in accordance with the NPPF and can be afforded substantial weight.

Principle of Proposed Use

UDP Policy H5 ‘Flats, Bed-Sitters and Shared Housing’ states in (a) such housing will be allowed where a concentration would not cause serious nuisance to existing residents.

UDP Policy H10 ‘Development in Housing Areas’ states that housing (C3) is the preferred use. While HMO uses are not listed, hostels are included in the ‘acceptable’ category. Additionally, the policy states that development proposals for uses not listed will be decided on their individual merits.

Core Strategy Policy CS41 ‘Creating Mixed Communities’ states that mixed communities will be promoted by limiting HMO type uses where the community is already imbalanced by a concentration of such uses. This policy requires that no

more than 20% of properties within 200m of an application site should be in HMO type use.

The National Planning Policy Framework, also aims to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

The above policy (CS41), is a response to the concerns of communities and their representatives that some parts of the city traditionally associated with family housing were becoming dominated by HMO's. The concern is that such changes reduce the availability of family housing, increase demand on local resources/infrastructure, and adversely impact the amenity of local residents.

The Article 4 direction in place in the locality (as well as large parts of the urban areas of the city) prevents change of use from C3 housing to C4 HMO use being carried out as 'permitted development', as would otherwise be the case.

The most recent information shows that the proposed change of use would result in the percentage of 'shared housing' within 200m of the property being 13%. Whilst this figure is acknowledged to be a potential under-estimate (as it relies on landlords registering as part of the Council's responsible landlord's scheme), it is not considered that there would be sufficient number of unregistered HMOs within the 200m radius to result in this figure exceeding the 20% threshold set out under CS41. Consequently, it would therefore not be considered to constitute an inappropriate change to the mix and balance of the area's community, and would not unduly erode or undermine the Council's adopted planning and housing strategy in this regard.

As a result, the proposed change of use is considered to comply with Policy CS41. Similarly, as the 20% threshold is not breached it is considered that serious nuisance to existing residents would not be generated, and therefore H5(a) is also considered to be satisfied.

Amenity Considerations

UDP Policy BE5c) 'Building Design and Siting' requires all extensions to respect the scale, form, detail and materials of the original building.

UDP Policy H5 'Flats, Bed-Sitters, and Shared Housing' states that such housing will be allowed where an existing concentration of these uses would not cause serious nuisance to existing residents (part a) and where living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours (part b).

UDP Policy H14 requires, amongst other points, that new extensions should be well designed and be in scale and character with neighbouring buildings, that it shouldn't be over-development of the site and that residents shouldn't be deprived of light, privacy or security, and also that development would not lead to noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby.

Core Strategy Policy CS74 'Design Principles' requires high-quality development which respects, take advantage of and enhances the city's distinctive features.

The NPPF at paragraph 127 requires developments to add to the area's overall quality, be visually attractive and be sympathetic to local character.

-Design & Street Scene Impacts

The proposal description initially included reference to the addition of a rear dormer window. Given the site's elevated location at the Carrington / Louth Road junction the proposed dormer would be visible from the public domain. Additionally, the gradient of Carrington Road leading up to Louth Road acts to heighten the dormer's prominence.

Notwithstanding the visibility of the proposed dormer, it is important to factor into the assessment the property's permitted development entitlements. Its permitted development entitlements apply to the property's current designation as a C3 dwelling house, and would continue to apply were the current proposed change to C4 approved and then implemented.

The proposed dormer has been designed to comply with the criteria set out within the relevant permitted development legislation. The Planning Officer has checked the proposal against these criteria, and it is confirmed that the proposal constitutes permitted development, i.e. does not require planning permission.

On this basis and despite the prominence of views of the dormer, there would be no ability to resist the application due to the design of the rear dormer. Additionally, as planning permission cannot be granted for something that is permitted development it has been removed from the originally stated description.

A number of comments relating to the original drawings' front elevation Juliet Balcony were received. This element has been withdrawn from the more recently provided drawings, and so no further comment is required on this item.

The proposal drawings include a side window at the gable level. Since this includes obscured and fixed glass (up to 1.7metres over internal floor level), it also constitutes permitted development.

In conclusion on this item, it is recommended that there would be no grounds to resist the application due to the appearance of the rear dormer given that it is able to be erected without the need for planning permission.

-Living Conditions (Future Occupiers)

The submitted application form states that it's the intention to provide 4 bedrooms, and the drawings show 4 bedrooms. As well as this, the proposed layout plans show a kitchen, 3 reception/sitting rooms (including one at basement level which isn't served by a window) and 3 shower/bathroom spaces.

Three of the four bedroom spaces are of a good area. However, a comment has

been raised regarding the inadequacy of the front, attic bedroom's usable floor space given the sloping roof. In planning terms there isn't a requirement to achieve a minimum floor area within a bedroom such as this, and it is very relevant that the bedroom occupant would also use the three sitting/reception rooms. On this basis, the living conditions afforded to the occupier of this front, attic bedroom would be considered to be acceptable, and not sufficient to support an argument for the application's refusal.

The property's rear area currently features garage and car port space/s. As such, there is not considered to be a private external, amenity area for potential (or previous) occupants. The scheme therefore includes the proposal to carry out alterations to the car port area closest to the dwelling, removing the perspex roofing and screening etc, to provide an external open space facility. This would also be used as a refuse bin store area, which would be served by adjacent gates for use on collection days.

The basement level plan includes a room labelled as a 'Reception Room', which doesn't include any window provision. As a room supplementing the ground floor level sitting rooms it is considered to be acceptable, however, it would not be able to be used as a bedroom given the absence of a window. As a result, it is considered that any approval should include a condition prohibiting use of this space as a bedroom or main habitable room.

On the basis of the above the proposal is considered to give acceptable living conditions for the proposed occupiers, meeting with the relevant part of Policy H5.

-Living Conditions (Neighbouring Occupiers)

The property is an end-of-terrace house, sharing a party wall with the attached neighbour at No. 31 Louth Road. The proposed internal room layout avoids the introduction of lounges/reception/kitchen spaces into the upper floors, where they would be potentially adjacent to bedrooms at No 31 Louth Road. This is welcomed as it avoids potential conflict between room types.

UDP policy H5b) states that flats/shared housing are not permitted where an existing concentration of these uses would cause serious nuisance to existing residents. There is no evidence that the site's immediate surroundings feature a strong concentration of these uses. Louth Road is understood to include a total of approximately 80 separate properties, of which just 10 are occupied as a shared property. Similarly, there is also not evidence that a serious nuisance would be caused to existing residents by the proposed HMO.

On this basis, the proposed change of use to a Class C4 HMO would not cause any harmful impacts to surrounding occupiers sufficient to substantiate a reason for refusal.

A number of comments have been received around harmful implications of the proposed rear dormer window, the front elevation Juliet balcony and the newly inserted rear and side elevation windows.

As identified above, the rear dormer window is permitted development. As such, any perceived harmful impacts arising from overlooking and privacy impacts could not form grounds for refusal of the application. The initially proposed side glazing to the dormer (facing Carrington Road) has been removed from the amended drawings.

The front elevation Juliet Balcony has been removed from the drawings, and so no longer forms part of the application.

The additional rear window is at ground floor level. However, given the elevated nature of the property this is effectively at 1st floor when viewed from the rear, so may potentially lead to overlooking opportunities onto neighbouring gardens. However, planning permission is not needed for the insertion of such a window, and there would be no defensible grounds to resist the granting of consent due to the scheme's inclusion of a window in this location.

The proposed side elevation window is located at the attic level and would be sited within the gable. The amended drawings confirm that this window would be obscurely glazed and fixed up to 1.7metres above the internal floor level. These alterations ensure that the concerns regarding overlooking/privacy impact would not arise. Once again, this window is also permitted development, so there would be no grounds to resist the proposal in this case.

Overall, the proposal is considered to have acceptable impacts upon visual and residential amenities. It would also be considered to achieve acceptable living conditions for potential future occupants. As such, the application is acceptable in this regard, satisfying the requirements of the relevant policies.

Highways Impacts

UDP Policies H5 (Part C) and H14 (Part D) require appropriate off-street parking provision.

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

A large number of comments have been received about existing on-street parking difficulties, both adjacent to the property and in the surrounding roads.

In relation to the subject property, it is stated that the existing garage/off-street parking facilities are of inadequate width and so are not capable of use by modern cars.

The existing garage/off-street parking areas are served by door openings of 1.5 metres width (approx.). Given these width constraints it is considered that they are highly unlikely to be used for parking vehicles other than a motorcycle or cycles.

Further to this, comments have been received stating that there is no evidence that the kerb line adjacent to the garage/s are lowered, and so the legitimacy of use of the garage/s is questioned. Given the above point around width constraints this point is less relevant, however, whilst not being fully clear it appears that the kerbs fronting the garages/off-street spaces are marginally lower than some of the adjacent

kerbs.

In considering the impacts of the proposal on parking circumstances on the surrounding highways it is essential to factor in that whilst the previous occupier of the property did not own a vehicle, a different family occupying the property could well own several vehicles. The Council's Parking Guidelines for a 3-bedroom property, such as the subject premises currently, state that a maximum of 2 off street spaces would be required for the property.

The Parking Guidelines do not incorporate C4 uses, however, it is stated that 2 spaces are required for student housing featuring 4 to 8 bedrooms.

It is acknowledged that there are parking difficulties in the area, as it contains predominantly high-density housing with very little off street parking provision, and as a result the surrounding streets are regularly heavily parked, in common with similar locations across the city.

The site is however extremely sustainably located, within close reach of high frequency bus routes and local amenities/facilities. Given that the parking guidelines for a 3-bedroom dwelling and a 4 to 8 person shared house are the same, there is no reasonable justification for resisting the proposal on the grounds of a lack of off-street parking even if it were concluded that the existing garage space has limited use.

Overall, the proposal would not generate sufficiently harmful impacts upon existing highway and on-street parking circumstances to support a reason for refusal of the application. As such, the application is considered to be acceptable in these respects, and to meet the requirements of Policy H5b).

RESPONSE TO REPRESENTATIONS

Most comments have been addressed in the above assessment section. Regarding the remaining items, the following points can be made:

-Comments have been raised that the floor layout plans imply that the property would be able to accommodate 5 or 6 bedrooms, rather than 4 as stated in the application. The incorporation of a 5th/6th bedroom would be likely to leave an inadequate provision of internal, communal amenity space. In such circumstances, it is considered that the living conditions of the proposed occupants, especially the front, attic bedroom in this scenario would be insufficient. It is therefore considered appropriate to include in any recommendation for approval a condition limiting the proposal to 4 bedrooms.

-Concern has been raised that the Council's Policy CS41 % data is acknowledged as an under-estimation of the actual position. Details from a website showing available spare rooms in the locality were provided by way of evidence.

Comment was also passed upon the Applicant's use of information dating from 2014 in this respect.

The above assessment acknowledges this. However, the unregistered HMOs are known to account for a relatively modest additional number, and given that the current figure is 13%, there would be no evidence that there are a further 7% of

unregistered HMOs within 200metres of the site. The data available to Officers is current and was most recently checked in June 2021. Any decision to refuse which was based on unregistered HMOs resulting in an exceedance of the 20% threshold would not be defensible at appeal, and it is considered that the Council would be considered to have acted unreasonably were it to move forwards in that way.

-Neighbour notification was undertaken in compliance with statutory requirements and the Statement of Community Involvement.

Additionally, the level of response indicates that there is good, local awareness of the application.

-Errors within the initial, and subsequent, drawings have been corrected.

-Comments around the mental health implications of bed-sit accommodation and the difficulties of 'self-isolating' in such circumstances have been made. The proposal is considered to achieve a good quality of living accommodation. There would therefore be no basis in planning terms to resist the proposal based on these concerns.

-An Officer site visit has taken place.

SUMMARY AND RECOMMENDATION

The full planning application seeks planning permission for a change of use of the C3 dwellinghouse to a C4 House in Multiple Occupation including four bedrooms.

The use is acceptable in principle within a Housing Area and there is not a concentration of such uses that would result in conflict with policy H5 of the UDP or CS41 of the Core Strategy.

The proposed change is considered to provide appropriate living conditions for the potential residents, and also to avoid harmful impacts upon existing neighbours. Whilst acknowledging that there are existing issues regarding on-street parking locally, the sustainable location of the site results in the conclusion that any limited additional impacts would not be sufficiently significant to support a refusal of the scheme. As a result, the implications upon local highway safety circumstances would be considered acceptable. Lastly, the external alterations included within the scheme constitute permitted development, and so there is no capacity to resist the scheme because of these elements.

In conclusion, the application is acceptable and to meet the requirements of the relevant local and national policies. Consequently, the application is recommended for conditional approval.

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Case Number	21/00763/FUL (Formerly PP-09521639)
Application Type	Full Planning Application
Proposal	Demolition of existing building and erection of a four-storey building to form 8x apartments and formation of new vehicle access to form a subterranean car park, landscaping to form shared gardens and mature tree/hedge planting.
Location	15 Brocco Bank Sheffield S11 8RQ
Date Received	22/02/2021
Team	South
Applicant/Agent	Latham Davies
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 PL01 - Published Date 22 Feb 2021
Proposed Site Plan PL19 Rev B - Published Date 24 Jun 2021
Proposed Floor Plans (Lower) PL20 Rev B - Published Date 24 Jun 2021
Proposed Floor Plans (Upper) PL21 Rev B - Published Date 24 Jun 2021
Proposed Floor Plans (Elevations Front and Side) PL22 Rev B - Published Date 24 Jun 2021

Reason: In order to define the permission.

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

3. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

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

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

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.

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

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

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

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

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

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

8. No 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.

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

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

Windows
Window reveals
Doors
Garage door
Eaves
Rainwater goods

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

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

10. 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.

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

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

12. 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.

13. 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.

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

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

15. The proposed green/biodiverse roof (vegetated roof surface) shall be installed on the roof(s) in the locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/biodiverse roof(s) shall be installed prior to the use of the building commencing and thereafter retained. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

16. Notwithstanding the details on the approved drawings, the roof lights in the rear elevation facing towards No, 35 Botanical Road shall have a cill height no lower than 1.7 metres above the finished floor level of the room which they serve before the building is occupied. The roof light positions shall be retained as such thereafter.

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

17. The windows on the side elevations of the building facing north and south, to the ground, first and second floors shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

18. The development shall not be occupied unless the car parking accommodation for 8 cars 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.

Other Compliance Conditions

19. The dwellings shall not be occupied unless the bin store as shown on the approved plans has been constructed in accordance with the approved details. Thereafter the bin store shall be retained.

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

20. The development hereby approved shall be carried out in accordance with, and permanently comply with the recommendations given in the Bat Survey Report by Wildscapes, Ref P1229 V01.

Reason: In the interests of biodiversity.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

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

permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136

Email: dawn.jones@sheffield.gov.uk

3. The applicant is advised that the Local Planning Authority has reason to believe that the application site may contain species and/or habitats protected by law. Separate controls therefore apply, regardless of this planning approval. Please contact Telephone Number **** for more information in this respect.
4. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

5. 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.

6. Green/biodiverse roof specifications must include substrate growing medium type and depths (minimum 80mm) and plant schedules. It should be designed to detain at least 60% of the annual average rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from The Green Roof Organisation (www.grouk.org) or contact Officers in Environmental Planning email: EnvironmentalPlanning@sheffield.gov.uk. Alternatively see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

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

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

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

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

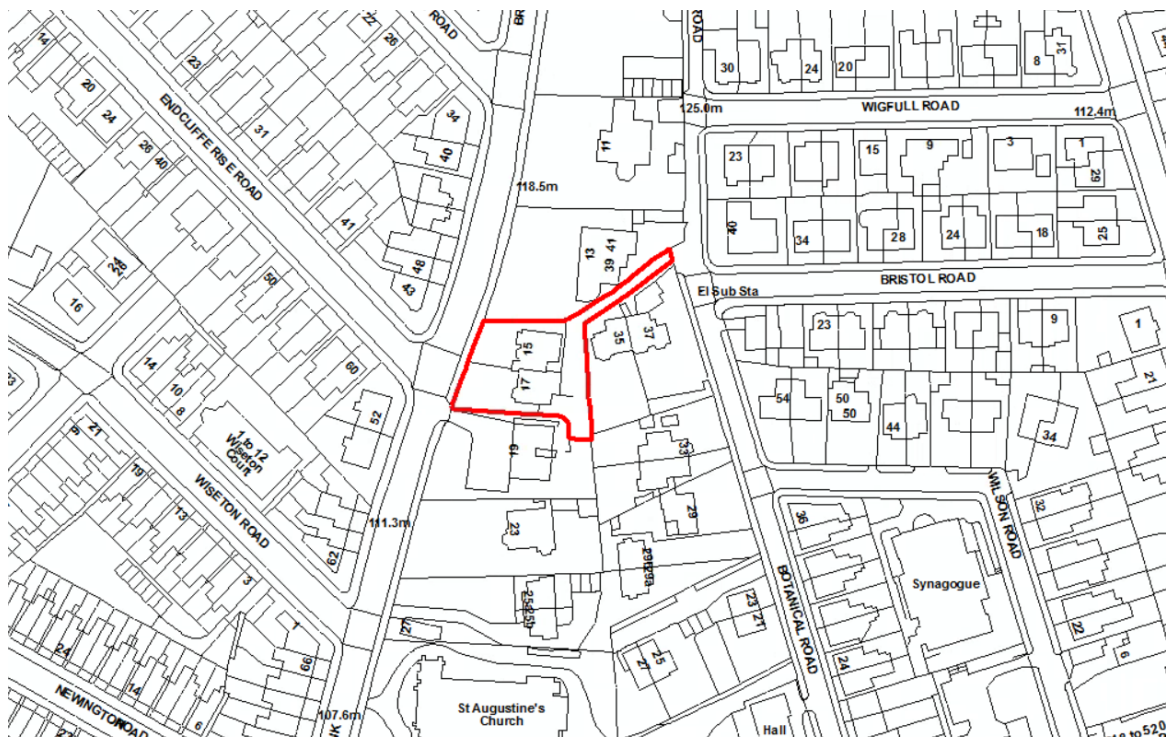
8. The developer is advised that, in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that 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
9. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

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.

10. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum ;
 - Reference to permitted standard hours of working;
 - 0730 to 1800 Monday to Friday

- 0800 to 1300 Saturday
 - No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - Details of site access & egress for construction traffic and deliveries.
 - A consideration of potential lighting impacts for any overnight security lighting. Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.
11. During the course of construction, in order to safeguard badgers which may utilise/commute through the site during the construction process, the following actions shall be implemented:
- safe storage of chemicals,
 - covering of trenches at the end of each working day (or inclusion of a means of escape)

Site Location



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LOCATION AND PROPOSAL

This application relates to 15-17 Brocco Bank, a large residential building subdivided into 12 small flats/studios, which was formerly a pair of semi's, dating back to the 1880's. The building at present has 5 units to the ground floor, 5 units to the first floor, and 2 units to the second floor (roof space). There is a substantial cellar although this is not inhabited at present. Vehicular access is provided to the rear at present from Botanical Road down a narrow access with parking to rear for 4 cars.

The site falls within an allocated Housing Area, and an Area of Special Character as defined in the adopted Sheffield Unitary Development Plan (UDP). The surrounding area is predominantly residential in character. Immediately to the south is a 4 storey flat roofed 1960's building containing 6 flats which is served by an access from Brocco Bank. To the north is a building which is split into 5 units and which stands elevated above the site is positioned further into the site away from Brocco Bank. These are No. 13 Brocco Bank, 1 and 3 Cedar Mansions, No. 39 and 41 Botanical Road. Within the wider area is a mix of terraced, semi-detached and detached dwellings. As you travel down Brocco Bank towards the south, there is St Augustines Church (Grade II Listed) and Brocco on the Park (Hotel/restaurant). Hunters Bar roundabout is approximately 230 metres away.

This application seeks permission to demolish/deconstruct the existing building on the site and to erect a new 4 storey building containing 8 flats. One of the storeys is within the roof space, and one is partially subterranean with each of the 4 storeys

having 2 units. The mix of units is 2 x 2 bedrooms and 6 x 3 bedrooms. A basement is proposed with underground garaging to provide 8 large stores and 8 parking spaces underneath the 4 storeys of accommodation. The car parking is accessed from a new vehicular access to be provided from Brocco Bank.

Amended plans have been received following negotiations with the agent.

RELEVANT PLANNING HISTORY

Pre-application advice was sought for alterations and extensions to the existing building on this site to form 8 units, including the creation of a new vehicular access onto Brocco Bank. This concluded that a scheme with good quality materials which would improve the overall aesthetics of the site, and the new vehicular access could be acceptable in principle subject to detailed design.

SUMMARY OF REPRESENTATIONS

29 representations have been received objecting to the proposal. This includes representations from the 'Endcliffe Corner Community Organisation' (ECCO), and Brian Holmshaw who at the time of writing was commenting on behalf of 'Broomhill and Sharrow Vale Green Party'.

Design and Scale:

- Unnecessary demolition of a perfectly good, period property which is more in keeping with the surrounding area and is of considerable local historical interest, being of positive townscape merit.
- The proposed new building is much larger than the existing building being 4 storey (rather than 2 at present with additional space in the cellar and some attic space), has an overall increase in the height of the building and is an overdevelopment of the site.
- The cubic volume of the building will be significantly increased, and footprint increased by 30% (or 100% taking into account the basement/garage space).
- The new building is not in keeping with the general style of the area, altering the historic alignment of buildings along Brocco Bank.
- The proposed bin storage is not sufficient to meet the needs of future residents of the site.
- The increased height and width of the new building will be imposing to the wider neighbourhood, approximately 1.2 – 1.4 metres above the existing ridge height, and 1 metre higher than the existing eaves.
- The elevation to Brocco Bank will be higher than the ridge line of the other buildings.
- The existing graduated handcut local stone walls will be demolished and rebuilt with new machine cut sandstone, with the existing stone on used for retaining garden walls only.
- The building should be retained and turned into new high-quality flats in the same way that Brocco on the Park was carried out at the bottom of Brocco Bank.
- The Brocco Bank façade is over-sized and over-glazed.

- The proposal breaks through an expanse of stone walling, a feature of the townscape in this location which will be an alien feature.
- The site is within an Area of Special Character, and the proposal will have a detrimental impact on its character.
- The site is within the setting of a number of nearby designated heritage assets, having a negative impact.

Highways:

- The car park access creates a new hazard to pedestrians walking up Brocco Bank, especially when cars are exiting onto the highway when it is queueing.
- Cars from the new access could exit and go straight up Endcliffe Rise Road and go straight over Brocco Bank.
- Cars could have to wait to enter if a car is exiting at the same time.
- There will be inadequate car parking provision for 8 units which will attract couples and families who are likely to have more than one car.
- The proposal will create further traffic congestion along Brocco Bank.
- The parking spaces are 2.37 metres x 4.99 metres at best which is very tight for manoeuvring,
- There will be significant impact on Brocco Bank during construction of the proposal.
- There is no visitor or delivery parking, or parking to accommodate emergency or service vehicles.

Amenity:

- The scale of the proposal encroaches onto neighbouring properties taking sunlight (especially in the winter) and reducing the outlook and being overbearing, impact on neighbour's wellbeing and mental health.
- The prominence of the rear elevation of the building with its increased height and projection will impose on neighbouring properties and their gardens to the rear.
- The building is 4 metres closer to those at the rear with the distance of the windows to the bay window in No. 35 Botanical Gardens only 7 metres away. The splayed windows will not work in reality.
- The development will impinge on privacy from the number of proposed new windows and the raised balcony, which will overlook the properties at the rear and to the sides from habitable windows (bedrooms and living spaces).
- The sunlight analysis does not include winter sun.
- There is very little amenity space in the new proposal and what is proposed is substandard at best.
- The basement flats are overlooked and have no aspect looking towards a retaining wall.
- The number of units are decreasing but the number of people capable of residing will increase.

Sustainability:

- Sheffield City Council has declared a climate emergency. There will be a significant carbon impact from the destruction and reconstruction of the buildings, which stands in opposition to the Council's zero carbon policy.
- "The greenest building is the one that already exists" Carl Elefante. A recent study for Historic England found that new build construction emitted 13 times more embodied carbon than refurbishment of pre-1919 properties.

Other:

- The car park will create noise and pollution in an already busy area.
- The motivation for this application appears to be the rate of VAT for refurbishing a property versus a new-build which should not be a planning consideration.
- The net effect will decrease the amount of accommodation locally
- There will be unnecessary carbon emissions with the demolition of the existing building and the construction of a new one.
- This is a high-density development in an area where the school is already oversubscribed.
- This proposed development could set a precedent for future similar applications.
- The building works will cause noise and disturbance to neighbouring residents, many of whom work from home.
- There is a need for more homes in Sheffield, but these should be affordable or social housing.
- The plans are deceptive and do not present a clear image of the scale of the proposal.
- The construction of the proposal could impact on the structural integrity of neighbouring properties.
- Access for the fire brigade services does not appear adequate.
- Cutting down 5 mature trees before applying for planning permission nicely sets out the eco credentials of the proposal.
- There is a shortage of lower bracket accommodation around Hunters Bar, and this proposal is for luxury flats.

Brian Holmshaw on behalf of the Broomhill and Sharrow Vale Green Party

- This is unnecessary demolition of a good building, with rebuilding requiring massive amount of embodied carbon.
- A smaller scale, more environmentally sustainable restoration has not been considered.
- The fact that there is no VAT on a new build should not be argument to allow demolition of the building.
- The building line to the rear leaves inadequate space at the back.
- The underground car park to Brocco Bank seems vastly expensive and unnecessary to the parking issue, when the existing situation accessed from the rear works.
- Construction noise and dust levels would be damaging to neighbours, and conditions for acoustic barriers and dust mitigation will be needed.

Endcliffe Corner Community Organisation

- Object to an old stone building being demolished with no valid reason, with the surrounding area characterised by such buildings.
- The new building is out of character with the area and the nearby Botanical Gardens.
- The new building may accommodate a great number of residents. (38 bed spaces proposed compared to the existing 16).
- There will be further traffic problems created by the proposal on Brocco Bank.

The applicant's agent has made two representations which responds to questions and statements made by the objectors. These have not been summarised individually in this section but have been taken into considered during the assessment section of the report below.

PLANNING ASSESSMENT

National Planning Policy Framework

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

Policy Context

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

The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The relevant policies of the statutory Development Plan are set out below under each sub-heading, along with an assessment of their degree of consistency with the policies in the NPPF. Conclusions are then drawn as to how much weight can be given to each policy in the decision making process in line with the requirements of NPPF paragraph 213.

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

- (i) The application of policies in the NPPF which relate to protection of certain areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- (ii) Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The 'certain areas or assets' referred to in (i) includes Conservation Areas but does not include Areas of Special Character.

Key Issues

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The design of the proposal and its impact on the street scene and surrounding area,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided,
- The impact of the proposal upon the existing landscaping of the site/and adjacent sites.

Land Use Principle

The application site falls within a Housing Area as identified in the Unitary Development Plan(UDP) for Sheffield. Redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'. It is therefore acceptable in principle.

However, it should be noted that whilst the principle is acceptable in terms of policy H10, the policy also states that any proposal would also be subject to the provisions of Policy H14 'Conditions on Development in Housing Areas' and BE5 'Building Design and Siting' being met. Furthermore, the principle of housing on this parcel of land is also subject to the more recent Core Strategy policy CS74.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. Policy CS24

'Maximising the Use of Previously Developed Land for New Housing' prioritises the development of previously developed (brownfield) sites. Housing on greenfield sites should not exceed more than 12% completions, and (part (b)) be on small sites within the existing urban areas, where it can be justified on sustainability grounds.

Policy CS23 and CS24 are restrictive policies, however the broad principle is reflected in paragraph 117 of the NPPF, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'.

In this instance, in accordance with the NPPF definition, the area of existing built form on the site constitutes brownfield land, with the residential garden in this built-up areas being greenfield land. Therefore, the majority of the proposal is on brownfield land, with the basement garaging being within a greenfield location (albeit a garden will be reinstated above it). In any case, the completions on greenfield sites are well below the 12% figure set out in policy CS24, and the NPPF does not require a brownfield first basis.

Therefore, given the presumption in favour of sustainable development, it is considered that the proposal is consistent with the aims of policies H10, CS23 and CS24.

Housing Land Supply

Paragraph 73 of the NPPF requires LPA's to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirements.

Policy CS22 'Scale of the Requirement for New Housing' of the Core Strategy is the most up to date development plan policy in relation to delivering a sufficient supply of housing for Sheffield, stating that a 5 year supply of deliverable sites will be maintained at all times.

This policy is only partly in conformity with the NPPF, as the Core Strategy is now more than 5 years old, and the NPPF states that the housing requirement must be based on the local housing need figures using the Government's standard methodology.

On 16th December 2020 the Government published an update to planning practice guidance 'Housing and economic needs assessment'. The update introduces a change to the standard method for calculating the local housing need figure.

Paragraph 004 provides the steps used to calculate the local housing need figure as well as the specific data inputs to be used in terms of demographic baseline and adjustment for affordability. The most recent publication now includes an additional step 4 – the 'cities and urban centres uplift'. This requires a 35% uplift to be applied to the local housing need figure for the 20 largest cities and urban centres, including Sheffield.

The effect of the urban centres uplift is to increase Sheffield's local housing need figure for 2021 to 2,923 new homes per annum.

The Council's most recently published position in relation to the deliverable 5 year housing land supply situation is set out in the '5 Year Housing Land Supply Monitoring Report', December 2020. The monitoring report sets out the position as at 1st April 2020, with respect to the period 2020/21 to 2024/25. The monitoring report provides evidence of a 5.4 year deliverable supply of housing land.

Until an update is produced with a base date of 1st April 2021, the monitoring report remains the Council's stated position.

Therefore, when considering housing land supply, the presumption in favour of sustainable development as set out in paragraph 11 is not applied to the tilted balance in this case, as Sheffield demonstrates a deliverable 5+ year land supply at this time.

Efficient Use of Land

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. This is reflected in paragraph 123 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

Paragraph 122 of the NPPF promotes making efficient use of land taking account of a number of factors including identified housing needs; market conditions and viability; the availability of infrastructure; the desirability of maintaining the prevailing character of the area, or of promoting regeneration; and the importance of securing well designed places.

Policy CS31 'Housing in the South West Area' of the Core Strategy limits housing development at appropriate densities to infill and windfall sites in the urban area and developments in highly accessible locations. This reflects the approach of the NPPF whereby substantial weight to the value of using suitable brownfield land within settlements for homes is applied, however, additional land may be needed to meet future housing needs, and therefore moderate weight should be applied in determination of the application.

For a site such as this, CS26 part (b) is relevant and states that a range of 50-80 dwellings per hectares is appropriate where a development is within or near to a District Centre.

The application site is approximately 0.11 hectares, and the 8 proposed units would give a density of approximately 72 dwellings per hectare. This figure sits within the suggested density range. Furthermore, at present the property is split into 12 flats/studios which would give a density of approximately 110 dwellings per hectare, making this proposal have a lower density.

In this instance, the prevailing character of the immediate area is large buildings set

within reasonably large gardens, especially fronting Brocco Bank. Whilst the proposal has a larger footprint than the existing building on the site, this is not far removed from the street pattern in the area, containing large villas.

As such the proposal complies Policies CS26 and CS31 of the Core Strategy and paragraph 122 of the NPPF in relation to densities and efficient use of land.

Design

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is backed up through UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

Chapter 12 of the NPPF requires good design, whereby paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively towards making places better for people. Paragraph 130 requires that planning permission should not be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Paragraph 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, so long as they fit in with the overall form and layout of their surroundings.

The site falls within an Area of Special Character as defined in the UDP. Policy BE18 of the UDP 'Development in Areas of Special Character' expects the retention of buildings, walls, trees and other contributing factors to the character of the area, and also expects new development to respect the appearance and character of the area. The reason for this policy set out in the supporting text was to safeguard those Areas of Special Character until their declaration as a Conservation Area can be considered.

The NPPF does not define Areas of Special Character, and therefore this policy has little weight. Paragraph 197 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'

The UDP dates back to 1998 which is now 23 years ago, and in this time the area has not become a Conservation Area, unlike other areas such as Nether Edge, Moor Oakes Road (added to Broomhill), John Street and Birkendale. The original building is quite typical of the character of the Area of Special Character, but it is not of exceptional quality, and the replacement building respects the character and form of the Area.

The closest designated heritage assets are the Broomhill Conservation Area at the top of Brocco Bank, which is 220 metres away and not seen in the same context. The Botanical Gardens which is an Historic Park and Garden is to the north of the

site, but again is not seen in the same context.

The Church and Alms Houses lower down Brocco Bank are Listed Buildings, with the Church approximately 75 metres away, and the Alms Houses further away. These two sites are partially screened from one another by tree cover and are separated by the 1960's flats.

Therefore it is not considered that the proposal impacts on the significance through the setting of any Listed Building or Conservation Area within the wider area, and no assessment is required to be made against these designated heritage assets.

The neighbouring properties are the building to the north containing the 5 units including 13 Brocco Bank, which is to the left (when looking from Brocco Bank), and No. 19 Brocco Bank to the right. The massing of No. 13 is three storeys above ground level, with a partially exposed basement area. No. 19 has a full 4 storeys above ground level with garaging and three levels of accommodation above. The overall height of these properties follows the natural topography of the area, rising as you go up Brocco Bank away from Hunters Bar.

Following negotiations with the agent, amended plans have been submitted. These show a reduction in the internal heights of the 1st and 2nd floors from 2.7 metres to 2.4 metres to allow for a better hierarchy of floor levels. The large central gable has been removed along with the asymmetry in the gables on either side. The front metal clad bays are now centralised stone bays which are successfully grounded.

The fenestration proportions and design now takes a more traditional approach, within a building which has a ridge height mirroring that of the existing building, and eaves that are the same at the rear, and slightly higher at the front (approximately 0.3 metres higher). The side elevations towards the rear half of the building have been pulled in slightly to help it appear more subservient to the front section, and the ridge and eaves are dropped.

To the rear the eaves and ridge heights have been reduced, and the balcony to the second floor with timber screens removed. The timber cladding has been removed and replaced with coursed stone.

The proposal's front and side elevations sit on a similar position to the existing building. There is a projection to the rear which is between 2.35m and 3.15m beyond the existing stepped rear elevation at present. This is not readily visible in the street scene and will not be prominent from the highway. Furthermore, by replacing the building with new, the existing mismatch of previous extensions including dormers and external metal staircases has been removed which is viewed favourably.

There remains a flat roof in the centre to allow for Solar PV, and owing to the pitch of the roof at the front and rear this area will not be visible from the street.

The applicant's agent has had a stonemason look at the existing masonry on site, and is now confident that the stone on the existing building will be able to be deconstructed, stockpiled, sorted and re-used for the stone for the main building for the front elevation, the side gables up to the recess and for the Brocco Bank retaining wall. Where the stonework is eroded it will be reused for landscaping

features. A condition can ensure that this approach is undertaken, and should there be a legitimate reason for bringing in new stone, samples can be controlled through relevant conditions to ensure it is a local sandstone of high quality to complement the existing stonework in the area.

The stone boundary wall is a strong feature running along Brocco Bank. It is proposed to remove a section to allow for vehicular access, with the stone wall returning into the site and around the garage opening. There are a number of vehicular openings within the wall as you travel along Brocco Bank, most notably adjacent at No. 19, then at No. 23 and No. 25. The removal of a section of wall to allow for access is not considered to significantly impact on the character of the wall.

Overall, it is acknowledged that the building dates back to the 1890's and is representative of the local character. However, it does not have the protection of being a designated heritage asset. It is not a listed building and is not within a conservation area. The replacement building is of a similar scale and form, albeit with more contemporary detailing, and will complement the overall character of the surrounding area. In addition, the proposed replacement building is not considered to affect the setting or impact on the significant on any conservation or listed building in the wider area.

To conclude, the application being assessed in this instance is for the demolition/deconstruction of the existing building on the site, and replacement with new. Through amended plans, the new building is now considered to respect and complement the immediate and wider street scene, featuring high quality materials, within a well-designed building. The proposal therefore complies with H14, BE5, CS74 and paragraphs 124 and 131 of the NPPF.

Sustainability

Policy CS63 'Responses to Climate Change' of the Core Strategy sets out the overarching approach to reducing the city's impact on climate change. These actions include:

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

These aims align with those of paragraphs 148, 150 and 153 b) of the NPPF and this policy can therefore be given substantial weight.

The site is in a sustainable location in respect of access to local amenities and public transport. It is within a easy walking distance (approx 230 metres walking along Brocco Bank) of the amenities available within Ecclesall Road District Shopping Centre.

In addition, the scheme will incorporate sustainable drainage systems, including a greenroof above the basement garage, which will result in a reduced surface water

run-off rate from the site (see Drainage Section below) thereby assisting with reducing flood risk.

Policy CS64 'Climate Change, Resources and Sustainable Design of Development' sets out a suite of requirements in order for all new development to be designed to reduce emissions. In the past residential developments had to achieve Code for Sustainable Homes Level Three to comply with Policy CS64. This has however been superseded by the introduction of the Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

Policy CS65 'Renewable Energy and Carbon Reduction' of the Core Strategy sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach where this is deemed to be feasible and viable.

This policy is compliant with the aims of paragraphs 148, 150 and 153 of the NPPF and can therefore be given substantial weight.

The scheme being assessed in this application is for the demolition of the existing building and replacement with a new building. There is no local policy which requires the re-use of a building on sustainability grounds over the erection of a new building, just that any new-build or conversion containing 5 or more units should meet the 10% requirement or a fabric first approach. However, the applicant's agent has advised that in this case renovating the existing building so that it has high levels of energy efficiency will likely result in the removal of the roof structure, dormers, windows, plaster, floor joints where rotten, internal subdivisions, mismatched joinery, 12 sets of kitchens, bathrooms etc which all have embodied carbon. This would likely leave the stone walls, the basement structure and some timber joists.

The agent has put forward a number of key sustainability factors.

- All of the external stone on the existing building is to be re-used. A stone mason has confirmed that there is enough stone for the front elevation, and the two side elevations up to the set back. Any substandard stone is to be used for landscaping works.
- Triple glazing, heat recovery and high airtightness
- Solar PV's are to be incorporated on the roof space, which will provide for heating and electric charging points and communal space.
- Air source heat pump for hot water.
- SUDS and green roof over garaging
- Rainwater harvesting 2000 litre tank
- SUDS, holding crates which lead to an outfall to the storm chamber which is likely to be adjacent to the car park. Full specification can be controlled by a relevant condition on any approval.
- Electric charging points for all cars

The agent has submitted a significant amount of information based on the

development being a net-zero carbon residential development which is welcomed, however it should be noted that the policy requirement is for just for a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach, which it appears is more than achievable in this instance.

Therefore, it is considered that the proposal meets the local sustainability policy requirements, CS63, CS64 and CS65.

Highways

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

UDP Policy H14 'Conditions on Developments in Housing Areas' part (d) requires that permission will be granted where there would be appropriate off-street car parking for the needs of the people living there.

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

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

The site at present has a vehicular access to the rear from Botanical Road, with two pedestrian access points from Brocco Bank. This application proposes to create a new vehicular access from Brocco Bank into an underground garage. The existing stone wall is to be removed in part with the rest being retained /rebuilt. The access itself will be 5.18 metres wide in front of the garage doors which splays out towards the back edge of the footpath.

As regards to the safety of the new proposed access, it is acknowledged that Brocco Bank is a busy road which experiences queuing traffic at peak times. The scheme has been designed so that the cars are able to pull off the vehicular highway in front of the garage doors, but within the footpath with sufficient width for a car to be waiting to enter and one to exit.

It is envisaged that the garage door will be electric, operated by quick responsive key fobs to reduce any waiting time in front of the doors. This will minimise any impact on pedestrians walking along the footpath in front of the development. There is a similar scenario at No. 23 Brocco Bank whereby there will be a short waiting time to allow

access through the gates, or in this case through the garage door. The visibility when exiting the garage is good, cars may have to wait for a gap in the traffic when exiting the site, but drivers will be able to see pedestrians and allow space for them to pass along the pavement.

Sight lines can be provided in the highway (footpath) to serve the new access. There is a similar access immediately adjacent serving the flats within No. 19 Brocco Bank.

There will be no significant increase in traffic along Brocco Bank generated from the proposal for 8 units compared to the existing traffic flows, and this would not materially impact on the operation of the surrounding streets. Whilst it is appreciated that cars will have to enter and exit the site and wait in traffic at peak times, it is not considered to be a significant or severe highway safety concern, and not dissimilar to that at the adjacent site.

Pedestrian access remains at the rear of the property from Botanical Road and a separate pedestrian entrance from Brocco Bank.

With regard to parking spaces, the Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53. Outside of the city centre, a 2-3 bedroom house would have a maximum of 2 spaces, in addition 1 visitor space per 4 houses should be provided. The maximum for the scheme would therefore be 18 spaces based on 2 spaces per unit and 2 visitor spaces.

This application proposes 8 parking spaces, which provides 1 space per unit (at present there is 1 space per 3 units) The site is in a very sustainable location, with access to good transport links, and within easy walking distance of Ecclesall Road District Shopping Centre which offers a wide range of facilities and services. Therefore 1 space per unit is considered appropriate in this instance, and a condition can be added to any approval to restrict any resident's car parking passes.

Tracking/swept path analysis has been provided showing a larger 4 x 4 vehicle which is 5 metres long entering and exiting the spaces/site, with each parking space approximately 5 metres long x 2.7 metres wide (2.4 at a pinch point for the single column between each space). There is approximately 9.3 metres between the two rows of parking spaces providing ample manoeuvring (6 metres is the standard length), and a mechanical turntable is also provided. This is just to help/assist with manoeuvring and is not essential as demonstrated.

Electric charging facilities for each parking space are proposed to be installed.

Each of the 8 units have a large secure store (approximately 6.5 metres long x 2.0-2.5 metres wide) which is accessed from the garage which could accommodate a number of bikes each. In addition, an external bike rack is proposed to the rear which is likely to serve visitors to the site.

On this basis, the proposal is considered to complying with UDP, Core Strategy and NPPF policies as listed above, and would not have the level of impact that would justify refusal of permission on highway safety grounds as required by the NPPF.

Living Conditions

Policy H14 'Conditions on Development in Housing Areas' part (c) requires that new development in housing areas should not cause harm to the amenities of existing residents. This is further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice guidelines and principles for new build structures and their relationship to existing houses.

The NPPF at paragraph 127 Part (f) requires a high standard of amenity for existing and future users.

The UDP policy is therefore considered to align with the requirement of paragraph 127 so should be given significant weight.

Impact on Neighbouring Occupiers

The closest neighbouring properties are the 6 flats within No. 19 Brocco Bank to the south. The site to the north contains a building which is subdivided into 5 units:- No. 13 Brocco Bank, Flats 1 and 2 Cedar Mansions, and No's 39 and 41 Botanical Road. For ease of reference, this building and its garden is referred to as 'the building to the north'. To the east (rear) is No. 35 Botanical Road, with No. 37 Botanical Road beyond. On the opposite side of Brocco Bank is No. 43 Endcliffe Rise Road and the road junction of Brocco Bank and Endcliffe Rise Road.

The guidelines found in the adopted Supplementary Planning Guidance on Designing House Extensions are not strictly applicable in this instance owing to them relating to house extensions. However, they do suggest a number of detailed guidelines relating to overbearing and overshadowing, privacy and overlooking, and appropriate garden sizes.

Overbearing/Overshadowing

Amended plans have been received which show the overall height of the building reduced so that the main ridge now sits at the same height as the existing buildings ridge. There are two gables along each side which are slightly higher, with the eaves to the rear section mirroring that of the original building, and the eaves to the front section slightly higher (approximately 0.3 metres). There are several windows in the side elevations of the flats within No 19 Brocco Bank which appear to be secondary windows, and are positioned close to the boundary with the site. The proposed new building is no closer to the flats within No. 19 than the existing situation, and the slight increase in height of the eaves to the front section, and the increase in depth of the building to the rear is not considered to cause any significant overbearing or overshadowing.

The building to the north is positioned further back into the site towards Botanical Road and does not sit adjacent to this application building. Towards the rear of the proposed building, the eaves mirror that of the original building which included gables above. Whilst there will be some loss of light owing to the orientation of the buildings, this is not to an unacceptable level, with the windows in the south of this

existing neighbour looking through the gap between the new building and No. 35 Botanical Road over the existing access.

The building at present, the building has a number of alterations and extensions on the rear. This new application seeks to extend the footprint of the building to bring it closer to No. 35 Botanical Road, with an area of communal space remaining between the rear of the proposed new building and the side boundary wall of No. 35. There will be some loss of direct sunlight to occupiers of No. 35 in the afternoon/evening through the additional footprint proposed and its orientation to the west, but this is not to a significant level over and above the existing situation that would warrant refusal on overshadowing grounds.

Overlooking

A number of narrow windows are proposed in both of the side elevations facing towards the flats within No. 19 and towards 'the building to the north' and its gardens. These serve bathrooms/en-suites, or are secondary windows to the main bedrooms and living space to the upper floor levels. All of these windows to the upper floors can be conditioned to be obscure glazing to prevent any adverse overlooking to the sites either side.

On the rear elevation, the external terrace has been removed from the second floor, and this area is now incorporated within the bedrooms which are served by high level roof lights.

The proposed ground floor windows in the rear will be screened by the boundary treatment running along the side of No. 35 Botanical Road.

At present there are 6 windows in the original building which appear to serve habitable rooms within the existing first and second floor accommodation. These all have an open aspect over the rear garden of No. 35 Botanical Road and beyond.

This application seeks 6 windows to the first floor and 4 windows to the second floor which serve bedrooms. Two bedrooms to the second floor have high level roof lights.

8 of the bedrooms are served by splayed windows to allow for an aspect over the communal area to the rear and away from the windows in the back of No's 35 Botanical Road. One window on each of the first and second floor serving the smaller of the bedrooms will present some overlooking to No. 35 Botanical Road with no splays. However, on balance this level of overlooking is considered to be neutral when compared to the existing scenario.

Amenity for Future Occupiers

The proposed dwellings are considered to provide a good outlook from main habitable rooms, providing a quality living accommodation for future occupants with more than sufficient shared amenity space within the grounds of the building.

The two ground floor units are 2 bed roomed and in excess of 75 square metres in area, which provides a good-sized level of internal accommodation for a 2-bedroom

apartment. The South Yorkshire Residential Design Guidance suggests 66 square metres as a minimum for a 2 bed unit. Both of these units have smaller second bedrooms, which have a restrictive view through full height windows towards the retaining wall at the side. At approximately 0.8m this is not dissimilar to the outlook from a lightwell. The main bedrooms and living spaces open up to an external terrace. This does face onto a retaining wall which is approximately 1.5-1.8 metres high, but through full height windows there is an outlook up and over the communal space. Therefore it is considered that sufficient light and outlook will be provided to occupiers of these two apartments with a private terrace to the front.

The units within the ground, first and second floors are all three bedrooms and approximately 115 square metres each. The South Yorkshire Residential Design Guidance suggests 77 square metres as a minimum for a 3 bedroom unit. The main living areas take their aspect over the front garden. All of the bedrooms to these units are positioned in the rear. The majority have splayed windows to prevent direct overlooking to No. 35 immediately to the rear, however they do allow sufficient light and aspect into the rooms they serve. In addition, the two ground floor units have terraces to the rear, and the second floor units have small balconies to the front.

Shared amenity space is to be provided to the green area/lawn at the front of the building above the garage and to the rear of the building including a terrace/ pergola area.

It is considered that the proposed development would not adversely impact on the amenities of existing occupiers to an unacceptable level, or on occupiers of the proposed new dwellings. Accordingly, the proposal complies with UDP policy H14 and paragraph 127 of the NPPF.

Trees/Landscaping

UDP Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. Policy BE6 (Landscape Design) expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

CS74 'Design Principles' part (a). requires high-quality development that will respect, take advantage of and enhance natural features of the City's neighbourhoods.

These policies are considered to align with the NPPF and therefore be relevant to this assessment – on the basis that paragraph 127 c) expects new development to be sympathetic to local character, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

A number of trees have recently been removed from the site. These include a large oak tree which was very close to the existing building and leaning into it, 3 self-set sycamores which were grouped together and again close to the existing building, and an ash tree that was suffering from ash dieback.

It is intended to retain and transplant a mature holly tree which is at the front of the building, retain a sycamore located to the rear. New cockspur thorn and magnolia trees are to be proposed to the front of the site, with beech hedging and a new box hedge.

The adjacent site to the north at No. 13 Brocco Bank, contains a semi-mature yew tree, and a mature beech tree. A tree survey has been submitted which demonstrates that the canopies of these trees overhang slightly over the application site. Any works to these trees which are outside of the site boundary will be the subject of a separate application.

There is minimal excavation to this corner of the site with protective fencing proposed prior to any site clearance/development commencing. The protective fence line also defines the no-dig area, and any landscaping works to this area shall be done by hand along with any works which are within the root protection areas. Works are proposed to the pedestrian entrance by removing the existing curved steps and ramp, and creating a straight set of steps which are positioned further away from the boundary.

Details of a full landscaping scheme/maintenance programme can be controlled through relevant conditions, to ensure an appropriate replacement scheme is provided, with good quality, extra heavy standard/mature replacements.

Therefore, the proposal is considered to comply with GE15, BE6, CS74 and paragraph 127 of the NPPF.

Ecology

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

GE11 aligns with the NPPF and is therefore relevant to this assessment. To clarify, NPPF paragraph 170 a) and d) identify that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 175 a) identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 175 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

An ecology survey accompanied the planning application and concluded that a single common pipistrelle bat emerged from the centre of the building around sunset from its day roost. Overall the level of activity on the site was low, with 1 or 2 pipistrelle bats intermittently foraging on the site. A licence will be required from Natural England to allow for the relocation of the bats. Bat boxes are proposed on

the new building, by way of mitigation.

Other protected species (badgers) were identified commuting through the site, and a condition on any approval can ensure that during construction, these species are protected, for example appropriate fencing and commuter routes being retained.

Therefore, the proposal is considered to comply with GE11, and paragraph 175 of the NPPF.

Flood Risk/Drainage

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. It seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also seeks to reduce the extent and impact of flooding through a series of measures including limiting surface water runoff, through the use of Sustainable drainage systems (Suds), de-culverting watercourses where ever possible, within a general theme of guiding development to areas at the lowest risk of flooding.

Policy CS67 is considered to align with Section 14 of the NPPF. For example, paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided and development should be directed away from areas at the highest risk. Paragraph 163 states that when determining applications, LPA's should ensure that flood risk is not increased elsewhere with relevant applications being supported by a Flood Risk Assessment. Paragraph 165 expects major developments to incorporate sustainable drainage systems unless there is clear evidence to demonstrate otherwise.

The site does not fall within a high or medium risk flood zone that would affect the principle of the development, and is not likely to flood.

To mitigate for surface water run-off, it is proposed to have a green roof above part of the underground car parking area and holding crates to stem the flow of water. The outfall will then go to a storm chamber which is likely to be adjacent to the car park, before being released via a restriction valve. In addition, an underground rainwater harvesting tank with a 2000 litre capacity is proposed.

A condition on any approval can ensure the calculations are submitted demonstrating a reduction in surface water run-off and allowing for the 1 in 100-year event plus +30% for climate change.

Therefore the proposal complies with CS67 and paragraph 165 of the NPPF.

Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 3. Within this zone there is a CIL charge of

£30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

RESPONSE TO REPRESENTATIONS

Most of the matters raised in the neighbour representations have been addressed in the above assessment. The remaining issues are addressed as follows:

- Noise and disturbance are an unavoidable consequence of development. A directive can be put on any approval to ensure that works are carried out at reasonable times as legislated for by the Environmental Protection Act.
- In relation to construction arrangements, it should be noted that it is not uncommon to develop on a constrained site, close to a busy highway.
- VAT is not a material planning consideration. It has been highlighted in the submission by the agent, to emphasise that renovating the existing building to a high standard would not be a viable option to the applicant, and hence why the application has been submitted for demolition of the building and its replacement.
- Each case is taken on its own merits and this application would not set a precedent for other nearby applications.

SUMMARY AND RECOMMENDATION

The application seeks permission to demolish/deconstruct the existing building on the site, and to erect 8 units within a single building over 4 storeys of accommodation, with additional basement car parking. The pursuit of sustainable development is the overriding aim of national planning policy, and this site is within the main urban area, with the proposal being at an appropriate density. The proposal features a wide range of sustainable features, including green roof, SUD's, Solar PV, air source heat pumps, high levels of thermal insulation to the building, and electric car charging points.

The design of the proposal has been amended to show a building of appropriate scale and massing, featuring high quality materials within a well fenestrated building featuring appropriate hierarchy, traditional bays and finer detailing.

A new vehicular access is proposed to the site from Brocco Bank to an underground car park. Parking ratios are not to maximum levels, but they do propose 1 space per unit which is considered acceptable in this location close to the District Shopping Centre and its wider range of facilities and services. In addition, large stores are proposed for each unit providing ample secure cycle parking.

The proposal will not impact on the amenity and living conditions of existing adjoining in terms of overlooking or overbearing with a good level of amenity afforded to future residents.

It is concluded that the proposals accord with the provisions of the Development

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

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

Case Number	21/01059/RG3 (Formerly PP-09585509)
Application Type	Application Submitted by the Council
Proposal	Erection of 41 dwellinghouses and 3x apartment blocks (2x four-storey and 1x three-storey) comprising 36 apartments (77 total residential units) with associated highway infrastructure, parking and landscaping works
Location	Land Between Birley Moor Avenue And Birley Lane Newstead Road Sheffield S12 3BH
Date Received	05/03/2021
Team	City Centre and East
Applicant/Agent	Peak Architects - Mr Paul Holden
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Drawing nos.

- NGH-PA-375-PL-011 (Existing Site Plan) published 10.03.2021
- NGH-PA-375-PL-012 Rev A (Proposed Site Plan - Masterplan) published 10.03.2021
- NGH-PA-375-PL-013 Rev A (Proposed Site Plan - Key Plan) published

10.03.2021

- NGH-PA-375-PL-014 Rev B (Proposed Site Plan - Plot Curtilage) published 09.06.2021

- NGH-PA-375-PL-015 Rev A (Proposed Site Plan - Roads and Footpaths) published 10.03.2021

- NGH-PA-375-PL-016 Rev A (Proposed site Plan - Parking Layouts) published 10.03.2021

- NGH-PA-375-PL-017 Rev B (Typical Stores, Enclosures and Shelters) published 23.06.2021

- NGH-PA-375-PL-018 (Proposed Site Plan - Newstead Masterplan) published 10.03.2021

- NGH-PA-PL-026 Rev B (Detailed Site Plan - Area A-C-E) published 23.06.2021

- NGH-PA-PL-027 Rev B (Detailed Site Plan - Area B-D-F) published 10.06.2021

- NGH-PA-375-PL-028 Rev B (Detailed Site Plan - Area G) published 10.06.2021

- NGH-PA-375-PL-030 (Site Sections and Streetscapes - Sheet 01) published 10.03.2021

- NGH-PA-375-PL-031 Rev A (Site Sections and Streetscapes - Sheet 02) published 10.06.2021

- NGH-PA-PL-032 (Site Sections and Streetscapes - Sheet 03) published 10.03.2021

- NGH-PA-PL-033 (Site Sections and Streetscapes - Sheet 04) published 10.03.2021

- NGH-PA-PL-034 (Site Sections and Streetscapes - Sheet 05) published 10.03.2021

- NGH-PA-375-PL-100 (Proposed House Type - B1) published 10.03.2021

- NGH-PA-375-PL-105 Rev A (Proposed House Type - B1a) published 10.06.2021

- NGH-PA-375-PL-110 (Proposed House Type - PA03b) published 10.03.2021

- NGH-PA-375-PL-120 (Proposed House Type - PA05) published 10.03.2021

- NGH-PA-375-PL-130 (Proposed House Type - PA05b) published 10.03.2021

- NGH-PA-375-PL-140 (Proposed House Type - PA06) published 10.03.2021

- NGH-PA-375-PL-150 (Proposed House Type - PA07) published 10.03.2021

- NGH-PA-375-PL-160 (Proposed House Type - K1) published 10.03.2021

- NGN-UED-00-XX-DR-L-0001 Rev D (Tree Protective Measures) published 10.03.2021

- NGN-UED-00-XX-DR-L-0002 (Landscape Masterplan) published 10.03.2021

- 420838-MMD-00-XX-DR-C-0001 Rev P9 (11.7m Refuse Vehicle Swept Path Analysis Inbound) published 29.04.2021

- 420838-MMD-00-XX-DR-C-0002 Rev P6 (11.7m Refuse Vehicle Swept Path Analysis Oubound) published 29.04.2021

- NGH-PA-376-PL-171 (Apartment - Plot 28 - GA Elevations & Sections) published 10.03.2021
- NGH-PA-375-PL-170 (Apartment - 28 - GA Plans) published 10.03.2021
- NGH-PA-375-PL-181 (Apartment - Plot 44 - GA Elevations & Sections) published 10.03.2021
- NGH-PA-375-PL-180 (Apartment - Plot 44 - GA Plans) published 10.03.2021
- NGH-PA-375-PL-191 (Apartment - Plot 45 - GA Elevations & Sections) published 10.03.2021
- NGH-PA-375-PL-190 (Apartment - Plot 45- GA Plans) published 10.03.2021

- NGH-PA-375-PL-210 (Material Precedents - Sheet 01) published 10.03.2021
- NGH-PA-375-PL-211 (Material Precedents - Sheet 02) published 10.03.2021
- NGN-UED-00-XX-DR-L-0018 (Boundary and Furniture Plan) published 10.03.2021

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development shall commence until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority. Such details shall include:
 - the means of ingress and egress for vehicles engaged in the construction of the development, including deliveries;
 - effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway;
 - parking of associated site vehicles and for the storage of materials;
 - location and details of site compound/accommodation; and
 - an area allocated for delivery/service vehicles to load and unload.

Thereafter, the construction management plan shall be implemented in accordance with the approved details 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.

4. No development shall commence until details of measures to facilitate the provision of gigabit-capable full fibre broadband within the development, including a timescale for implementation, have been submitted to and approved in writing by the Local Planning Authority. The development shall be

carried out in accordance with the approved details/timetable thereafter.

Reason: To ensure that all new Major developments provide connectivity to the fastest technically available Broadband network in line with Paragraph 112 of the National Planning Policy Framework.

5. 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.

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

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

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

approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

8. 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.

9. No development shall commence until the measures to protect the existing trees to be retained, have been implemented in accordance with the approved plan and thereafter such measures shall be retained until the completion of the development. 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.

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

10. Prior to the use of the apartments, full details of proposed building signage

shall have been submitted to and approved in writing by the Local Planning Authority and such signage shall be displayed in accordance with the approved details and thereafter retained.

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

11. The proposed green/biodiverse roof (vegetated roof surface) shall be installed on the roof(s) in the locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/biodiverse roof(s) shall be installed prior to the use of the building commencing and thereafter retained. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

12. Samples of all proposed external materials and finishes including fixing methods (where relevant) 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.

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

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

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

- (a) entrances
- (b) windows, including reveals and relationship with building facade
- (c) glazing
- (d) all external vents and servicing outlets
- (e) railings/screening to apartment balconies

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

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

15. Notwithstanding the approved plans, prior to that part of the development commencing, full details including layout and materials of all Home Zones shall have been submitted to and approved in writing by the Local Planning Authority and such Home Zones shall be constructed in accordance with the approved plans and thereafter retained.

Reason: In the interests of highway safety.

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

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

17. The layouts of the proposed car parking accommodation serving the apartment blocks are not approved. Prior to that part of the development commencing, details of an alternative car parking layout for each apartment block, which shall include the provision of one disabled parking space in each car park shall have been submitted to and approved in writing by the Local Planning Authority and the revised car parking accommodation shall be provided in accordance with the approved details and thereafter retained.

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.

18. The apartments shall not be occupied unless cycle and bin stores have been provided, but before such cycle and bin stores are provided, full details thereof shall have first been submitted to and approved by the Local Planning Authority and thereafter such stores shall be retained.

Reason: In the interests of amenities of future occupants.

19. Details of all 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 dwellinghouses and apartments shall not be used unless such means of site boundary treatment

has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.s

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

20. Before above grounds works are carried out, all biodiversity enhancement measures recommended in the Preliminary Ecological Appraisal prepared by Wildscapes, ref: PO0930, dated 15th September 2020 (published 10.03.2021) shall be set out in a Biodiversity Enhancement Management Plan (BEMP) and submitted to and approved in writing by the Local Planning Authority and implemented and maintained in accordance with the BEMP.

Reason: In the interests of biodiversity.

21. Prior to that part of the development commencing, full details of an alternative 'no-dig' construction method to be used to where construction will be within the root protection zone of any retained tree or proposed tree shall have been submitted to and approved in writing by the Local Planning Authority and thereafter the alternative construction method shall be implemented in accordance with the approved details.

Reason: In order to protect the tree roots of retained and proposed trees.

22. 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.

23. Prior to above ground works, full details of any proposed highway retention structures shall have been submitted to and approved in writing by the Local Planning Authority and thereafter such highway retention structures shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety.

24. Prior to that part of the development commencing, full details of the proposed access track to the attenuation pond shall have been submitted to and approved in writing by the Local Planning Authority and such access track shall be provided in accordance with the approved details and thereafter retained.

Reason: In the interests of highway safety.

25. Before that part of the development is commenced, full details of the surfacing and marking out (where relevant) of all car parking areas serving the dwellinghouses and apartments shall have been submitted to and approved in writing by the Local Planning Authority and such surfaced car parking accommodation shall be provided in accordance with the approved details and thereafter retained for that purpose.

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

26. Prior to the first occupation of the apartments, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, cycle parking accommodation shall be provided, where indicated on the approved plans, but before such cycle parking is provided, full details shall first have been submitted to and approved in writing by the Local Planning Authority and the apartments shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

27. The dwellinghouses 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.

28. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.

5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

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

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

29. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of approved noise survey (Preliminary Feasibility Study, ref: ADT 3028, dated 01.06.2020, prepared by ADT).
 - b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
 - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.
- Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

Other Compliance Conditions

30. 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.

31. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 10 litres per second.

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

32. The proposed development shall be carried out in accordance with the details within the submitted report, "Drainage Strategy (Ref no. 12116-WMS- ZZ-XX-C-39210-S8-P1), dated March 2021", unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage.

33. The proposed brick boundary walls, cycle and bin store facades shall match the brick and mortar of the proposed dwellinghouses and apartments.

Reason: in the interests of visual amenity.

34. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .

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

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. 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.

3. As the proposed development will involve the closing/diversion of a public

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

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

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

4. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
5. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

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

6. Green/biodiverse roof specifications must include substrate growing medium type and depths (minimum 80mm) and plant schedules. It should be designed to detain at least 60% of the annual average rainfall. A minimum of 2 maintenance visits per year will be required to remove unwanted species (as is the case with normal roofs). Assistance in green roof specification can be gained from The Green Roof Organisation (www.grouk.org) or contact Officers in Environmental Planning email: EnvironmentalPlanning@sheffield.gov.uk. Alternatively see the Local Planning Authorities Green Roof Planning Guidance on the Council web site.

7. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

As part of the Ecological Plan, which shall include the habitat enhancements as proposed within the approved landscape plan, the following biodiversity enhancements are also recommended:

Bats - 8 bat tubes installed throughout the development.

Birds - Various bird boxes should be installed throughout the development in the form of 4 Schwegler house sparrow 'terrace' and 4 Schwegler IB 26mm bird boxes.

Invertebrates - Retain all felled wood on site to create dead-wood 'habitat piles'.

Fungi-rich waxcap grassland - Explore options to translocate some of the turfs and soils from these areas to other parts of the site.

Mammals - Any deep excavations of exposed pipework include measures to allow animals to escape should they become trapped:

- Trenches should either be covered over or have a plant or scaffold board left in place at the end of the working day.
- Any exposed pipework over 150mm should be blocked off.

8. The applicant is advised that in order to discharge the above condition relating to gigabit-capable full fibre broadband the following should be provided:

- A contract or invoice for the installation of the physical infrastructure and the connection to gigabit-capable full fibre broadband.
- Confirmation of the speed that will be achieved by the gigabit-capable full fibre broadband infrastructure, from the network operator.
- Relevant plans showing the location/detail of the measures.

For more guidance with respect to addressing this requirement please see the Guidance Note on

<https://www.sheffield.gov.uk/content/dam/sheffield/docs/documents-not-in-site-structure/new-build-developer-guidance.pdf> and/or contact hello@superfastsouthyorkshire.co.uk

9. Please note that If new sewers are proposed to be included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), it will be necessary to contact the Developer Services Team (telephone 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with

the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition as supplemented by Yorkshire Water's requirements.

On the Statutory Sewer Map, there are 150 mm, 250 mm and 600 mm diameter combined sewers recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. It may not be acceptable to raise or lower ground levels over the sewer and we will not accept any inspection chambers on the sewer to be built over. In this instance, it would appear that the public sewer is unlikely to be affected by building-over proposals.

10. 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.
11. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
 - Reference to permitted standard hours of working;
 - 0730 to 1800 Monday to Friday
 - 0800 to 1300 Saturday
 - No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - Details of site access & egress for construction traffic and deliveries.
 - A consideration of potential lighting impacts for any overnight security lighting. Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.
12. 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.

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

The notice should be sent to:-

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

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

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

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

14. 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

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

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

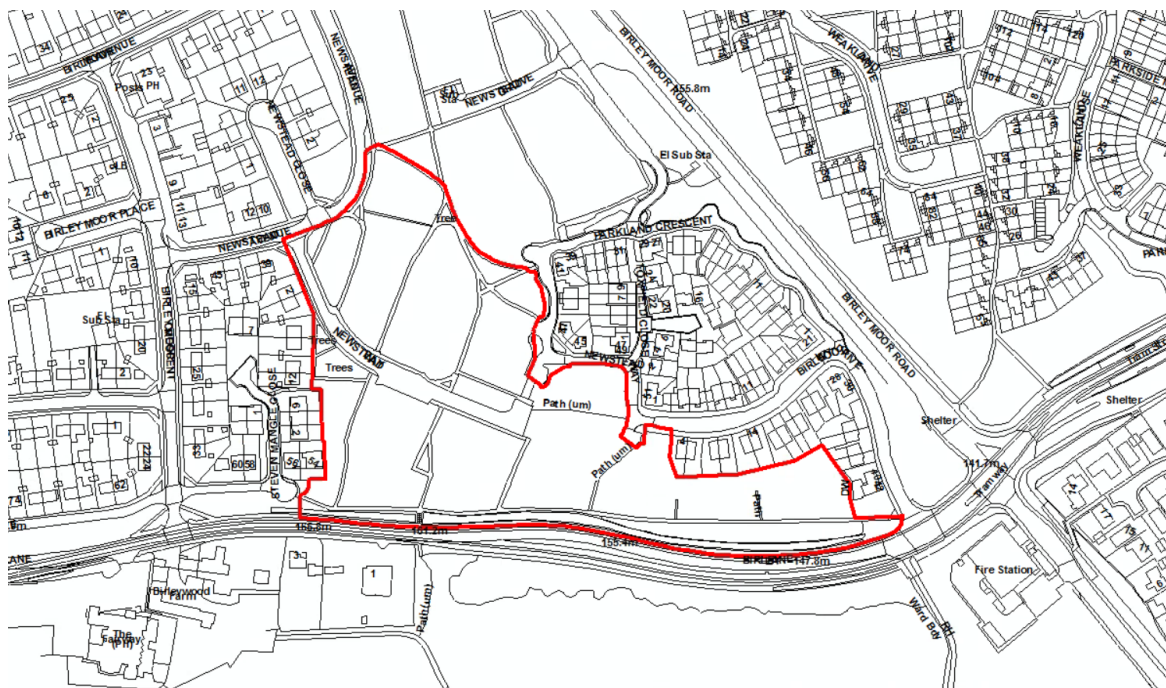
If you require any further information please contact:

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

Tel: (0114) 273 4383

Email: stephen.turner@sheffield.gov.uk

Site Location



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LOCATION AND PROPOSAL

The application site relates to a large parcel of land, measuring 3.1 hectares in size, which occupies a prominent, elevated position to the north of Birley Lane, bounded by Newstead Way, Parkland Crescent and Birley Wood Drive to the east; Newstead Avenue to the north; and Newstead Way and Birley Moor Crescent to the west. The site is set within a residential environment, with residential properties located to the east, west and south of the site. Birley Lane to the south is a main highway and has the Supertram running along it.

The majority of the site lies within a designated housing area, whilst to the north-east is an area designated as open space. The main vehicular route into the City, Birley Moor Road, lies to the east and on the opposite side of Birley Lane to the south is Birley Wood Golf Course, which is Green Belt and lies within the Moss Valley Conservation Area.

The site is predominantly open grassland, with a series of pedestrian routes and a redundant carriageway. A row of established trees marks the southern boundary and to the northern edge is a group of mature trees, with several trees scattered elsewhere within the site.

The site has a challenging topography, falling away considerably from the north to the south and south-east towards Birley Lane and offers long range views with vistas out to the south over the golf course and open countryside to the east.

This application relates to a decision by Cabinet in April 2002 to formally approve the

clearance of all 809 houses on the estates of Scowerdons, Weaklands and Newstead (SWaN), located in the south-east of Sheffield. This was following extensive consultation with residents.

Outline consent (with all matters reserved for later approval) was granted in September 2003 for the demolition of 139 1960's prefabricated Vic Hallam system build homes within the Newstead estate. The former Radburn estate layout contributed to a number of social problems due to a lack of public/private space separation, an extensive pedestrian network and segregated parking.

Phase 1 and Phase 2 of Newstead, comprising of 76 dwellinghouses, which have been built out and are now occupied, bound the site to the east and south-east.

This application relates to Phase 3 of the wider Newstead masterplan to develop land between Birley Lane and Birley Moor Avenue to deliver multi-generational housing accommodation, replenishing much needed housing stock, in the form of general needs housing and old people's independent living accommodation.

Planning permission is sought to develop the site, providing 77 (general needs) residential properties comprising 41 two-storey dwellinghouses and 36 apartments in 2 x four-storey blocks and 1 x three-storey block with ancillary car parking accommodation provided. In facilitating the new residential properties, associated highway infrastructure will be required together with public realm and enhanced landscaping works.

RELEVANT SITE HISTORY

21/02466/FUL – An application was submitted in May 2021 seeking approval to carry out enabling works for the Newstead General Housing proposal (the subject of this application) and a future application for Old Peoples Independent Living Scheme (OPIL) including earthworks, utilities, drainage, landscape, tree removal, site compound, hoarding and associated works. This application is pending consideration.

20/03013/PREAPP – Pre-application advice was sought for the erection of 233 residential units, comprising 87 dwellings and 146 older person independent living accommodation units.

12/01293/FUL – Phase 2 of Newstead, consisting of 20 dwellinghouses was granted planning permission in August 2012.

07/00807/FUL – Phase 1 of Newstead, consisting of 56 dwellinghouses was granted planning permission in October 2007.

03/02815/RG3 – Outline consent was granted in September 2003 for the demolition of 139 dwellinghouses and the erection of a new residential development at Birley Moor Avenue, Newstead Avenue, Newstead Grove, Newstead Place and Newstead Road.

SUMMARY OF REPRESENTATIONS

In addition to direct neighbour notification, the application has been advertised in the local press (1st April 2021) and 8 site notices have been displayed (1st April 2021). Following neighbour consultation, 11 letters of objection from 10 households have been received in respect of the proposed scheme, comments of which are summarised below:

- Loss of privacy for surrounding homes owing to height of buildings; no objection to bungalows;
- Not in keeping with the surrounding area and the existing buildings;
- Will remove the green space created as a result of the demolition of houses, which now provides a place for children to play, people to walk and dog walkers; there are no parks in this area;
- Noise, disruption and site traffic during construction phase will affect people living in the area;
- Will affect the parking for surrounding residents;
- May affect gas/electric supplies for surrounding residents during construction;
- Noise resulting from the development owing to the amount of people living in a small area;
- Other neighbours object but are elderly and unable to comment;
- Will result in a congested, cramped and busy estate;
- Increased air and noise pollution;
- Did not appear on any searches, would not have moved here if this was known;
- Layout and number and type of properties does not fit in with the existing area;
- Significant increase in traffic and unlikely to be sufficient parking for people in an area already where demand is high; navigating existing roads is difficult as roads are not wide enough for 2 cars to pass safely;
- Query why a previous proposal 10 years ago for a similar family housing scheme in the area and a playground was not carried out;
- Will lead to further crime, drugs, fly tipping and anti-social behaviour;
- How will this affect public services such as transport, school places, NHS services and parking?
- 3 and 4-storey flats on the edge of the site will change the outlook for everyone in the surrounding properties;
- No flats in the area and the proposed flats will not fit in;
- Loss of view over Moss Valley and Birley Golf Course;
- Result in an eyesore;
- Would spoil the aspect of the Conservation Area and green belt area;
- Opening of Newstead Drive to gain access into the new estate will significantly increase traffic on a road not suited to, not wide enough and heavily parked especially on weekends;
- The site is big enough to have a rethink prior to the new builds to make a Flagship development for Sheffield City Council and to not be remembered for all the wrong reasons;
- Lack of consultation;

- Create direct overlooking and loss of privacy to house and rear garden of no. 1 Birley Lane as a result of apartment blocks 28 and 44, which are 4 storeys high and have habitable room windows and balconies; any screening would need to be at least 8 metres high to obscure the views into the garden area;
- There has been overlooking of this area previously and the site could be developed without causing this loss of privacy;
- Surrounding area is characterised by two-storey dwellings with pitched roofs; reference is made to an earlier planning permission (07/03866/FUL) regarding the character of the area;
- 4-storey apartment blocks with level difference to the adjacent highway will appear over dominant and out of character in the street scene and therefore contrary to UDP policy H14;
- An alternative proposal should be put forward with bungalows to the south, then 2-storey dwellings with apartments beyond;
- Not aware of any pre-application consultation with the local community in line with the Council's statement of community involvement. The local community should have been consulted on this development prior to submission of a planning application so that the community can help shape this major regeneration scheme.
- Require section 02 to extend to adjacent highway to provide a clearer view of the development and its relationship with the street together with photo montages;
- Plots 8 and 9 appear crammed in and sit forward of the single storey buildings on Stephen Mangle Close; appear awkward and poorly sited;
- No assessment of impact on Conservation Area and Green Belt;
- Should include modelling drawings or photomontages taken from a human scale rather than a bird's eye view;
- Proposed development will be a significant visual barrier to wider views of Conservation Area;
- Apartments will appear out of character with area and will detract from setting of Conservatory Area, therefore contrary to NPPF and UDP Policy BE16;
- Negative impact on openness of Green Belt; alternative suggestion put forward;
- Appears cramped and when assessed against space standards in the South Yorkshire Residential Design Guide (SYRDG), appears to be deficient in a number of areas;
- 100% affordable housing, but no excuse for substandard spacing distances;
- SPG guidelines 4, 5 and 6 referred to and commentary regarding the advice;
- SYRDG and SPG referred to; back to back distances for various plots do not meet the requirements;
- Unacceptable layout and not provide good standard of amenity for existing and future users;
- No heritage statement provided;
- Design fails to take account of views into and out of adjacent Conservation Area.

Councillor's Fox, McGowan and Lodge have objected to the proposal. They

consider that the topography of the site does not lend itself to the suggested 3 and 4 storey flats, which are proposed on the highest point of the site. They consider that they could block light and potential views for both the existing and proposed houses, and the flats could hide the lights from the road creating a danger for pedestrian using the paths.

PLANNING ASSESSMENT

Policy Background

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 National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure that new development is sustainable and the local policies cited in this report are all considered to be in accordance with the relevant paragraphs of the NPPF.

The Council's development plan comprises the Core Strategy which was adopted in 2009 and provides the overall spatial strategy for the period of 2008 to 2026 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. Whilst the UDP pre-dates the NPPF, the policies should not be considered out-of-date and should be given due weight, according to their degree of consistency with the NPPF. Paragraph 213 of the Framework provides further guidance on this and states that due weight should be given to the policies, according to their degree of consistency with the Framework.

In all cases, the assessment of any development needs to be considered in light of paragraph 11 of the NPPF, which states that there is a presumption in favour of sustainable development. Where there are no relevant development plan policies or policies are not consistent with the NPPF, planning permission should be granted (the tilted balance) unless there are particular areas or assets of particular importance, which provide a clear reason for refusal (e.g. Green Belt, risk of flooding etc); or any adverse impact of granting permission would significantly and demonstrably outweigh the benefits of the development.

Paragraph 11 of the NPPF also makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites, the policies which are most important for determining the application will be considered to be out of date.

On 16 December 2020 the Government published an update to planning practice guidance 'Housing and economic needs assessment'. The update introduces a change to the standard method for calculating the local housing need figure.

Paragraph 004 provides the steps used to calculate the local housing need figure as well as the specific data inputs to be used in terms of demographic baseline and adjustment for affordability. The most recent publication now includes an additional

step 4 – the ‘cities and urban centres uplift’. This requires a 35% uplift to be applied to the local housing need figure for the 20 largest cities and urban centres, including Sheffield.

The effect of the urban centres uplift is to increase Sheffield’s local housing need figure for 2021 to 2,923 new homes per annum.

The Council’s most recently published position in relation to the deliverable 5 year housing land supply situation is set out in the ‘5 Year Housing Land Supply Monitoring Report’, December 2020. The monitoring report sets out the position as at 1 April 2020, with respect to the period 2020/21 to 2024/25. The monitoring report provides evidence of a 5.4 year deliverable supply of housing land.

Until an update is produced with a base date of 1 April 2021, the monitoring report remains the Council’s stated position.

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

Land Use Policy

The site lies within a well-established housing area and relates to land which is largely designated as housing but with a small proportion of designated Open Space in the Unitary Development Plan (UDP). UDP Policy H10 ‘Development in Housing Areas’ permits a number of uses within such areas, although the preferred use is housing, and as such, the principle of housing development in this location is therefore considered acceptable in policy terms.

Core Strategy Policy CS23 ‘Locations for New Housing’ states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/2021, the main focus will be on suitable, sustainably located, sites within or adjoining:

- (a) the main urban area of Sheffield (at least 90% of additional housing); and
- (b) the urban area of Stocksbridge/Deepcar.

In this regard, the site fully meets the policy objective as it is a suitably located site and supports urban regeneration given it is previously developed land where homes were cleared with the long-standing intention of delivering new, quality housing.

Core Strategy Policy CS24 ‘Maximising the Use of Previously Developed Land for New Housing’ states that priority will be given to development of previously developed sites with 88% of housing to be developed on brownfield site and no more than 12% of dwelling completions to be on greenfield sites. The latest monitoring figures indicate that in the period 2004 to 2020 95% of dwelling completions have been on brownfield sites.

Although now green in character and appearance, the site forms part of a cleared site that previously contained housing and so is considered to be previously developed in character. Part a of the Policy does state that in the case of a greenfield site it will only be developed in a Housing Market Renewal Area and other

housing renewal areas where it is essential for the effective regeneration of the area and adequate open space would be retained to meet local needs. In this regard, if the site was considered to be greenfield it would meet this requirement.

Core Strategy Policy CS26 'Efficient Use of Housing Land and Accessibility' requires appropriate housing densities to ensure the efficient use of land. Given that the site is within an urban area, near to Supertram stops and high-frequency bus routes the recommended density will be between 40 and 60 units per hectare. The Policy states that densities outside the recommended ranges will be allowed where they achieve good design, reflect the character of an area or protect a sensitive area.

Based on the current proposal, a density of approximately 24.5 units per hectare will be achieved. This is below the minimum requirement but is considered acceptable as the new development will provide large areas of informal open space as well as achieving a development of similar urban grain to the surrounding area and thus, will be in keeping with the character of the area. In this regard, it is therefore considered that the proposal accords with Policy CS26.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages the creation of mixed communities, through encouraging the development of housing to meet a range of needs including a mix of prices, sizes, types and tenures. Part a of CS41 seeks to provide a broad range of smaller households in the City Centre and other highly accessible locations, with no more than half of the new homes in larger developments (large developments being defined as 60 or more dwellings) consisting of a single house type.

The proposal will provide 77 units, comprising of a mix of 31.2% 3 bed dwellinghouses, 7.8% 2 bed dwellinghouses, 14.3% 4 bed dwellinghouse, 33.8% 1 bed apartments, and 13% 2 bed apartments. The development will provide a wide mix of properties, thus meeting the City's current housing need and the requirements of the policy.

Core Strategy Policy CS40 'Affordable Housing' requires that sites of more than 15 units will be required to provide a contribution towards the provision of affordable housing where it is practicable and financially viable. In this location, there is a requirement to provide 10% affordable housing. As the development will provide 100% council housing for affordable rent this will meet the requirements of the policy and is to be welcomed given the identified need for such housing.

The northern edge of the site lies within a designated Open Space area and as such, Core Strategy Policy CS47 'Safeguarding of Open Space' is relevant. The Policy serves to ensure there is satisfactory open space available to meet the needs of local people. The policy does not permit development where it would:

- a. Result in a quantitative shortage of either informal or formal open space in the local area; or
- b. Result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or
- c. People in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area; or

- d. cause or increase a break in the city's Green Network.

An Open Space Assessment has been carried out, which shows that, overall, there is a shortfall of open space within the local area, and it is for this reason, that it was recommended in an Informal Planning Advice Note (published December 2019) for the remainder of the Newstead site that 0.73 hectares of open space be incorporated into any future scheme. Flexibility can be applied as to how this is distributed across the site, but with the requirement to protect key tree groups, which for this application are located along the north-east, south and west perimeter.

This proposal will provide 1.09 hectares of informal open space being concentrated in the areas where existing groups of trees exist. This level of provision will result in a small net increase in the overall provision of open space in the locality and as such, will meet the requirements of part a. There will be no loss of designated open space and no break in the city's Green Network, thus complying with parts b and d of the policy. Following the demolition of the dwellinghouses on the site the area has become an area of green space which is regularly used by local residents. Whilst it is acknowledged that this area has developed into an informal open space for people to enjoy, it does not override the fact that the site has been identified as a housing site in successive Strategic Housing Land Availability Assessments (SHLAAs) and has been proposed as a site allocation in previous local plan drafts. Given that the site has been cleared, it has always been the intention of redeveloping new homes on this site. In this regard, it is considered that the proposal will comply with part c of the policy.

Design/Visual Amenity

UDP Policy BE5 and Core Strategy Policy CS74 set out the design principles. Policy BE5 requires development to incorporate good design, the use of good quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the City, its districts and neighbourhoods, including (a) the topography; (b) views and vistas to landmarks and skylines into and out of the City Centre; (c) the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials; and (d) the distinctive heritage of the city. Development should also contribute to place-making and be of high quality, that promotes the city's transformation, and contribute towards creating attractive, sustainable and successful neighbourhoods.

UDP Policy H15 'Design of New Housing Developments' expects new housing developments to be designed to:

- (a) provide easy access to homes and circulation around the site for people with disabilities or with prams; and

- (b) provide adequate private gardens or communal open space to ensure basic standards of daylight, privacy, security and outlook are met for all residents; and
- (c) provide uniform walls or fences around rear gardens next to roads, footpaths or other open areas; and
- (d) provide pedestrian access to adjacent countryside where it would link with existing public open space or a footpath; and
- (e) comply with Policies BE5 (Design), BE9 (Design for vehicles) and BE10 (Design of streets, pedestrians routes, cycleways and public spaces).

These policies are broadly in line with the NPPF (para. 124) which states that good design is a key aspect of sustainable development and being clear about design expectations and how these will be tested, is essential for achieving this. 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 and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. Developments should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live work and visit.

Paragraph 131 states that great weight should be given to outstanding or innovative designs which promote high level sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

In 2011 a guidance document was produced, namely the 'South Yorkshire Residential Design Guide' (SYRDG), which seeks to provide a clear and consistent approach to design in the development management process, the aim being to achieve higher quality neighbourhoods and efficiency savings for developers. The document, which covers both planning and highway elements, is not an adopted document but it does complement and support local policies and is considered to be 'Best Practice Guidance'. The proposed development has been designed with consideration given to the design principles set out in the guidance, whilst also balancing the needs of the development.

These proposals form part of the wider Newstead site, which was subject of an Informal Planning Guidance (IPAN) which was prepared by the Council's Planning Service (in December 2019). This sets out the policy framework, the issues and the opportunities. Although not an approved document, the policies and evidence within it do carry weight in the decision-making process.

The key recommendations within the IPAN:

- Rationalise the extensive footpath network of the former Radburn estate layout, into fewer but more direct links to local facilities and routes;
- Integrate and extend the tree group along the southern boundary to the west, while creating opportunities for framed views;
- Capitalise on long distance views over the surrounding countryside from the southern edge of the site;

- Ensure development sensitively responds to boundaries bordering existing properties; and
- Ensure parking is well integrated into the street scene in a convenient and accessible location which is well overlooked.

This scheme has been subject to extensive pre-application discussions and the proposals have been reviewed and revised to address issues raised through the process. The proposal now put forward is in line with those discussions and is positively received.

The site is identified as a key gateway into the city centre. Public transport connectivity to the site is good and the local neighbourhood centre is within walking distance. In principle, a well-structured, effectively connected, and distinct residential development is considered acceptable on this site.

The proposed layout and arrangement create a well-defined, legible network of streets defined by buildings that have a clear front and back. The apartment blocks are set within the landscape, with defined private and public areas. Pedestrian connectivity through the site is along a defined network, with way finding assisted by scale; emphasis of building massing and architectural treatments where appropriate. Strong routes are achieved throughout the development, with particular emphasis on the connection from north to south providing links to the main highway where public transport is available and connecting to areas of open space whilst also retaining links to neighbouring housing.

The overall layout and arrangement with dwellinghouses occupying the northern half of the site and the 3 and 4 storey blocks of flats along the southern half is considered appropriate, with the latter maximising the views to the south overlooking the countryside. The layout of the site has been heavily influenced by the topography and the location with the desire to retain existing groups of trees where possible.

The proposed scale and massing is considered acceptable. Birley Lane is a gateway route with strong public transport connectivity and the development needs to respond to this accordingly in terms of form and quality. The dwellinghouses respond positively to the scale and massing of existing housing to both the east and west, incorporating similar footprint and curtilages, whilst the apartments, owing to their specific location and context help local legibility and create a distinct development. The scale and massing of the three apartment blocks can be easily accommodated and comfortably fits within the landscape, providing visual interest and variety which helps to reinforce the identity of the development.

The main access into the estate will be from the north-west of the site, accessed off Newstead Avenue onto the former redundant Newstead Way, which branches onto a series of small streets designed as Home Zones, achieving a clear street hierarchy. The apartment blocks are accessed from the extended Newstead Way, which helps reinforce the primary route through the site.

The dwellinghouses and apartment blocks are simply articulated but sufficient to provide visual interest and avoid large expanses of blank facades. The architectural approach is again simple but effective, avoiding fussy elevations and providing

variation and interest by introducing framed brickwork surrounds to entrances, varied window treatment, soldier course detailing to heads and sills, and recessed brickwork panels to dwellinghouses.. Apartment blocks will have framed entrances, soldier course banding to parapets, feature brickwork panels to group windows with a horizontal emphasis to break up the elevations. The corners of the blocks will be further defined by the introduction of recessed balconies with simple metal railings. The design of the accommodation has also been developed with South Yorkshire Police, in line with their recommendations to achieve a safer and more secure development for future occupants.

Boundary treatments will vary to address the differing land levels, with masonry walls (some forming part of a retaining structure) and timber fencing to rear gardens. Frontages will comprise masonry walls constructed in matching brick with and without metal railings to provide enclosed robust defensible space to both the dwellinghouses and the apartment blocks. Metal railings will be introduced along parkland boundaries whilst metal knee rails will denote the edge of public boundaries. The well-defined boundaries will reinforce the public and private spaces and will positively contribute to the townscape. An indicative materials palette has been submitted, which comprises buff brickwork, dark grey simple profiled roof tiles and dark grey window frames and rainwater goods. The level of articulation and good quality materials will complement each other, creating a high-quality development which will blend in with the existing landscape and townscape. To ensure a quality outcome, large scale detailing will be secured by condition.

The site is not located within a Conservation Area or within the Green Belt but is located opposite the Moss Valley Conservation Area and Green Belt land, to the south. It is considered that the proposed development will not have a detrimental impact on the Moss Valley Conservation Area and Green Belt. These areas are visually separated from the application site by the tram and the landscape buffer, in addition to the existing level difference. The development is set behind the existing trees and will only be visible through it. The existing character will be retained and the Green Belt will not be compromised.

The proposed development has been designed such that it will largely be in line with the standards set out in the SYRDG, which is a guidance only document. The proposed development will achieve a good quality residential scheme, which will comfortably fit within its setting between the pre to post war traditional semi-detached homes of the Birley Moor estate to the north and west and the later SWaN residential scheme to the south-east. The introduction of 3 apartment blocks along the southern edge will reinforce the identity of the site, creating a landmark adjacent to a key route into the City. The scheme will deliver an appropriate degree of articulation and richness which will meet the requirements of local design policies and the National Planning Policy Framework.

Landscaping

UDP Policy GE15 'Trees and Woodland' requires the retention of mature trees, copses and hedgerows, where possible, and replacement of any trees which are lost.

Paragraph 170 of the NPPF set out that planning decisions should enhance the

natural and local environment and makes reference in part (b) to the economic and other benefits of trees and woodland.

A landscape masterplan has been submitted in support of the application. The existing landscape setting including trees and hedges have been integrated successfully. In delivering the scheme several existing trees will be removed and their loss will be compensated for through the planting of a number of new trees across the site. Additional planting will be particularly provided along the south fronting onto Birley Lane, which helps reinforce the southern boundary.

New sustainable urban drainage system features in the form of swales in the home zone areas towards the northern part of the site work with the site levels and the proposed hard and soft landscaping.

The masterplan suggests that the quality of the public realm works proposed will be satisfactory, the finer details of which will be secured by condition.

Sustainability

Core Strategy Policy CS64, which relates to climate change, resources and sustainable design of developments, requires that all new buildings to be designed to reduce emissions of greenhouse gases and function in a changing climate. Core Strategy Policy CS65, which relates to renewable energy and carbon reduction, requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The NPPF (para.153) states that in determining planning applications, Local Planning Authorities should expect new development to:

- a) Comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated to not be feasible or viable; and
- b) Take account of landform, building orientation, massing and landscaping to minimise energy consumption.
- c)

The local policies align closely with the Framework and so can be given significant weight.

An Energy Statement has been submitted which confirms that a fabric first approach will be taken, achieving high levels of insulation for all the development. The development will achieve a reduction in energy consumption of 11.7% above the current building regulation standards. Other sustainability measures will be included within the development such as permeable paving, sustainable urban drainage systems, and secure cycle parking provision which will feature green roofs.

The orientation, massing and topography has influenced the layout of the site, achieving limited north-facing elevations and maximising on the opportunity to retrofit photovoltaic panels in the future. The site has previously been developed and is sustainably located being well-positioned to integrate into the existing footpath and

highway network, offering easy access to public transport. Enhancements to open space areas will increase biodiversity and reinforce their role within the wider environment.

A condition will be imposed to secure the measures are implemented and thus, comply with the requirements of the above policies.

Residential Amenity Issues

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development provided that:

(c) the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood; and

(d)

(e) it would not suffer from unacceptable air pollution, noise or other nuisance or risk to health or safety.

This is in line with NPPF paragraph 127 f) which states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Noise and Disturbance

The site is located in a residential area with relatively low background levels. The predominant noise source is road traffic of Birley Moor Road, Birley Moor Avenue and Birley Lane. Vehicular movements are considered to be high.

A Preliminary Feasibility Study: Acoustic Consultancy Report has been submitted and reviewed by the Environmental Protection Service. The residential accommodation will be designed to adequately attenuate surrounding noise sources and provide suitable internal noise levels. Conditions will be imposed to ensure that appropriate acoustic measures will be implemented.

The construction works will take place near to existing residential properties, and as such there is a real potential for disamenity, as a result of noise, vibration, dust, light from site security. It will therefore be necessary to require the developer to provide a Construction Environmental Management Plan (CEMP), which will cover all phases of any site clearance, groundworks and above ground level construction. This will ensure that the amenity of existing residents will be maintained. An appropriate condition will be imposed.

Amenities of Future and Existing Residents

The proposal will provide a variety of accommodation, ranging from 1-2 bed apartments, and 2, 3 and 4 bed dwellinghouses. The type and size of accommodation has been identified by Sheffield City Council Housing to meet housing requirements. All the houses are Category 2 adaptable homes in line with selected Lifetime Homes standards, and 10% of homes are Category 3 wheelchair

accessible homes.

The internal layout of the accommodation is acceptable, meeting current space standards and providing sufficient natural light and outlook to the individual rooms. Each property will be served with appropriate bin storage facilities and in-curtilage parking. Each dwellinghouse will be provided with secure and satisfactory private amenity space which will be enclosed by robust 1.8 metres high boundaries comprising brick and/or timber fencing. Notwithstanding the level changes, this will ensure that minimum levels of privacy will be maintained. A minority of properties will be provided with less than 50 square metres of amenity space. Depths of rear gardens are generally required to be no less than 10 metres deep, to allow separation between properties and help to achieve 21 metres between main habitable room windows. This is to ensure privacy levels are maintained and to provide satisfactory outlook for future residents. The rear gardens will vary in depth, with many just below 10 metres, which although below the threshold, given the challenging topography and being mindful of the Government's more relaxed approach to permitted development insofar as allowing two-storey extensions 7 metres from a rear boundary, the reduced depth is not considered to be detrimental to future resident's amenity.

Separation between main habitable windows also varies, with distances achieved ranging from 17.9 metres to 22 metres. This is not ideal, but a degree of flexibility has been applied in this case owing to the site constraints. Privacy levels are not considered to be significantly compromised by this level of shortfall in the separation distances, such that a refusal of planning permission is justified.

The apartment blocks are sited along the southern edge of the site, deliberately positioned away from the rest of the dwellinghouses within the site and appropriately set within the landscape. The blocks are set back within the plots, to achieve a greater degree of separation. It is acknowledged that this will not overcome all potential overlooking and this is a negative aspect of the development. The negative aspect has been considered balanced against the needs of the development, with more weight balanced in favour of the development to deliver much needed affordable housing.

In respect of any impact on existing residential properties, it is not considered that the proposed development will have an adverse effect. The dwellinghouses are sufficiently distanced away from existing properties and/or orientated such that there will be no significant overlooking of adjacent properties. The apartment blocks proposed along the southern edge of the site will be in an elevated position with extensive views across to the south and south-east. The apartments will feature balconies and there are a number of main habitable room windows within the elevations offering views across the wider area. As such there is a real potential for overlooking. However, in the case of properties further to the south, fronting onto Birley Lane, the separation between the apartment blocks and those properties is in excess of 60 metres, with a carriageway and Supertram in between. Any form of development on the site would have the potential to overlook simply because of the topography and the fact that the properties on Birley Lane are on lower ground. It is acknowledged that the development will result in overlooking from a distance but given the degree of separation it is not considered unreasonable.

On this basis, it is considered that the proposed development will not adversely affect existing residents and appropriate accommodation will be provided for future residents of the site. As such, the proposal will accord with UDP Policy H14 and the NPPF.

Highways

UDP Policy H14 (b) states that new development will be permitted provided that it would be well laid out with all new roads serving more than five dwellings being of an adoptable standard; and (d) it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

The NPPF seeks to focus development in sustainable locations and make fullest possible use of public transport, walking and cycling.

The site is in a location which offers local services and facilities within walking distance of the site. There are high frequency bus routes and a tram route within walking distance of the site, which provides excellent links to surrounding areas.

The proposal does not raise serious highway concerns. The general layout of the site is considered acceptable with safe access and egress achieved, with the main access obtained from Newstead Avenue, and other links connecting into the existing surrounding highway network. The innovative design encompassing the principle of Home Zones will help to keep speeds low and prevent the development from becoming car dominant.

The layout provides safe access/egress to dwellinghouses and apartments with good visibility achieved throughout. All footpaths and carriageways will be to adoptable standard.

Swept paths for refuse vehicles demonstrate that adequate space will be available for access and manoeuvring within the site. Emergency vehicles will also be able to safely access the new development.

A Transport Assessment has been carried out and has been reviewed by the Highways Officer. The report demonstrates that the development will not have an adverse effect on the safety or operation of the local highway network. The site is well located, offering the opportunity to use public transport, which is a substantial benefit.

A Travel Plan has been submitted which sets out the framework to steer future occupants towards more sustainable forms of transport. The final details will be secured by condition.

The development will provide 2 in-curtilage parking spaces for each dwellinghouse and each apartment block will be served with an ancillary car park, providing parking at a level of 1-2 spaces per flat, which meets current parking standards set out in the Unitary Development Plan. Disabled parking spaces will be provided, with details secured by condition.

Secure cycle parking provision will be made available for the flats, final details to be

submitted and approved.

A number of on-street parking bays will be provided within the site, which will provide visitor parking opportunities, thus, reducing the need to park elsewhere on the public highway.

The wider development site will require a number of changes in terms of highway closures, new highways and highways to be improved. These areas have been agreed and approval was given by the Head of Strategic Transport and Infrastructure on 19th April 2021.

Subject to the imposition of conditions to secure the highways works, the proposed development is considered acceptable, with no adverse impact on the highway network. As such, the proposed development will accord with UDP Policy H14 and the NPPF.

Drainage

Core Strategy Policy CS67 requires developments to significantly reduce surface water run-off from the site.

A Drainage Strategy has been submitted and reviewed by Yorkshire Water and the Lead Local Flood Authority (LLFA).

Yorkshire Water has confirmed no objection and agrees to foul water draining to the public combined sewer and surface water discharging to the public combined sewer, at a rate of 10 litres per second.

The LLFA has confirmed that the proposals for surface water management, which includes many sustainable urban drainage system features is positive for surface water treatment and other benefits for the environment, such as permeable paving and street-side blue/green planting beds. The LLFA also concurs with Yorkshire Water's view regarding the surface water discharge rate.

Appropriate conditions will be imposed to secure full details of the proposed drainage arrangements.

Ecology

UDP Policy GE11 requires that the natural environment is protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Paragraph 170 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity. The local policy requirement to protect and enhance the nature environment strongly reflects the relevant policy in the National Framework and so can be offered substantial weight.

An Ecological Survey and a Preliminary Ecological Appraisal (PEA) have been

submitted.

This summarises that the habitats present on site consist of amenity grassland with scattered trees, tall ruderal, poor semi-improved grassland, plantation woodland and scrub. Waxcap mushrooms were identified within the grassland, which is within the built development and so would be lost. Further survey work is recommended. However, the two species identified are our two commonest species, so impacts to grassland fungi should only be considered at a site level. The Council's ecologist has put forward the possibility of translocating some of the turfs and soils from these areas to other parts of the site.

The PEA recommends that trees and scrub be retained but if removal is necessary, such works should be carried out outside the bird breeding season; bird and bat boxes should be installed to increase roosting potential on site; measures to reduce the impact of artificial lighting and reduce light spillage; consideration of mammals during the construction phase; and provision made to allow hedgehogs freedom of movement by avoiding solid garden fences and walls.

In light of the above, a biodiversity ecological management plan is required, details of which will be secured by condition.

Land Contamination

A Phase 1 Geo-Environmental Preliminary Risk Assessment, a Phase 2 Geo-Environmental Intrusive Investigation, and a Remediation Strategy has been submitted in support of the application. The Environmental Protection Service (EPS) has reviewed the documentation and confirmed that they are satisfactory.

Two conditions will be imposed to ensure the development is carried out in accordance with the recommendations set out in the Remediation Strategy and for such remediation measures to be appropriately validated.

Archaeology

An Archaeological Watching Brief Report has been submitted which has been reviewed by South Yorkshire Archaeology Service (SYAS). Following archaeological monitoring, no archaeological evidence was found and as such, no further archaeological work is required. It will therefore not be necessary to apply any planning conditions in this case.

Community Infrastructure Levy (CIL)

The scheme will be liable for a contribution under the Community Infrastructure Levy, which was introduced in July 2015. The site lies within CIL Charging Zone 3 where the CIL charge is £30 per sq metre, plus an additional indexing charge.

RESPONSE TO REPRESENTATIONS

The site is part of the SWaN regeneration project and the intention has always been to replace the previously demolished council housing with new affordable housing. The Strategic Housing Market Assessment 2019 carried out extensive public

consultation to identify the need for each Housing Market Area and this information has been used to inform the need, type and scale of the proposed Newstead site development. This recent consultation, along with the public consultation as part of the statutory planning application process, aided the decision of officers to not carry out any further public consultation before the planning application was submitted.

Loss of View – The demolition of housing on the site has resulted in the ability to have long views towards Moss Valley Conservation Area and Green Belt land to the south. Evidence exists to support the fact that the intention has always been to redevelop the site for new housing. The loss of this view is therefore not considered material to the outcome of the application.

SPG and SYRDG are guidance documents to aid Officers in the decision-making process. Whilst they set out the design principles and are a useful tool, a degree of flexibility can be applied to deal with difficult site constraints and achieve an acceptable outcome.

Search information – This is not a planning consideration. The extent of searches is a matter for the objector's solicitor. In relation to the current application, the necessary publicity was carried out to inform neighbouring properties of the application.

Type of accommodation – The development will provide a variety of accommodation which will meet the housing requirement and thus, meet the needs of future occupants.

Submitted information – Sufficient information has been provided to allow an assessment of the proposed development.

Increased parking problems – The development will provide in-curtilage and on-street parking, and therefore unlikely to result in an increased demand for on-street parking in the locality.

Noise from the residential development – The site will accommodate new residents, which is likely to generate some degree of noise, but given that the nature of the development is residential consistent with the character of the area, the noise level is unlikely to be significant and will not adversely affect existing residents.

Anti-social behaviour – The proposed development is unlikely to result in an increase in anti-social behaviour. The development will result in extra surveillance of the surrounding area due to the fact that there are residents living there.

All other matters are addressed under their appropriate heading within the body of the report.

SUMMARY AND RECOMMENDATION

The redevelopment of this site is welcomed and it will make a significant contribution to the Council's 5 year housing supply. Following extensive pre-application discussions it is considered that the proposal represents a well-considered scheme

which responds well to the site context.

Having regard to all the key issues which have been addressed in this report, it is considered that the development is in accordance with the adopted Local Plan and the National Planning Policy Framework, and any minor negative aspects of the proposals as detailed above are outweighed in the planning balance by the wider public benefits which in this case is the significant contribution of affordable housing and the redevelopment of the site with a high quality sustainable development. It is therefore recommended that the application is approved subject to the listed conditions.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 6 July 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 City Council for the refusal of planning permission for the replacement of original front door with a full height window at 80 Brincliffe Edge Road, Sheffield, S11 9BW (Case No. 20/04322/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission and listed building consent applications for the provision of an outdoor covered shelter at Chantreyland Nursery, Grange Barn, 34 Matthews Lane, Sheffield, S8 8JS (Case No's 20/03633/FUL and 20/03634/LBC) have both been dismissed.

Officer Comment:-

The Inspector considered the main issue in both appeals to be whether the proposals would preserve the listed building and its special features, and if not whether public benefits existed to outweigh the identified harm.

She noted the building was a grade 2 listed 18th Century former outbuilding to the adjoining house (Norton Grange), originally a wash house and stables, now in use as a children's nursery. She noted also the 12m x 2.5m structure proposed was intended to provide flexibility in external play and a shelter for parents/guardians.

In assessing the impact of the structure proposed she noted the building retained its simple linear form, functional appearance and subservience to the main house. She agreed with officers that the proposal would represent an imposing, assertive feature that in tandem with a more modest recent addition would create visual clutter and diminish the simple functional form of the building, and that the Victorian style of the addition would be at odds with the building's earlier simple appearance.

She did not consider that the benefits outlined by the applicant of flexibility in play, and shelter for parents, assisting with social distancing, were public benefits that outweighed the harm (as required by paras 193-196 of the NPPF).

She also agreed with officers that the harm was limited to the impact on the listed building rather than the wider Norton Conservation Area.

Owing to the above and the conflict with UDP policies BE15, BE17, and BE19 and Core Strategy Policy CS74 she dismissed both appeals.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for advertisement consent for the erection of an illuminated digital display panel at K R Auto's, 522 London Road, Sheffield, S2 4HP (Case No: 20/02423/ADV) has been dismissed.

Officer Comment:-

The main issue was the impact of the hoarding on the character and/or appearance of the street scene and the area.

The Inspector noted the commercial nature of the location and the presence of signage of many forms on surrounding buildings, including hoardings.

However he considered the immediate application site contained mainly 1 or 2 storey properties, including the adjacent building associated historically with Heeley train station, which despite its current association with the adjacent scrap yard had retained its architectural features and if restored could add positively to the street scene.

He agreed with officers that given its size, position and illumination, the hoarding would be an excessively prominent and dominant presence, detrimental to the character and appearance of the area.

Therefore given the conflict with UDP policy BE13 the appeal was dismissed.

4.0 APPEALS DECISIONS – ALLOWED

Nothing to report.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

Nothing to report.

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report.

8.0 ENFORCEMENT APPEALS ALLOWED

(i) To report that an appeal against the Enforcement Notice issued by the Council for the unauthorised erection of a large timber building at field at rear of 254 and 254A High Greave, Sheffield, S5 9GR (Planning Inspectorate Ref: APP/J4423/C/21/3270434) has been allowed subject to amendments to the Enforcement Notice.

Officer Comment:-

The appeal was lodged on the ground that the Council was out of time to take enforcement action under the 4 year time limit. The enforcement notice alleged a change of use of part of the Land, (within the green belt), under the 10 year time limit to domestic use and the erection of a timber building for domestic purposes. The steps required were to stop using the Land for domestic purposes and remove the building which was alleged to be part and parcel to the use. The timber building had been erected in 2014. The Inspector rejected this approach and stated the correct time limit had to be 4 years on the building operations.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

6 July 2021