

Planning and Highways Committee

Tuesday 27 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 Dianne Hurst (Chair), Peter Price (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, 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 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 35033 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
27 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 6th July 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**
Report of the Director of City Growth
 - 7a. Application No. 21/02186/FUL - JA Home Starlight, 335 - 337 Abbeydale Road, Sheffield, S7 1FS** (Pages 15 - 26)
 - 7b. Application No. 21/00266/FUL - Quality Hotel Sheffield, North Lane End, Sheffield, S35 3UH** (Pages 27 - 56)
 - 7c. Application No. 20/03752/OUT - Daisy Chain Middlewood Villas, 95 Langsett Road South, Sheffield, S35 0GY** (Pages 57 - 82)
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 83 - 88)
Report of the Director of City Growth
- 9. Date of Next Meeting**
The next meeting of the Committee will be held on Tuesday 17th August 2021 at 2pm.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

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

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

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Planning and Highways Committee

Meeting held 6 July 2021

PRESENT: Councillors Peter Price (Chair), Roger Davison, Peter Garbutt, Brian Holmshaw, Dianne Hurst, Zahira Naz, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams, Alan Woodcock, Tony Downing (Substitute Member) and Tim Huggan (Substitute Member)

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1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Tony Damms and Bob McCann
- 1.2 Substitutes were Councillors Tony Downing and Tim Huggan respectively.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

- 3.1 Councillor Richard Williams declared a personal interest in Agenda Item 7a, Application No's. 20/01930/FUL and 20/01932/FUL – Spout House, Spout Lane, Sheffield, S6 6EF, as a member of Friends of Loxley Valley who had made an objection. Councillor Williams declared that he was not aware of the objection and had not given an opinion or made up his mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon.
- 3.2 Councillor Roger Davison declared a personal interest in Agenda Item 7c, Application No. 20/04308/FUL – 51 Carrington Road, Sheffield, S11 7AT, as a local ward member. Councillor Davison declared that he had not given an opinion or made up his mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon.
- 3.3 Councillor Brian Holmshaw declared a personal interest in Agenda Item 7d, Application No. 21/00763/FUL – 15 Brocco Bank, Sheffield, S11 8RQ, as he had objected to the 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 19th May and 25th May 2021

were approved as a correct record.

5. SITE VISIT

- 5.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make any arrangements for a site visit, in connection with any planning applications requiring a visit by Members, prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6a. APPLICATION NO. 20/01930/FUL - SPOUT HOUSE, SPOUT LANE, SHEFFIELD, S6 6EF

- 6a.1 Application No's 20/01930/FUL and 20/01932/LBC were discussed together, however, the votes were taken separately.
- 6a.2 An additional representation, along with the officer response was included within the Supplementary Report circulated and summarised at the meeting. The Supplementary Report also contained a condition to be removed and an additional condition.
- 6a.3 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.
- 6a.4 Mark Carlile attended the meeting and spoke in support of the application.
- 6a.5 Tom Breslin attended the meeting and spoke in support of the application.
- 6a.6 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.
- 6a.7 **RESOLVED:** That an application for planning permission be GRANTED, conditionally including the removal of condition 30 and an additional condition, for the reasons set out in the report and supplementary report, now submitted, for the 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) at Spout House, Spout Lane, Sheffield, S6 6EF (Application No. 20/01930/FUL).

6b. APPLICATION NO. 20/01932/LBC - SPOUT HOUSE, SPOUT LANE,

SHEFFIELD, S6 6EF

6b.1 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.

6b.2 **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 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 at Spout House, Spout Lane, Sheffield, S6 6EF (Application No. 20/01932/LBC).

6c. APPLICATION NO. 20/04308/FUL - 51 CARRINGTON ROAD, SHEFFIELD, S11 7AT

6c.1 A further representation from Olivia Blake MP on behalf of 2 constituents, along with the officer response was included within the Supplementary Report circulated and summarised at the meeting.

6c.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.

6c.3 Alison Wright, Jonathan Watkins, Diane Carr and Councillor Barbara Masters attended the meeting and spoke against the application.

6c.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.

6c.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 change of use from dwellinghouse (Use Class C3) to a 4 bedroomed house in multiple occupation (Use Class C4) at 51 Carrington Road, Sheffield, S11 7AT (Application No. 20/04308/FUL).

6d. APPLICATION NO. 21/00763/FUL - 15 BROCCO BANK, SHEFFIELD, S11 8RQ

6d.1 A report correction was identified in the Supplementary Report circulated and summarised in the meeting. The report at page 88 identifies a representation referring to impact on no.35 Botanical Gardens. This address is incorrect, and

should read '35 Botanical Road'

- 6d.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.
- 6d.3 Carole Latham and Adam Martin attended the meeting and spoke in support of the application.
- 6d.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.
- 6d.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 demolition of existing building and erection of a four storey building to form 8 apartments and formation of new vehicle access to form a subterranean car park, landscaping to form shared gardens and mature tree/hedge planting at 15 Brocco Bank, Sheffield, S11 8RQ (Application No. 21/00763/FUL).

6e. APPLICATION NO. 21/01059/RG3 - LAND BETWEEN BIRLEY MOOR AVENUE AND BIRLEY LANE, NEWSTEAD ROAD, SHEFFIELD, S12 3BH

- 6e.1 An additional representation along with the officer response and additional and amended drawings were detailed within the Supplementary Report circulated and summarised at the meeting.
- 6e.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.
- 6e.3 A statement against the application from Nigel Hancock was read out to the Committee.
- 6e.4 Richard Cookson attended the meeting and spoke in support of the application.
- 6e.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.
- 6e.6 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now

submitted, for the erection of 41 dwellinghouses and 3 apartment blocks (2 four-storey and 1 three-storey) comprising 36 apartments (77 total residential units) with associated highway infrastructure, parking and landscaping works at land Between Birley Moor Avenue And Birley Lane, Newstead Road, Sheffield, S12 3BH (Application No. 21/01059/RG3).

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 27th July 2021 at 2pm.

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Case Number	21/02186/FUL (Formerly PP-09801364)
Application Type	Full Planning Application
Proposal	Change of use of from retail (Use Class E) to pub/drinking establishment (Use Class Sui Generis), provision of a front covered terrace area, replacement of front windows and new first-floor windows, rear bin store and extraction flue to rear elevation
Location	JA Home Starlight 335 - 337 Abbeydale Road Sheffield S7 1FS
Date Received	10/05/2021
Team	South
Applicant/Agent	Melling Ridgeway and Partners
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/Block Plan Ref 6025-404 Published Date 10 May 2021
Proposed Floor Plans Ref 6025-401 Published Date 10 May 2021
Proposed Elevations Ref 6025-402A Published Date 10 May 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)

3. Before the commercial use hereby permitted commences, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:
- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
 - b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as a 15 minute LZeq.
 - c) Be capable of restricting noise breakout and transmission from the commercial use(s) and any associated plant or equipment, to all adjoining residential accommodation to levels complying with the following:
 - (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).
- Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.
[Noise Rating Curves should be measured as a 15 minute LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

4. 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.

5. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall be in accordance with Defra document; "Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems" and shall include:
- a - Plans showing the location of the fume extract terminating.
 - b - Acoustic emissions data.
 - c - Details of any filters or other odour abatement equipment.
 - d - Details of the system's required cleaning and maintenance schedule.
 - e - Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

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

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

6. Large scale details, including materials and finishes, at a minimum of 1:20; of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:
- Canopy
 - Windows
 - Doors
 - Bin store

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

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

Other Compliance Conditions

7. No customer shall be permitted to be on the premises outside of the following hours: 09:00 and 23:30 Monday to Saturday and 09:00 and 23:00 on Sundays and Bank Holidays.

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

8. The outside seating area shall not be used from 21:00 - 09:00hrs.

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

9. The folding doors within the new front elevation shall remain closed between 2100 hours and 0900 hours daily.

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

10. No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamper-resistant manner, the design and settings of which shall have received the prior written approval of the Local Planning Authority.

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

11. Site servicing shall be carried out between 0800 hours and 1900 hours Mondays to Fridays and between 0800 hours and 1400 hours on Saturdays, with no servicing on Sundays or Bank Holidays.

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

12. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0800 to 2000 Mondays to Saturdays and between the hours of 0900 to 2000 on Sundays and Public Holidays.

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

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

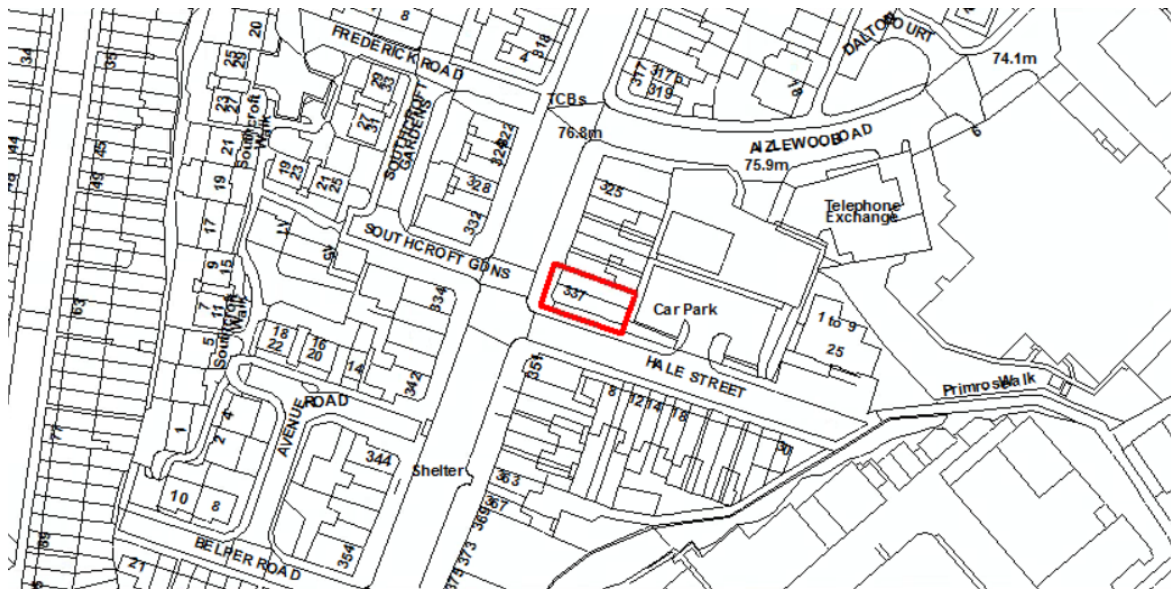
Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. The applicant is advised that the signage indicated on the submitted drawings is not approved as part of this permission and will require separate Advertisement Consent. To discuss arrangements for obtaining such consent, and to request application forms, the applicant should contact Development Control Section, Development

Services, on Sheffield (0114) 2039183 or go to www.sheffield.gov.uk/in-your-area/planning-and-city-development

Site Location



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LOCATION AND PROPOSAL

The application relates to a double fronted property at 335-337 Abbeydale Road, which is an end of terrace property in a parade of commercial buildings. The site is located at the junction with Abbeydale Road and Hale Street. Immediately to the rear of the site is a car parking area, with residential terraced properties located along both sides of Hale Street. The property at present is vacant, but was last occupied by JA Home Starlight, which sold kitchens/bathrooms/bedrooms, with showrooms to the ground and first floor, and storage above to the second floor. The site lies within the Abbeydale Local District Shopping Centre as allocated within the adopted Sheffield Unitary Development Plan (UDP).

Planning permission is sought for the change of use of from retail (Use Class E) to pub/drinking establishment (Use Class Sui Generis), including the provision of a front covered terrace area, replacement of front windows and new first-floor windows, rear bin store and extraction flue to rear elevation. The use extends to the ground and first floors of the building.

RELEVANT PLANNING HISTORY

There is no recent planning history to the site.

A pre-application enquiry was submitted to seek advice about a change of use of the premises from retail to a pub/drinking establishment. The conclusion of this was that subject to conditions, the use could be viewed favourably.

REPRESENTATIONS

Following publicity of the application, in total 35 Representations have been received.

1 representation is in support of the application:

- The proposal adds to the vibrancy of Abbeydale Road, bring up to date a disused and run down building
- It will bring jobs to the area and enhance an already established night time economy, bringing money to the area.

7 individual letters of objection were received including from Abbeydale TARA. Issues raised include:

- There is a free car park at the rear, but it is extremely difficult at times to find parking for residents, businesses and customers.
- The proposal will add to existing traffic problems in the area, including for deliveries. Customers will park outside local residents houses on the side streets which are already at capacity.
- People congregate in this area after normal office hours and there is a constant amount of litter, graffiti and damage to existing properties from anti-social behaviour. This may increase with intoxicated persons.
- The property is in good condition, so being able to re-let should not be a concern.
- Another drinking establishment on this very busy road is unwanted, with a number of other drinking places in the vicinity. This will also impact on the other pubs just overcoming the pandemic.
- A drinking establishment in a built-up area with lots of children can be intimidating to walk past with people standing outside drinking
- The proposal will create a highway obstruction, with people waiting to be seated/delivery drivers blocking the pavement.
- The proposal will create additional air pollution and noise pollution.
- The proposed extract flue will create unwanted noise and smell.

(TARA Abbeydale)

- There are too many Alcoholic Licences are being granted
- The Residential area of Dalton Court etc will be used for extra parking
- The level of Crime this area is increasing at the present time
- The litter that all the Restaurants create our Litter groups have to deal with.
- The Council are being very generous with the amount of Alcoholic establishments

27 individuals sent template letters objecting to the proposal. These object through 9 key points:

- Traffic Problems
- Parking Problems
- Delivery Problems
- Air Pollution

- Noise Pollution
- Anti-Social-Behaviour
- Effect on nearby pubs just overcoming a pandemic
- Littering Issues
- Highway Obstruction.

PLANNING ASSESSMENT

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

The main issues to be considered in this application are:

- Whether the proposed use is acceptable in land use terms,
- Design and external appearance of the proposed alterations.
- Any impact on existing occupiers of neighbouring properties
- Highways Matters

Land Use

The site lies within an allocated Local Shopping Centre, therefore Policies S7 'Development in District and Local Shopping Areas' and S10 'Conditions on Development in Shopping Areas' of the UDP, and Policy CS34 of the Core Strategy are relevant in assessing the principle of this change of use.

Policy S7 lists Shops (Use Class A1 under the old classification) as the preferred use within the District Shopping Centre. This application seeks a change of use from a vacant building which had a previous use a shop (Class A1 under the old classification) to a bar/restaurant which is now a Sui Generis use under the new classification.

Policy S10 states that such a use will be permitted if it does not lead to a concentration of uses which would prejudice the dominance of the preferred use (retail A1) and would not cause occupiers of nearby residential property to suffer unacceptable living conditions.

Core Strategy Policy CS34 'District Centre's states: District Centre's will be encouraged in fulfilling their role of providing for everyday needs with a range of retail, leisure and community facilities, appropriate in scale and function to the role of the Centre. They may also include concentrations of specific shops or services in response to the market in their particular area.

As the existing premises has most recently been in retail use, it must be ensured that the dominance of retail uses in the Local Shopping Centre is not prejudiced. For information, 62% of the centre's units were in A1 use in 2019 before the change in the Use Class Order. Although some time ago, it is not considered that there have been enough changes in the Centre over this intervening period which would reduce

the percentage below 50%.

Furthermore, since the introduction of Class E 'Commercial, Business and Service' under the new Use Class order, less weight should be placed on S10, and instead focus should be on the principle in the NPPF paragraph 85, which supports the diversification of Centres in response to changing market conditions, and CS34 which encourages District Centres to provide for everyday needs with a range of retail, leisure and community facilities. A drinking establishment/public house is classed as a community facility in the NPPF (paragraph 92) and would contribute to the vitality and viability of the Shopping Centre, alongside the range of other existing Class E uses which exist in the Centre.

Therefore in land use terms, the proposal accords with the above mentioned policies, and will not impact adversely on the viability or vitality of the Shopping Centre.

Design Issues

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 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, so long as they fit in with the overall form and layout of their surroundings.

It is considered that the design policies within the UDP and Core Strategy reflect and align with the guidance in the NPPF, and therefore are considered consistent with the NPPF and so can be afforded significant weight.

At present the existing building has a large shop front to the ground floor covering both of the units, which then wraps around the side of the building along Hale Street, with signage above in the fascia. The first floor of the building is then boarded up and has no openings, with a large advertisement hoarding on the side. The building at present is painted a yellow colour.

It is proposed in this application to install a new façade. This includes replacement windows and doors to the ground floor and to reinstate the first floor windows into their original openings. The replacement windows to the ground floor are detailed as powder coated bi-folding aluminium doors/windows. Bin storage is proposed to the rear in a new store.

It is also proposed to create an external terrace area to the front of the building which will be raised to provide level access, behind a metal balustrade. An external glass canopy extends over the external terrace area to the front of the building. This does

wrap around the side of the building, where the level access is provided. Limited details of this element are provided but the principle is acceptable provided the final product is of sufficient quality. Full large scale details can be conditioned on any approval to ensure a appropriate quality.

To the rear, it is proposed to install a flue which serves the kitchen area. This is considered to be acceptable in principle in this location and will not impact adversely on the character of this part of the street scene. It is also proposed to the rear of the building at first floor level to provide additional useable space between the existing pitched roof projections.

The alterations and extensions proposed in this application are considered to be in keeping with the surrounding street scene, and would actually enhance and improve the overall appearance of this building. The proposal therefore complies with the terms of policies BE5, S10 and CS74 and paragraphs 124 and 131 of the NPPF.

Residential Amenity

Policy S10 'Conditions on Development in Housing Areas' part (b) requires that new development in shopping areas should not cause residents or visitors to suffer from unacceptable living conditions, including air pollution, noise, other nuisance or risk to health or safety.

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.

The nearest residential properties to the proposal are the flats to the upper floors of the adjacent commercial buildings and the residential terrace along Hale Street to the rear/side.

It is accepted in this instance that residents occupying flats above commercial premises within a Shopping Centre fronting onto a main road, would not reasonably expect or be offered the same degree of protection as residential property in an suburb, within an allocated Housing Area. Nevertheless, this part of Abbeydale Road does become significantly quieter later into the evening, so a reasonable level of amenity should be protected for existing residents.

There are no houses immediately to the rear of the site boundary, with the car parking area adjacent. There are houses along the southern side of Hale Street with the closest being No.8 Hale Street. The main entrance door to the application site is in the front elevation, with the side door intended as a secondary door. Therefore the main entrance and seating area is located away from those properties along Hale Street. There is a covered access way running along the side of the building, but this is just wide enough to provide level access to the property and is not be used as a seating area.

There is the potential to have noise transmission from the proposed use at first floor

level to the upper floors of 333 Abbeydale Road, and there would need to be improved sound attenuation measures installed which can be the subject of a suite of noise related conditions

Proposed opening hours are 09:00 hours until 23:30 hours on Mondays to Saturdays, and 09:00 hours until 23:00 hours on Sundays and Bank Holidays, This would limit late night activity, and be in accordance with similar uses on main roads within Shopping Areas. The outside seating area to the front should be limited to 21:00 hours, along with closure of the bio-folding doors. Again, this can be controlled through a relevant condition.

Therefore it is considered that the proposed change of use will not create a level of noise and disturbance which will adversely impact on the amenities of occupiers of nearby residential properties, complying with Policy S10 (c) and paragraph 127 of the NPPF.

Highways

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.'

In this instance, there is no off-street parking. However, the site is in a very sustainable location, with a large catchment area of people being able to walk to the site. In addition, a public car park is adjacent to the site. Therefore, there will be no unacceptable impact on highway safety.

SUMMARY AND RECOMMENDATION

This is an application for a change of use of the ground and first floors of the premises to a bar/drinking established (Sui Generis use class).

The proposal is considered acceptable in land use terms, maintaining the vitality and viability of the Shopping Centre.

The proposed alterations and extensions to the facades of the existing building will improve its overall appearance, by removing the existing boarding and advertisement hoarding to the first floor and the reinstating the original windows. The ground floor alterations will modernise and tidy up the appearance of the existing ground floor and the quality of the external terrace canopy can be secured through condition. A flue is proposed to the rear of the property which is not readily visible.

Subject to conditions, in particular on hours of operation there will be no adverse impact on occupiers of nearby residential properties.

The proposals are considered to comply with the relevant UDP Policies, Core Strategy Policies and the NPPF as detail above, and it is recommended that planning permission is granted subject to conditions.

Case Number	21/00266/FUL (Formerly PP-09409975)
Application Type	Full Planning Application
Proposal	Use of hotel (Use Class C1) as 44 social housing dwellings (Use Class C3) (Amended Ownership Certificate received 21.04.2021)
Location	Quality Hotel Sheffield North Lane End Sheffield S35 3UH
Date Received	21/01/2021
Team	West and North
Applicant/Agent Communities	Erimax Land, Planning and
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The Local Planning Authority consider that the proposed development, which lies in a residential suburb of Chapeltown, would result in instances of anti-social behaviour and a fear of crime that would undermine the quality of life of residents that live close to and adjacent to the site to the detriment of the amenities of the locality. As such, the development would be contrary to UDP Policy H14 part k) and government policy contained in the National Planning Policy Framework at paragraphs 91 b), 92 b) and 127 f).
- 2 The Local Planning Authority consider that the proposed development, by reason of its layout and location within a residential suburb of Chapeltown, would not provide the level of support and services needed by residents with complex needs, either within the facility or in the locality, as a result of its isolated location (and in relation to existing support networks). As such, the development would be contrary to UDP Policy H8 and government policy contained in the National Planning Policy Framework at paragraphs 92 b) and 127 f).

- 3 The Local Planning Authority consider that the proposed development does not provide suitable facilities for people with disabilities, making the flats inaccessible for people with impaired mobility. As such, it is considered that the development would be contrary to UDP Policies H6 c), H8 b) and H15 a) and government policy contained in the National Planning Policy Framework at paragraph 127 f).

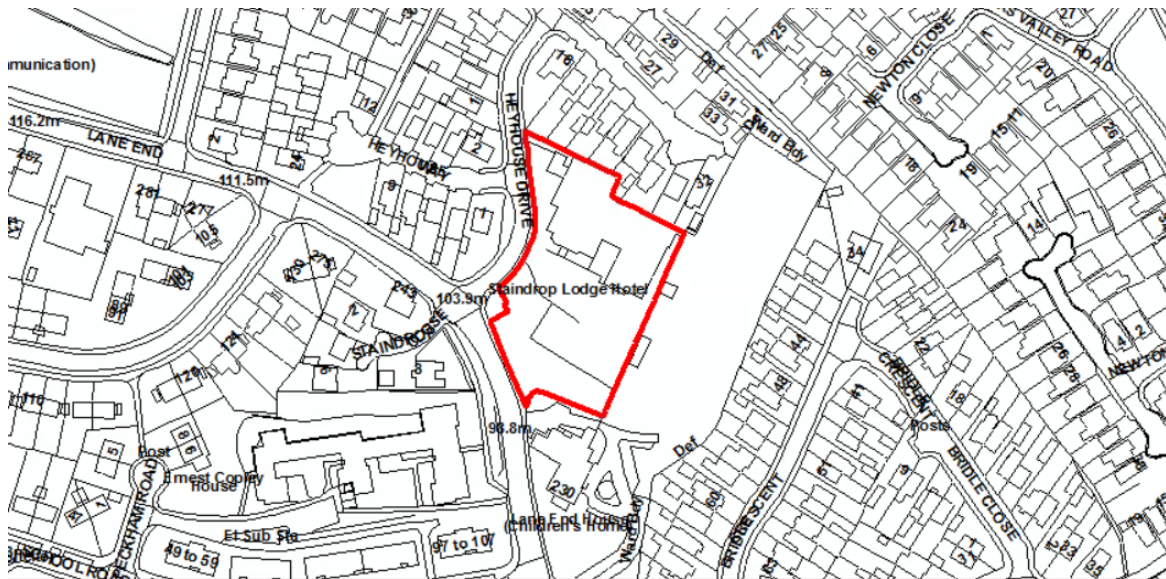
Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirement(s), and, there being no perceived amendment(s) that would address these shortcomings without compromising the fundamental intention of the scheme the Local Planning Authority had no alternative but to refuse consent.
2. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:-
 - Drawing No. FP 28356-A-001 Revision PL1 (Location Plan, and Existing Basement and Ground Floor Plans)
 - Drawing No. FP 28356-A-002 Revision PL1 (Existing First Floor Plan)
 - Drawing No. FP 28356-A-003 Revision PL1 (Existing Second Floor Plan)
 - Drawing No. FP 28356-A-004 Revision PL1 (Proposed Basement and Ground Floor Plans)
 - Drawing No. FP 28356-A-005 Revision PL1 (Proposed First Floor Plan)
 - Drawing No. FP 28356-A-006 Revision PL1 (Proposed Second Floor Plan)

 - Drawing No. FP 28356-A-007 Revision PL1 (Existing Site Plan)
 - Drawing No. FP 28356-A-008 Revision PL1 (Proposed Site Plan)

 - Drawing No. FP 28356-A-009 Revision PL1 (Existing Elevations)
 - Drawing No. FP 28356-A-010 Revision PL1 (Proposed Elevations)

Site Location



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INTRODUCTION

The application relates to the Staindrop Lodge Hotel in Chapeltown. The hotel closed in March 2020 in response to the Covid-19 pandemic and was leased by Sheffield City Council to accommodate homeless people and prevent rough sleeping under emergency coronavirus legislation. This arrangement came to an end at the end of June 2021.

LOCATION AND SITE SURROUNDINGS

The Staindrop Lodge Hotel is situated in a residential suburb of Chapeltown. The hotel is a large building that sits within a curtilage of over 0.47 hectares. The hotel has 37 letting bedrooms and has a large conference hall, function rooms, restaurant and bar. The existing hotel is made of a collection of adjoining buildings, all brick built, that range from two to three storey in height with single storey porch extensions along its front elevation. The hotel is situated at the northern end of the site with a large area to the south of the building laid out as a 58 space car park, including 3 disabled bays. A lawned area bordered by mature trees is situated at its southern end to Lane End. A high stone wall encloses the site to its road boundary to Lane End.

The hotel is situated on the eastern side of Heyhouse Drive and Lane End. To the north of the site is a row of detached dwellinghouses, majority bungalows, that occupy a cul-de-sac location along Heyhouse Drive (Nos. 18-32 Heyhouse Drive), and to the south-east is the site of Lane End House (Former Chapeltown Training Centre) that was granted full planning permission for 14 dwellinghouses in April 2019, under 18/03678/FUL.

Across Lane End to the south and south-west of the site are detached houses that front onto Staindrop Close and a series of purpose-built flats, while across Heyhouse Drive to its west are further detached houses on Heyhouse Way.

Approximately 400 metres to the south east and south west of the site are Lound Junior School on Mafeking Place, and Lound Infant School at Sherburn Gate.

The site is situated in a Housing Area as identified on the Sheffield UDP Proposal Maps.

PROPOSAL

Full planning permission is being sought to change the use of the hotel to form 44 affordable self-contained studio units. The units would be occupied by homeless people.

The conversion of the building to form 44 studio flats will involve no changes to the external appearance of the building. All the flats would have kitchens and en-suite facilities.

Fifteen units (15) would be provided on the ground floor, 21 units on the first floor and 8 units on the second floor. The ground floor would include a small communal gym that would be available to all tenants.

RELEVANT PLANNING HISTORY

Following the closure of the hotel in March 2020, the hotel has been used by Sheffield City Council Strategic Housing department as described above.

Full planning permission was granted in April 2019 (18/03678/FUL) for the conversion of existing buildings on the site of the Former Chapeltown Training Centre to create 3no. dwellinghouses and erection of 11no. dwellinghouses.

REPRESENTATIONS

The application was advertised by way of site notices (displayed on 21st February and 5th May 2021), press notices (published on 18th February and 13th May 2021) and 48 neighbour notification letters (dated 17th February 2021).

283 representations were received in relation to the proposed development.

1 representation was received in support but made no comment.

2 neutral representations were received raising the following comments:

- Would like to see support services on site 24/7 to support the tenants, be a contact for concerned neighbours and protect vulnerable people from other occupants of the site.
- Recommend consultation with the police force about what issues have

already been dealt with whilst the building has been used for the homeless due to covid.

- It should be about housing the homeless but also supporting them to move on.
- Query regarding the future of the staff currently working there.

280 objections were received. The material concerns raised by objectors can be summarised as follows:

- The site lies in a quiet residential area that is largely home to families and many elderly residents.

The development is not in-keeping with the character of the area and little consideration has been given to local residents.

There is sheltered accommodation (for the over 55s), schools and a care home in the vicinity.

The hotel is totally surrounded by housing mainly occupied by elderly residents. The proposal contradicts the Core Strategy which states one its priorities is: 'Promoting health and well-being for all. Safeguarding and renewal of the city's neighbourhoods needs to take account of all aspects of the quality of life of those who live there, including safety, health and freedom from disturbance. In particular, Sheffield already has a high proportion of elderly people and longer life expectancy will lead to further ageing of the city's population. Health and well-being mean providing for their needs, which will often benefit other groups as well. The challenge is to design environments that promote safety, health and a sense of well-being for all.'

The proposed use is incompatible with the local character of the community and only serves to weaken rather than reinforce the community.

- The housing of the current residents was to be temporary during the Covid lockdown period, not permanent. It was promised that the hotel would return to its former usage after the pandemic was under control.

It is concerning that one justification for the proposed use is that the hotel was used by the Council during the exceptional events of 2020. This does not establish its suitability for continuing in that use when life returns to normal. We would expect the council to plan this development as it would plan any new development rather than relying on decisions made during a time of crisis.

- Homeless people have many complex needs and addictions, needing specialist help and support.

There is insufficient infrastructure and support in the local area for the specific needs of the proposed tenants.

Local GP practices are unlikely to cope with the demands that would be placed on them if this proposal went ahead.

The vast majority of specialised services that serve the homeless: Shelter; Cathedral Archer Project; Roundabout Hostel; St Wilford's Centre etc are all in or around Sheffield City Centre.

There is no direct link by bus to Sheffield, where the majority of services are available.

Local medical services, doctors and dentists are all difficult to access.

While it would provide housing for previously homeless people, maximising benefit requires more than just accommodation ... there are often additional factors to consider. There are... no homeless support services, jobseekers or drug/alcohol dependency services in Chapeltown. Although the building is a 15 minute walk from the local train station and there is a bus stop close by, access to transport services incurs a financial cost that may easily prove prohibitive, especially when considering that residents may need to visit different support services on different days of the week. None of this appears to agree with the stated intention of maximising benefits to residents who would gain more benefit from being closer to the services they require.

There are no details of what staffing will be in place. It would need 24/7 staff and security.

There doesn't appear to be any reference as to how this facility fits the vision / planned outcomes and measures for its residents, it seems only to be concerned with putting people into a financially supported unit. All professionals working with the homeless would agree that for the vast majority, simply putting a roof over someone's head, will not result in a successful permanent residence, employment and an independent life.

Appreciate we need more social housing but this is the wrong location.

There are many empty buildings in the city centre which could be converted into housing for the homeless, close to all the amenities and support they may need.

The City centre has a police presence and City Centre Ambassadors who could deal immediately with issues of ASB.

The 'Woodhouse Village Regeneration Project' was developed in an effort to combat the areas huge number of anti-social behaviour (ASB) incidents (mainly alcohol related) and its problems between the residents of St Anne's Bevin Court Hostel and the local community and business owners. Bevin Court is supported housing, with resident staff to help and support, but has still not been without a major impact on the community. This resulted in a DPPO (Designated Public Place Order) which was meant to be temporary but

was extended to cover at least 4 years. This joint working with the South Yorkshire Police, SCC's Safer Neighbourhoods Team, Street Cleaning, Street Force, Health Services and GP's, Tenants and Residents Associations, Neighbourhood action Group, Community Form, Local License Watch and the Salvation Army, published recommendations including –

- Comprehensive CCTV
- Additional patrols by South Yorkshire Police
- Supporting Local Businesses as they were suffering from customers avoiding premises because of gatherings of drinkers outside during the day.
- Divert vulnerable people to support services (of which there are none in Chapeltown)
- Shops visited and reminded of responsibilities under the Licencing act regarding alcohol sales to intoxicated people
- St Anne's employed a specialist support worker
- Refurbishment of some street furniture as it had become a focal point for street drinkers to gather and a place to discard rubbish and use as an 'impromptu toilet'.
- Local shops were also asked to remove cheap alcohol and the NISA shop to remove alcohol altogether.

Has Chapeltown has been assessed for all these issues? In light of these recommendations and lessons learned from Woodhouse, it seems incongruous that the site is close to a proposal to build a Lidl less that 300 metres away which will be selling the cheapest alcohol in Chapeltown and will have a large car park with no site security after the shop has closed.

- There have been very many instances of anti-social behaviour as a result of the current use of the site as temporary accommodation for the homeless, including noise and disturbance, harassment, intimidating and drunken behaviour, foul language, fighting, drug use, litter etc.

This anti-social behaviour is a very real source of worry, stress and fear for local residents.

Numerous people now take alternative routes rather than walk on foot past the Staindrop Lodge.

Crime statistics indicate that crimes have increased 675% in the immediate area of Staindrop Lodge (when compared to the same period - March to December – in 2019). It cannot be ascertained if there is a causal link between the current use of the site and the increase in local crime rates without reviewing police records, but there is a significant correlation between the crime rates in the immediate local area, the site's current use and the experiences of the local community.

There has been a significant increase in the amount of police vehicles attending the location at all times of day,

This has and will put pressure on a local police unit that is already stretched

beyond capability.

A violent attacker, recently jailed for seven years, gave her address as the Staindrop Lodge Hotel.

The safety of children in the area should be paramount, it is completely unacceptable with a Junior and Infant School in close proximity and a Secondary School also around two miles away from the premises.

There have been problems with the temporary residents in the Quality Hotel over recent months. This has caused friction within local residents and the antisocial behaviour of the people at the hotel has spread further than the confines of the property. The lives of the mainly fair-minded residents in the locale has been blighted by this behaviour, counter-acting any sympathy for people needing community aid.

The National Planning Policy Framework sets out that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which...'are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...'. The Framework also sets out that 'Planning policies and decisions should ensure that developments...'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. It is difficult to see how this planning application can proceed in light of the evidence that is provided on the contrary to this policy.

SCC's Core Strategy Policy CS41 sets out that 'Mixed communities will be promoted by encouraging development of housing to meet a range of housing needs including a mix of prices, sizes, types and tenures, and...(d) limiting new or conversions to hostels, purpose-built student accommodation and House of Multiple Occupation where the community is already imbalanced by a concentration of such uses or where the development would create an imbalance'. There is already a great deal of social housing and supported living in the immediate local area, and an additional 44 social housing dwellings would create an imbalance by condensing a large number in one area.

The Council must consider the demographic of the local population in terms of vulnerability to increased rates of crime. Directly opposite the site in question is a large block of supported living apartments for elderly residents.

- The hotel and restaurant were a valuable asset to the communities of High Green and Chapeltown and permanently losing them would be a great disadvantage.

The Hotel (as was) made a significant contribution to the well-being of the local community. We need a hotel/restaurant where we can meet with family and to celebrate big events such as Weddings.

This would be a loss to the area in terms of jobs for local people and it will reduce the facilities available to the local community

Where can friends and family stay if the only hotel we have is changed to social housing?

Business visitors stayed at the hotel. It is easily accessible from the Motorway.

We have already lost many other such facilities over the last few years including The Phoenix, The Cart, The Market, The Rose and Pickwicks.

- There has been enough scope to add affordable housing in new developments in the area yet the lack of this is appalling.

If the hotel isn't a viable business, turn it into apartments for the local people, first time buyers and affordable housing for young people to get on the housing ladder.

- This was a beautiful building and brought business to the Chapeltown/High Green area. It now has broken windows, broken doors and the signage has been ripped down. It is an eyesore and causes many residents to feel a sense of shame about their neighbourhood.

This is an attractive building of historical value to the Chapeltown/High Green community.

The removal of 'several prominent advertisements' and 'large-scale ventilation and related paraphernalia' may constitute an improvement but it would only provide a small, rather than the significant, benefit claimed by the applicant.

- The proposal will have a harmful impact on the amenities of local residents.

Permission was refused in January 1986 to extend the hours of use of the function room until 1am based on the noise and inconvenience this would have caused to the local residents. Are you now going to allow anti-social behaviour as highlighted by Councillors and residents to go on? Most of which will continue well past 1am.

Loss of privacy to neighbouring properties as the building's windows overlook private gardens.

Overlooking wasn't a problem when it was a hotel because hotel guests don't spend a lot of time in their rooms and the hotel wasn't always fully booked. With permanent resident's privacy will be compromised.

Since they've cut all the trees down to make way for the new houses that will back onto Bridle Crescent, I am now totally overlooked by the Staindrop Lodge and its residents.

- Planning permission has been granted for new housing and a supermarket in the vicinity. The extra traffic will be substantial, without another 44 people moving in along with the required staff and frequent attendance of the emergency services.

There will be a cumulative increase in traffic noise traffic levels.

The applicant claims that the proposed development will result in a significant reduction in the number of vehicle movements. There may be a reduction in traffic but there is insufficient evidence presented in the application to substantiate the claim that it is significant.

There will be an increase in traffic congestion on the existing junction of Heyhouse Drive and Lane End leading to highway safety issues.

As a result of drinking and substance misuse, local drivers have narrowly missed colliding with the current residents as they often stagger from the pavement into the road. There have been near misses on Lane End and Loundside.

- The development of the site next door, after many years of abandonment, has just started.
- The development is for 44 social housing dwellings and the proposed plans show a single bed in each room, but they could accommodate more beds and therefore more occupants.
- The plans show 44 bedrooms with bathroom and cooking facilities but no common rooms or communal areas, apart from a very small gym. What will residents do with their time during the day and/or night. There is no indication in the proposal how this will be managed.
- The application has been described incorrectly, this is not social housing.
- Insufficient advertising/notification of the application was undertaken.

The code of practice for publicity and consultation on all planning consultations states 'Wider neighbour notification will be appropriate where the development proposed is considered to have the potential for widespread impacts, such as a major development leading to significant traffic increases or the proposed development being widely visible and potentially visually obtrusive'. The code of practice has not been followed.

Non-Material concerns raised include:

- Devaluation of property.
- Question regarding how many C3 Use Class planning applications have been submitted in the last 5 years, how many have been approved, and how many

of the approved and refused applications fall within a 1 mile radius of city councillors' properties past and present over the same time period.

- The applicant's circumstances or motives.

In addition, representations were received from Miriam Cates MP, Ecclesfield Parish Council and the Director of Housing and Neighbourhoods at Sheffield City Council.

Miriam Cates MP

Miriam Cates, MP for Penistone and Stocksbridge, wrote on behalf of a number of her constituents who had raised the following concerns:

- Crime statistics indicate that crimes have increased 675% in the immediate area of Staindrop Lodge (when compared to the same period – March to December – in 2019). The most prevalent crimes being anti-social behaviour, violent and sexual offences, criminal damage and arson. Residents have raised their concerns that this rise may be attributed to those residing at Staindrop Lodge.
- The hotel is situated in a neighbourhood that is inappropriate for the intended use. Its remote location means that there is an absence of specialist support for vulnerable residents.
- The development would add additional pressures on already stretched resources in terms of welfare; schooling, doctors, police and social care.

Under emergency coronavirus legislation, the use of Staindrop Lodge as housing for rough sleepers offered a short-term, practical solution. However, this does not automatically deem the site suitable for the establishment of long-term accommodation for the homeless on such a scale, where their avenues of support are not readily available.

Prior to the approval of a planning application such as this, it is vital that we have established the availability of sufficient support for the residents it would serve – this has not been done in this case.

Ecclesfield Parish Council

Ecclesfield Parish Council expressed their strong opposition to the planning application which they considered at their Planning and Environmental Meeting on 4th March 2021 and recommended it be refused. Whilst recognising that the proposal has some benefits, they say that these are outweighed, by a wide margin, by the harm it would cause to the residential amenity and character of this residential area and resulting increase in anti-social behaviour, crime and disorder and highway and pedestrian safety. In particular they note:

- Errors and inaccuracies in the application, including stating that the building is vacant when in fact it is not.
- Insufficient detail is provided to consider the planning merits and impacts.

- There are already unacceptable crime and anti-social behaviour issues associated with the site, a crime hot spot as reflected in the number of police calls to the building. The development will increase crime, security risks and anti-social behaviour.
- The development is inappropriate in a mainly residential area with a high number of elderly residents, many of whom are already scared.
- The development is an overdevelopment and housing 44 people in the building is too many. A smaller scheme may have been acceptable but to house 44 people in the building is too many. Not only will this have an unacceptable impact on the proposed residents of the development but also the wider area.
- The welfare and support provided to the proposed residents is grossly inadequate. For example, no framework is included within the planning application to support the people being housed.
- There are no support facilities in Chapeltown and High Green for the homeless.
- Inadequate details on how the use of the building (including security, litter, ground maintenance) will be managed/addressed.
- Effect on the local school nearby, businesses due to anti-social behaviour in the local area and school children have been approached by the people that are currently housed in the building.
- There is also a significant level of public objection from local residents as reflected in the number of objections the City Council has received to it and the number of people who spoke at the Council's Planning and Environmental meeting.

Director of Housing and Neighbourhoods

The Director of Housing with lead responsibility for the development of the Council's Housing Strategy and for its statutory homelessness services raised concerns on behalf of Sheffield City Council Housing and Neighbourhoods Service. She stated:

In summary, I do not consider the proposed development, as detailed in the application, to be suitable either for the area or to provide the level of support and services needed for the intended residents. I am also concerned that included in the application are a number of statements that indicate Sheffield City Council is providing a similar service at the same location and will make referrals to the proposed scheme. Neither of these statements are true.

With respect to the Design & Access Statement (Appendix 4, page 3), it is stated that "The Staindrop Lodge Hotel's previously established use as hotel accommodation means that the property can easily be adapted to the change of use proposed without harm to local character, without harm to the living conditions of occupiers or neighbours and without any harm to highway safety" and "...the suitability of the Staindrop Lodge Hotel for the use proposed has effectively already been established by Sheffield City Council itself." (A5, p.3)

In my view, the concentration of 44 studio apartments/bedsits for people who have been or are at risk of being homeless, including some with multiple and complex needs, could have a significant impact on the living conditions of the occupiers and

local community. A commercial hotel will attract a range of customers that do not require support and do not impact on each other or the local community.

Since March 2020, Sheffield City Council has placed homeless people who have been rough sleeping at Staindrop Lodge in response to the Government's directive to offer everyone a place to stay as part of the COVID19 measures. This is a maximum of 36 people and residents are not allowed to have non-residents into the accommodation. These are short-term placements with daily on-site support from specialist Council housing staff and partner agencies including care, voluntary, mental and physical health, and drug and alcohol services. Each person has an agreed support plan and is rehoused as soon as possible into a suitable supported or general needs housing property. In addition, in recognition of the vulnerability of the residents, we provide 24 hour on-site officer and a security presence.

The submitted planning application does not include any proposal to provide similar staffing or support for the intended 44 occupiers of the building or any details of impact on the local community. The proposed design of the building doesn't include areas that could facilitate multi-agency support work or intensive housing management. Other than a very small gym the plans do not appear to include any communal facilities that provide shared spaces or office space for officers to enable support to be provided to vulnerable residents.

Therefore, residents would be placed without the wrap-around support in an area of Sheffield not equipped to meet their needs, or close to their own support networks. This is likely to result in challenging behaviours impacting on residents of the building, the local community and placements being abandoned. Whereas the Council has put in place arrangements with local policing teams to respond to any community safety concerns including anti-social behaviour.

Sheffield City Council would expect any provider of accommodation for vulnerable people to ensure there is an adequate level of officer support with 24/7 services.

The planning application does not consider the impact on local infrastructure, for example local doctor surgeries and pharmacies who may not be equipped to support a concentration of this client group with high and multiple needs.

The application also states "The proposed development would transform Sheffield City Council's hostel facilities into high quality living accommodation, providing people in need with decent, modern housing appropriate to their needs. Crucially, it would do so in a manner fully reflective of Sheffield's adopted and emerging planning policy, which strives to create balanced, inclusive, sustainable neighbourhoods." (E47, p.12)

Staindrop Lodge has not been used as a Hostel by Sheffield City Council. It is a private hotel that was never designed or commissioned to provide a hostel service. The Council has placed people at this hotel for short term accommodation to prevent rough sleeping. The developer needs to clarify if this proposal is to provide hostel accommodation with support (usually short term housing on a licence for 6-12 months) or permanent housing on an assured tenancy basis.

The application contains a number of statements in relation to how the proposed development would meet local needs as follows "...the proposed development also directly addresses local housing needs". (A6, p.4) and "In accordance with Core Strategy Policy CS41, the proposed development would help to provide for smaller households in a highly accessible location; and support the creation of a mixed community that would:" ...meet a range of housing needs including a mix of prices, size"" (A8, p.4)

"The proposed development will provide sustainable, affordable, attractive and modern living accommodation..." (E60, p.14)

"Taking the above into account, the proposal will enhance local character and residential amenity..." (E64, p.14)

"The proposal would comprise sustainable development, making effective use of the application site, in harmony with the surrounding area" (E65, p.15)

Studio apartments/bedsits are generally unpopular in general needs housing and not recognised as meeting a particular housing need in most parts of the city, with the possible exception of areas of very high need and/or areas with high numbers of young single people. These circumstances do not apply to Chapeltown. Approximately 90% of the proposed properties fall below the minimum Nationally Described Space Standards for a one bedroom one person unit of 37m², which is likely to further limit their appeal.

The small size and uniformity (100% bedsits) of the proposed units significantly limits their appeal and flexibility, and is likely to result in a concentration of high turnover properties that will become increasingly difficult to let and which could cause significant tenancy management issues in relation to high turnover and vacancy rates.

The application includes an Affordable Housing Statement which states "During a tumultuous 2020, Staindrop Lodge Hotel has been used by Sheffield City Council to house people unable to secure affordable housing. Thus, whilst the proposed development would result in significant additional investment to create attractive, high quality units of accommodation and would be run through a Registered Housing Provider, the suitability of the Staindrop Lodge Hotel for the use proposed has effectively already been established by Sheffield City Council itself."

As stated above, Sheffield City Council was required to find accommodation for rough sleepers at extreme short notice under the direction of the Government through the everyone in initiative and does not consider a concentration of 44 units for vulnerable people without support on this site as suitable.

Demand for social housing in this Housing Market Area is sensitive to type and location. There is a need for additional apartments in this location but we would be looking for a mix of properties with one and two-bedrooms, with good space standards, built to accessible design standards and ideally with a small number of wheelchair adaptable properties. Chapeltown has a slightly older age profile than the city average and, like most parts of the city, would greatly benefit from more age-friendly properties.

The planning application states that “All tenant referrals come through the Local Authority, with the rental income being covered by Housing Benefit.”

I can confirm that Sheffield City Council has no agreements in place with the developer to make referrals to their services or to commission support services from them (which would not be covered by benefits). Neither has it had any communication with my services about this accommodation, including its suitability for housing the homeless or other vulnerable groups. The Council only make referrals directly to supported housing schemes that we have commissioned services from or to registered housing providers who we have agreements in place with to make nominations to social housing.

South Yorkshire Police

From a local Neighbourhood Policing Team (NPT) perspective, South Yorkshire Police have not experienced a rise in crime directly attributed to the location, but have experienced a slight rise in Anti-Social Behaviour (ASB) which can be attributed to the current use. Anecdotally residents attribute crime and ASB to the location and have raised concerns to the local team about this.

Our main concern is that whilst it was used as a shelter during the pandemic, support services were on site to work through the complex needs of the residents, this provision of service does not appear to be included as part of the proposal.

The hotel also provided security which managed out some of the incidents and controlled access to the venue, again such safeguarding measures are not in place under this proposal.

Health and Safety Executive

The proposed development site does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline

PLANNING ASSESSMENT

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

The relevant development plan for the site is the Sheffield Local Plan which includes the Sheffield Core Strategy and the saved policies and proposals map of the Sheffield Unitary Development Plan (UDP).

The Government’s planning policy guidance on Green Belts and other matters is contained in the National Planning Policy Framework (NPPF). The Government has also published planning practice guidance (NPPG’s) on various categories including advice on the role of the Green Belt in the planning system. The NPPF is a material consideration in planning decisions.

The Council's Development Plan (UDP and Core Strategy) substantially predate the Framework. However, paragraph 12 of the NPPF makes it clear that its presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making.

Furthermore, the policies of the Development Plan should not simply be considered out-of-date because they were adopted (as is the case in Sheffield) or made prior to the publication of the NPPF (paragraph 213). Weight should be given to the relevant Development Plan Policies, according to their degree of consistency with the NPPF. The closer a policy in the Development Plan is to the policies in the NPPF, the greater the weight it may be given.

Assessment of a development proposal also 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.

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 land use matters and residential amenity issues.

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;
- Loss of a community facility;
- Highway matters;
- Design and effect on the character and appearance of the surrounding area;
- Residential amenity matters and effect on the living conditions of neighbouring Properties and future residents of the studio flats; and
- Community Infrastructure Levy (CIL).

The Principle of Development – Policy and Land Use

The application was accompanied by a Design and Access Statement (D&A), which sets out the scope of the proposed change of use. In summary, the statement says that there is a requirement for new affordable housing to meet the needs of homeless people in Sheffield, with the established use of the building as a hotel allowing it to be easily adapted without the need for significant alteration. It also states that the applicant (Fairhome Group PLC) will work closely with the Registered Housing Provider, to use this brownfield site to provide affordable living accommodation in an attractive and appropriate living environment.

In addition to the D&A Statement, the application includes a supporting statement prepared by Midland Living CIC that sets out the management and operational aspects of the proposed development. This document identifies how the proposal would be delivered, background information on the operator, the need for such accommodation and the day-to-day management of the properties.

It details that, in advance of the building being brought into use, a number of criteria would be agreed with Sheffield City Council and include six strategic objectives that amongst other things would help tackle rough sleeping, improve housing options and access to employment, education and training.

The intention of the applicant is that the proposal would be delivered between a Registered Provider (the landlord), Midland Living CIC (the Support Provider) and SCC. The statement says that Midland Living are a not-for profit community interest company that has been set up specifically to work with other Support Providers, Housing Associations and Local Authorities and other statutory partners. They say that they provide high quality homes for people who are in housing need and work

proactively to reduce housing need, including homelessness, and provide the highest standard of accommodation and support across its services. They state that Midland Living has a proven track record of working in partnership with local authorities, commissioners and voluntary agencies, including Birmingham Council, where they currently provide a range of accommodation services for vulnerable single homeless people.

The submission references the increasing numbers of rough sleepers and the need to provide new homes. It also references the Sheffield Homeless Prevention Strategy 2020-2022, which aims to minimise homelessness in Sheffield. The use of the hotel, it says, would help support the objectives of the strategy and provide single/couples occupancy, while offering intensive management and support.

In terms of management, the statement says that a mix of Intensive Housing Management, Night Support/Concierge and Housing Support would be provided with assistance and support available to residents 24 hours a day (7 days a week).

The application site is situated in a designated Housing Area, and therefore the application is assessed against UDP Policies H5, H6, H7, H8, H10, and H14. Assessment is also made against Core Strategy Policies CS23, CS24, CS32, CS41, CS63 and CS74.

UDP Policy H5 relates to flats, bed-sitters and shared housing. This policy states that planning permission will be granted for the creation of flats, bed-sitters and multiple sharing of houses only if:

- a) A concentration of these uses would not cause serious nuisance to existing residents; and
- b) Living conditions would be satisfactory for occupants of the accommodation and their immediate neighbours; and
- c) There would be appropriate off-street car parking for the needs of the people living there.

Multiple sharing is defined in the UDP as being where seven or more non-related people are living in a single dwellinghouse, and a bed-sitter is defined as a single room where the household does not have exclusive use of bath or inside toilet.

The site of the hotel is not in an area where there is a concentration of shared housing or flats. An assessment carried out of house types within a 200m catchment area of the site found that of 471 identified residential properties, no residences (0%) are in multiple person housing, such as hostels, purpose-built student accommodation or Houses in Multiple Occupation (HMOs). The proposal would also benefit from a high level of off-street parking spaces that would cater for the likely parking needs of staff and residents of the building. The proposal would therefore satisfy parts a and c) of this policy. The policy requirements relating to living conditions for both the occupants of the accommodation and its immediate neighbours are covered below.

UDP Policy H6 relates to short-term accommodation for homeless people. This policy sets out that the development of good quality short-term accommodation for

homeless people will be permitted where it would:

- a) Be within easy reach, by foot or bus of a shopping centre; and
- b) Be within easy reach of existing or proposed housing; and
- c) Have facilities for people with disabilities; and
- d) Comply with UDP Policy H14.

The supporting text to this policy states that the problem of homelessness has been steadily getting worse, which is partly due to lack of adequate and secure rented accommodation. The policy aims to provide security and support for homeless people and states that it is important that homeless people get to know an area and make friends while they are in short stay accommodation.

Development plan policy is generally supportive in terms of social housing and hostels in Housing Areas. As set out above, UDP Policy H6 allows for short-term accommodation for homeless people in Housing Areas, subject to the development being within easy reach, by foot or bus of a shopping centre and within easy reach of existing and proposed housing. The nearest local centres are at Wortley Road and Greengate Lane, and the nearest District Centre, which has a range of retail, leisure and community facilities, is Chapeltown District Centre approximately 1km away. The nearest shops are on Lane End, consisting of a hair salon, beauty salon and a Chinese takeaway.

UDP Policy H7 relates to mobility housing and states that in all new or refurbished housing, the provision of a proportion of mobility housing to meet local need will be encouraged except where the physical characteristics of a site or existing buildings make it impracticable.

UDP Policy H8 relates to housing for people in need of care. This policy states that new and refurbished housing in the form of supportive accommodation will be permitted in suitable locations provided that a number of conditions are met. This includes at part a) that it would be within easy reach of a shopping centre and public transport, be suitable for people with disabilities, and at part c) it would be provided with a reasonable and attractive area of accessible private open space or be immediately next to an area of public open space.

Although consistent with the spirit of the NPPF, policy H7 carries very little weight as it does not reference the Government's optional technical standards for accessible and adaptable housing (as required by footnote 46 of the NPPF).

UDP policies H5 to H8 are broadly consistent with the aims of the NPPF in relation to the promotion of housing delivery and catering for specific housing needs.

In relation to UDP Policies H6 and H8, the site is located approximately 1km from the District Centre at Chapeltown. Whilst not easily accessible by foot, it is nevertheless on a bus route into Chapeltown and the city, with a bus stop situated within 80m of the site along Lane End. The development would also include an external amenity area within the grounds of the building and it is located less than 200m from Charlton Brook Woods. It is therefore considered that the development

would not conflict with UDP Policy H6 (parts a-b) or Policy H8 (parts a and c). The development however fails to provide any accessible flats for people with disabilities, and therefore would fail to meet the requirements of part c) of Policy H6 and part b) of Policy H8.

The change of use of the hotel to housing to provide short-term accommodation for the homeless would also be an acceptable use under the terms of UDP Policy H10. This policy relates to development in Housing Areas and details that in these areas, housing is the preferred use, with residential institutions and hostels listed in the menu of acceptable uses. The supporting text to this policy does however state that large developments are more likely to cause problems of noise that could harm neighbouring properties and could be better suited in alternative locations such as business and leisure areas.

The promotion of housing in policy H10 is consistent with paragraphs 59 and 67 of the NPPF which seek to ensure the delivery of new homes to meet need.

UDP Policy H14 sets out a number of conditions that developments in Housing Areas are required to meet. These include at part k), that the development would not lead to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby, and at part i) it would only occupy only a small area and not lead to a concentration of non-housing uses, which would threaten the residential character of the Housing Area.

This policy is considered to be broadly in line with government policy contained in the NPPF. At paragraph 91 part b) it states that decisions should aim to achieve healthy, inclusive safe places which are safe and accessible, so that crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion, and at paragraph 127 part f), that decisions should ensure that development create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The relevant Core Strategy Policies in respect of this application include CS23, CS24, CS32, and CS41.

Core Strategy Policy CS23 relates to locations for new housing and states that, in Chapeltown, housing development will be limited to suitable, sustainable sites within the existing built-up areas.

In its approach to meeting the need for new homes in built-up areas, policy CS23 is consistent with the NPPF, which gives substantial weight to using brownfield land for housing (paragraph 118).

The site is situated within the existing built-up area of Chapeltown. It is located on a bus route and within 1km from Chapeltown Railway Station, and Chapeltown District Centre is approximately 1km from the site. While the distance to Chapeltown District Centre is not within easy walking distance, the site is considered to be sustainably located.

Core Strategy Policy CS24 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.

This policy is also considered to be consistent with the NPPF, which states at paragraph 117 that policies should set out a strategy for meeting need in such a way that 'makes as much use as possible of previously-developed or 'brownfield' land', and as previously referenced, 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.

The proposal relates to previously developed land. Therefore, the proposed development accords with Core Strategy Policy CS24.

Core Strategy Policy CS32 relates to jobs and Housing in Chapeltown and Ecclesfield. The policy states that new housing will be limited to infilling and windfall sites within the existing residential areas and the surrounding countryside will be protected.

Policy CS32 again reflects the NPPF approach to using brownfield land within existing settlements for homes (paragraph 118) and the proposed development would not conflict with this policy as the proposal relates to the re-use of an existing building within the existing residential area of Chapeltown.

Core Strategy Policy CS41 sets out that mixed communities will be promoted by encouraging development of housing to meet a range of housing needs including a mix of prices, sizes, types and tenures. Part a) of this policy seeks to provide housing for a broad range of smaller households in the City Centre and other highly accessible locations where no more than half the new homes in larger developments should consist of a single house type, and at part d) limiting new or conversions to hostels, purpose-built student accommodation and Houses in Multiple Occupation where the community is already imbalanced by a concentration of such uses or where the development would create imbalance. For the purposes of part d) of this policy, this would be achieved, in part, by limiting these type of uses to no more than 20% of all residences within 200m of the application site.

The proposed development does not conflict with this policy as it would secure the use of the building for social housing in support of vulnerable people in need of suitable housing, and it would not lead to a concentration of uses that would imbalance the community as there are no hostels, purpose-built accommodation or registered HMOs within 200m of the application site. While it is noted that the proposed units would be primarily for single occupation, which would conflict with part a) of policy CS41, the specific nature of the development is considered to justify the single house type proposed.

The following part of the report is separated into two sections, the first relating to the

effect of the development on crime, fear of crime and anti-social behaviour (ASB), and the second relating to the suitability of the building as a homeless residence, in this location and taking into account the type and number of units being provided, and whether the development would have appropriate support networks to accommodate the use.

Effect of the development on crime, fear of crime and ASB

A very high number of objections have been received from local residents with the overwhelming concern being the unsuitability of the proposed use in this location and fears that the development would increase crime and ASB. While a number of residents acknowledge that there is a need to provide suitable accommodation to house homeless people across the city, they do not consider this residential suburb of Chapeltown to be an appropriate location, many commenting that there are inadequate support networks in place to accommodate the number of units proposed.

South Yorkshire Police (SYP) have confirmed that, despite the high number of representations received referring to an increase in crime and ASB in the area, their Neighbourhood Policing Team (NPT) have not experienced a rise in crime directly attributed to the application site, and there has been only a slight rise in ASB.

South Yorkshire Police have said that their main concern with the proposal is that its use as a homeless shelter during the pandemic included on-site services to support the complex needs of the residents, a provision which, they say, does not appear to be included under this proposal. Also, the hotel also provided security which managed out some of the incidents and controlled access to the venue. They say that such safeguarding measures do not appear to be in place under this proposal.

During the application, the applicant submitted an additional supporting statement prepared by Midland Living CIC. It states that the proposed development would have a combination of Intensive Housing Management, Night Support/Concierge and Housing Support that would be available to residents 24 hours a day, 7 days a week. This would likely address some of the concerns of SYP.

Whilst the number of people who have reported crimes and ASB to the police during the time the hotel has accommodated homeless people has, according to SYP, been low. A very high number of residents have, according to representations, experienced incidents of ASB in the area surrounding the hotel which they have attributed to its recent use. The incidents of ASB experienced include abusive and threatening behaviour, children being approached, begging, drug abuse, increased litter and drunkenness. Local residents are concerned that this type of behaviour would continue if the use of the building to accommodate homeless people become permanent.

Paragraph 91 of the NPPF (parts a and b) states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction and are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

The NPPF also states that the creation of high quality buildings and places is what the planning and development process should achieve, with paragraph 127 stating that planning policies and decisions should ensure that developments: a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; d) establish or maintain a strong sense of place; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Government policy therefore recognises that fear of crime, as well as actual crime and disorder, is capable of being a factor in decision making. Case law also accepts that fear of crime is capable of being a material consideration, but that fear and concern must be real and have some reasonable basis. The fear of crime has no definition in the planning acts, but it is often referred to as the fear of being a victim of crime as opposed to the actual probability of being a victim of crime.

Many local residents are concerned that the proposed development would increase the likelihood of crime and cases of ASB in the area and it is not disputed that many have experienced ASB and, as a result, question the suitability of the site for the proposed use in this residential suburb of Chapeltown.

Bearing in mind the increased scale of the proposal, from 36 to 44 residents, and the perceived threat of increased crime and ASB, some of which is based on experience and an albeit small increase in reported ASB confirmed by SYP, it is considered that the use of the site to accommodate a high number of homeless people on a permanent basis would, on balance, undermine the quality of life of residents that live close to and adjacent to the site to the detriment of the amenities of the locality and the area's established residential community.

Similarly, the Director of Housing with lead responsibility for the development of the Council's Housing Strategy and for its statutory homelessness services, said that the concentration of 44 studio apartments/bedsits for people who have been or are at risk of being homeless, including some with multiple and complex needs, could have a significant impact on the living conditions of the occupiers and local community.

As such, it is considered that the development would be contrary to UDP Policy H14 part k and government guidance contained in paragraphs 91 and 127 of the NPPF.

Suitability of the hotel as a homeless residence in this location

As stated above, UDP Policy H6 permits good quality short-term accommodation for homeless people in accessible locations, while policy H8 permits supportive accommodation in suitable locations where it is within easy reach of a shopping centre and public transport and is suitable for people with disabilities.

Paragraph 61 of the NPPF states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Paragraph 92 of the NPPF states that, to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should take into account and support the delivery of local strategies to improve health and social well-being for all sections of the community and ensure an integrated approach to considering the location of housing, community facilities and services.

The Director of Housing, responsible for the development of the Council's Housing Strategy and statutory homelessness services, has stated that the area of the site is not suitable for the proposed development as will not provide the level of support and services needed for the intended residents.

As part of COVID 19 emergency measures, Sheffield City Council placed a maximum of 36 homeless people in the hotel. These were short-term placements with daily on-site support from specialist Council housing staff and partner agencies. Each person had an agreed support plan and was rehoused as soon as possible into suitable supported or general needs housing. There was a 24 hour on-site officer and security presence, arrangements with local policing teams to respond to any community safety concerns, and non-residents were not permitted in the building.

Midland Living CIC subsequently set out the level of support that would be offered to future residents of the building, but the proposed design of the building does not include areas that could facilitate multi-agency support work or intensive housing management and support, such as shared spaces or offices. And, other than a small gym, the plans do not include any communal facilities. As a result, future residents may not be provided with adequate support because specialist facilities are not available in the local area. Furthermore, local doctor surgeries and pharmacies may not be equipped to support a concentration of people with complex needs. Residents would also be unable to easily access existing support networks, which are largely located in or close to the city centre.

There are also concerns about the accommodation proposed. The Director of Housing reports that studio apartments/bedsits are generally unpopular in general needs housing and are not recognised as meeting a particular housing need in most parts of the city, with the possible exception of areas of very high need and/or areas with high numbers of young single people, which does not apply to Chapeltown. There is a need for additional apartments in this location, but SCC Strategic Housing would be looking for a mix of properties with one and two-bedrooms, with good space standards, built to accessible design standards and ideally with a small number of wheelchair adaptable properties.

Most of the proposed properties fall below the minimum Nationally Described Space Standards for a one bedroom one person unit of 37m² and below the South Yorkshire Residential Design Guide minimum standard for a 1 person studio of 33m².

It should also be noted that the Council has no agreements in place with the developer to make referrals to their services or to commission support services from them, and that the Council only make referrals directly to supported housing

schemes that it has agreements with and in accordance with Sheffield City Council's Housing Strategy 2013-2023.

It is acknowledged that some management and support is proposed by the applicant alongside the 44 social housing dwellings. However, it is considered that the development would not provide the level of support and services needed by the intended residents, either within the facility or in the locality, as a result of its isolated location (and in relation to existing support networks).

It is therefore considered that the proposed development does not support the delivery of local strategies to improve health and social well-being for all sections of the community, nor is it part of an integrated approach to considering the location of housing and services as required by paragraph 92 of the NPPF.

The development is therefore contrary to UDP Policies H6 and H8 and paragraphs 92 part b and 127 part of the NPPF

Loss of a Community Facility

Development Plan policy in respect of community facilities is contained within UDP Policies CF1—CF2. Policy CF2 sets out that development which would result in the loss of community facilities will be permitted if:

- a) The loss is unavoidable and equivalent facilities would be provided in the same area; or
- b) The facilities are no longer required; or
- c) Where a change of use of a building is involved, equivalent accommodation would be readily available elsewhere.

Although the UDP's definition of community facilities (pp169-170) is limited to uses in Use Class D1 usually provided by the public sector, the NPPF recognises the social benefits of a range of facilities in promoting healthy and safe communities.

Paragraph 92 part a) of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments, with community facilities including local shops, meeting places, cultural buildings, public houses and places of worship.

While a hotel would not be classed as a community facility for the purposes of UDP Policy CF2, it is acknowledged from the high number of representations received that prior to its closure, the hotel's restaurant, bar and function rooms in particular were well frequented by local residents and provided an important community facility catering for social events such as weddings and birthday parties as well as being a general meeting place.

While the hotel is a valued asset that provides social benefits to local community, it is considered that only limited weight can be afforded to the loss of this facility. The NPPF does not include hotel bars or restaurants within the list of community facilities

set out at part a) of paragraph 92, indeed many hotel bars and restaurants are not open to the general public. Moreover, there are a range of similar facilities available in the Chapelton and High Green shopping areas, as well as a nearby public house located to the south of the application site at the junction of Lane End and School Road.

No nomination has been made by the local community to turn the hotel into an Asset of Community Value (ACV) and the facilities provided by the hotel remain ancillary elements to the primary use of the building as a hotel.

It is considered, therefore, that it would be difficult to sustain a refusal on the grounds that the change of use of the hotel would lead to the loss of a valued community asset.

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.

The hotel currently benefits from a large car park at the southern end of the application site. The car park has a wide access and visibility for vehicles entering and leaving the site, and for pedestrians passing the site, is good.

It is considered that the existing car park would meet the likely parking demands of the development, which given the proposed tenure is likely to be low.

The proposals raise no highway safety concerns and the requirements of policy H14 d) are met.

Design Issues and Effect on the Character and Appearance of the Surrounding Area

UDP Policy BE5 (c) states that good design and use of good quality materials will be expected in all new and refurbished buildings and extensions. It goes on to state that all extensions should respect the scale, form, detail and materials of the original building.

Core Strategy Policy CS74 sets out the design principles that would be expected in all new developments. It details that high-quality development respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods. At Part (c) it includes the townscape character of neighbourhoods with their associated scale, layout and built form, building styles and materials.

These policies are considered to be consistent with government policy contained in the NPPF, which states at paragraph 127 that planning policies and decisions should

ensure developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and at paragraph 170 that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.

The proposed change of use of the building does not involve any external alterations to the building. As such, it is not considered that the proposed development would result in any harm to the character and appearance of the surrounding area.

It is therefore considered that UDP Policy BE5 and Core Strategy CS74 are met.

Residential Amenity Matters and Effect on the Living Conditions of Neighbouring Properties and Future residents of the studio flats.

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development or change of use proposals 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 (k) that the development would not lead to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby.

UDP Policy H15 relates to the design of new housing developments and states at part a) that the development should provide easy access to homes and circulation around the site for people with disabilities or with prams and at part b) have adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

These policies are broadly 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.

Effect on the Living Conditions of the Occupants of Neighbouring Properties

It is acknowledged that there are/will be a number of residential properties (both existing and proposed) that are situated very close to the site, some of which are currently being overlooked by windows of the hotel.

The supporting plans show that the proposal would utilise the building's existing windows, with no additional windows planned, and, on the face of it, the proposed change of use would not lead to any additional overlooking issues. However, it is acknowledged that, unlike hotel rooms in which guests are unlikely to spend a lot of time, the occupants of self-contained flats will spend more time in their rooms and rely more heavily on their windows for outlook. Consequently, given the high number of windows along the building's side elevations that face neighbouring properties, it is considered that the proposed change of use would increase the instances of and opportunities for overlooking.

This weighs against the proposed change of use. However, it is considered that the

likely increase in the instances of and opportunities for overlooking would not be so significant that it would prevent use of the hotel for residential use. The number of habitable windows in close proximity to neighbouring properties is relatively low (as some serve hallways or are set a good way back from the boundary). It is considered, therefore, that the living conditions of the occupiers of neighbouring properties would not be so seriously diminished to justify a refusal on grounds of unacceptable loss of privacy.

In terms of noise, future residents of the proposed flats would be provided with acceptable living conditions. Furthermore, the impact of the proposed use on nearby residential properties in respect of noise breakout should be less than from the hotel use, given that the hotel includes conference facilities, an entertainment suite, a bar and a restaurant, all of which are likely to generate noise over and above the use of the building for residential use.

Living Conditions of Future Residents

The building would be adapted to provide 44 self-contained studio flats, which vary in size between 20.8 and 39.4 square metres, and all are provided with en-suite toilet/shower and kitchen facilities. Apart from the ground floor, which would contain the development's larger flats, the adaptation of the hotel would primarily utilise the hotels existing bedrooms.

It is considered that the flats are small and, as previously described, many are below the minimum Nationally Described Space Standards for a one bedroom one person unit and below the South Yorkshire Residential Design Guide minimum standard for a 1 person studio. However, with no locally set minimum standards (in Sheffield), the proposed accommodation is considered to be acceptable and unlikely to result in significant harm to the amenities of future occupants. Particularly as the accommodation is designed to be short term rather than a permanent home.

The residents would also benefit from a ground floor gym and have access to the site's gardens.

As such, it is considered that future residents would have a reasonable level of amenity in accommodation that would meet their everyday needs. It is therefore considered that the development complies with UDP Policy H15 part b), which expects basic standards of daylight, privacy, security and outlook to be met.

Community Infrastructure Levy (CIL)

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

In this instance the proposal is liable for CIL charges. The applicant has completed the relevant form and has confirmed that the development is CIL liable and not exempt for the reasons set out under Section 4 (Exemption or Relief) on the CIL

form.

SUMMARY AND RECOMMENDATION

This application relates to the Staindrop Lodge Hotel in Chapeltown. The hotel closed in March 2020 in response to the Covid-19 pandemic and was leased by Sheffield City Council to accommodate homeless people under emergency coronavirus legislation brought in by the government. The Council ceased this arrangement at the end of June 2021.

The applicant is seeking full planning permission to change the use of the hotel to 44 self-contained flats for homeless people. The applicant has stated that the use of the hotel would continue in a similar manner to how the Council has been using it since the beginning of the pandemic.

The Staindrop Hotel is located in a Housing Area, where housing is the preferred use of land. In principle, the proposed change of use is acceptable and the site is in a sustainable location.

While there would be some harmful impacts on neighbouring residents as a result of increased overlooking, this is not considered to be on a scale that would warrant a refusal. Living conditions for occupants of the proposed accommodation would also be satisfactory and there would be appropriate off-street car parking and no adverse impacts on highway safety.

While the hotel is clearly a valued asset that provides social benefits to local community, it is not an Asset of Community Value (ACV) and the communal facilities are ancillary elements to the primary use of the building as a hotel. Moreover, a range of similar facilities are available in Chapeltown and High Green and in a nearby public house.

The development would comply with UDP Policy H5 (a and c) and Policy H6 (a and b). It is also considered that the development would not conflict with Core Strategy Policies CS23, CS24, and CS41.

However, there are significant concerns regarding the suitability of the proposed use in this residential suburb of Chapeltown. While South Yorkshire Police have confirmed that only a small increase Anti-Social Behaviour (ASB) can be directly attributed to the recent use of the site as a shelter for homeless people during the pandemic, it is clear that many local people have experienced ASB and that the perceived threat of increased crime and ASB would, on balance, undermine the quality of life of residents that live close to and adjacent to the site to the detriment of the amenities of the locality.

Furthermore, the proposed internal reconfiguration of the building does not include areas to facilitate multi-agency support work, none of the studios would provide suitable facilities for people with disabilities, and there has been no assessment of the impact of the development on local services. It is considered that the development would not provide the level of support and services needed by the intended residents, either within the facility or in the locality, as a result of its

isolated location (and in relation to existing support networks) and so the development, in this location, is not acceptable.

For the reasons set out in the report and having regard all other matters, the proposal is considered to be contrary to UDP Policies H6 (c) and H8, H14 and government guidance contained in the National Planning Policy Framework (NPPF) at paragraphs 91 (parts a and b), 92 part b) and 127 part f). It is therefore recommended that the application be refused for the following reasons:

1. The Local Planning Authority consider that the proposed development, which lies in a residential suburb of Chapeltown, would result in instances of anti-social behaviour and a fear of crime that would undermine the quality of life of residents that live close to and adjacent to the site to the detriment of the amenities of the locality. As such, the development would be contrary to UDP Policy H14 part k) and government policy contained in the National Planning Policy Framework at paragraphs 91 b), 92 b) and 127 f).
2. The Local Planning Authority consider that the proposed development, by reason of its layout and location within a residential suburb of Chapeltown, would not provide the level of support and services needed by residents with complex needs, either within the facility or in the locality, as a result of its isolated location (and in relation to existing support networks). As such, the development would be contrary to UDP Policy H8 and government policy contained in the National Planning Policy Framework at paragraphs 92 b) and 127 f).
3. The Local Planning Authority consider that the proposed development does not provide suitable facilities for people with disabilities making the flats inaccessible for people with impaired mobility. As such, it is considered that the development would be contrary to UDP Policies H6 c), H8 b) and H15 a) and government policy contained in the National Planning Policy Framework at paragraph 127 f).

Case Number	20/03752/OUT (Formerly PP-09197967)
Application Type	Outline Planning Application
Proposal	Outline application (all matters reserved) for the erection of an apartment block comprising up to 10 apartments (Resubmission of application 20/02908/OUT) (Amended Plans)
Location	Daisy Chain Middlewood Villas 95 Langsett Road South Sheffield S35 0GY
Date Received	27/10/2020
Team	West and North
Applicant/Agent	Cero Architecture
Recommendation	Grant Conditionally

Time Limit for Commencement of Development

1. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) Access, (b) Appearance, (c) Landscaping, (d) Layout and (e) Scale (matters reserved by the permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

2. Application for approval in respect of any matter reserved by this permission must be made 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.

3. The development shall be begun not later than whichever is the later of the following

dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

Approved/Refused Plan(s)

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

Site Plan dwg ref: 01-520-0S4A (published 23rd November 2020)

Reason: In order to define the permission.

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

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

until the drainage works approved for that part have been completed.

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

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

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

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

8. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

9. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

10. 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.

11. 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.

12. No development shall commence until full details of measures to protect the trees immediately adjoining the site which are 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, including excavation, shall commence until a structural approval in principle document (AIP) has been submitted to and approved in writing by the local planning authority in relation to the permanent support that the below ground walls and floors of the proposed building adjacent Langsett Road South will offer to the public highway, and also in relation to the temporary support offered to the public highway required during excavation.

The AIP shall be carried out in accordance with Highways England guidance document CG300, Technical Approval of Highway Structures, and shall include, but not be limited to, drawings/calculations and a construction method statement, for all temporary and permanent works, explaining how the public footway and carriageway will be supported during these processes and by the new retaining structure and dwelling thereafter.

Demolition and construction works shall only be carried out in accordance with the approved AIP.

Reason: In the interests of highway safety.

14. 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.

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

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

16. 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.

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

17. Unless it is not feasible and/or viable, the development shall incorporate a green/biodiverse roof (vegetated roof surface). Prior to foundation works commencing details of the design, specification and maintenance regime of the green/biodiverse roof shall be submitted to and approved in writing by the Local Planning Authority.

Unless an alternative specification is approved the green/biodiverse roof shall include a substrate growing medium of 80mm minimum depth incorporating 5-20 % organic material.

The green/biodiverse roof(s) shall be installed in accordance with the details approved by the Local Planning Authority 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 and the visual amenities of the locality.

18. Before any above ground works commence full details of measures to be incorporated into the development to enable charging of plug in or other ultra low emission vehicles shall be submitted and approved in writing by the Local Planning Authority. The charging facilities shall be provided in accordance with the approved details prior to first occupation of the development and thereafter retained.

Reason: In the interest of sustainability and minimising the impacts of the development on air quality.

19. 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.

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

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

21. Before any above ground works commence, full details of a bin storage area within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the bin store shall be provided and retained in accordance with the approved details.

Reason: In the interests of the amenities of future residents and highway safety.

22. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle and vehicle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle and vehicle parking has been provided in accordance with the approved plans and, thereafter, such cycle and vehicle parking accommodation shall be retained.

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

Other Compliance Conditions

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

Reason: In the interest of satisfactory and sustainable drainage.

24. 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.

25. No part of the development shall be used unless all redundant accesses to that part of the development site have been permanently stopped up and reinstated to kerb and footway and the means of vehicular access shall be restricted solely to those access points indicated in the Reserved Matters application.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.

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

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

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

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

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

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

5. 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

6. 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.

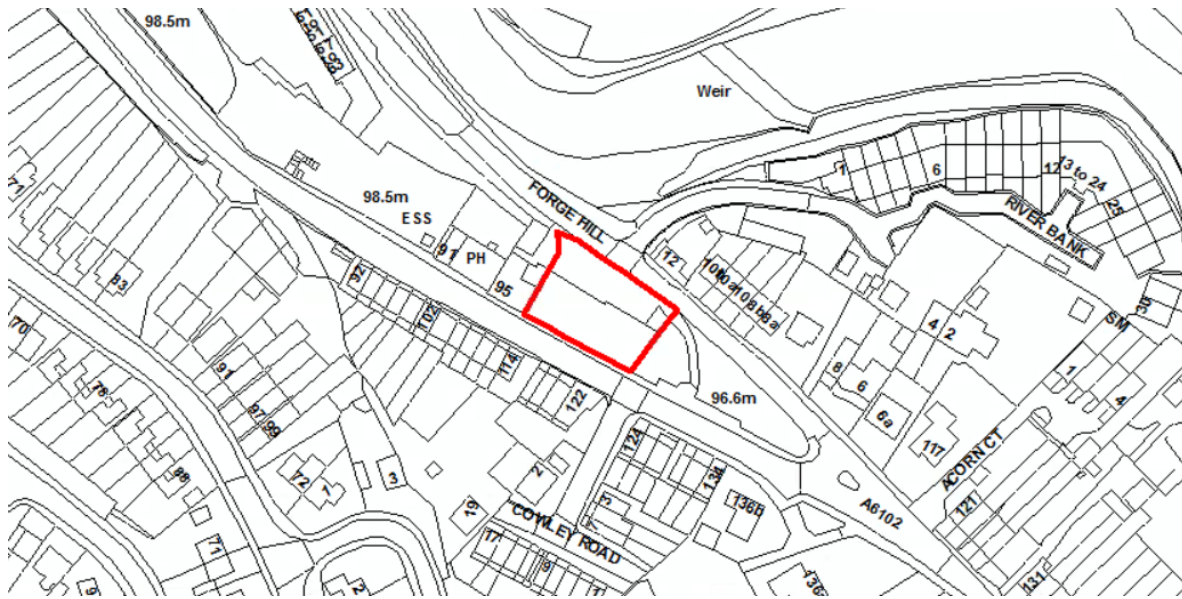
7. The applicant is advised that in order to discharge the above condition relating to gigabit-capable full fibre broadband the following should be provided:

- 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

8. The applicant is advised that, where you are required to submit a structural approval in principle document (AIP) for approval, it is essential to include all the information requested. For advice in advance of your submission, please contact: HMDStructures@sheffield.gov.uk

Site Location



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LOCATION AND PROPOSAL

This application relates to a small parcel of land between Forge Hill and Langsett Road South in Oughtibridge. The site is currently used by the Daisy Chain nursery.

The site is split east to west by a retaining wall. The higher section, adjacent to Langsett Road South, is enclosed by stone walls and timber fencing and used as the nursery's outside play area. The lower section of the site adjacent to Forge Hill is used as a parking area.

As amended outline planning permission, with all matters reserved (access, appearance, landscaping, layout and scale), is sought for the erection of up to 10 apartments.

The indicative plans (as amended) show the accommodation arranged within a two/three storey building with undercroft parking. Vehicular access is to be taken from Forge Hill.

The Sheffield Unitary Development Plan (UDP) proposals map identifies the site as being in a Housing Area. The locality is primarily residential in character. To the south is a small area of informal open space, to the north and south are existing residential properties. The existing nursery building, located just to the west, is excluded from the red line application site boundary. It does however remain in the applicant's ownership and is shown to be converted to a dwelling, subject to any necessary permissions. Just beyond the nursery is the Traveller's Rest Public House.

PLANNING HISTORY

02/00476/OUT - An application for residential development was refused in July 2002 on the basis that the proposed development would conflict with the objectives of Planning Policy Guidance 3 (PPG3 - Housing) as it involved the development of a greenfield site without compliance with the sustainability criteria referred to in the guidance.

A subsequent appeal against the council decision was dismissed by the planning inspectorate.

At the time the site was vacant, largely covered by vegetation and considered to be a greenfield site that was read as an extension of the adjoining informal open space. The merits of the scheme were not considered to override the presumption against developing greenfield land. The proposal at that time would have been considered in a very different national planning policy context (PPS 3: Housing). The National Planning Policy Framework, does not preclude the development of greenfield sites in the same way as previous national planning policy.

The site has since been purchased by and used in conjunction with the adjoining nursery. It is now considered to be previously developed land.

Considering the above, the change in national policy context, alongside the age of the appeal decision (19 years), the previous refusal of planning permission on this site is considered to carry little weight in the determination of this application.

20/02908/OUT - Development of residential apartments (Outline Application with all matters reserved) – withdrawn.

SUMMARY OF REPRESENTATIONS

An initial round of public consultation (letters and site notices) was carried out in November 2020. 46 letters of objection, two neutral comments (including Councillor Julie Grocutt) and two comments in support were received. The issues raised are summarised as follows:

General Planning Issues

- Insufficient details provided, plans are incomplete and deliberately misleading.
- Loss of a valuable nursery facility.
- Inadequate consultation has been carried out by the Council.
- There are too many apartments in the centre of the village, a better mix of family housing is required.
- There are already a huge number of residential developments taking place in the area.
- Doctors' surgeries and schools are already oversubscribed.
- More cars and traffic would create air quality issues, emissions would also not be able to escape as the road would be enclosed by development.
- No affordable units are proposed.

- The units are unlikely to be affordable for local people.

Design Issues

- An unacceptably high-density development, that results in the loss of garden land and open aspect of the area.
- Unacceptable visual impact, the building is overbearing and out of scale and character with the existing building in the surrounding area.
- A modern development such as this would be out of keeping with the prevailing character of the area.
- Only a low-level building would be appropriate for this site.
- Lack of bin storage would harm the visual amenities of the locality.

Amenity Issues

- Residential amenity of nearby properties will be adversely affected by overlooking, loss of privacy, overshadowing, noise and disturbance and loss of light.
- Loss of light would be more significant in the autumn and winter months when the sun is lower in the sky
- Balconies will cause overlooking and should not be included.
- The site would be overdeveloped.
- Air quality in the valley is very poor.

Highways Issues

- Highway concerns as the site is part of a one-way traffic system.
- The council have identified Bridge Hill, Station Lane, Orchard Street and Low Road as one of the worst junctions for accidents in the city.
- Accidents will increase because of the development.
- The development will increase demand for the already overburdened parking provision in the area.
- The newly opened co-op building is already causing traffic issues.
- Insufficient car parking provided for the residents and their visitors.
- Construction access and servicing (bin lorries, grocery and amazon deliveries) will cause traffic issues.
- It is very difficult to access Forge Hill from Riverbank at busy times, this will be made more difficult by the development.
- Nowhere for people to bring out and leave bins for collection.
- Construction access will need to be carefully considered to avoid highways and related disturbance issues.
- The area is already the subject of high levels of through traffic.
- The public transportation system in the whole valley is unsuitable unless some form of rail system is installed and very significant improvements made to other public transport .

- Driver visibility is very poor in the winter when the sun is low.

Non-Material Planning Issues

- A majority of local residents in the area are elderly and have been self-isolating during the pandemic. The development will affect their quality of life and mental health.
- The application was deliberately submitted and advertised at a time when people were isolating in an attempt to reduce the number of objections to the scheme.
- Views across the valley from existing properties would be lost.
- The Nursery is well attended and is a much-needed facility.
- The proposal will de-value property.
- Right to light issues.
- The primary driver for the development is to maximise income .

Bradfield Parish Council objected on the following grounds:

- Overlooking and loss of privacy of neighbours.
- Overdevelopment of a small site.
- The building is detrimental to the character of the area.
- Access, egress and parking issues.
- Infrastructure already at capacity.
- Question whether more flats are needed as the local plan stipulates the provision of a range of homes.

Councillor Julie Grocutt:

- The number of flats on the land may be a concern for local people.
- Concern that 10 flats might be too much in relation to the size of the site.
- Additional traffic generation.
- A large number of new homes have already been constructed in the Oughtibridge Valley.

Neutral comments:

- Quite a large building for the size of the plot, a reduction in height would make it less overwhelming for cottages on the main road.

In support:

- The development looks great, the current building is an eyesore and needs major development.

An additional round of public consultation took place in May 2021 following the receipt of amended plans. A further 19 letters of objection were received, with many

of the same issues raised. New issues can be summarised as follows:

General Planning Issues

- The site would be located on a roundabout.
- Oughtibridge is already far too developed.
- The impact on the already stretched infrastructure would be significant.

Design Issues

- Only a two-storey building with a nice façade would be acceptable.
- The development is out of keeping with the local vernacular, impacting character.
- The flat roofed design is not in keeping with the area.

Amenity Issues

- The building is too large.
- Nothing has been done to address issues with loss of light.

Highway Issues

- The revised plans do not address highways concerns.
- A pedestrian crossing would be required to safely cross the road.
- Other new development in the area is already creating highways issues.
- Moving the access opposite Riverbank will impact highway safety.
- 10 spaces for 10 flats is not enough.

Other Issues

- There are a large number of vacant apartments in Oughtibridge.
- Planning Committee members must visit the site
- The nursery should be brought back into use. There is a need for one and new increasing demand from all the homes being built in the area.

Bradfield Parish Councillor Terry Barrow objects on the following grounds:

- Insufficient parking and majority of on street spaces are already taken up by other flats in the area that only have one space.
- Issues of overdevelopment, access and egress, parking and capacity of local infrastructure have not been addressed by the revised plans.
- There is a reduction in parking from the previous version of the scheme which will aggravate existing issues.
- Access has been moved opposite the road into River View estate causing further highways safety issues in one of the worst accident black spots in the city.

Bradfield Parish Council maintain their objections that:

- The application should be refused.
- Previous comments made remain valid, but councillors would wish to note that parking issues have been made worse by only 10 spaces being provided and no provision for visitors.
- The new entrance will add to safety and congestion issues, especially at peak times.

PLANNING ASSESSMENT

Policy Context

All planning applications must be determined under S.38(6) of the Planning and Compulsory Purchase 2004 Act, that is in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF/Framework) is a material consideration in planning decisions.

The key principle of the Framework (paragraph 8) is the pursuit of sustainable development, which is identified as having three overarching objectives (economic, social and environmental) that are independent and should be pursued in mutually supportive ways. This assessment will have due regard to these overarching principles.

The Council's Development Plan (UDP and Core Strategy) substantially predate the Framework. Paragraph 12 however makes it clear that the Framework's presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making.

The policies of the Development Plan should not simply be considered out-of-date because they were adopted (as is the case in Sheffield) or made prior to the publication of the Framework (paragraph 213). Weight should be given to the relevant Development Plan Policies, according to their degree of consistency with the Framework. The closer a policy in the Development Plan is to the policies in the Framework, the greater the weight it may be given.

Planning Balance

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

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or

- 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.

In addition to the potential for a policy to be out of date by virtue of inconsistency with the Framework, paragraph 11 states that where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites with the appropriate buffer (which for SCC is 5%, pursuant to para 73 of the Framework) the policies which are most important for determining the application will automatically be considered to be out of date.

This is referred to as the “tilted balance”

On 16 December 2020 the Government published an update to planning practice guidance ‘Housing and economic needs assessment’ which changed the standard method for calculating the Councils local housing need figure. The most recent publication now includes the ‘cities and urban centres uplift’, requiring a 35% uplift to be applied to the local housing need figure for Sheffield and 19 of the other largest cities and urban centres. The urban centres uplift increases 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 of 1 April 2020, with respect to the period 2020/21 to 2024/25 and 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 and as the Council has a 5.4-year housing land supply the ‘titled balance’ is not automatically engaged.

Housing Policy Issues

The site is in a UDP Housing Policy Area. Within such areas, housing (use class C3) is the preferred use of land. The principle of the development is therefore acceptable, subject to consideration of all other relevant policy and material planning matters.

The government attaches significant weight to boosting the supply of new homes. The development of small windfall sites, such as this, are specifically supported by the Framework (Paragraph 68) given the important contribution they can make to meeting the city’s housing requirements and the relative speed with which they can be delivered. This is an underutilised site, located within an existing settlement and its redevelopment for houses is afforded great weight by Framework Paragraph 68 c).

Up to 10 apartments would make a positive, albeit small contribution to boosting the supply of housing in the City. It would also help to diversify the local housing stock. These are clear benefits of the scheme that should be afforded great weight in the consideration of this application in accordance with the guidance in the Framework.

The weight housing delivery is afforded is however tempered by the fact that the city already has a 5.4-year supply exists. This is not to deny it is a benefit, but simply to register the scale of the contribution made in the context of the existing supply position.

Previously Developed Land

The application site is previously developed land (PDL) or brownfield land in accordance with the Framework's definition. The value of redeveloping PDL for homes is afforded substantial weight by paragraph 118 c) of the Framework. The Framework does not however strictly advocate a brownfield first approach or specifically prioritise the redevelopment of PDL in the same way that Core Strategy Policy CS24 does. For these reasons CS24 is not fully consistent with the Framework. It does however still retain moderate weight considering paragraph 118 c). Irrespective, the development is considered to comply with the objectives of the relevant local development plan policies and the Framework.

Density

Core Strategy Policy CS26 encourages making efficient use of land to deliver new homes. This should however be achieved at a density appropriate to the sites location taking account of the sites relative accessibility and the character of the area. CS26 is broadly consistent with paragraph 122 of the Framework which promotes the efficient use of land. However as paragraph 122 identifies a wider variety of factors that should be considered when assessing density, including housing need, the availability of infrastructure/sustainable travel modes, the desirability of maintaining the areas prevailing character and setting, promoting regeneration, and the importance of securing well designed and attractive places, CS26 only retains moderate weight.

The application is approximately 0.08 hectares in area and the development of up to 10 apartments represents a density of 125 dwellings per hectare. This will increase the density of development on the site and within the local area. However, considering the importance the Framework and local policy place on making efficient use of sustainably located sites, the need to boost the supply of homes and the fact that the development will not harm the character of the area or amenities of existing and future residents (explained in more detail later in this report) the density of the development is considered to be acceptable.

Design Issues

Chapter 12 of the Framework (Achieving well-designed places) identifies good design is a key aspect of sustainable development. Paragraph 127 seeks to ensure that developments function well and add to the overall quality of the area such that they:

- are visually attractive as a result of good architecture, layout and landscaping;
- are sympathetic to local character, including the surrounding built environment (while not preventing appropriate innovation or change);

- maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; and
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

Policies CS74 of the CS and UDP policies BE5, H14 and H15 all seek to secure high quality developments which are of an appropriate scale and which enhance the character and appearance of the area. These local plan policies are considered to align with the Framework in relation to design matters and continue to carry substantial weight.

This outline application has been submitted to establish the principle of residential development as the detailed matters of access, appearance, landscaping, layout and scale are reserved for subsequent approval. As amended, a set of indicative plans have been submitted to illustrate how the development could be accommodated on site and these forms the basis for the following assessment.

Layout

The application site is rectangular in shape as is the footprint of the proposed building. The building is shown to occupy a large majority of the site. It is however positioned closer to the adjacent informal open space on the corner of Forge Hill and Langsett Road South, than the existing nursery.

The building is laid out so that the accommodation will face the adjoining public highways. Parking is shown to be accommodated inside the proposed building at ground floor level.

The layout is considered to be logical, taking account of the site's location between two public highways and the level changes across the site.

Scale

Given the significant change in levels across the site, the indicative plans (as amended) show the proposed apartment block to be two storeys to Langsett Road South and three storeys to Forge Hill. The overall height of the building has been reduced by adopting a more contemporary flat roofed design.

The uppermost storey of the building is set substantially back from Forge Hill to reflect the prevailing scale of two storey properties in the street. To Langsett Road South, as amended, the building is a similar height to the eaves of existing properties on the opposite side of the road.

This is not an overly prominent site and the mature trees and landscaping to the east and existing built form to the west will provide the site with some screening when approaching the site on the adjoining highways.

The scale of development is acceptable and will not appear out of character when considered in the context of the scale of the built form in the locality and the change in levels across the site.

Appearance

The external appearance and materials used in the construction of the building are not specified at this outline planning stage. The buildings opposite the site are attractive traditional stone built terraced properties. There is however a diverse mix of building styles that utilise different materials in the locality. It is considered that a more contemporary development with a flat roof could be readily accommodated on this site without harming to the character of the area or the appearance of the street scene.

Landscape

Framework paragraph 127 a) requires developments to add to the overall quality of the area (short and long term), b) to be visually attractive by using appropriate and effective landscaping and c) sympathetic to local character including a sites landscape setting. Paragraph 170 a) and b) recognise the economic and other benefits of trees and woodland.

At a local level good quality landscape design in all new development is expected (UDP policy BE6). The protection of trees and woodland and retention of mature trees and hedgerows (where possible), as well the replacement of trees that are lost to accommodate development is required by GE15. Core Strategy policy CS74 requires development to respect the areas landscape character.

The aims of policies GE15, BE6 and CS74 are considered to align with the Framework and continue to carry substantial weight.

The site largely comprises of hardstanding. There is a small area of soft landscaping with the site, however it has no public amenity and none of the existing on-site landscaping is worthy of retention or protection.

A small group of immature trees are located close to the eastern boundary of the site and what could be the side elevation of the proposed building. These trees, although not significant, do contribute to the visual amenities of the area, especially when considered alongside the more mature trees in the adjacent informal open further to the west.

The long-term health of these trees is unlikely to be effected by the redevelopment as they are separated from the application site by an existing retaining wall. The trees can also be protected from construction activity by a suitably worded planning

condition.

The flat roofed designed could allow a green roof to be provided subject to viability. This will be a matter for more detailed consideration at reserved matters stage.

From a landscaping proposal the development is acceptable.

Residential Amenity Issues

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

Policies H14 (Conditions on Development in Housing Areas), H15 (Design of New Housing Developments) and H5 (Flats, Bed Sitters and Shared Housing) are considered to align with the Framework as they expect that new housing developments provides good quality living accommodation to ensure that basic standards of daylight, privacy, security and outlook are met for existing and future residents. These local policies are therefore afforded weight.

Properties to the south, on the opposite side of Langsett Road South will be located approximately 11 metres from the front elevation of the building, across a public highway. This is a common relationship in a traditional street and is not considered to result in any unacceptable overbearing or significant loss of privacy, even if balconies are provided within in the street facing elevation of the building.

Furthermore, the site is located north of the properties on the opposite side of Langsett Road South, and so no significant overshadowing or loss of light will occur as a result of the development.

On Forge Hill only one property is located directly opposite the application site and that property has no windows or other openings in the elevation facing the site. The remainder of the site frontage faces the junction of Riverbank and mature trees further to the west. The proposal to substantially set back the top floor of the building will mitigate any harmful overlooking, overbearing, or overshadowing of properties on Forge Hill.

The development could be designed to allow for the conversion of the existing nursery to a dwelling, without detriment to the amenity of potential future occupants

There will be a minor increase in vehicle movements associated with the development. However, considering the limited scale of the scheme, vehicle movements are not considered to generate any significant noise and disturbance issues over and above existing traffic.

The design of the development is also not considered to create air quality issues that would adversely affect the amenities, health, or well-being of existing or future residents.

The building would be located between two public highways, however as this is an established residential area it is clear that acceptable living conditions can be provided for future occupants.

The proposal is acceptable from an amenity perspective.

Highway Issues

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

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

Policy H14 part d) expects new development to provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

It is considered that the aims and objectives of these local plan policies reflect those of the Framework and can be considered to have substantial weight in this context.

The site is in an established residential area which benefits from a frequent bus services that provides access to Deepcar/Stocksbridge, Hillsborough and the City Centre. There are stops within 15 and 110 metres of the application site. Local shopping facilities are located approximately 300 metres to the west and 160 metres to the east of the site. There is a public house next door but one to the site and a public park (with play facilities) within 400 metres. The development is therefore considered to be sustainably located.

As described above, the Framework is clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe (paragraph 109).

Residents have reported that the highways surrounding the site are very congested, and there are known accident 'blackspots'. Police accident records for the past 5-year period have been examined on Forge Hill in the vicinity of River Bank and the nursery car park, where vehicles currently enter and leave the site. Two separate accidents have occurred in the last 5 years, resulting in two slight injuries.

The first of the two accidents occurred in September 2017 involved a motorbike that collided with a parked vehicle when it attempted to overtake a vehicle and avoid a bus turning right into Langsett Road South. A second accident occurred in September 2018, when a vehicle turning left joining Forge Hill from River Bank collided with cyclist cycling the wrong way on the one-way system. There have been other accidents on the one-way system, but these were too remote from the development site to have a bearing. There have been no injury accidents recorded over the past 5 years associated with movements in or out of the Daisy Chain Nursery car park.

The existing junction at the bottom of Bridge Hill is under investigation by the Council and a scheme is due to be implemented in the near future aimed at improving highway safety and reducing accidents. The Bridge Hill junction is complex as it brings together 5 roads and incorporates crossing facilities and a bus stop. One of the key accident causations is traffic entering the junction from Bridge Hill when it isn't safe to do so. One option being considered is to restrict this particular movement. The Bridge Hill Junction is some distance from the application site and its operation is not considered to be materially impacted by the development.

All accidents are regrettable, however the causation factors of the two that have occurred nearby the site are not related to highway layout. Highway officers are of the view that given the existing use of the site, the type and scale of the proposed development and the review of injury accidents over the past 5 years, highway safety would not be compromised by the granting of planning permission.

The site is currently accessed from two different positions on Forge Hill. Langsett Road and Forge Hill are one way streets with speed restrictions of 30 mph. It is intended to continue to access the site from Forge Hill, however the exact position of the access is not fixed at this outline planning stage and could be arranged to create a stagger rather than a cross roads with River Bank. If planning permission is granted, the two existing site accesses would be closed and a single point of access constructed (broadly in the location of the existing ingress) to serve the under-croft car parking. Being located on a one-way section of highway, drivers leaving the proposed car park would only need to look to the left for a gap in the traffic before joining the road, a much simpler arrangement than at the bottom of Bridge Hill. Regardless there is good visibility to the east and west and turning movements into and out of the site are unlikely to cause any conflict with vehicles using the adjoining highway.

The traffic generated by the development is unlikely to be materially greater than the current use of the site as a nursery. Arguably there could be less movements, particularly in the peak hours when children would be dropped off and picked up

from nursery.

Indicatively 10 parking spaces are shown at the lower ground floor level, accessed from Forge Hill. No dedicated cycle parking is shown however this could be secured by condition. The level of parking proposed is acceptable considering the site's sustainable location within the centre of Oughtibridge. There is a significant amount of dedicated on street parking available on Langsett Road South that could cater for any visitor or overspill parking associated with the development.

Refuse bins will need to be brought to the back edge of the pavement for collection or alternative arrangements provided by the site owner or appointed management company. There is room within the site to cater for the development needs in this regard without detriment to highway safety.

Taking account of paragraphs 108 and 109 of the Framework and relevant local policies, the development is considered to be acceptable from a highways perspective as it does not give rise to any safety or operational concerns that would warrant the refusal of planning permission.

Sustainability

Framework Paragraph 153 confirms new development should comply with any development plan policies or local requirements for decentralised energy supply unless this is demonstrated to be not feasible or viable. Landform, layout, building orientation, massing and landscaping should also be considered to minimise energy consumption.

Policy CS63 identifies a series of actions to reduce the city's impact on climate change. Policy CS64 specifically requires new buildings to be energy efficient and use resources sustainably and developments of 5 dwellings or more to provide 10% of their predicted energy needs from a decentralised and renewable or low carbon energy source. An equivalent 10% reduction in a development's energy needs from a fabric first is also acceptable.

As this is an outline application details of how the requirements of CS64 will be satisfied have not been confirmed, but will be secured by condition. Solar or photovoltaic panels could be roofed mounted or a reduction in the building's energy demands secured by enhancement to the building fabric.

The building has a flat roof and subject to feasibility and viability it would be desirable to install a green roof, details of which will be secured by condition. Green roofs can help to deliver biodiversity net gains and reduce surface water run-off. Facilities to enable charging of plug-in and other ultra-low emission vehicles will also be secured by condition in accordance with Framework paragraph 110 (e).

As noted above the development makes efficient use of a previously developed site in an established residential area that has access to public transport and local shopping facilities. In general terms the proposal is a sustainable form of development.

Drainage

The Framework seeks to ensure that development does not increase flood risks elsewhere and that the most vulnerable development is located in areas at the lowest risk of flooding. Paragraph 165 requires major development to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. In doing so the systems used should take account of the advice of the Lead Local Flood Authority.

The site is not affected by surface or fluvial flood risk. The developer has identified that site conditions are unsuitable to allow surface water to infiltrate to the ground. A detailed surface water drainage scheme, including mechanisms for reducing the discharged from the site will be submitted at reserved matters stage.

Land Contamination

The Framework (paragraph 178) identifies that a site should be suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or previous activities such as mining.

The Council's Environmental Protection Services have advised that the site could potentially contain areas of localised contamination associated with its historical use that could affect human health and the local environment. These matters can be resolved by planning conditions requiring ground conditions to be assessed and the site to be remediated, if necessary.

Affordable Housing

Schemes of less than 15 dwellings are not required to provide on site or make any financial contributions towards the provision of affordable housing.

Infrastructure Related Issues

Local residents raised concerns regarding the ability for local services, including schools and medical practices, to cope with the additional demand generated by the development.

The proposed development falls well below the threshold of 1000 dwellings in the CIL and Planning Obligations SPD, where contributions towards health related infrastructure will be required.

It is unlikely that apartments would generate a considerable burden on school places and, as with the health related contributions, the development falls well below the thresholds (500+ dwellings for primary and 1000+ for secondary) set out in the CIL and Planning Obligations SPD where section 106 education contributions are required.

Any additional education or health related provision will be funded through CIL.

Community Infrastructure levy (CIL)

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

RESPONSE TO REPRESENTATIONS

Rights to a view across another person's land are not protected by planning legislation.

Rights to light are private matters, as are property values.

Infrastructure related concerns can be addressed by the payment of the Community Infrastructure Levy.

The temporary inconveniences of construction are not a planning matter, though site management and associated access can be controlled by condition.

All other issues are covered in the main body of the report.

SUMMARY AND CONCLUSION

This application proposes the clearance of the site and erection of up to 10 apartments in a 2/3 storey block with associated parking and access.

The site layout, landscaping, means of access, scale and external appearance of the development are reserved for subsequent approved. This is not a prominent site and the indicative plans (as amended) illustrate that a contemporary flat roofed development would not detract from the character of the area, the visual amenities of

the locality or harm the amenities of existing and future residents.

There are no structures or landscaping of value on this previously developed sustainably located site in the centre of Oughtibridge. The site is within easy reach of public transport services and local shopping facilities.

The density of development is acceptable, taking account of the sustainable location of the site and the character of the area, which contains a variety of housing types including apartments.

The adjoining highways can accommodate the development traffic without detriment to highway safety or the efficient operation of the network.

The scheme will deliver clear benefits by adding to the range of homes and boosting the overall supply of new homes, enabling the Council to meet its obligations of maintaining a 5-year supply of deliverable housing sites.

There will be employment benefits, albeit short term during the construction phase, and increases in local spending associated with the new residents which will contribute to the local economy.

Other more minor benefits include, making use of previously developed land and sustainability enhancements.

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

The proposal complies with the relevant local planning policies and those of the Framework. For the reasons identified above the development does not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the development.

It is recommended that outline planning permission is granted conditionally.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 27 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 Committee decision of the City Council to refuse planning permission for the Demolition of public house, and ancillary buildings (Use Class A4), and erection of 8no dwellings (Use Class C3) including associated undercroft car parking and formation of access to the highway at The Plough Inn, 288 Sandygate Road, Sheffield, S10 5SE (Case No: 19/02130/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a hip to gable roof extension to extend habitable room in roofspace at 28 Kingfield Road, Sheffield, S11 9AS (Case No: 20/04233/FUL) has been dismissed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the development on the character and appearance of the Nether Edge Conservation Area.

They noted this part of the Conservation Area contained well established properties set back from the highway and that their form and detailing defined its character and appearance. The arts and crafts detailing on the semi-detached property was mirrored by its adjoining neighbour, which affords symmetry along with their hipped roofs.

The Inspector considered the roof alteration to a gable would provide additional accommodation but would be at odds with the adjoining no.30 and would imbalance the symmetry evident in the pair, even accounting for the significant set back from the highway.

This level of harm was considered less than substantial but as the benefits of the scheme were purely personal to the applicant they did not outweigh that harm.

The Inspector therefore concluded the development would fail to preserve the character and appearance of the Conservation Area, and fails to accord with UDP policies BE5, BE16 and H14 and policy CS74 of the Core Strategy and dismissed the appeal.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the Council for the non-determination of an application for planning permission for the alterations and extensions to roof space to form additional habitable accommodation including erection of rear dormer, erection of first floor side extension over attached garage, and erection of single-storey rear extension at lower ground floor level including raised terrace at lower ground floor and ground floor level with new access steps to garden at 43 Pingle Avenue, Sheffield, S7 2LP (Case No: 20/04403/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the development on the character and appearance of the area.

The Inspector noted the sloping street contained mainly semi-detached properties, many of which had been extended in some form resulting in a reduction in the spacing between properties that would have originally been evident. He noted that variety occurred through the stepped nature of the properties following the topography as was exhibited in this case, with no.45 being higher than 43. He also noted two storey flush extensions, with no change in roof line, occupying the full width of the remaining plot space were present, and this caused a terracing effect.

However, whilst he noted that pursuing a design objective of subservience by setting extensions in, back and down was appropriate in certain circumstances, he stated the area was characterised by extensions of similar form to that proposed, but did not feel this was at a level where the cumulative effect was harmful, and the extension would therefore represent a harmonious addition.

He therefore concluded there was no conflict with UDP policies BE5 and H14, or with Core Strategy Policy CS74 and allowed the appeal.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a single-storey front extension to dwellinghouse at 1 Twickenham Glade, Sheffield, S20 4HY (Case No: 20/02656/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the dwelling and the area.

Whilst noting the Council's concerns about the fact that a 3 metre front extension would not comply with its Supplementary Planning Guidance and the fenestration would not match that of the host property, they considered that the particular set-back of the property (which is set back further than its neighbours) meant that the extension would not be so obtrusive and there was enough variety in the street scene for it not to harm the character. They therefore allowed the appeal subject to the use of matching materials.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 2x dwellinghouses at land between 53 Beighton Road and 35A Greengate Road, Woodhouse, Sheffield, S13 7PN (Case No: 20/01455/FUL) has been allowed.

Officer Comment:-

The Inspector considered the main issue to be the effect of the development upon the living conditions of the occupiers of neighbouring properties in relation to outlook, privacy and light.

In relation to proximity to numbers 1 and 3 Greengate Close, whilst the Inspector accepted that the 14 to 15 metre separation distance to the new dwellings was below the Council's guideline of 21 metres they considered that the offset arrangement and acute angle was enough to mitigate this and that the overlooking of gardens would not be materially worse than neighbouring plots.

In relation to the plot closest to 44, 46 and 48 Greengate Lane the Inspector was satisfied that, despite the level difference, there would be adequate separation between the side elevation of the new property and the rear elevation of the existing houses. However, the Inspector did consider that the proposed raised terrace to Plot 8, wrapping around the rear and side boundary could give rise to overlooking problems and there were not enough details to understand this impact so they omitted this part of the proposals from the approval. This means that the applicant would have to apply separately for this terrace at a future point.

The Inspector concluded that the development was in line with the adopted plan and the NPPF and allowed the appeal subject to the omission of the terrace and the imposition of conditions.

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

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

27 July 2021

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