

Planning and Highways Committee

Tuesday 9 November 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), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Bob McCann, Zahira Naz, Peter Price, 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 5033 or by emailing abby.brownsword@sheffield.gov.uk.

****PLEASE NOTE:** Meetings of Planning and Highways Committee have to be held as physical meetings. Social distancing restrictions and other public health safety measures still apply. The Council Chamber can accommodate all Planning and Highways Committee Members, plus officers, and a limited number of members of the public within a safe indoor environment. However, if you would like to attend the meeting, you must register to attend by emailing committee@sheffield.gov.uk 2 clear days in advance of the date of the meeting. This is necessary to facilitate the management of attendance at the meeting to maintain social distancing. In order to ensure safe access and to protect all attendees, you will be required to wear a face covering (unless you have an exemption) at all times within the venue.

It is also recommended that you undertake a Covid-19 Rapid Lateral Flow Test within two days of the meeting. You can order tests online to be delivered to your home address, or you can collect tests from a local pharmacy. Further details of these tests and how to obtain them can be accessed here - [Order coronavirus \(COVID-19\) rapid lateral flow tests](#) - GOV.UK (www.gov.uk).

We are unable to guarantee entrance to observers, as priority will be given to registered speakers. To observe the meeting as a member of the public, please click on the 'view the webcast' link provided on the meeting page of the website and then click on the 'Click for more details about Planning and Highways Committee' header which will enable you to see the presentations made.

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
9 NOVEMBER 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 7 - 10)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 11 - 14)
Minutes of the meeting of the Committee held on 19th October 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. Tree Preservation Order No. 443, High Street Beighton, Sheffield, S20 1HA** (Pages 15 - 30)
Report of the Director of City Growth Department
- 8. Applications Under Various Acts/Regulations** (Pages 31 - 32)
Report of the Director of City Growth Department
- 8a. Application No. 21/03193/RG3 - Land Between Birley Moor Avenue and Birley Lane, Newstead Road, Sheffield, S12 3BH** (Pages 33 - 60)
- 8b. Application No. 21/03334/RG3 - 20-22 (Henry Leah and Sons Ltd) and 24-26, Cambridge Street, Sheffield, S1 4HP** (Pages 61 - 92)
- 8c. Application No. 21/03335/LBCRG3 - 20-22 (Henry Leah and Sons Ltd) and 24-26, Cambridge Street, Sheffield, S1 4HP** (Pages 93 - 96)
- 8d. Application No. 21/03006/FUL - Land at Meersbrook Avenue, Newsham Road and Woodbank Crescent, Sheffield, S8 9ED** (Pages 97 - 122)
- 8e. Application No. 21/03684/CHU - 24 Norwood Drive, Sheffield, S5 7BH** (Pages 123 - 132)
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 133 - 136)
Report of the Director of City Growth Department

10. Date of Next Meeting

The next meeting of the Committee will be held on Tuesday 30th November 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 19 October 2021

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

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Bob McCann.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 Councillor Brian Holmshaw declared a personal interest in Agenda Item 7, Tree Preservation Order No. 442, 11 Broomfield Road, Sheffield, S10 2SE, as a local ward member. Councillor Holmshaw declared that he had not given an opinion or made up his mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 28th September 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. TREE PRESERVATION ORDER NO. 442 - 11 BROOMFIELD ROAD, SHEFFIELD, S10 2SE

6.1 Sam Thorn (Planning Officer, Landscape) attended the meeting and presented the report.

6.2 The Officer informed Committee a Section 211 notice for works on the tree had been received with the intention of removing the trees in the Conservation Area. In order to prevent the removal of the trees, a Tree Preservation Order was therefore served.

6.3 No objections to the Order had been received from the public.

6.4 **RESOLVED:** That Tree Preservation Order No. 442 be confirmed unmodified.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7a. APPLICATION NO. 21/02770/FUL - 15 HIGH VIEW, SHEFFIELD, S5 8YE

7a.1 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.

7a.2 David Wright attended the meeting and spoke in support of the application.

7a.3 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.

7a.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report for alterations to dwellinghouse including raising the roof to form an additional level of habitable accommodation, single storey side extension and new stepped access (amended description) at 15 High View, Sheffield, S5 8YE (Application No. 21/02770/FUL).

7b. APPLICATION NO. 21/02802/FUL - SITE OF FORMER SHEFFIELD SCIENCE PARK, 60 HOWARD STREET, SHEFFIELD, S1 2LX

7b.1 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.

7b.2 The Principal Committee Secretary read out a statement against the application from Mr. Paul Hanna

7b.3 Daniel Ladbury (Sheffield Hallam University) attended the meeting and spoke in support of the application.

7b.4 In response to the statement from Paul Hanna, the Planning Officer suggested

that Condition 29 be amended to include provision for the future maintenance of the rear wall of the listed building at 113 Arundel Street.

7b.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.

7b.6 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report now submitted, including the revised condition 29 regarding provision to allow for the future maintenance of the rear wall of the listed building, wording to be agreed by the Co-Chairs of the Planning and Highways Committee for the erection of three 4-7 storey buildings for educational use, formation of University Green and associated works at the Site Of Former Sheffield Science Park, 60 Howard Street, Sheffield, S1 2LX (Application No. 21/02802/FUL).

7c. APPLICATION NO. 21/01828/FUL - AIRCRAFT & COMMERCIAL TOOLS LTD, BOWLING GREEN STREET, SHEFFIELD, S3 8SU

7c.1 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.

7c.2 Chris McKinney (Kelham Island and Neepsend Neighbourhood Forum) attended the meeting and spoke against the application.

7c.3 Chloe Parmenter (Urbana Town Planning) attended the meeting and spoke against the application.

7c.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.

7c.5 On being put to the vote, the voting stood at 5 in favour of the officer recommendations, 5 against and 2 abstentions. The Chair then used his casting vote in favour of the officer recommendations.

7c.6 **RESOLVED:** That an application for planning permission be GRANTED, conditionally subject to the completion of a legal agreement, for the reasons set out in the report, now submitted, for the demolition of existing buildings and erection of a seven-storey building, comprising 90 co-living units, central courtyard amenity space and associated ancillary amenity space including bike store and co-working space (Use Class Sui Generis) and ground floor commercial units (Use Class E) at Aircraft & Commercial Tools Ltd, Bowling Green Street,

Sheffield, S3 8SU (Application No. 21/01828/FUL).

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 8.1 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.
- 8.2 The Planning Officer drew Members attention to the dismissal of an appeal against the Committee decision to refuse planning permission for the demolition of existing dwellinghouse and erection of a dwellinghouse at Bennett Cottage, Mayfield Road, Sheffield, S10 4PR (Case No: 17/02756/FUL).
- 8.3 The Inspector agreed with the Committee and concluded that there were no considerations to clearly outweigh the harm by reason of inappropriateness, the harm to the openness of the Green Belt, and the identified heritage and landscape harm and that very special circumstances have not been demonstrated to justify the appeal proposal. It was considered that the adverse impacts arising from the appeal proposal would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Framework taken as a whole, including the contribution to the supply of housing, and that both the national and local policies provide clear reasons for refusing the development.
- 8.4 Councillor Sangar noted that it was pleasing to read the Planning Inspector's comments. He also noted the dismissal of an appeal against the 15m high Phase 8 monopole with the provision of associated cabinets and ancillary works (Application to determine if approval is required for siting and appearance) at land 104 metres south of 40 Blackbrook Road, Sheffield, S10 4LP (Case No: 21/00847/TEL).
- 8.5 Councillor Holmshaw noted the dismissal of the delegated decision of the Council to refuse planning permission for an outline planning application (seeking approval for all matters except landscaping) for the erection of 9 apartments in a 1 x 3/4 storey block with provision of new access and associated car parking accommodation at land at Crookes Road / Weston View, Sheffield, S10 5BZ (Case No: 20/01240/OUT)

9. DATE OF NEXT MEETING

- 9.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 9th November 2021 at 2pm.



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 22 October 2021

Subject: Tree Preservation Order No. 443,
High Street Beighton, Sheffield, S20 1HA

Author of Report: Sam Thorn, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Order No. 443

Reasons for Recommendation

To protect a tree of visual amenity and historical value to the locality

Recommendations Tree Preservation Order No. 443 should be confirmed unmodified.

Background Papers: A) Tree Preservation Order No. 443 & map attached.
B) Email request for TPO
C) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

Category of Report: OPEN

CITY GROWTH SERVICE

REPORT TO PLANNING & HIGHWAYS COMMITTEE

9th November 2021

TREE PRESERVATION ORDER NO. 443
HIGH STREET, BEIGHTON, SHEFFIELD, S20 1HA

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 443.

2.0 BACKGROUND

2.1 Tree Preservation Order No.443 ('the Order') was made on 27th May 2021 to protect 5 large mature Sycamore trees (*Acer pseudoplatanus*) located within the curtilage of 21, 23, 25, 27 & 31 High Street Road, Sheffield, S20 1HA. A copy of the Order, with its accompanying map, is attached as Appendix A.

2.2 All five Sycamore trees are located close to the front boundaries of the properties and clearly visible from High Street, as well as the surrounding houses. They are all of considerable age and stature and offer considerable public amenity to the area. They have strong visual amenity, as well as arboricultural merit, making these trees worthy of retention.

2.3 The Council was informed by a concerned resident who lives locally that the tree at number 31 was under threat, with plans for it to be removed as part of renovation works to the house. They saw this tree (and others) as being worthy of statutory protection through a formal TPO (See Appendix B).

2.4 A condition inspection of the trees was carried out by Sheffield City Council's Tree Officer at the time, Peter Simpson MICFor MArborA. The trees were found to be in good health when inspected and had no obvious health and safety reasons requiring major intervention, like tree removal, which would negate the tree's contribution to the amenity of the locality or its arboricultural merit.

2.5 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out which demonstrated the trees are all significantly sized specimens of good health and showing little sign of decline. The trees are of fine form and arboricultural merit and contribute significantly to the character of the area (See Appendix C). The Council therefore considered it expedient to make the TPO so as to protect the trees from the threat of removal in the interests of amenity.

- 2.6 No objections to the Order have been received by the public.
- 3.0 VISUAL AMENITY ASSESSMENT
- 3.1 All 5 trees are large specimens, visible from the surrounding houses along High Street and the wider neighbourhood. Their visual amenity was clearly identified as a key component of the TEMPO assessment
- 4.0 EQUAL OPPORTUNITIES IMPLICATIONS
- 4.1 There are no equal opportunities implications.
- 5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS
- 5.1 There are no environmental and property implications based on the information provided.
- 5.2 Protection of the tree detailed in Tree Preservation Order No.443 will benefit the visual amenity of the local environment.
- 6.0 FINANCIAL IMPLICATIONS
- 6.1 There are no financial implications.
- 7.0 LEGAL IMPLICATIONS
- 7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (Section 198, Town and Country Planning Act 1990).
- 7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the Order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.
- 7.3 The local authority may choose to confirm a TPO it has made. If an Order is confirmed, it will continue to have legal effect until such point as it is revoked. If an Order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 7.4 A local authority may only confirm an Order after considering any representations made in respect of that order. As discussed, a detailed response by the serving Tree Officer has been provided to the single objection.
- 8.0 RECOMMENDATION
- 8.1 Recommend Provisional Tree Preservation Order No.443 be confirmed.

Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order No 443 (2021)

High Street, Beighton, Sheffield, S20 1HA

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No 443 (2021) – High Street, Beighton, Sheffield, S20 1HA

Interpretation

2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated 27th MAY 2021

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)

Page 19
Duty Authorised Signatory



SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Acer Pseudoplatanus (Sycamore)	SK443 834
T2	Acer Pseudoplatanus (Sycamore)	
T3	Acer Pseudoplatanus (Sycamore)	
T4	Acer Pseudoplatanus (Sycamore)	
T5	Acer Pseudoplatanus (Sycamore)	

Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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Groups of trees

(within a solid red line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
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Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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TREE SCHEDULE

TREES SPECIFIED INDIVIDUALLY
(Encircled in black on the map)

- T1 Acer Pseudoplatanus (Sycamore)
- T2 Acer Pseudoplatanus (Sycamore)
- T3 Acer Pseudoplatanus (Sycamore)
- T4 Acer Pseudoplatanus (Sycamore)
- T5 Acer Pseudoplatanus (Sycamore)

TREES SPECIFIED BY REFERENCE TO A GROUP:
None

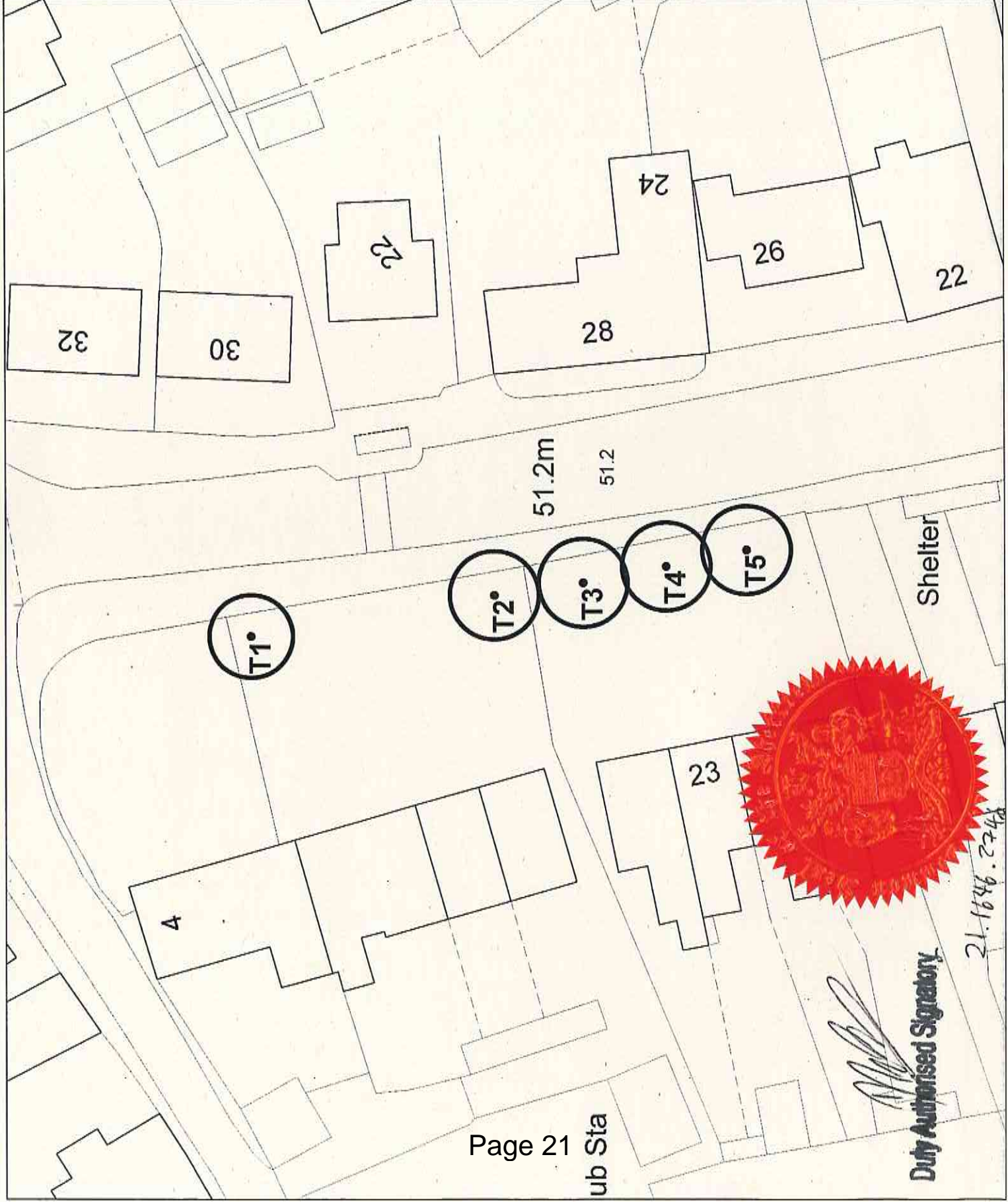
TREES SPECIFIED BY REFERENCE TO AN AREA:
None

TREES SPECIFIED BY REFERENCE TO WOODLAND:
None

TREES EXCLUDED FROM ORDER
(Shown with a cross on the map)

OS Grid Reference SK 443 834

SHEFFIELD CITY COUNCIL DEVELOPMENT SERVICES	
TREE PRESERVATION ORDER NO. 808/443	
TITLE BEIGHTON MAIN STREET	
PLACE	
DATE 1:250@A3	
BY PS	DATE May 2008
DRAWN BY A3/JUED/808/443	



Duty Authorised Signatory

21.1646.2744

004 444444 200000

David Marsh

From: [REDACTED]
Sent: 21 May 2021 19:15
To: EnvironmentalPlanning
Cc: [REDACTED]
Subject: RE: Tree preservation - 31 High Street Beighton, Sheffield

Dear David

I haven't heard from you or anyone else from the council regarding a TPO on the tree in question. As the developer who has purchased 31 High Street, and is in the process of renovating the property, has stated that he intends to remove the tree a TPO is urgently required. Last year a different builder felled some 20 – 30 trees near the rear of our property as part of a planning application which failed and now we have an eyesore of neglected heaps of soil devoid of bird life.

A few days ago we were having our own tree, adjacent to the one in question, pruned and within 30 minutes of the tree surgeons commencing work a council inspector turned up and stopped the work because the necessary streets use permits were not in force. If the council can turn up within 30 minutes for my work why cannot they turn up promptly to access a TPO on the tree at 31 High Street.

As already said the felling of the tree in question would have a disastrous effect on the character and amenity value of the village.

I request that you give this matter a similar priority to that of the pruning of my tree and I propose taking the matter further mid week if the matter is not resolved to our satisfaction.

Regards

Eric

Eurling Eric Reddock. MSc, C.Eng, MRAeS, MIMMM, AMRSC
Consulting Engineers

[REDACTED]
[REDACTED]

From: Marsh David <David.Marsh@sheffield.gov.uk> **On Behalf Of** EnvironmentalPlanning
Sent: 12 May 2021 16:47
To: [REDACTED]
Subject: RE: Tree preservation - 31 High Street Beighton, Sheffield

Dear Mr Reddock

Thank you for your email following our telephone conversation earlier this afternoon.

I will pass to the relevant officers to make a decision on how best to proceed and whether to take forward for a TEMPO assessment as part of the TPO requirement.

Kind regards

David Marsh Business Support Officer
Sheffield City Council - City Growth Services
Urban & Environmental Design Team
Howden House
1 Union Street
Sheffield
S1 2SH

From: [REDACTED]
Sent: 12 May 2021 16:24
To: EnvironmentalPlanning <EnvironmentalPlanning@sheffield.gov.uk>
Subject: FW: Tree preservation - 31 High Street Beighton, Sheffield

From: [REDACTED]
Sent: 12 May 2021 16:20
To: 'environmentalplanning@sheffieldcouncil.gov.uk' <environmentalplanning@sheffieldcouncil.gov.uk>
Subject: Tree preservation - 31 High Street Beighton, Sheffield

Dear Sir

31 High Street undergoing updating by a builder who has said that he proposes to remove the mature tree in the front garden adjacent to the High Street road. The removal of this tree will have a detrimental effect on the amenity of the area and High Street.





Regards

Eric Reddock

[Redacted]

[Redacted]

[Redacted]



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TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 26th May 21 Surveyor: P. Simpson

Tree details
 TPO Ref (if applicable): Tree/Group No: Species: Sycamore
 Owner (if known): Not known Location: Main Street Brighton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

5 Sycamore in gardens but roadside on High Street

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes
 3 One tree previously topped but in good condition + now in good form. Save tree if co-own from G/L

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes
 4 trees in good health with no obvious limits to life span

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
 4 Trees dominant in street scene

Total = 11

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes
 4 5 trees form a cohesive group on the road side

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
 2 - tree preservation order requested due to rumour of felling

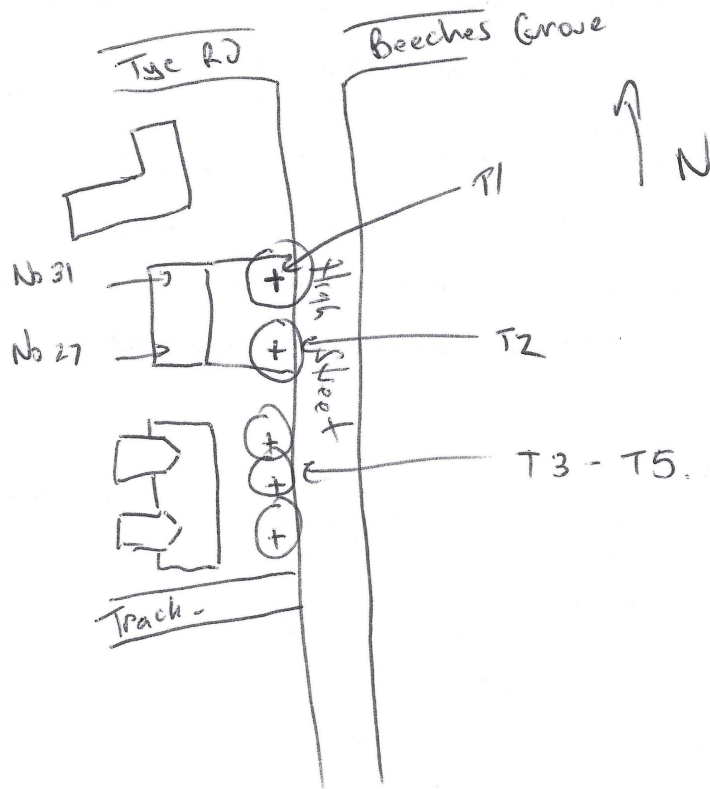
Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
 17

Decision:
 All 5 trees warrant a TPO.

TPO Plan





SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 09/11/2021

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond, Dinah Hope, Chris Heeley

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

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

Category of Report: OPEN

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Case Number	21/03193/RG3 (Formerly PP-10036139)
Application Type	Application Submitted by the Council
Proposal	Erection of 5 'Older persons independent living' (OPIL) residential buildings comprising of 123 apartments, community hall and cafe facilities (Main Block and Blocks B to D), erection of 18 supported residential apartments in 1 block - (Block A - Complex needs accommodation) and provision of hard/soft landscaping and car parking accommodation (Application under Regulation 3 - 1992))
Location	Land Between Birley Moor Avenue and Birley Lane Newstead Road Sheffield S12 3BH
Date Received	14/07/2021
Team	City Centre and East
Applicant/Agent	Peak Architects - Mr Paul Hoden
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Drawing numbers:

NCP-PA-376-PL-010 Rev A (Site Location Plan) published 14.07.2021
NCP-PA-376-PL-011 Rev A (Existing Site Plan) published 14.07.2021
NCP-PA-376-PL-012 Rev E (Proposed Site Plan - Masterplan) published 13.10.2021
NCP-PA-376-PL-013 Rev C (Proposed Site Plan - Plot Curtilages) published 13.10.2021
NCP-PA-376-PL-014 Rev C (Proposed Site Plan - Roads, Footpaths & Parking) published 13.10.2021
NCP-PA-376-PL-015 Rev E (Proposed Site Plan - North) published 14.07.2021
NCP-PA-376-PL-016 Rev D (Proposed Site Plan - South) published 13.10.2021
NCP-PA-376-PL-017 Rev A (Typical Enclosures and Shelters) published 14.07.2021

NCP-PA-376-PL-018 Rev B (Newstead Overall Masterplan) published 14.07.2021
NCP-PA-376-PL-030 Rev C (Site Sections and Streetscapes - Sheet 01) published 27.10.2021
NCP-PA-376-PL-031 Rev B (Site Sections and Streetscapes - Sheet 02) published 27.10.2021
NCP-PA-376-PL-100 Rev B (OPIL Main block - Lower Ground Floor Plan) published 14.07.2021
NCP-PA-376-PL-101 Rev A (OPIL Main block - Ground Floor Plan) published 14.07.2021
NCP-PA-376-PL-102 Rev A (OPIL Main block - First Floor Plan) published 14.07.2021
NCP-PA-376-PL-103 Rev B (OPIL Main block - Second Floor Plan) published 14.07.2021
NCP-PA-376-PL-104 Rev B (OPIL Main block - Third Floor Plan) published 14.07.2021
NCP-PA-376-PL-105 Rev B (OPIL Main block - Fourth Floor Plan) published 14.07.2021
NCP-PA-376-PL-106 Rev B (OPIL Main block - Roof Plan) published 14.07.2021
NCP-PA-376-PL-107 Rev B (OPIL Main block - GA Elevations 01) published 14.07.2021
NCP-PA-376-PL-108 Rev B (OPIL Main block - GA Elevations 02) published 14.07.2021
NCP-PA-376-PL-109 Rev B (OPIL Main block - GA Sections 01) published 04.08.2021
NCP-PA-376-PL-120 Rev D (OPIL Complex Needs GA Plans) published 27.10.2021
NCP-PA-376-PL-121 Rev D (OPIL Complex Needs GA Roof Plan) published 27.10.2021
NCP-PA-376-PL-122 Rev D (OPIL Complex Needs GA Elevations) published 27.10.2021
NCP-PA-376-PL-123 Rev D (OPIL Complex Needs GA Sections) published 27.10.2021
NCP-PA-376-PL-130 Rev B (OPIL Plot B GA Plans) published 14.07.2021
NCP-PA-376-PL-131 Rev B (OPIL Plot B GA Elevations) published 14.07.2021
NCP-PA-376-PL-132 Rev B (OPIL Plot B GA Sections) published 04.08.2021
NCP-PA-376-PL-133 Rev B (OPIL Plot C GA Plans) published 14.07.2021
NCP-PA-376-PL-134 Rev B (OPIL Plot C GA Elevations) published 14.07.2021
NCP-PA-376-PL-135 Rev B (OPIL Plot C GA Sections) published 04.08.2021
NCP-PA-376-PL-136 Rev B (OPIL Plot D GA Plans) published 14.07.2021
NCP-PA-376-PL-137 Rev B (OPIL Plot D GA Elevations) published 14.07.2021
NCP-PA-376-PL-138 Rev B (OPIL Plot D GA Sections) published 04.08.2021
NCP-PA-376-PL-139 Rev B (OPIL Plot E GA Plans) published 14.07.2021
NCP-PA-376-PL-140 Rev B (OPIL Plot E GA Elevations) published 14.07.2021
NCP-PA-376-PL-141 Rev B (OPIL Plot E GA Sections) published 04.08.2021
NOP-SCE-Z0-XX-DR-L-0001 Rev P02 (Landscape Strategy 1 of 2) published 14.07.2021
NOP-SCE-Z0-XX-DR-L-0002 Rev P05 (Landscape Strategy 2 of 2) published 14.07.2021
NEW-UED-00-XX-DR-L-0001 Rev P05 (Tree Protection Plan) published 14.07.2021
12116-WMS-ZZ-XX-DR-C-39511-S8 Rev P3 (Drainage Strategy) published 14.07.2021
P0124-MEP-XX-XX-DR-ME-9604 Rev P01 (External M & E Services) published 14.07.2021
SCC-HG5406-NE-13 (Topographic & Utility Survey - Sheet 13 of 13) published 14.07.2021

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development shall commence until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority. Such details shall include:

- the means of ingress and egress for vehicles engaged in the construction of the development, including deliveries;
- effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway;
- parking of associated site vehicles and for the storage of materials;
- location and details of site compound/accommodation; and
- an area allocated for delivery/service vehicles to load and unload.

Thereafter, the construction management plan shall be implemented in accordance with the approved details for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

4. 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.

5. 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.

6. No development shall commence until the measures to protect the existing trees to be retained, have been implemented in accordance with the approved plan and thereafter such measures shall be retained until the completion of the development. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

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

7. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the proposed development is brought into use and the proposed development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

All adjacent footways around the perimeter of the development, to be constructed to adoptable standards

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

8. Prior to the use of any part of the proposed development, full details of proposed building signage shall have been submitted to and approved in writing by the Local Planning Authority and such signage shall be displayed in accordance with the approved details and thereafter retained.

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

9. No above ground works 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.

10. Before above grounds works are carried out, all biodiversity enhancement measures recommended in the Preliminary Ecological Appraisal prepared by Wildscapes, ref: PO0930, dated 15th September 2020 (published 14.07.2021)

shall be set out in a Biodiversity Enhancement Management Plan (BEMP) and submitted to and approved in writing by the Local Planning Authority and implemented and maintained in accordance with the BEMP.

Reason: In the interests of biodiversity.

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

Reason: In the interests of highway safety.

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

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

13. 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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation 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.

14. 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.

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

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
- b) Acoustic emissions data for the system.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the system's required cleaning and maintenance schedule.
- e) (Optional: Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building).

maintained in accordance with the approved details.

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

16. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

- a) Be based on the findings of an approved noise report.
- b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

17. 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.

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

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

19. The proposed comprehensive soft and hard landscaping as set out in the approved plan shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning

Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

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

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

21. The proposed residential accommodation, cafe and community hall shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

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

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

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

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

23. Samples of all proposed external materials and finishes including fixing methods (where relevant) shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

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

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

25. Prior to the use of any part of the proposed development, full details of all proposed external lighting to buildings shall have been submitted to and

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

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

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

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

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

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

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

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

28. Prior to that part of the development commencing, details including a drawing showing the proposed method of separation between the kitchen and the living room for apartments in the Complex Needs block shall have been submitted to and approved in writing by the Local Planning Authority and thereafter such works shall be implemented in accordance with the approved details and thereafter be retained.

Reason: In the interests of amenities of future occupants.

Other Compliance Conditions

29. The development shall be carried out in accordance with the details shown on the submitted plan, drawing no. 12116 - WMS - ZZ - XX - DR - C - 39511 - S8 - P3 (revision P3) dated 09/07/2021.

Reason: In the interest of satisfactory and sustainable drainage.

30. Surface water discharge from the completed development site shall be restricted

to a maximum flow rate of 9.25 litres per second.

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

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

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

32. 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.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

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

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

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

The notice should be sent to:-

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

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

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

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

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

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

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

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

5. 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

6. 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

7. The applicant is advised that noise and vibration from demolition and

construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.

8. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
9. Plant and equipment shall be designed to ensure that the total LA_r plant noise rating level (i.e. total plant noise LA_{eq} plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA₉₀ background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
10. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
 - Reference to permitted standard hours of working;
 - 0730 to 1800 Monday to Friday
 - 0800 to 1300 Saturday
 - No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - Details of site access & egress for construction traffic and deliveries.
 - A consideration of potential lighting impacts for any overnight security lighting.

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

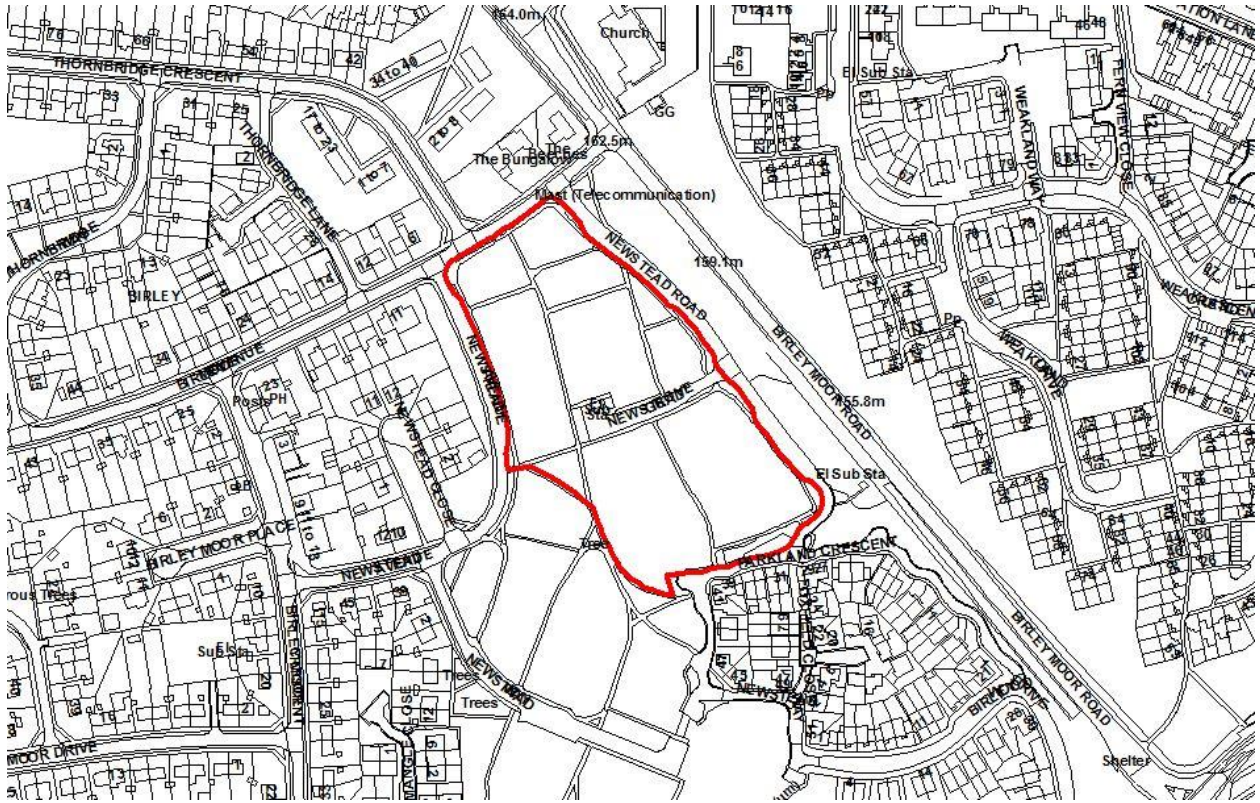
11. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as

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

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

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

Site Location



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LOCATION AND PROPOSAL

This application relates to a large parcel of land, measuring 1.9 hectares in size, which occupies a prominent, elevated position, set back on the west side of Birley Moor Road, which is a main vehicular route into the city, bounded by Newstead Road to the east with Newstead Grove positioned centrally within the site; Newstead Avenue to the west; Birley Moor Avenue to the north; and Parkland Crescent to the south. The site is set within a residential environment, with residential properties located opposite the site, further to the east, and to the south-east and west. To the south-west is green space which has planning permission to develop for general needs housing.

The whole of the site lies within a designated housing area, except for a strip of land along the south-west which forms part of an area of open space linking the lower site further to the south already approved under 21/01059/RG3.

The site is predominantly open grassland, with a series of pedestrian routes and a redundant carriageway. A group of mature trees extend along the south-west boundary and several trees are scattered elsewhere within the site.

The land falls away from the north to the south and south-east with land beyond falling steeply away and therefore offers long range views with vistas out to the south over the golf course and open countryside to the east.

This application dates back to a decision by Cabinet in April 2002 to formally approve the clearance of all 809 houses on the estates of Scowerdons, Weaklands and Newstead (SWaN), located in the south-east of Sheffield. This was following extensive consultation with residents.

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

Phases 1 and 2 of the wider Newstead development, comprising of 76 dwellinghouses, which have been built out and are now occupied, bound the site to the south-east. Phase 3 of Newstead (refer 21/01059/RG3) which will provide 77 general needs residential properties, comprising 41 dwellinghouses and 36 apartments in 3 apartment blocks was approved by Members in June 2021 and will located to the south and south-west.

Planning permission (refer 21/02466/RG3) has recently been granted for enabling works to facilitate the clearance of the site and preparing it for development.

This application relates to Phase 4 of the wider Newstead masterplan to develop land between Birley Lane and Birley Moor Avenue to deliver multi-generational housing accommodation, replenishing much needed housing stock, in the form of general needs housing and old peoples independent living accommodation.

Planning permission is sought to develop the site, providing 'Older persons independent living' (OPIL) accommodation in the form of 5 residential buildings comprising of 123 apartments, community hall and café facilities (main block and blocks B to D); erection of 18 supported residential apartments in 1 block (Block A – complex needs accommodation) and provision of hard/soft landscaping and associated car parking accommodation together with associated highway infrastructure.

21/02466/RG3 – Planning permission was granted 7th October 2021 for enabling works for the Newstead General Housing proposal (21/01059/RG3) and this current application, which included earthworks, utilities, drainage, landscape, tree removal, site compound, hoarding and associated works.

21/01059/RG3 – Planning permission was granted 23rd June 2021 for the erection of 41 dwellinghouses and 3 apartment blocks (2 x four-storey and 1 x three-storey) comprising 36 apartments (77 total residential units) with associated highway infrastructure, parking and landscaping works.

20/03013/PREAPP – Pre-application advice was sought for the erection of 233 residential units, comprising 87 dwellings and 146 older person independent living accommodation units (Phases 3 and 4).

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

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

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

SUMMARY OF REPRESENTATIONS

In addition to direct neighbour notification, the application has been advertised in the local press (19.08.2021) and several site notices have been displayed on frontages around the site (11.08.2021). Following neighbour consultation, 1 letter of representation has been received in respect of the proposed scheme, comments of which are summarised below:

- Scheme seems to be of an excellent quality, but the environmental performance is below what would be expected in 2021 and required by council policies;
- Policy CS65 seems to have been misinterpreted and the development should provide a minimum of 10% of predicted energy needs from decentralised and renewable or low carbon energy; and reduce the development's overall predicted carbon dioxide emissions by 20%;
- Multiple gas boilers are to be installed – this is not appropriate when the city is aiming to be net zero by 2030;
- Air or ground source heat pumps would be significantly more appropriate; and
- Queried point 7 in the energy report in respect of the use of gas fire boilers and future proofing to meet the government's 2050 net zero commitments by focusing on low carbon heat technologies and improved energy efficiency, but this advice has not been followed and are going forwards with a boiler solution.

PLANNING ASSESSMENT

Policy Background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are

determined in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure that new development is sustainable.

The Council's development plan comprises the Core Strategy which was adopted in 2009 and provides the overall spatial strategy for the period of 2008 to 2026 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. Whilst the UDP pre-dates the NPPF, the policies should not be considered out-of-date and should be given due weight, according to their degree of consistency with the NPPF. The NPPG provides further guidance on this but it does state that it is up to the decision-maker to decide the weight to give to the policies.

In all cases, the assessment of any development needs to be considered in light of paragraph 11 of the NPPF, which states that there is a presumption in favour of sustainable development. Where there are no relevant development plan policies or policies are not consistent with the NPPF, planning permission should be granted (the tilted balance) unless there are particular areas or assets of particular importance, which provide a clear reason for refusal (eg Green Belt, risk of flooding etc); or any adverse impact of granting permission would significantly and demonstrably outweigh the benefits of the development.

Paragraph 11 of the NPPF also makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites, the policies which are most important for determining the application will be considered to be out of date. At this current time, the Local Planning Authority cannot demonstrate a five year supply of sites for housing and therefore there is a presumption in favour of the development. The Framework states that developments should be approved unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development.

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

Land Use Policy

The site lies within a well-established housing area and relates to land which is largely designated as housing but with a small portion of designated Open Space in the Unitary Development Plan (UDP). UDP Policy H10 'Development in Housing Areas' permits a number of uses within such areas including small shops, food and drink outlets, residential institutions (C2 use) and community facilities and institutions (Class E and F1), with the preferred use being housing (C3 use).

The proposal seeks to provide independent living accommodation for older people and assisted living accommodation, both of which will be supported by ancillary facilities such as a community hall, shared community space and a café (the latter of which will also be open to the general public). In respect of the living accommodation, this would not fall within a specific use class and is therefore considered to be a 'Sui Generis' use; a use which should be decided on its individual merits, as required by UDP Policy H10. Given the nature of the proposed use, being residential in character it is considered to be compatible within this environment. As such, the principle of this form of housing development in this location is considered acceptable in policy terms. Other ancillary uses, such as the proposed community hall and café, are acceptable uses in housing areas, complying with Policy H10.

Core Strategy Policy CS23 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/2021, the main focus will be on suitable, sustainably located, sites within or adjoining:

- (a) the main urban area of Sheffield (at least 90% of additional housing); and
- (b) the urban area of Stocksbridge/Deepcar.

In this regard, the site fully meets the policy objective as it is a suitably located site and it supports urban regeneration as it is previously developed land where homes were cleared with the long-standing intention of delivering new, quality housing.

Core Strategy Policy CS24 'Maximising the Use of Previously Development Land for New Housing' states that priority will be given to development of previously developed sites with 88% of housing to be developed on brownfield site and no more than 12% of dwelling completions to be on greenfield sites. The site represents a brownfield site, given that it was previously occupied by dwellinghouses which have since been demolished. Part a of the Policy does state that in the case of a greenfield site it will only be developed in a Housing Market Renewal Area and other housing renewal areas where it is essential for the effective regeneration of the area and adequate open space would be retained to meet local needs. In this regard, if the site was considered to be greenfield it would meet this requirement.

Core Strategy Policy CS26 'Efficient Use of Housing Land and Accessibility' requires appropriate housing densities to ensure the efficient use of land. Given that the site is within an urban area, near to Supertram stops and high-frequency bus routes the recommended density will be between 40 and 60 units per hectare. Based on the current proposal, a density of approximately 75 units per hectare will be achieved, which although above the recommended range, is considered acceptable, particularly in the context of the current housing land supply position. The new development will contribute to meeting the City's housing needs; and whilst it is of a higher density, which is inevitable given the type of accommodation proposed, it will still enable large areas of informal open space to be provided across the wider site (including phase 3), such that it will not compromise the character of the area. In this regard, it is therefore considered that the proposal will accord with Policy CS26.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages the creation of mixed communities, which will be promoted by encouraging the development of housing to meet a range of needs including a mix of prices, sizes, types and tenures. Part a of CS41 seeks to provide a broad range of smaller households in the City Centre and other highly accessible locations, with no more than half of the new homes in larger developments (large developments being defined as 60 or more dwellings) consisting of a single house type. The development will provide 123 older person independent accommodation and 18 supported living units, comprising of 1 bed and 2 bed units. Given that this is the final phase of development of the wider Newstead masterplan, when combined with the recently approved general needs housing scheme it will result in a wide mix of accommodation types and will meet the City's current housing need and the requirements of the policy.

Core Strategy Policy CS40 'Affordable Housing' requires that sites of more than 15 units will be required to provide a contribution towards the provision of affordable housing where it is practicable and financially viable. In this location, there is a requirement to provide 10% affordable housing. As the development will provide 100% council housing for affordable rent this will meet the requirements of the policy and is to be welcomed given the identified need for such housing.

The south-western edge of the site lies within a designated Open Space area and as such, Core Strategy Policy CS47 'Safeguarding of Open Space' is relevant. The Policy serves to ensure there is satisfactory open space available to meet the needs of local people. The policy does not permit development where it would:

- a. Result in a quantitative shortage of either informal or formal open space in the local area; or
- b. Result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or
- c. People in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area; or
- d. Cause or increase a break in the city's Green Network.

An Open Space Assessment has been carried out, which shows that, overall, there is a shortfall of open space within the local area, and it is for this reason, that it was recommended in an Informal Planning Advice Note (published December 2019) for the remainder of the Newstead site that 0.73 hectares of open space be incorporated into any future scheme. Flexibility could be applied as to how this could be distributed across the site, but with the requirement to protect key tree groups, which for this application is the area located along the south-west perimeter; an area which forms part of the open space area identified along the north-east of the adjacent general needs housing development.

This proposal when combined with the General Needs housing scheme (21/01059/RG3) will provide 1.09 hectares of informal open space being concentrated in the areas where existing groups of trees exist. This level of provision will result in a small net increase in the overall provision of open space in the locality and as such, will meet the requirements of part a. There will be no loss of designated open space and no break in the city's Green Network, thus complying with parts b and d. Following the demolition of the dwellinghouses on the site the area has become an area of green space which is regularly used by local residents. Whilst it is acknowledged that this area has developed into an informal open space for people to enjoy, it does not override the fact that the site has been identified as a housing site in successive Strategic Housing Land Availability Assessments (SHLAAs) and has been proposed as a site allocation in previous local plan drafts. Given that the site has been cleared, it has always been the intention of redeveloping new homes on this site. In this regard, it is considered that the proposal will comply with part c of the policy.

Design/Visual Amenity

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

Core Strategy Policy CS74 states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the City, its districts and neighbourhoods, including (a) the topography; (b) views and vistas to landmarks and skylines into and out of the City Centre; (c) the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials; and (d) the distinctive heritage of the city. Development should also contribute to place-making and be of high quality, that promotes the city's transformation, and contribute towards creating attractive, sustainable and successful neighbourhoods.

UDP Policy H15 'Design of New Housing Developments' expects new housing developments to be designed to:

- (a) provide easy access to homes and circulation around the site for people with disabilities or with prams; and
- (b) provide adequate private gardens or communal open space to ensure basic standards of daylight, privacy, security, and outlook are met for all residents; and
- (c) provide uniform walls or fences around rear gardens next to roads, footpaths or other open areas; and
- (d) provide pedestrian access to adjacent countryside where it would link with existing public open space or a footpath; and
- (e) comply with Policies BE5 (Design), BE9 (Design of Vehicles) and BE10 (Design of Streets, pedestrian routes, cycleways and public spaces).

These policies are broadly in line with the NPPF and afford substantial weight. Paragraph 126 states that good design is a key aspect of sustainable development as well as being clear about design expectations. Paragraph 130 states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. Developments should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live work and visit.

In 2011 a guidance document was produced, the 'South Yorkshire Residential Design Guide' (SYRDG), which seeks to provide a clear and consistent approach to design in the development management process, the aim being to achieve higher quality neighbourhoods. The document, whilst not adopted, complements and supports local policies and is considered to be 'Best Practice Guidance'. The proposed development has been designed with consideration given to the design principles set out in the guidance, whilst also balancing the needs of the development.

These proposals form part of the wider Newstead site, which was subject of an Informal Planning Guidance (IPAN) which was prepared by the Council's Planning Service (in December 2019), which sets out the policy framework, the issues and the opportunities. Although not an adopted document, the policies and evidence within it do carry weight in the decision-making process.

The key recommendations within the IPAN for the wider Newstead site:

- Rationalise the extensive footpath network of the former Radburn estate layout, into fewer but more direct links to local facilities and routes;
- Integrate and extend the tree group along the southern boundary to the west, while creating opportunities for framed views;
- Capitalise on long distance views over the surrounding countryside from the southern edge of the site;
- Ensure development sensitively responds to boundaries bordering existing properties; and
- Ensure parking is well integrated into the street scene in a convenient and accessible location which is well overlooked.

This scheme has been subject to extensive pre-application discussions and the proposals have been reviewed and revised to address all issues raised through the process. The proposal now put forward is in line with those discussions and is positively received.

The site is identified as a key gateway into the city centre. Public transport connectivity to the site is good and the local neighbourhood centre is within walking distance. In principle, a well-structured, effectively connected and distinctive residential development is considered acceptable on this site.

The layout and arrangement of buildings responds positively to the topography and the existing street plan with the buildings set appropriately within the landscape, with private and public areas, and legible frontages created. The development links smoothly into the Phase 3 development on the southern half of the wider Newstead development site with good pedestrian connectivity achieved through the site along a defined and strong network of routes, with particular emphasis on the connection from north to south, providing links to the main highway where public transport is available and connecting to neighbouring housing and areas of open space.

The proposed scale and massing achieves a legible development, placing the higher elements of the overall massing in key locations / nodes that enhance the overall legibility of the site. The buildings have flat roofs, which helps to keep the overall height down but distinguishes them in contrast to the dominant saw-tooth profiles of the houses proposed on the adjacent site to the south.

The site is split into 2 halves, with the carriageway of Newstead Grove sitting centrally within the site providing a natural break between the two areas. The northern half will comprise the main OPIL apartment block; a flat roofed, three/four storey block, rising to five storeys at either end along the east elevation where there is an expressed stairwell. The building is set out as a wraparound 'C' shaped layout form, overlooking onto an inner shared communal courtyard, with residential and ancillary accommodation facing both inwards and outwards onto the street. The main entrance into the building is located to the north facing onto Birley Moor Avenue, and in the south facing elevation is a main community entrance serving an ancillary community hall and café. Secondary entrances exist around the building, providing access for residents and staff.

The southern half comprises of 5 buildings; four x 4 storey apartment blocks and a 3-4 storey, complex-needs block. The blocks are sited and arranged such that they provide an enclosure to a private communal garden in the centre, although the complex-needs building will have its own private outside amenity space. The apartment blocks have a flat roof and have a simple rectangular footprint, with a series of regular openings across the floors, with an expressed entrance and stairwell and recessed balconies featured on the corners. The complex-needs block is of the same design, being of a similar scale and architectural approach; incorporating similar regular openings across the floors and stairwell but does not feature balconies. The building has a more varied plan form, with elevations incorporating set backs and returns and stepping in height to respect the topography.

The elevations to the main block incorporate vertical breaks to avoid a slab like linear form and helps to break up the elevations and provide variation. Large punched regular openings interjected with randomly positioned full-height brick feature panels with projecting heads and brick sills, which are located adjacent to glazed openings, grouping windows together in some cases, will add further visual interest without interrupting the strong repetitive facades.

All the buildings incorporate architectural detailing, which is reflective of the adjacent general needs housing development, thus maintaining a consistent design approach, resulting in a smooth transition between the two phases, and ensuring a coherent streetscene. The buildings are simply articulated but sufficient to provide visual interest and avoid large expanses of blank facades. The architectural approach is again simple but effective, avoiding fussy elevation and providing variation. The elevations

incorporate masonry brickwork, with feature brick panels to add interest and to help break up areas, responding to the brickwork detailing found in the context.

Simple, well-crafted brick detailing, with articulated brickwork using protruding headers and sills feature throughout the site, adding richness to the facades. Main entrances to the main OPIL block will be pronounced by being framed in contrasting concrete, whilst apartment block entrances will be at a domestic scale; recessed with a simple short, cantilevered concrete canopy. Framing the entrance picks up on door surround details of the lower site and was influenced by the design of the existing Birley Moor housing stock.

A single buff brick is proposed to the majority of the site, which will result in a fresh appearance and whilst it would contrast with the dark brick of the original Birley Moor estate, it will blend in with the earlier phases of the wider Newstead development site. Dark grey/brown brick will be introduced and provide contrast at specific locations. A minority of elevations will be faced in a darker brick to break up the elevations. Curtain walling and UPVC doors, doorsets and windows colour finished in dark grey will contrast and complement the buff brick. With the addition of simple vertical metal balustrading/railings to balconies, which will look elegant set against the brick facades and being also colour finished to match the window frames will help to create a coherent streetscape throughout the wider site.

Car parking will be distributed throughout the site, to facilitate the different functions of each building. The car parking areas are not excessive in size, however, with the addition of soft landscaping, it will soften the development and enhance the street frontages, thus ensuring the car parking areas do not appear dominant in the street scene.

The design of the accommodation has also been developed with South Yorkshire Police, in line with their recommendations to achieve a safer and more secure development for future occupants.

The level of articulation and good quality materials will complement each other, creating a high-quality development which will blend in with the existing landscape and townscape. Success of this scheme will be in ensuring that design quality is retained to achieve high quality detailing. Large scale typical details including samples of materials will be secured by condition.

The proposed development has been designed such that it will largely be in line with the standards set out in the SYRDG, which is a guidance only document. The proposed development will achieve a good quality older person's accommodation, which will comfortably fit within its setting between the pre to post war traditional semi-detached homes of the Birley Moor estate to west and the later SWaN residential scheme to the south-east.

The scheme will deliver an appropriate degree of articulation and richness which will meet the requirements of local design policies and the National Planning Policy Framework.

Landscaping

UDP Policy GE15 'Trees and Woodland' requires the retention of mature trees, copses and hedgerows, where possible, and replacement of any trees which are lost. This is consistent with Paragraph 174 of the NPPF sets out that planning decisions should enhance the natural and local environment and makes reference in part (b) to the economic and other benefits of trees and woodland.

A detailed landscape masterplan has been submitted in support of the application. The existing landscape setting including trees and hedges have been integrated successfully. In delivering the scheme some existing trees will be removed and their loss will be compensated for through the planting of a number of new trees across the site.

The comprehensive mix of hard and soft landscaping will be introduced to both the inner courtyard and other designated private amenity space of the OPIL block and the communal outside space serving the individual apartment blocks, with external seating and tables provided for the benefit of residents. The soft landscaping will provide a variety of planting in various modes combined with retaining structures and appropriate hard-surfacing and boundary treatments. The submitted details are satisfactory and the finer details will be secured by condition.

Sustainability

Core Strategy Policy CS24 seeks to maximise the use of previously approved land for new homes. Development of this site will contribute towards the achievement of this aim.

Core Strategy Policy CS64, which relates to climate change, resources and sustainable design of developments, requires that all new buildings to be designed to reduce emissions of greenhouse gases and function in a changing climate.

Core Strategy Policy CS65, which relates to renewable energy and carbon reduction, requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

These policies are consistent with the NPPF (para. 157) which states that in determining planning applications, Local Planning Authorities should expect new development to:

- a) Comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

An Energy Statement has been submitted which confirms that a fabric first approach will be taken, achieving high levels of insulation for all the development. It is predicted that the development will achieve a reduction in energy consumption of 14.8% for the apartments, 15.2% for the non-domestic OPIL block, and 21.5% for the non-domestic complex-needs block above the current building regulation standards. This demonstrates that a greater than 10% reduction in energy consumption can be achieved based on a fabric first approach, and thus meets the policy requirements.

Other sustainability measures will be included within the development such as permeable paving, secure cycle parking provision, high efficiency boilers, use of LEDs and a highly efficient mechanical ventilation heat recovery system.

The orientation, massing and topography has influenced the layout of the site, achieving limited north-facing elevations and with the flat roof forms, maximising on the opportunity to retrofit solar microgeneration panels in the future. The site has previously been developed and is sustainably located being well-positioned to integrate into the existing footpath and highway network, offering easy access to public transport.

Landscape enhancements will increase biodiversity and reinforce their role within the wider environment.

A condition will be imposed to secure the measures are implemented and thus, comply with the requirements of the above policies.

Residential Amenity Issues

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development provided that:

(c) the site would not be over-developed or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood; and

(d) it would not suffer from unacceptable air pollution, noise or other nuisance or risk to health or safety.

This is in line with NPPF paragraph 130 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Noise and Disturbance

The site is located in a residential area with relatively low background levels. The predominant noise source is road traffic of Birley Moor Road, Birley Moor Avenue and Birley Lane. Vehicular movements are considered to be high.

A Preliminary Feasibility Study: Acoustic Consultancy Report has been submitted and reviewed by the Environmental Protection Service. The residential accommodation will be designed to adequately attenuate surrounding noise sources and provide suitable internal noise levels. Conditions will be imposed to secure that appropriate acoustic measures will be implemented.

The construction works will take place near to existing residential properties, and as such there is a real potential for disamenity, as a result of noise, vibration, dust, light from site security. It will therefore be necessary to require the developer to provide a Construction Environmental Management Plan (CEMP), which will cover all phases of any site clearance, groundworks and above ground level construction. This will ensure that the amenity of existing residents will be maintained during the construction phase. An appropriate condition will be imposed.

Odours

The proposed development will provide a café facility in the main block, which will serve the residents and be open to the public. At this stage it is not clear as to what type of cooking will take place on the premises. Careful consideration will be required of how fume extraction systems will be ducted to achieve dispersion at height if any commercial kitchen is proposed. There is a potential for noise from any proposed fume extraction systems and so therefore to ensure that future residents of the building will not be adversely affected by odours and noise from any future fume extraction system, appropriate conditions will be imposed to secure full details of any proposed fume extraction system, and plant and equipment.

The proposed café and community hall will be an integral part of the main block and will primarily serve the needs of future residents. It is not considered that the operation of these facilities will create any additional noise which is to the detriment of future residents of the building and as such, it is not considered necessary or appropriate to impose conditions to restrict opening hours.

Amenities of Future and Existing Residents

The proposal will provide 1 and 2 bed apartments. The type and size of accommodation has been identified by Sheffield City Council Housing to meet housing requirements. All the apartments are Category 2 adaptable homes in line with Approved Document M, and 10% of homes are Category 3 wheelchair accessible.

The internal layout of the accommodation is acceptable, meeting current space standards and providing sufficient natural light and outlook to the individual rooms. In the case of the Complex-Needs block, the layout has been designed in a different way, in order to deal with incidents as a result of residents' behaviour. The kitchen will be separated from the living room and although it will not benefit from an external window, it will have an internal glazed screen to allow light into the space. Although not ideal, given that the floorplan is not too deep it will provide a satisfactory amount of light from the living room into the kitchen area. The residents will also have access to a communal meeting room and private outside space.

The main OPIL block will include informal seating areas distributed within the building, providing opportunities for social interaction between residents. Some apartments both within the main block and other blocks will benefit from private amenity space in the form of a balcony or small terrace, but all residents will have access to communal outside space, which will contain outside seating and be set within a safe and secure landscaped environment.

All of the accommodation will be served with appropriate bin storage facilities, in-curtilage car and cycle parking, and mobile scooter accommodation. The residents will have access to the community hall, which will be programmed through the day and evening, and a café will also be available.

The layout of the main block is arranged in a manner that will inevitably lead to some level of overlooking between the individual apartments. However, it has been configured in a way to reduce the amount of overlooking by providing some inward facing corridors. Separation distances between the facing elevations are satisfactory, and with the acute positioning of elevations, the extent of overlooking is not considered to be significant. The shape and orientation of the building is such that the inward facing elevations gradually splay outwards, maximising on the natural sunlight from the south.

In respect of the southern half of the site, this accommodation will also benefit from adequate light and outlook. The positioning of the blocks allows acceptable separation distances between main facing windows, with distances ranging from 21 to 33 metres being achieved. The juxtaposition of blocks also ensures that there is no overbearing impact on individual units.

In respect of any impact on existing residential properties, it is not considered that the proposed development will have an adverse effect. More than 21 metres exists between Block C (at the most southern end) and the nearest existing residential properties fronting onto Parkland Crescent. This degree of separation, even allowing for a small number of balconies, is not considered to result in significant overlooking. The separation and being located to the north will not result in an overbearing impact or a significant loss of light to the windows of these properties.

On this basis, it is considered that the proposed development will not adversely affect existing residents and appropriate accommodation will be provided for future residents of the site. As such, the proposal will accord with UDP Policy H14 and the NPPF.

Highways

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development provided that (b) new development would be well laid out with all new roads serving more than five dwellings being of an adoptable standard; and (d) it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

The NPPF seeks to focus development in sustainable locations and make fullest possible use of public transport, walking and cycling.

The site is in a location which offers local services and facilities within walking distance of the site. There are high frequency bus routes and a tram route within walking distance (400 metres) of the site, which is in line with IHT 'Guidelines for Planning for Public Transport'. There are excellent links to surrounding areas including the city centre and Crystal Peaks.

The proposal does not raise highway concerns. The development takes access from a number of points (Birley Moor Avenue, Newstead Avenue, Newstead Grove and Parkland Crescent). All are designed as priority junctions and are acceptable in terms of width and visibility. The layout provides safe access/egress to all buildings with adequate manoeuvring available for service and emergency vehicles.

The technical works for all new highway accesses will be agreed via a Section 278 agreement under the Highways Act 1980.

A Transport Assessment has been carried out and has been reviewed by the Highways Officer. The report demonstrates that the development will not have an adverse effect on the safety or operation of the local highway network. In the report it estimates that the development will generate 25 two way movements in the AM peak (0800-0900) and 26 in the PM peak (1700-1800). The impact of the additional traffic has been assessed on the following junctions:

- a. A6135 Birley Moor Road / Birley Moor Avenue
- b. A6135 Birley Moor Road / A6135 Moor Valley Road / Birley Lane / Sheffield Road
- c. Birley Lane / Newstead Road
- d. Birley Lane / Birley Moor Crescent

The capacity assessments quite clearly demonstrate that the proposal will have no discernible impact on the operation of the highway, with no material increase in queuing or reduction in capacity. The personal injury accident data for the most recent 5 years has also been assessed and it is concluded that the accident record for the area does not represent a material concern in respect of this development.

The development comprises of 141 apartments for older people. The current Sheffield City Council Parking Guidelines do not provide information specific to this type of use. Previously a provision for similar types of use has been based on 1 space per 3 units (McCarthy and Stone type developments). The proposed provision is higher than this, however this is considered prudent given that it is likely that the proposal will have higher staffing levels and also the fact that the constraints of the existing highway network mean that it is vital to ensure that the development does not create any

significant level of on-street parking demand. It is therefore considered that the proposed level of parking is acceptable.

Secure cycle parking and mobile scooter parking provision will be made available for the development, final details to be secured by condition.

A street lighting plan has been submitted in support of the application, which is for indicative purposes only, as the details have not yet been agreed.

The wider development site will require a number of changes in terms of highway closures, new highways and highways to be improved. These areas have been agreed and approval was given by the Head of Strategic Transport and Infrastructure on 19th April 2021.

Subject to the imposition of conditions to secure the highways works and for a travel plan to be submitted to encourage future occupants and staff towards more sustainable forms of transport, the proposed development is considered acceptable, with no adverse impact on the highway network. As such, the proposed development will accord with UDP Policy H14 and the NPPF.

Drainage

Core Strategy Policy CS67 requires developments to significantly reduce surface water run-off from the site.

A Drainage Strategy has been submitted and reviewed by Yorkshire Water and the Lead Local Flood Authority (LLFA).

Yorkshire Water has confirmed no objection to the proposed drainage strategy. Yorkshire Water agrees to separate systems of drainage on site, with combined drainage off-site; foul water draining to the public combined sewer; and surface water discharging to the public combined sewer, via storage, with a restricted discharge rate of 9.25 litres per second.

The Lead Local Flood Authority (LLFA) has confirmed that the discharge rate to the combined sewer is acceptable. The drainage details show that attenuation will be provided by underground tanks. The LLFA has suggested that blue roofs and the use of permeable car park sub-bases should be explored as part of the final design.

An appropriate condition will be imposed to secure full details of the design of the proposed drainage arrangements and a further condition will be imposed setting out the surface water discharge rate.

Ecology

UDP Policy GE11 requires that the natural environment is protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Paragraph 174 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity. The local policy requirement to protect and enhance the nature environment strongly reflects the relevant policy in the National Framework and so can be offered substantial weight.

The key principle of the NPPF is to conserve and enhance the natural environment. The planning system should contribute to and enhance the natural and local environment by

minimising impacts on biodiversity and providing net gains in biodiversity where possible.

An Ecological Survey and a Preliminary Ecological Appraisal have been submitted, which was also submitted in support of the proposed development of Phase 3 of the wider Newstead development site.

This summarises that the habitats present on site consist of amenity grassland with scattered trees, tall ruderal, poor semi-improved grassland, plantation woodland and scrub. Waxcap mushrooms were identified within the grassland, which is within the built development and so would be lost. Further survey work is recommended. However, the two species identified are our two commonest species, so impacts to grassland fungi should only be considered at a site level. The Council's ecologist has put forward the possibility of translocating some of the turfs and soils from these areas to other parts of the site.

The PEA recommends that trees and scrub be retained but if removal is necessary, such works should be carried out outside the bird breeding season; bird and bat boxes should be installed to increase roosting potential on site; measures to reduce the impact of artificial lighting and reduce light spillage; consideration of mammals during the construction phase; and provision made to allow hedgehogs freedom of movement by avoiding solid garden fences and walls.

In light of the above, a biodiversity ecological management plan is required, details of which will be secured by condition.

Land Contamination

A Phase 1 Geo-Environmental Preliminary Risk Assessment, a Phase 2 Geo-Environmental Intrusive Investigation, and a Remediation Strategy has been submitted in support of the application. The Environmental Protection Service (EPS) has reviewed the documentation and confirmed that they are satisfactory.

Two conditions will be imposed to ensure the development is carried out in accordance with the recommendations set out in the Remediation Strategy and for such remediation measures to be appropriately validated.

Archaeology

An Archaeological Watching Brief Report has been submitted which has been reviewed by South Yorkshire Archaeology Service (SYAS). Following archaeological monitoring, no archaeological evidence was found and as such, no further archaeological work is required. It will therefore not be necessary to apply any planning conditions in this case.

Community Infrastructure Levy (CIL)

The proposed development will provide independent and supporting accommodation which comes under retirement, assisted living accommodation and as such, it will be exempt from a contribution under the Community Infrastructure Levy (which was introduced in July 2015).

SUMMARY AND RECOMMENDATION

The redevelopment of this site is welcomed and it will make a significant

contribution to the Council's 5 year housing supply and to the City's specific housing needs. It is considered that the proposal represents a well-considered sustainable scheme which responds well to the site context.

Having regard to all the key issues which have been addressed in this report, it is considered that the development is in accordance with the Development Plan and the National Planning Policy Framework and will provide wider public benefits which in this case is the significant contribution of affordable specialist older persons housing, which is currently in short supply given the ageing population, and the redevelopment of the site with a high-quality sustainable development.

As Sheffield cannot demonstrate a 5-year housing supply, the "tilted balance" applies in this case and the most important policies for determining the application are automatically considered to be out of date. It therefore follows that planning permission should be granted for this development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The report demonstrates that the benefits in this case very clearly outweigh any minor harm. It is therefore recommended that planning permission be granted subject to the listed conditions.

Case Number	21/03334/RG3 (Formerly PP-09975927)
Application Type	Application Submitted by the Council
Proposal	Partial demolition (excluding facade retention) and erection of a three-storey building and redevelopment of 24-26 Cambridge Street to form a mixed use development together with 20-22 Cambridge Street (Leah's Yard) including cafe, restaurant, retail and office space (Class E), drinking establishment with expanded food provision (Sui Generis) and external seating including levelling works to external courtyard (Application under Regulation 3 - 1992)
Location	20-22 (Henry Leah and Sons Ltd) and 24-26 Cambridge Street Sheffield S1 4HP
Date Received	23/07/2021
Team	City Centre and East
Applicant/Agent	Nineteen47 Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

HOH-FCBS-Z1-ZZ-DR-A-0010 REV P01 - Proposed Site Location Plan

HOH-FCBS-Z1-B1-DR-A-0199 REV P01 - Proposed Uses Basement Level

HOH-FCBS-Z1-00-DR-A-0200 REV P01 - Proposed Uses Level 00

HOH-FCBS-Z1-01-DR-A-0201 REV P01 - Proposed Uses Level 01

HOH-FCBS-Z1-02-DR-A-0202 REV P01 - Proposed Uses Level 02

HOH-FCBS-Z1-03-DR-A-0203 REV P01 - Proposed Uses Level 03

HOH-FCBS-Z1-10-DR-A-0210 REV P01 - Proposed Uses Roof Level

HOH-FCBS-Z1-B1-DR-A-0249 REV P01 - Proposed Demolition and Alterations Basement Level

HOH-FCBS-Z1-00-DR-A-0250 REV P01 - Proposed Demolition and Alterations Level 00

HOH-FCBS-Z1-01-DR-A-0251 REV P01 - Proposed Demolition and Alterations Level 01
HOH-FCBS-Z1-02-DR-A-0252 REV P01 - Proposed Demolition and Alterations Level 02
HOH-FCBS-Z1-03-DR-A-0253 REV P01 - Proposed Demolition and Alterations Level 03
HOH-FCBS-Z1-10-DR-A-0260 REV P01 - Proposed Demolition and Alterations Roof Level
HOH-FCBS-Z1-ZZ-DR-A-0700 REV P01 - Sections A + B
HOH-FCBS-Z1-ZZ-DR-A-0701 REV P01 - Sections C + D
HOH-FCBS-Z1-ZZ-DR-A-0800 REV P01 - Proposed Elevations East and West
HOH-FCBS-Z1-ZZ-DR-A-0801 REV P01 - Proposed Elevation South
HOH-FCBS-Z1-ZZ-DR-A-0802 REV P01 - Proposed Courtyard Elevations
HOH-FCBS-Z1-ZZ-DR-A-0850 REV P01 - Proposed Site Elevations
HOH-FCBS-Z1-ZZ-DR-A-3250 REV P01 - Bay Study 01
HOH-FCBS-Z1-ZZ-DR-A-3251 REV P01 - Bay Study 02
HOH-FCBS-Z1-ZZ-DR-A-3252 REV P01 - Bay Study 03
HOH-FCBS-Z1-ZZ-DR-A-3253 REV P01 - Bay Study 04
HOH-FCBS-Z1-ZZ-DR-A-3254 REV P01 - Bay Study 05

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. 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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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.

4. 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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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.

5. 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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation 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.

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

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

7. No development shall commence until a 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.

8. No demolition of 24-26 Cambridge Street hereby authorised shall be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been submitted to and approved in writing by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides.

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

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

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

- The timetable for completion of all site investigation and post-investigation works.

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

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

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

10. Prior to the occupation of development the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below shall have either:

- a) been carried out; or
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which will have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvement Works:

(i) Backfields (partial closure to motor vehicles/ diversion and associated public realm works)

(ii) Cambridge Street between Cross Burgess Street and Division Street

- Displacement of on-street parking, replacement of disabled parking, provision of service laybys and public realm works.

- Promotion of a Traffic Regulation Order in relation to servicing/loading (waiting and loading restrictions) and parking restrictions, and the prohibition of motorised traffic in the vicinity of the development site, all subject to usual procedures, including provision of associated signing and lining

(iii) Provision for the movement of cyclists, pedestrians and motorised traffic along Backfields, (including the provision of direction signing), with the aim of providing interventions that deliver safe cycle routes in the vicinity of the development.

(iv) Any accommodation works to traffic signs, road markings, repositioning street lighting columns, highway drainage, reinstatement of redundant crossings and general street furniture deemed necessary as a consequence of the development.

(v) All materials within public realm works and adopted highway in the vicinity of the development are to be in accordance with the Sheffield Urban Design Compendium.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which in the opinion of the Local Planning Authority, will be generated

by the development, and in the interests of protecting free and safe flow of traffic on the public highway.

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

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

12. Before the commercial use(s) 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 offices to levels complying with the following:
 - (i) Offices: Noise Rating Curve NR35 (0700 to 2300 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 63 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.

13. 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.

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

- a) evidence to demonstrate that surface water disposal via infiltration or

- watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

(To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage)

Reason: To ensure satisfactory drainage arrangements.

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

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

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

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

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

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of achieving the following noise level: Noise Rating Curve NR40 (0700 to 2300 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilations.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 63 Hz to 8 kHz.]

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

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

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

18. Prior to first occupation of the development, details of interpretive panels/boards

including their siting shall be submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be implemented prior to occupation of the buildings.

Reason: In the interests of the enhancing the character of the listed building and conservation area.

19. A comprehensive and detailed hard and soft landscape scheme for the site including a layout, details of steps and ramps, handrails, gradients, planters, lighting, retaining walls, balustrades, and seating shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed by the Local Planning Authority.

Reason: In the interest of the preserving the character of the conservation area and listed building and facilitating inclusive access.

20. Prior to any construction above parapet level of nos 24-26 Cambridge Street commencing details of an advertising strategy shall be submitted to and approved by the Local Planning Authority for the development as a whole and thereafter the development shall be carried out in accordance with the approved strategy.

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

21. Prior to above ground works commencing details of measures to incorporate public art into the scheme along with a timescale for implementing the works shall be submitted to and approved by the Local Planning Authority. Thereafter the public art shall be implemented in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with Unitary Development Plan policy BE12.

22. 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.

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

Reason: In order to ensure an appropriate quality of development and to facilitate inclusive access.

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

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

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

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

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

Windows/doors
Shopfronts
Eaves
Rainwater goods

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

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

Other Compliance Conditions

27. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

28. 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.

29. No amplified sound or live music shall be played within the commercial use(s) hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be subject to written approval by the Local Planning Authority prior to installation.

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

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

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

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

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

32. The repaired windows within the retained facade shall be set in the same depth of reveal as existing.

Reason: In the interests of the visual amenities and historic character of the conservation area.

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

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

34. The roof plant shall not project above the plant screen.

Reason: In the interests of preserving the setting of the listed building.

35. No customer shall be permitted to be on the commercial ground floor premises outside the following times:

0700 hours to 0030 hours (the following day) Monday to Saturday
0900 hours to 2330 hours on Sundays and Public Holidays

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

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

Reason: To ensure satisfactory drainage arrangements.

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

these works to have been carried out before the use commences.

38. Rooflights shall be conservation style whereby no part of the rooflight shall project above the surface of the roofing slates unless otherwise approved in writing by the Local Planning Authority.

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

39. The windows, casing and bars to the upper floors of the retained facade facing Cambridge Street shall be of timber construction and shall be double hung vertically sliding sashes [using cord and weights and not spiral balances]. The glazing pattern, the thickness and profile of the glazing bars, meeting rails, surrounds and reveal depth shall match those of the existing windows in the property and the windows shall be finished in gloss paint.

Reason: In order to ensure an appropriate quality of development

Attention is Drawn to the Following Directives:

1. Plant and equipment shall be designed to ensure that the total LA_r plant noise rating level (i.e. total plant noise LA_{eq} plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA₉₀ background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
2. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:

Reference to permitted standard hours of working;

- 0730 to 1830 Monday to Friday
- 0800 to 1700 Saturday
- No working on Sundays or Public Holidays

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

A communications strategy for principal sensitive parties close to the site.

Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:

- Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
- Vibration.

- Dust - including wheel-washing/highway sweeping; details of water supply arrangements.

A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.

A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.

Details of site access & egress for construction traffic and deliveries.

A consideration of potential lighting impacts for any overnight security lighting.

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

3. 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. For larger commercial kitchens or cooking types where odour and noise risk is higher, reference should be made to the updated guidance document; 'Control of odour and noise from commercial kitchen exhaust systems' (EMAQ; 05/09/2018). Appendix 2 of the document provides guidance on the information required to support a planning application for a commercial kitchen
6. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

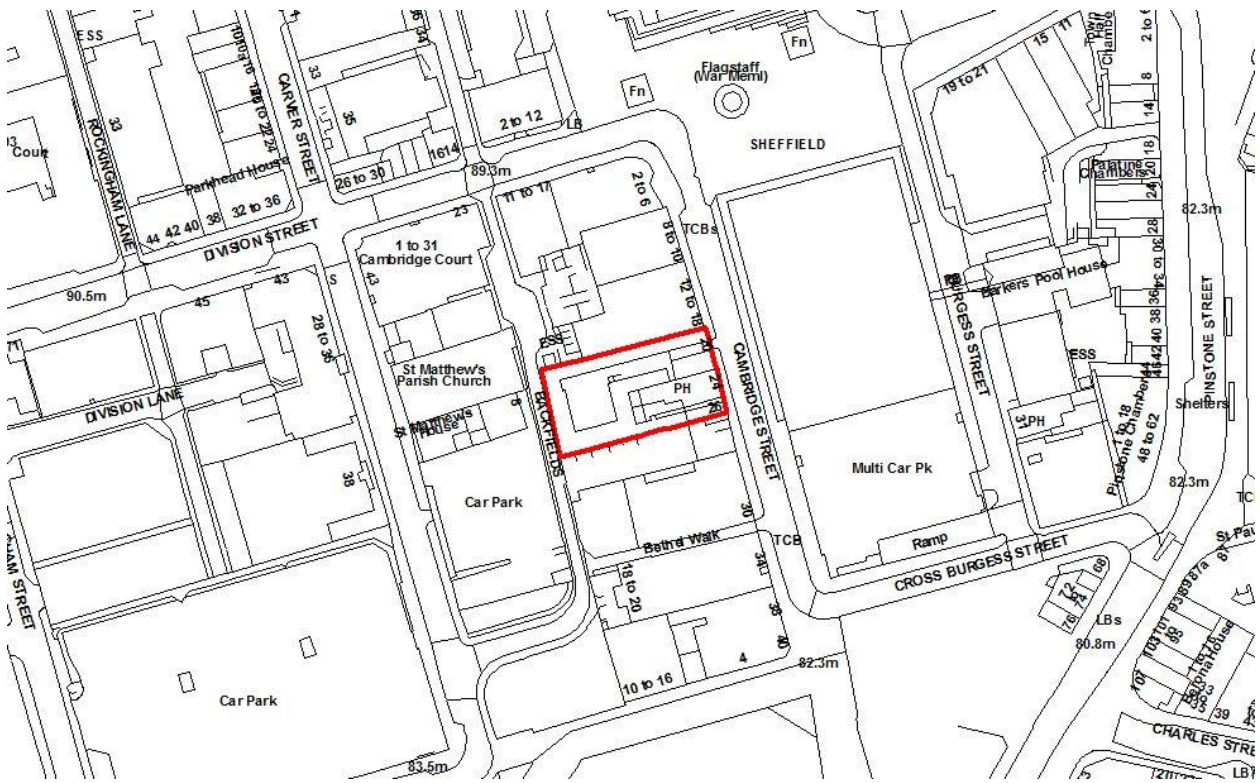
7. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

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

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

8. In considering and devising a suitable Delivery Management Plan, useful reference may be made to the Department for Transport 2014 guidance document "Quiet Deliveries Good Practice Guidance - Key Principles and Processes for Freight Operators". Appendix A of the document provides general guidance, along with key points for delivery point controls, and driver controls.
9. You may need a Premises Licence under the Licensing Act 2003. You are advised to contact Sheffield City Council's Licensing Service for advice on Tel. (0114) 2734264 or by email at licensing@sheffield.gov.uk.
10. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The site consists of Nos 24-26 Cambridge Street, Nos 20-22 Leah's Yard (grade II* listed buildings) and land to the south of 26 Cambridge Street which was formerly occupied by Albert Works. The former are 3 storey unlisted buildings within the conservation area (formerly Chubbys takeaway and Tap and Tankard public house) and believed to date from the 1860s. Leah's Yard occupies an L shaped plot that has frontages to both Cambridge Street and Backfields and wraps around Nos 24-26 on two sides. It was originally a Shears works in the early 1800s, later a Horn works and mester works, it has been vacant since the late 1980s and has been on Historic England's Heritage at Risk register.

The site forms part of the HoCII project and is referred to as block H1. It lies to the west of the former John Lewis store, to the north of block H3 which is being developed for a mixed-use scheme including food hall, shops, food and drink and leisure uses. It is positioned to the south of existing bars and restaurants that face on to Cambridge Street and to the west of St Matthew's Church (listed grade II) and the attached Art House which faces on to Carver Street.

Overall, the scheme will provide approximately 3,300m² of floor space which is an increase of approximately 600m² over existing.

The overall aspiration for the site is to create a destination for independent businesses and retailers to trade from and reinstate public access to Leah's Yard.

The application is seeking permission to demolish Nos 20-22 Cambridge Street except the front façade and northern party wall and to construct a new building to the rear of the façade and to the south side on part of the former Albert Works plot. The new building will be three storeys high with the top floor sitting within the roof space. The roof will be new and following the existing pitch but extending higher. Existing paint and the faux Tudor façade will be removed, the brick cleaned, repaired and repointed. Stonework will be repaired and painted in dark masonry paint. The upper floor windows will be replaced with timber sash windows and the shopfronts will be replaced with timber frames with large uninterrupted glazing. The new building to the south of Nos 20-22 will be faced in masonry with a steeply pitched gable roof and contemporary window openings. The ground and first floors are proposed to be used as a drinking establishment with expanded food provision with lift, staircase, toilets, entertainment space and connections into the Leah's Yard ranges to the rear. At first floor level offices are proposed, extending into the roof space with circulation space, plant and toilets at the rear.

The Leah's Yard ranges are currently being made structurally stable and weatherproof under planning and listed building consent references 20/00425/FUL and 20/00426/LBC. The works include masonry repairs, new floors, structural stabilisation, new windows and doors, new roofs and improved basement ventilation. These works are due to be completed in 2021 and intended to remove Leah's Yard from Historic England's Heritage at Risk register.

A change of use is being sought for Leah's Yard to create a craft hub for makers with space to work, shop and socialise (Use Classes E and Sui Generis). It will provide 37 separate units offering flexible space for businesses. The basement is intended to be back of house and storage space. The ground floor is proposed for retail, food and drink and office uses including a drinking establishment with expanded food provision. The first and second floors are proposed as office space targeted at independent start-ups. To facilitate the scheme and improve access the following changes to the listed

buildings are proposed.

- Removal and replacement of certain staircases within the courtyard and some of the ranges to improve access.
- Raising the floor level in some of the ranges to get level access to the courtyard
- Removing the buttresses on the south facing wall and introducing new openings to connect the development to the public space being created as part of block H3.
- Creation of a new opening to a retail unit and lowering cills for fire escape reasons.
- Removal of stone staircase to create access to internal bin store.
- Installation of fire and acoustic ceilings
- Temporary removal of courtyard and carriageway stone setts and kerbs, permanent removal of external concrete floors, excavation of sub-base and the relaying of existing setts and kerbs to new levels alongside new natural stone paving.

This report assesses the planning issues relevant to both the planning application and listed building application.

RELEVANT PLANNING HISTORY

The site has been subject to several applications in connection with the Heart of the City (HoC).

The most recent application was for the land south of no 26 Cambridge Street forming part of HoCII block H3. This permitted the demolition of the freestanding wall facing on to Cambridge Street which was part of the former façade of the Albert Works. This is for the creation of an east/west link between Cambridge Street and Backfields and to provide access to a new public space as part of Block H3 (application reference 20/01437RG3).

The last applications for Leah's Yard were references 20/00425/FUL and 20/00426/LBC for stabilisation works and repairs to the buildings along with erection of a replacement shopfront and new shopfront.

SUMMARY OF REPRESENTATIONS

Historic England

Historic England draw attention to Leah's Yard being one of the most complete examples of a fine metals and cutlery workshop complex left in England. They note that 24 - 26 Cambridge Street, a former public house of the mid-19th century is unlisted but of historic interest.

They advise that the work to Leah's Yard seeks to make it fit for future uses and does so in way that balances modern standards with its special architectural and historic interest. The work to 24 to 26 Cambridge Street retains the facades but does so in a way that retains the buildings' visual contribution to the City Centre Conservation Area, whilst the new build part adds a distinctive new element that fits well with the conservation area. They observe that collectively the buildings add greatly to the Cambridge Street part of the Sheffield City Centre Conservation Area.

Permission has already been granted for structural repairs to Leah's Yard and these latest applications are concerned with its re-use. They consider that the approach taken is a respectful one. The arrangement of different units and spaces reflects the way the building was historically split between different trades and occupiers.

Importantly the central courtyard space retains its purpose as access and thoroughfare to these units and this allows the complex to be better understood as a whole. The proposed works adapt the buildings for modern use, such as levelling floors and some of the historic fabric of secondary importance would be lost. They accept that this is necessary if a new use is to be realised and the application is sensitive in applying these interventions, keeping to what is necessary. New interventions in the form of doors, replacement windows and fire escapes are well considered, either replicating existing forms where firmly placed in a historic surround or using a simple modern industrial look when more obviously new additions. They consider this element of the proposals are excellent and will result in a renewed Leah's Yard that is in itself interesting and attractive, but more widely a key focal point of interest in the Heart of the City Project.

The proposals for numbers 24 to 26 Cambridge Street are to retain the façades only, as part of a new building of contemporary design. They point out that just keeping the façade is not best conservation practice as it removes authenticity. However, they accept that the problems of re-using the existing building in terms of floor loading and layout are well argued for and suggest that any solution on this site would involve extensive remodelling.

They consider the resulting 'join' between old and new is handled well. The frontage to 24-26 Cambridge Street retains its visual independence and is improved by the removal of poor shopfronts, paint and faux timber framing. The new shopfront to 26 visually connects the old and new and retains the historic pattern where single buildings were subdivided into smaller shop units at ground floor.

They point out that the new building is relatively plain in its detail but references the historic form in its use of materials and outline. It is noted that it will be important that the quality of the brickwork and the subtle variations within their tone, bond and texture are successfully taken through into the finished scheme and recommend conditions to secure this.

As Leah's Yard is Grade II* listed its conservation should be given considerable weight as required by paragraph 199 of the NPPF. They consider the scheme should conserve the building and allow it to be widely appreciated for decades. Therefore, it is a good example of conservation.

They consider the impact on the conservation area, as expressed by the changes to the street scene, are also positive. Whilst the facadism of 24-26 Cambridge Street is not good conservation practice, the building's contribution to Cambridge Street would be protected and the new building adds an interesting contemporary addition.

They observe that paragraph 197 of the NPPF asks that the cultural, social and economic benefits of conserving historic assets and new design is considered in planning. In their view this application would provide these public benefits as part of this block but also in the wider context of the Heart of the City Project.

Historic England supports the applications on heritage grounds

Sheffield Conservation Advisory Group

The Group welcomed the quality of the work proposed to Leah's Yard itself, although noted that the proposal required the removal of machinery plinths, and the consequent loss of part of the industrial heritage. The Group was very concerned about the treatment of 24-26 Cambridge Street. The Sportsman Pub was contemporary with Leah's Yard and was an important part of the historical context of the works. Preserving only the front elevation is not sufficient to maintain either the integrity of the building or

its value as part of the historical record of the whole site. Maintaining the first-floor clubroom would be important in this regard. Members of the Group considered that the treatment of the façade of 24 Cambridge Street was inappropriate. A traditional shop front with a stall riser is necessary and the use of modern brickwork was unacceptable.

There are 12 representations objecting to the scheme including Hallamshire Historic Buildings (HHB) and Joined Up Heritage Sheffield. There are 10 representations in favour of the scheme and one neutral representation on behalf of the Campaign for Real Ale (CAMRA).

Comments in favour

The comments in favour of the scheme point out that cities are entering a challenging era and need to transform and modernise. This is particularly important given the pandemic, the movement to working from home and the closure of John Lewis. A new model is required based on experiences and high-quality affordable food and drink. It is critical to increase footfall and attract families back into the City Centre. Cambridge Street has been run down for some time and this project is exactly what is needed to transform and breathe life back into the City Centre. It will create an experience for customers and opportunities for young creatives. Local independent retail and entertainment businesses will be a fantastic draw for the City Centre. The scheme will create local jobs and generate growth in the local economy and is respectful of Leah's Yard.

It is pointed out that drinking habits have changed and that the pub was not welcoming and unlikely to attract families. The new application scheme will maintain a licenced drinking establishment on the site along with the façade. If this scheme is not approved the pub and its façade is likely to be lost anyway. The pub is unremarkable, and the scheme should not be stifled for the sake of a pub interior.

CAMRA

The neutral comment from CAMRA says they are pleased to see the retention of the façade and that local members note very little of the original 1863 ground floor internal fixtures and fittings remain. Ideally, they would like to see it returned to its original name and as a traditional outlet complementing food and drink outlets nearby. They would expect renovations to ensure as much of the original fittings are retained as possible.

Comments Against

The objections are generally concerned with the loss of the Sportsman pub and clubroom referring to the points covered in more detail below in the Hallamshire Historic Buildings (HHB) objection. Other comments are that the replacement building is bland and uninteresting. It is argued that facadism does not equate to conservation and it is retaining character that will attract visitors to the City Centre.

Hallamshire Historic Buildings

HHB consider the changes to Leah's Yard to be broadly acceptable and the reinstatement of the cutler's stone close to its historic position is welcomed.

They consider the development has failed to provide an adequate heritage statement which is incomplete in respect of Leah's Yard and largely ignores the contribution of Nos 24-26 Cambridge Street to the significance of the listed building. They say it does not comply with paragraph 189 of the NPPF which requires applicants to describe the significance of heritage assets affected including their setting and should be proportionate and use appropriate expertise. They also say it is contrary to Historic

England Advice Note 12 which says that Statements of Heritage Significance should not be an advocacy document. Leah's Yard is a Grade II* listed building of great importance and the inaccuracies and omissions in the heritage statement means that appropriate expertise was not applied.

HHB advise that most of the buildings of Leah's Yard were developed at the same time as 24-26 Cambridge Street and they consider the close physical and historical connection means that it makes an important contribution to the evidential, historical, aesthetic, communal and group value of the listed building. They say the historic association of public houses and industry is a defining characteristic of the city, but examples where the two survive together are increasingly rare. It is pointed out that in Planning Practice Guidance setting is not limited to visual considerations, and that understanding of a historic relationship amplifies the experience of the asset. They say the applicant has limited their assessment to a narrow assessment in visual terms. It is argued that the loss of most of 24-26 Cambridge Street, in particular the first-floor club room, harms multiple aspects of the significance of Leah's Yard. The cosmetic improvements to the façade of 24-26 Cambridge Street provide only slight mitigation.

HHB quote case law and the NPPF as supporting an argument that a rigorous assessment of potential alternatives is required for the local planning authority to carry out its duties under the Planning (Listed Buildings and Conservation Areas) Act. They say that no serious attempt was made to show how No 24-26 might be reused. It is argued that the technical challenges raised to not retaining the building could be overcome. These include the issues with stairs and lifts, floor to ceiling heights, roof replacement, floor levels and loading and structural loading.

HHB argues that the proposed shopfront to 26 Cambridge Street is inappropriate. They say that most of the shopfront of No 26 is intact or easily restorable. Allowing the style of the new build to intrude into a Victorian façade, neither preserves nor enhances that character. They say that there is good photographic evidence of a traditional shop front to No 26 and the most appropriate approach would be to repair and restore using natural stone and reclaimed brick.

HHB considers the harm arising from the development has been underestimated. That there would be benefit in bringing the former public house back into use, as it makes a contribution to the significance of the listed building. It is stated that retaining 24-26 would bring the same benefits as the development but the employment benefits would be greater as work on historic buildings is more specialised. There is a large choice of open plan food and beverage units whilst the supply of spaces retaining historic character is small. It is also argued that a high-quality historic environment increases rent and property prices, positively influences residents' quality of life and sense of pride and is sought by visitors. By not converting the building the development is not the optimum viable use. The re-use of the former pub buildings would increase sustainability. It is argued that as the development does not re-use and adapt the existing building it is not well designed and should be refused as required by the National Planning Policy Framework.

They state that the level of community consultation does not meet the intentions of the NPPF and development plan policies. Whilst heritage groups were consulted it was at a stage where the design had been finalised and the applicant was only prepared to make minimal changes.

HHB conclude that 24-26 should be retained, the minimum being the first-floor club room, the shop front to No 26 should be redesigned to its historic appearance. They would also like conditions to be attached requiring the following:

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- The masonry element and cappings, cills and plinths to No 26 to be in natural

- stone.
- Re-use of historic features in No 26 including mouldings around windows and to the front, skirting to the club room, ground floor north fire surround, iron fireplace and tiled surround.
- Interior of retained walls to 24-26 to be painted plaster to distinguish old from new.
- The finish to new ground floor in Leah's Yard to include retention of features such as former machinery plinths.
- A scheme to be submitted for interpreting historical information.

Joined-Up Heritage Sheffield

Joined Up Heritage Sheffield endorse the objections of HHB. They consider the proposals in respect of Leah's Yard are acceptable and regard these as a respectful approach to the re-use and preservation of this important Grade II* complex. However, they object strongly to the plan to reduce 24-26 Cambridge Street to a mere facade, which entails the loss of the important club room on the first floor of the former public house. They consider there is an inadequate assessment of alternative solutions. They consider the heritage assessment does not comply with guidance that such statements should contain an impartial assessment of significance and the contribution of setting. They believe the Council should reject it and require a proper assessment.

The applicant has advised that the scheme was presented to Joined Up Heritage in early July and site visit arranged with them. They say the detailing to the façade of 24-26 has been updated at a result of comments.

PLANNING ASSESSMENT

Land Use Policy

Unitary Development Plan

The site lies within the Central Shopping Area and the Cambridge Street frontage is within the Retail Core of the Central Shopping Area. The wider block is identified as a Key Development Site in the Unitary Development Plan Proposals Map.

This means that on the ground floor in the Retail Core, retail and complementary uses which add to the vitality and viability of the Central Shopping Area will be encouraged (Policy S2). The proposed uses are either preferred or acceptable under this policy.

The site is not In the Fargate Area so there is no requirement for only shops (class E(a)) on ground floor frontages (as per Policy S2(a)) but shops are a preferred use elsewhere in the Retail Core which means it should be the dominant use. Over 70% of the units in the Retail Core are authorised as shops (which includes Fargate, The Moor, Pinstone Street and Cambridge Street) and even if none of the ground floor space was occupied by a shop it would not affect the dominance across the Retail Core, and in any case the potential for shop uses always remains open under the list of proposed uses under Class E.

Key development sites are sites where it is particularly important to attract office development and higher parking levels are allowed. Key Development sites are defined in Policy T22 and the parking standards have been superseded by the Car Parking Guidelines and therefore this policy has very limited weight.

Policy S3 'Development in the Central Shopping Area' says that shops, offices used by the public, food and drink outlets and hotels are the preferred uses (notwithstanding the Retail Core frontage along Cambridge Street under Policy S2). Business uses are

acceptable as are community facilities and institutions and Leisure and Recreation. All the proposed uses are either acceptable or preferred under Policy S3 therefore the proposal is in line with this policy.

Policy S10 says that new development should not lead to a concentration of uses which would prejudice the dominance of preferred uses in the Area or its principal role as a Shopping Centre. This proposal follows this policy as the development will support the role of the Central Shopping Area and not affect the current dominance of preferred uses (shops, financial service, food and drink and housing).

Core Strategy

Policy CS17 – City Centre Quarters is relevant. The Heart of the City Quarter promotes the New Retail Quarter, the prime office and retail streets and main civic, arts and cultural buildings, with high quality public spaces within this part of the city. This proposal is supported by this policy as it is delivering a key part of the New Retail Quarter (now Heart of the City II) and reinvigorating one of the retail streets.

Policy CS3 promotes the City Centre as a location for office development and Policy CS4 says that new large scale and high-density office development will be concentrated in the City Centre. The application is proposing office/studio space on the upper floors. The adjoining sites such as Grosvenor House, Block C and H3 provide a substantial amount of office space as well and therefore taken as a whole HOC II will achieve the objectives of these policies.

Supplementary Planning Guidance

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

Draft City Centre Masterplan

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

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

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

the ambition for Block H1 as being a hive of activity with maker space; studios; quirky retail outlets; and cafes sitting around a characterful cobbled courtyard. This shows the latest landowner and developer investment intentions.

Overall, the proposed uses are supported by the most relevant land use policies and in line with the objectives of the HoC II project.

Impact on Heritage Assets

Heritage Policy

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that in deciding whether to grant planning or listed building consent the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. With respect to conservation areas section 72 says that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 194 of the National Planning Policy Framework (NPPF) says that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 195 of the National Planning Policy Framework says the local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. This should be taken into account when considering the impact, to avoid or minimise any conflict of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 197 says that in determining applications, local planning authorities should take account of:

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

Great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) when considering the impact, paragraph 199.

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II* listed buildings should be wholly exceptional, paragraph 200.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the

public benefits of the proposal including, where appropriate, securing its optimum viable use, paragraph 202.

Paragraph 203 says the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

UDP Policy BE15 says the buildings and areas of special architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced. Development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.

UDP Policy BE16 says that within Conservation areas permission will only be given for proposals which would preserve or enhance the character or appearance of the Conservation Area. Buildings which make a positive contribution to the character or appearance of the Conservation Area will be retained.

UDP Policy BE19 says that proposals for internal or external alterations which would affect the special interest of a Listed Building will be expected to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest. Proposals for change of use will be expected to preserve the character of the building. Proposals for development within the curtilage of a building or affecting its setting, will be expected to preserve the character and appearance of the building and its setting.

Core Strategy Policy CS 74 says that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including the distinctive heritage of the city, particularly the buildings and settlement forms associated with:

- i) The metal trades (including workshops)
- ii) The City Centre.

Heritage Assets

Leah's Yard is listed Grade II*, a status awarded to less than 6% of the listed buildings in the country. It is necessary to consider the impact of the development on its significance and also the impact of the new building on its setting. To the west, St Matthews's Church and to the south, Bethel Sunday School are also both listed Grade II. Nos 22-24 Cambridge Street are non-designated heritage assets and it is necessary to consider the impact of the development on their significance together with the impact of the development on the significance of the City Centre Conservation Area.

Significance

Leah's Yard is a very important example of a metals and cutlery workshop complex of which there were once many in Sheffield. It is assessed in the heritage statement as providing medium important evidential value of changes in working methods, building use and associated industries. It has high historical value as a good example of Sheffield's metalworks which were internationally important and shows evidence of industrial change. It has medium aesthetic value as a functionally designed industrial building with the alterations and courtyard adding to its interest. It has medium communal interest in illustrating a building form that is unique to the area in which many local people were employed and high **Page 82** due to the relationship between the buildings.

24-26 Cambridge Street are important components of the historic western side to Cambridge Street and as a setting to the Leah's Yard. The applicant's heritage statement says the 3-storey elevation contributes positively to Cambridge Street referring to the timber sash windows and stone headed window openings. They point out that number 26 has been heavily altered and at ground floor level and with faux timber cladding. They say many fixtures and fittings have been lost internally. There are some features associated with the pub in the basement but little of heritage value surviving on the ground or upper floors. The rear of the property has poor quality single storey extensions. They score the evidential value as low and the historical, aesthetic, communal and group value as low/medium

Hallamshire Historic Buildings on the other hand have argued that the significance of Nos 24-26 Cambridge Street has not been properly considered in the applicant's heritage statement. They say the heritage statement has not been properly influenced by the research into the origins of Nos 24-26. They have produced their own assessment of the significance of both Leah's Yard and 24-26 Cambridge Street. They rate the evidential and communal value at low/medium and the historical, aesthetic, group value significance as medium which is higher than the applicant's assessment.

In general terms their argument is that 24-26 Cambridge Street is contemporaneous with an expansion of Leah's Yard. Public houses had a close relationship with Sheffield's industries for hydrating workers. They were often adjacent to a factory and Leah's Yard is a unique example of a surviving works with surviving adjacent pub that is its exact contemporary. The extension of the works and increase in size of appointment of the pub reflects the trend to larger individual licenced premises. It illustrates the higher quality built form of the pub relative to the works. It is illustrative of the dual industrial and social role of drink in the community. There is sufficient evidence in the building to identify it as a better-quality working class public house and it retains some historic features associated with a pub whilst the first-floor club was frequently used by trades societies showing evidence of such spaces for the working classes as their wealth and organisation increased.

Impact on the character and significance

Leah's Yard

The applicant assesses the impact of the changes such as removing staircases, creating new openings, raising floor levels, treating ceilings and relaying the courtyard paving as ranging between minor negative, neutral and positive. They say the ground floor retail fenestration of Chubbys detracts from the setting of the listed buildings at Leah's Yard and the front elevation of No 24 makes a strong contribution to the setting of the adjacent listed buildings at Leah's Yard. They consider the first-floor front room to 26 Cambridge Street makes a small contribution to the character and setting of the adjacent listed buildings at Leah's Yard and the enhancements to the Cambridge Street elevation are likely to enhance the setting of the listed buildings at Leah's Yard. They say the loss of the first-floor interior will be neutral in terms of the setting of the listed buildings.

HHB argue that the elements of significance of 24-26 Cambridge Street highlighted by them and summarised above contribute to the significance of Leah's Yard, and would either be totally lost, or the development would have a major negative impact on them.

Conservation Area

The applicant's heritage consultants argue that the enhancements to the Cambridge Street elevation of 24 -26 Cambridge Street will make a positive contribution to the

streetscape and are likely to enhance the character of the Conservation Area. The loss of the internal structural walls is likely to result in minor detriment to the character of the conservation area and the loss of the first-floor interior will be neutral in terms of the Conservation Area.

HHB consider the loss of most of 24-26 Cambridge Street would erode the character of the once prevalent pattern of city centre development incorporating mixed uses of work, residence, social life and worship and this impact would be minor negative.

24-26 Cambridge Street

The applicant's heritage consultants have not commented on the impact of the development on the significance of the non-designated heritage asset of 24-26 Cambridge Street.

HHB consider that the alterations will result in the total loss or have a major negative impact in the evidential, historical and Communal value of the 24-26 Cambridge Street. They consider the cosmetic improvements proposed to the street elevation will have positive aesthetic benefits whilst loss of most of the building and internal features will have major negative impacts on its aesthetic significance. They argue the impact on Group value will be major/minor negative as the relationship between the pub and works is almost entirely obscured and a façade retention scheme results in character that is only superficial.

Conclusion on heritage impacts

Your officers concur with the applicant's assessment of impact of the development on the significance of the heritage assets in the most part. However, considering the research undertaken by the Heritage Groups and their comments on the application, the loss of much of 24 -26 Cambridge Street will have an increased negative impact on the significance of the listed building. However, the significance of Leah's Yard is largely being retained by its sensitive adaption and reuse and, in your officers' view, it does not derive much of its significance from the adjacent pub.

The improvements to the street façade of 24-26 Cambridge Street will improve the visual setting of the listed building. The new building behind the façade will be taller than the existing poor-quality extensions which are predominantly single storey. It will be visible from parts of the courtyard and upper floors of the listed building. However, because its scale, design and materials are sensitive to the character of the conservation area and the listed building it is considered that the extension will not have a harmful impact on the setting of the listed building.

Given that the front façade to 24-26 Cambridge Street will be retained and enhanced and the new building makes a sympathetic and distinctive addition to the Cambridge Street frontage it is considered that the development will improve the setting of Bethel Sunday School as part of the wider streetscape. The impact of the development on the setting of St Matthew's Church is considered to be neutral.

Whilst there will be improvements to the front façade of 24-26 Cambridge and the visual contribution to the conservation area will largely be maintained, the loss of the majority of the building is not good conservation practice and the proposal will have a minor negative impact on the character of the conservation area as a result.

When considering the impact on a non-designated heritage asset the NPPF advises that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. As Historic England point out, retention of the building façade means its contribution to Cambridge Street would be protected,

however it must be acknowledged that there will be loss of historic interest due to the demolition of most of the building. Therefore, it is considered that there will be minor harm due to the loss of much of the non-designated heritage asset.

There is no dispute that the alterations to both Leah's Yard and retention of the front façade of 24-26 Cambridge Street will result in less than substantial harm to the designated heritage assets of Leah's Yard listed buildings and the Conservation area.

Therefore, it is necessary to consider whether there is a clear and convincing justification for the harm caused and whether the public benefits outweigh the harm caused to the designated heritage assets as stated in NPPF paragraphs 200 and 202.

Clear and convincing justification

The works to Leah's Yard are mostly concerned with making the buildings accessible and safe for modern day usage and providing a connection between Leah's Yard and the new Linley Square to integrate the development with HoC II Block H3 and improve circulation. These access and safety improvements are essential for bringing the listed building back into use and sustaining its use.

At pre-application stage both Historic England and council officers pressed the applicant to retain the whole of 24-26 Cambridge Street except the later additions at the rear, as this would be a better conservation solution.

The applicant has produced a well-argued case to demonstrate that, due to structural wall locations, low head height, level changes between units, non-compliant stairs and the need to strengthen floors, accommodating the needs of a modern drinking establishment with extended food offer would result in substantial rebuilding of the structure behind the Cambridge Street façade.

There is a clear and convincing justification for the loss of some fabric of secondary importance from the listed building to facilitate its reuse for purposes consistent with its conservation. There is also a clear and convincing justification for the demolition of all but the façade of nos 24-26 Cambridge because of the constraints of the existing structure to accommodate a modern family orientated pub with extended food use.

Public Benefits

Given that there will be some harm to the significance of the heritage assets it is necessary to consider whether this harm is outweighed by the public benefits of the proposal. In this case the main public benefits of the scheme are:

- Creating a unique destination aimed at independent retail, food and drink uses and makers which will be vitally important in drawing footfall back to the City Centre to aid its recovery after the pandemic and the significant closures of national brands.
- Securing the future of the Leah's Yard and removing risk to an important heritage asset and enabling the public to experience the historic buildings and spaces. Leah's Yard has been on the national Heritage at Risk register for many years and most of the site has been vacant since 1973. The scheme will secure the optimum use of the heritage asset in support of its long-term conservation.
- Economic benefits from employment and economic activity associated with the development.
- Significantly improving inclusive access to the listed building and courtyard.

- Adding to the high-quality public realm in the City Centre and enhancing the new Linley Square and Albert Walk by activating these spaces and improving public safety.
- Integrating Leah's Yard with the Heart of the City Scheme thereby enhancing the connectivity of the City Centre and sustaining the listed building for the future.
- Accommodating the new events, gathering spaces, lift, bins stores, toilets and plant spaces which are needed to support the re-use of Leah's Yard within the extension to 24-26 Cambridge Street rather than taking up and impacting on the more characterful space within the listed building.
- Reinvigorating the Cambridge Street frontage which has been run down for some time, whilst creating a distinctive new building which will contribute positively to the streetscape character of the conservation area.

It is concluded that these benefits significantly outweigh the harm to the heritage assets and secure an optimum use for the listed buildings thereby complying with Paragraph 202 of the NPPF.

Design Issues

Chapter 12 of the NPPF is concerned with achieving well-designed places.

Paragraph 130 says planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy CS 74 is in line with the NPPF and carries significant weight. It is concerned with design principles and says that development should:

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

The scheme has been designed to deliver a wide mix of uses aimed at attracting makers and creators with complimentary retail and food and drink uses, in order to

attract workers, residents and visitors. The ground floor is to be predominantly retail and food and drink use with the other E class uses on upper floors. The new build element is 3 storeys high which is in keeping with adjacent development and the conservation area. Access will be through the courtyard from Cambridge Street and a new access from the south off Linley Square with multiple entrances to the units from the courtyard. The back of house services will be largely located in the new extension to 24-26 Cambridge Street. A new raised terrace adjoining the south elevation of Leah's Yard will provide external seating for food and drink units with new openings providing direct access to this space. It will complement Linley Square and Albert Walk by activating the northern edge of the square and walkway.

Within Leah's Yard all new metal stairs, internal and external, will have a common character. They are proposed to have profiled metal balusters finished in a dark colour. Internally, timber treads and handrails are proposed. Externally, natural stone treads and metal handrails are proposed. All new window and door openings, except for a couple of locations, are proposed to be modern but sympathetic, highly glazed windows and doors. These are to be set within thin profile metal surrounds that will conceal any necessary cut brickwork. New precast lintels are proposed above openings in the south elevation and the wall will be repaired to have an aged character to it.

The alterations to the retained façade of 24-26 are described in the first part of this report above. The new roof to this part of the development will be pitched but slighted raise above the existing to improve the head height, it will be lit with Velux windows. It will run into the roof of the new build element to the south of 24-26 Cambridge Street which has been designed with a gable elevation and traditional pitched roof form to mark the new walkway through to Backfields. The new building will narrow the new Albert Walk creating a more intimate scale alleyway which is consistent with the character of the conservation area.

The new building will have a darker brick plinth framing the shopfront to Cambridge Street but will be predominantly faced in red brick with a slate roof. Different brick bonds will be used so that the building appears to have a more solid base and lighter top. A modern glazed shopfront will activate the Cambridge Street frontage with two other larger glazed openings along the Albert Walk elevation. The upper section of the Albert Walk elevation will be relieved by punched contemporary openings with deep reveals. The rear west facing elevation will have a glazed door and windows overlooking the new public space to the west providing direct access from one of the new units.

The street elevations show that the scale and massing of the extension will sit comfortably within the Cambridge Street frontage creating a distinctive and complementary addition to the fine-grained streetscape. The south elevation will create a rich and varied façade and, together with the buildings in Block H3, will form an attractive new pedestrian street. The elevational treatment to both these frontages is well considered and high quality and the improvements to nos 24-26 Cambridge Street including the new shopfronts will significantly improve the appearance of this street frontage.

The scheme is of a high design quality, sympathetic to local character, will help to maintain a strong sense of place, help to transform an area that has become run down and will create a safe place and significantly improve inclusive access. The proposal is therefore consistent with the relevant NPPF and Development Plan design policies.

South Yorkshire Police 'Designing out Crime Officer' has liaised with the architects and the recommended security measures have been agreed and incorporated into the design. The Police have no objections to the application.

Sustainable Development

Paragraph 7 of the NPPF says the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 describes this as having 3 overriding objectives

An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Policy CS 64 'Climate Change, Resources and Sustainable Design of Developments' says that all new buildings and conversions of existing buildings must be designed to reduce emissions and greenhouse gases and function in a changing climate. All non-residential developments over 500m² gross internal floorspace should achieve a BREEAM (BRE Environmental Assessment Method) rating of very good (or equivalent) as a minimum.

Policy CS 65 'Renewable Energy and Carbon Reduction' says that development of more than 500m² gross internal floorspace will be required, unless this can be shown not to be feasible and viable, to: a. provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The site is located in a highly sustainable location with a high potential to be accessed by sustainable means and benefit from linked trips. It is a key project in supporting the recovery of the city centre which is critical to the city's economy and will generate economic activity in its own right. It will deliver a high-quality scheme that will provide well designed, safe and accessible spaces that will support the city's cultural well-being. It will secure the long-term future for one of the city's most important listed buildings. It is regrettable that the scheme does not secure the retention of nos. 24 and 26 Cambridge Street and therefore there will be minor harmful impacts on the historic environment. In addition, demolishing most of this building and rebuilding a new one is not the most sustainable use of resources. However, the case for the proposed design submitted has been well made and overall the scheme is considered to be sustainable development.

Within Leah's Yard as part of the Phase One repair works the windows have been replaced, the roof replaced and insulated to improve the thermal performance of the building. Within the new build element, the heating and cooling energy demands will be reduced by high performing building fabric, and it will be designed to meet BREEAM Very Good standard. Given this it is considered the development will meet the terms of Policy CS64, a condition is proposed to ensure the improvements are delivered.

Where possible the development will maximise energy recovery via heat recovery devices in the ventilation, heating and cooling system. The communal area central ventilation and pumped system will be demand-led to reduce energy consumption.

Energy to generate heating will be provided via low carbon air source heat pumps. The supporting submission indicates that this will constitute roughly 35% of the predicted energy consumption of the buildings. This means that the development should comply with Policy CS65, a condition is proposed to ensure that this is delivered.

Land Quality

The site lies within a Coal Mining High Risk Area. The applicant has submitted a Coal Mining Risk assessment which the Coal Authority consider acceptable, they have no objections to granting planning permission.

The submitted land contamination reports are sufficient to show that the site is suitable for development however further site investigations are required and these are secured by the standard suite of land contamination conditions.

Access Issues

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

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

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

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

Paragraph 105 of the NPPF says that significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

Paragraph 112 says that applications should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

Paragraph 113 says that all developments that will generate significant amounts of movement should be required to provide a travel plan and be supported by a transport assessment.

There are numerous cycle routes through the City Centre. The nearest suggested cycle routes are on Pinstone Street and Burgess Street.

The city centre has an extensive bus network, there are bus routes near to the site on Pinstone Street (approx. 2 mins walk) and Furnival Gate (approx. 3 mins walk) and also

on West Street which accommodates Supertram (approximately 3-4 mins walk). In total there are over 100 bus services every hour which serve stops close to the development site and provide access to numerous destinations.

There are currently approximately 9,000 off street car parking spaces across Sheffield city centre. Approximately 4,000 of these car parking spaces are within an approximate 400 metres radius of the site. The Wellington Street NCP car park is to the south-west of the site (449 spaces). On street parking and loading is permitted on Cambridge Street and there is on street disabled parking on Cambridge Street and Cross Burgess Street with taxi parking on Burgess Street and one of the main City Centre taxi ranks on Barkers Pool. Loading is also allowed on Backfields.

The site is centrally located and is well served by public transport. The development will be car free which is acceptable given the accessibility of the site by sustainable travel, the accessible public car parking within close proximity to the site and the heritage considerations which do not lend themselves to on-site parking.

There will be no parking within the site so parking demand will be served by existing car parks and on-street parking. No parking provision is consistent with the Council's parking guidelines which are intended to reduce car trips within the city centre where there are opportunities for access by other modes. The occupancy of City Centre car parks has been assessed pre-Covid. This indicates over 400 long stay spaces and 680 short stay spaces available on a weekday. On a Saturday, there are approx. 1,000 long stay spaces and just under 1,000 short stay spaces available. It is considered that there will be sufficient capacity to accommodate the parking demand generated by the development.

A separate highway scheme is being proposed by the Council to reconfigure Cambridge Street, Carver Street and Backfields. This will deliver service bays and disabled parking along Cambridge Street. Bin store space is being provided within the new building.

The scheme will deliver high quality pedestrian spaces and be well connected with adjoining development and so is in line with policy to prioritise pedestrian movement.

There will be some visitor cycle parking stands on Albert Walk but there would be too great a risk of pedestrian/cycle conflicts to provide cycle parking accessed within the Leah's Yard courtyard. A convenient cycle hub is to be provided as part of the HoCII project which will provide cycle parking for staff. The location of this is not yet fixed.

There are currently many level changes throughout the site which prevent inclusive access. An inclusive access route will be provided through the site from Cambridge Street via the Leah's Yard archway into the courtyard, facilitating inclusive access to all the ground floor units and connecting through the listed building to the new Linley Square within Block H3. The alterations to internal floor levels within Leah's Yard will facilitate level access to the internal areas of ground floor buildings. The new lift within the extension to 24-26 Cambridge Street will allow inclusive access to 3 units on level 1 of Leah's Yard, to the new build office and studio space. The two storey food and drink unit facing Cambridge Street will have its own platform lift. The new external staircases will improve safe access to upper floors. Prior to the works being undertaken for Phase 1 only 10% of Leah's Yard was fully accessible and none of 24-26 Cambridge Street. The scheme aims to improve this to 55% within Leah's Yard and across the whole scheme including the new build, to 72%

Ecology

The site is covered with buildings and hard surfacing. The buildings have been surveyed to establish their potential for bat roosts. This concluded that there is no

evidence of bats using the site, no evidence of breeding birds and there is no potential for bat roosts. The City Ecologist is satisfied with the submission.

Drainage

Foul and surface water will discharge to the existing combined public sewer in Cambridge Street. Surface water storage will also be provided with a storage tank below the south terrace. Yorkshire Water have no objections to the proposals but have recommended conditions requiring separate systems of drainage on site and details of surface water drainage to be submitted to demonstrate a 30% reduction on existing peak discharge.

Amenity

The proposal has the potential to have adverse amenity impacts due to noise and odours from the food and drink uses, impacts during construction and noise from external plant. These impacts can be mitigated by design measures and planning conditions. A condition is proposed requiring submission of a Construction Environment Management Plan to manage impacts during construction. Conditions also limit operating hours and external amplified music, they require submission of sound insulation details, fume extraction systems and noise from external plant.

SUMMARY AND RECOMMENDATION

The proposal is supported by land use policy and will deliver town centre uses in a highly sustainable central location. It is positioned at the centre of the HOC II project and closely aligns with its objectives. It is aimed at makers and independents which will be housed in a unique historic building and together these attractions will provide something special that is likely to be a significant City Centre draw. Given the impact of the pandemic, increased working from home and the closure of John Lewis this is a particularly important project for the recovery of the City Centre. In addition to these economic benefits the scheme itself will generate economic activity and employment.

Together with Block H3 this project will help to reinvigorate a retail street which has been run down for a number of years. It will bring an important listed building back into use with creative and maker uses which will sit comfortably within the intimate spaces and resonate with the former use of the building. The scheme will allow the public to access and enjoy the architectural and historic interest of the building and the adaptations proposed will ensure it is more accessible to all whilst respecting the special interest.

The new connection to Linley Square will ensure the site is fully integrated with the HoC II scheme. It will add to the high-quality public realm in the City Centre creating a south facing café seating area and also enhancing the public space created as part of Block H3 by delivering uses that will activate Albert Walk and Linley Square, thereby adding to a sense of place.

The adaptations to the Leah's Yard are essential to facilitate the reuse of the site, improve public access and safety and integrate it with the rest of the City Centre. The changes proposed are sensitive to the special character of the listed building as acknowledged by the conservation bodies.

The new building is a high-quality contemporary respectful design that will sit comfortably with the listed building and conservation area. The form of the new building and materials respond the character of the conservation area. It will make a distinctive and positive contribution to Cambridge Street and Albert Walk.

contribution to the Conservation Area and enhance the appearance of the Cambridge Street frontage and the visual setting of the listed building. There will however be adverse heritage impacts due to the loss of most of the original non designated heritage asset itself which will also impact on the character of the conservation area and on the significance of the listed building. Whilst the loss of the existing pub is regrettable, a drinking establishment use will be retained in the building, and it will still be recognisable as a pub from the street. Both Council officers and Historic England accept that the applicant has demonstrated that a modern pub with extended food provision could not be accommodated in the existing building without extensive remodelling so the facadism approach is justified in this case. There will be some loss of historic fabric of secondary importance in the listed building. However overall, the less than substantial harm to heritage assets is outweighed by the public benefits that will arise from the development as a whole.

Considering the requirements of Sections 66 and 72 of the Planning and Listed Building Act 1991 and the heritage policies in the NPPF and Development Plan the proposals are judged to be in line with these statutory duties and policies. Overall, the scheme represents sustainable development. It is therefore recommended that planning and listed building consent be granted subject to the listed conditions.

Case Number	21/03335/LBCRG3 (Formerly PP-09975927)
Application Type	Listed Building Consent by the Council
Proposal	Alterations to buildings to facilitate mixed used development including removal/replacement of staircases, removal of buttress walls, creation of new window and door openings, alterations to windows, floors, ceilings and external floorscape (Application under Regulation 3 - 1992)
Location	20-22 (Henry Leah and Sons Ltd) and 24-26 Cambridge Street Sheffield S1 4HP
Date Received	23/07/2021
Team	City Centre and East
Applicant/Agent	Nineteen47 Ltd
Recommendation	Grant Conditionally

Time Limit for Commencement of Development

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

Reason: In order to comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Approved/Refused Plan(s)

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

HOH-FCBS-Z1-ZZ-DR-A-0010 REV P01 - Proposed Site Location Plan
HOH-FCBS-Z1-B1-DR-A-0199 REV P01 - Proposed Uses Basement Level
HOH-FCBS-Z1-00-DR-A-0200 REV P01 - Proposed Uses Level 00
HOH-FCBS-Z1-01-DR-A-0201 REV P01 - Proposed Uses Level 01
HOH-FCBS-Z1-02-DR-A-0202 REV P01 - Proposed Uses Level 02
HOH-FCBS-Z1-03-DR-A-0203 REV P01 - Proposed Uses Level 03
HOH-FCBS-Z1-10-DR-A-0210 REV P01 - Proposed Uses Roof Level
HOH-FCBS-Z1-B1-DR-A-0249 REV P01 - Proposed Demolition and Alterations
Basement Level
HOH-FCBS-Z1-00-DR-A-0250 REV P01 - Proposed Demolition and Alterations Level 00
HOH-FCBS-Z1-01-DR-A-0251 REV P01 - Proposed Demolition and Alterations Level 01
HOH-FCBS-Z1-02-DR-A-0252 REV P01 - Proposed Demolition and Alterations Level 02
HOH-FCBS-Z1-03-DR-A-0253 REV P01 - Proposed Demolition and Alterations Level 03
HOH-FCBS-Z1-10-DR-A-0260 REV P01 - Proposed Demolition and Alterations Roof
Level
HOH-FCBS-Z1-ZZ-DR-A-0700 REV P01 - Sections A + B
HOH-FCBS-Z1-ZZ-DR-A-0701 REV P01 - Sections C + D
HOH-FCBS-Z1-ZZ-DR-A-0800 REV P01 - Proposed Elevations East and West
HOH-FCBS-Z1-ZZ-DR-A-0801 REV P01 - Proposed Elevation South
HOH-FCBS-Z1-ZZ-DR-A-0802 REV P01 - Proposed Courtyard Elevations

HOH-FCBS-Z1-ZZ-DR-A-0850 REV P01 - Proposed Site Elevations
HOH-FCBS-Z1-ZZ-DR-A-3250 REV P01 - Bay Study 01
HOH-FCBS-Z1-ZZ-DR-A-3251 REV P01 - Bay Study 02
HOH-FCBS-Z1-ZZ-DR-A-3252 REV P01 - Bay Study 03
HOH-FCBS-Z1-ZZ-DR-A-3253 REV P01 - Bay Study 04
HOH-FCBS-Z1-ZZ-DR-A-3254 REV P01 - Bay Study 05

Reason: In order to define the permission.

Pre-Commencement Condition(s)

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

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

Windows, doors and reveals
Rainwater goods
New openings to south elevation
New staircases
Wall linings and fire /acoustic ceilings

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

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

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

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

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

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

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

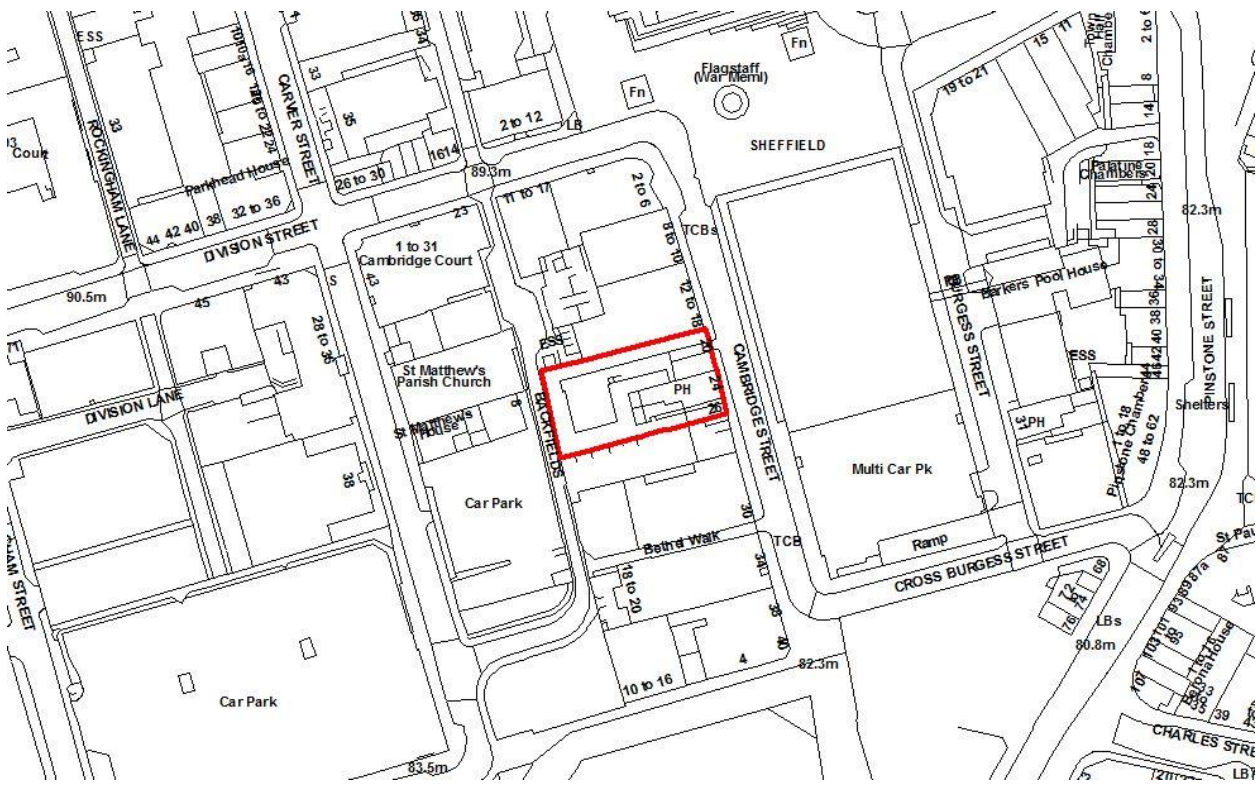
Reason: In order to protect the character of the original building.

- 7 Prior to the relaying of the setts a plan of the proposed paving layout along with a survey of the existing layout shall be submitted to and approved by the Local Planning Authority. Thereafter the setts shall be re-laid in accordance with the approved scheme prior to the occupation of the listed building.

Reason: In the interests of preserving the special character of the listed building.

Other Compliance Conditions

Site Location



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Please see the report attached to application 21/03334/RG3.

Case Number	21/03006/FUL (Formerly PP-09983096)
Application Type	Full Planning Application
Proposal	Erection of 7 dwellinghouses with associated parking and landscaping
Location	Land at Meersbrook Avenue, Newsham Road and Woodbank Crescent Sheffield S8 9ED
Date Received	01/07/2021
Team	South
Applicant/Agent	James Norton RIBA
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:

Proposed Block/Site Plan Ref: SSHmb-110E
Site Floor Plans Plots 1-3 Ref: SSHmb- 112D
Site Floor Plans Plots 4-6 Ref: SSHmb- 113D
Site Floor Plan Plot 7 Ref: SSHmb- 114C
Street Scene Elevations and Section 1 of 3 Ref: SSHmb- 116C
Street Scene Elevations and Section 2 of 3 Ref: SSHmb- 117C
Street Scene Elevations and Section 3 of 3 Ref: SSHmb- 118A
Typical Detailing Ref: SSHmb- 119B
Floor Plans and Sections Plots 1-5 Ref: SSHmb- 121B
Elevations Plots 1-5 Ref: SSHmb- 122C
Floor Plans and Sections Plot 6 Ref: SSHmb- 124C
Elevations Plot 6 Ref: SSHmb- 125C
Floor Plans and Sections Plots 7 Ref: SSHmb- 127C
Elevations Plot 7 Ref: SSHmb- 128C
Tree impact Survey 1 of 2 Ref: SSHmb- 132
Tree impact Survey 2 of 2 Ref: SSHmb- 132
Landscaping Plan Ref 564-002 P05
Tracking Plans Ref 5639/201 Rev C
Tracking Plans Ref 5639/202 Rev C
Tracking Plans Ref 5639/203

Reason: In order to define the permission.

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

3. No development (including demolition or other enabling, engineering or preparatory works) shall take place until a phasing plan for all works associated with the development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: In order to define the permission and to assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy.

4. No phase of the development (including works of demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Highway Management Plan (HMP) relevant to that particular phase has been submitted to and approved by the Local Planning Authority.

The HMP shall assist in ensuring that all Contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:

- a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.
- b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and
- c. Details of the site accommodation, including compound, contractor car parking, storage, welfare facilities, delivery/service vehicle loading/unloading areas, and material storage areas.

The development shall thereafter be carried out in accordance with the approved details.

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

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

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

7. 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.

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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation 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. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

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

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

12. 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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation 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.

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

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

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

- (a) External doors
- (b) Windows
- (c) Window reveals
- (d) Rainwater goods
- (e) Entrance canopy
- (f) Fin detail on the rear of Plot 4

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

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

15. The development shall not be used unless the car parking accommodation and shared turning facilities as shown on the approved plans have been provided in accordance with those plans and thereafter such car parking accommodation and turning facilities shall be retained for the sole purpose intended.

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

16. Prior to the car parking area being surfaced, full details of the electric car charging points within the site shall have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied unless such electric car charging points have been provided in accordance with the approved plans and, thereafter, shall be retained.

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

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

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

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

Reason: In the interests of biodiversity.

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

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

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

20. The dwellings shall not be occupied unless the car parking areas of the site are constructed of permeable/porous surfacing. Thereafter the approved permeable/porous surfacing material shall be retained.

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

21. The glazing in the windows on the elevation of Plot 7 facing north towards 25 Newsham Road shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

22. Full details of the fin to the first and second floor to the north of the windows shall have first been submitted to an approved in writing by the Local Planning Authority. The approved fin details shall thereafter be retained and at no time shall any part of the fin detail be removed.

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

Other Compliance Conditions

23. 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.

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

Reason: To ensure satisfactory drainage arrangements.

25. There shall be no gates or barriers erected at the means of access to the site.

Reason: To ensure access is available at all times.

Attention is Drawn to the Following Directives:

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

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

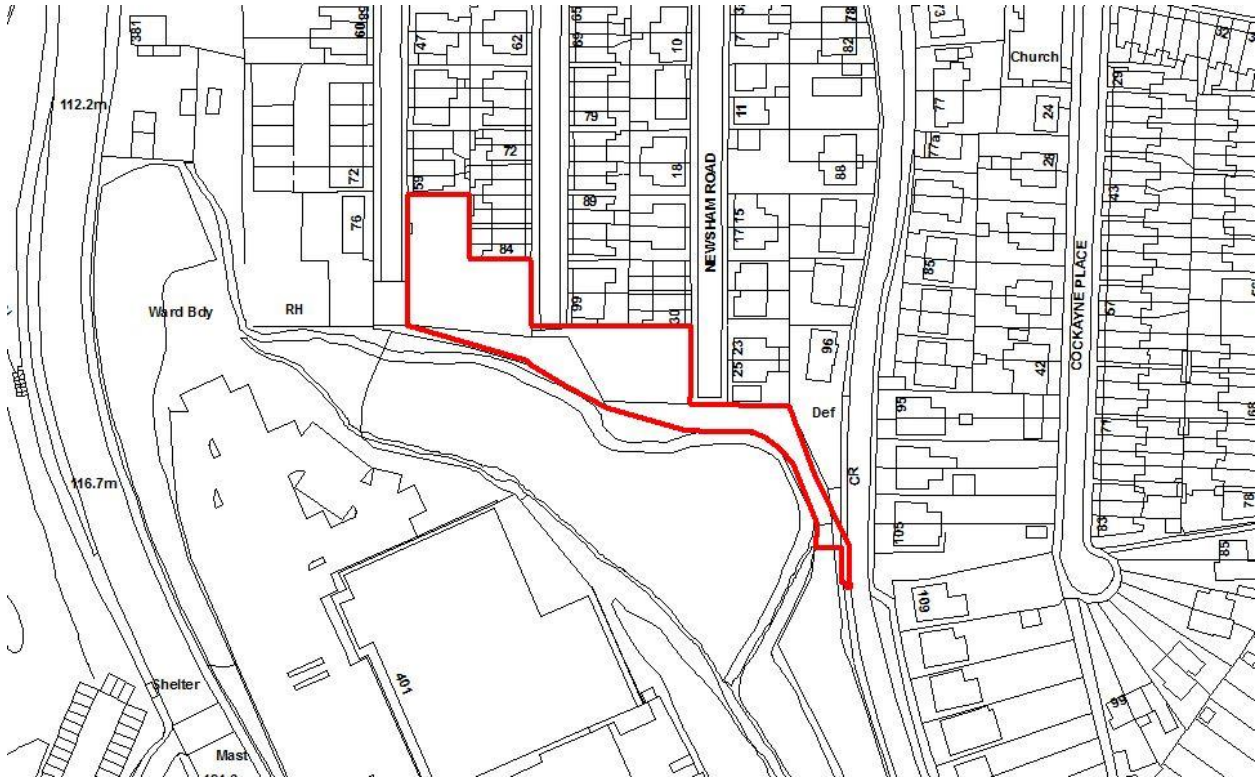
<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

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

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

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

Site Location



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INTRODUCTION

The application relates to a vacant overgrown parcel of land which runs along the top, or end of Woodbank Crescent, Meersbrook Avenue and then Newsham Road adjacent to the quarry face. Each of these roads are cul-de-sacs which terminate abutting the application site.

The site falls within an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The surrounding area is predominantly residential in character, with the immediate area consisting of traditional 2 storey terraces and semi-detached dwellings, with additional accommodation in the roof space.

Within the wider area there is more of a mixture of housing types, but remaining residential in character, except for the land to the south which is occupied by a retail park accessed from Chesterfield Road.

The application seeks planning permission to erect 7 dwellings on the site, 3 at the top of Meersbrook Avenue, and 4 at the top of Newsham Road. 15 parking spaces are provided for the proposed dwellings off street. Amended plans have been received during the application process following negotiations with the agent.

RELEVANT PLANNING HISTORY

Outline planning permission was granted in 2005 for a residential development on the site, with all matters reserved for subsequent approval, Ref: 04/04274/OUT.

Pre-application advice was sought in 2021 for the erection of sustainable detached dwelling houses. This concluded that a scheme with good quality materials of high-quality design could be viewed favourably in principle subject to detailed design.

REPRESENTATIONS

Following notification of the application, there have been 33 representations from 29 properties objecting to the proposal in addition to Louise Haigh MP and Councillor Cate McDonald.

13 representations from 10 properties have been received in support of the application.

Councillor Alexi Dimond has also commented, neither objecting to, nor supporting the scheme.

A further 2 people having ticked that they support the application but have left no comments.

5 further representations were received from people who have already objected to the application following publication of the amended plans. These re-iterate previous comments already received.

Louise Haigh MP:

- The removal of the turning point on Newsham Road will be make it difficult to turn, which is particularly concerning for emergency vehicles.
- The last ground investigation was 2005, and a new investigation needs to be undertaken.
- The proposed three storey buildings are not keeping with the area being taller than any other building on the street, changing the overall appearance of the

street.

- The buildings will be imposing, reducing light to neighbour's properties.
- The site is one of important and diverse environment and ecological habitat, with sightings of badgers, foxes, bats, owls which will be at risk from the development. An impact assessment needs to be carried out.
- There is Japanese Knotweed on the site which will need to be treated.
- The claims of fly tipping are unsubstantiated. Local residents take pride over the site including children who have made a den to play in.

Councillor Cate McDonald:

- There will be an impact on local traffic, parking and turning space, with a lack of traffic impact assessment or parking/turning surveys.
- The new build will have a significant impact on neighbouring properties, however there is no Landscape visual assessment or residential visual assessment.
- The ecology survey is lacking, without clarity about how the applicant will discharge their responsibility to enhance biodiversity.

Councillor Alexi Dimond:

No individual objection to the scheme but does wish for his constituents' comments who are objecting to be taken into consideration. These are covered in the section below.

Individual Representations objecting:

Principle and Design:

- The proposed three storey buildings are not in keeping with the Victorian and Edwardian two storey houses in the surrounding area.
- There will be a loss of green space in the area which is already in short supply.
- High density on such as small space is not appropriate.
- The site is not registered as brownfield site on the Sheffield Housing and Economic Land Availability Assessment (SHELAA) and is a greenfield site.
- The buildings are taller than any other on the street which appear imposing and changing the character of the street.
- Natural stone, primary colour rendering seamed metal cladding and timber cladding are not in keeping with the aesthetic of the local area.
- The internal layouts are subject to design at later stage, these might not comply with disabled access requirements.
- The houses appear crammed in and designed to maximum dimensions into the minimum amount of space.
- No Landscape Visual Impact Assessment or Residential Visual Impact Assessment has been submitted.
- The drawings do not portray an accurate image of the heights of the final builds or those adjacent.
- There is a need for affordable housing, but these houses are not affordable.
- Whilst eco-friendly houses should be supported, there is not sufficient justification in this instance.
- Units 4 and 5 have bin storage directly visible from the street.
- The proposed permeable surface for parking is not in keeping with the area.
- The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site.
- The land should be compulsory purchased and given to the local neighbourhood, for use as community gardens or an allotment.

Living Conditions:

- The new dwellings will reduce light to neighbouring properties, especially proposed plots 4-6 on 28 Newsham Road, with the land higher, blocking sunlight in the winter months.
- The proposed plot 7 will look directly into 96 Derbyshire Lane which is at a lower level. The developer has said these windows will be high level, but this needs to be a condition on any approval.
- There will be a reduction of sunlight especially to No's 21, 23 and 25 Newsham Road and a combined loss of sunlight and privacy to No's 26, 28 and 30 Newsham Road. An overshadowing document should be submitted to assess the likely impacts.
- There will be overlooking from the elevated houses which are higher up the hill to houses along Newsham Road.
- Overlooking will occur and loss of privacy to 76 Meersbrook Avenue into areas of the house used for working and home life.
- There will be security lights on the houses which will increase artificial light and decrease the quality of life.
- The proposed houses are overbearing and dominant.
- The house planned for Plot 7 has 3 windows on the side facing the gable end of No. 25 Newsham Road, with No. 25 having windows in the side which would look into the new house.
- Units 4-6 all have windows in the front looking directly towards the property opposite (23-25 Newsham Road).
- No. 25 use the roof of the garage as a terrace which would overlook the private garden to the planned Plot 7.
- The importance of green space on mental health and well being is very important, which has been highlighted during the pandemic.
- The proposed access track for construction is via Derbyshire Lane abutting the boundary with No. 96. This will cause noise and disturbance during construction and a privacy screen should be installed prior to commencement.
- There will be unacceptable distribution on living conditions especially with many people working from home.

Highways:

- The plans show a turning head on Newsham Road, but how will this be kept clear, and it looks very tight. This needs to be adopted by the Highways Authority.
- Tracking should be provided for the proposed turning heads.
- The plans show parking for new occupants but removes parking at the top of the road for existing residents, including at least 2 spaces along Newsham Road.
- The car park spaces are only 4.8 metres long and do not allow for larger family cars, with some of the spaces difficult to manoeuvre into.
- Car parking in the area is already overcrowded, with cars having been damaged by other cars and vans manoeuvring.
- The potential for 15 more cars plus associated deliveries to the new dwellings as part of daily life would cause parking problems but also safety issues for residents and families.
- There are too many parking spaces, which does not promote environmentally friendly modes of transport and will add to air pollution.
- Where is the existing grit bin going to be reallocated to? This is essential on this steep road in the winter.
- The existing turn point at the top of Newsham Road is to be removed, resulting in cars having to reverse all the way down the road which is a safety issue.
- The plans show two spaces per unit, there could be more and would result in more on-street parking.
- Existing access to the road is difficult for lorries and fire engines.
- It is intended to use Derbyshire Lane for construction access, but what happens

after Plot 7 is built?

- A parking survey and assessment of existing travel movements should be carried out.
- There will be on-going problems with trade vehicles during construction and fitting of the interiors.
- The land at present has footways through it to link between the road, a new footpath should be provided and adopted by highways.
- There was a turning head on the planning approval in 2005.

Ecology:

- The habitat for several wild animals will be destroyed including badgers, owls, hedgehogs and bats. This space is one of the few natural green spaces in the area.
- The ecology survey does not show the full extent of the wildlife inhabiting and using the land, with birds nesting in the trees and bats.
- Foxes and badgers are regularly sighted on the site suggesting dens/setts on the land and have been recorded on photographs and footprints, showing foraging and commuting.

Landscaping:

- There is Japanese Knotweed on the site (site of intended Plot 7), with no details of how to deal with this.
- There is a large Leylandii tree in front of the intended Plot 7 which provides both aesthetic and ecological benefits and the tree should not be removed.
- Sheffield is the greenest city in Britain and has a rich variety of open spaces. This local green space should be managed and left open.
- Trees act as an excellent carbon dioxide sink helping to combat poor air quality

Others:

- Land stability is an issue with the edge of the quarry so close and with new development on top. The last ground investigation document was 2005, and the stability is likely to have changed in this time. This could affect the layout of the scheme, along with the impact of construction traffic.
- There was a land slide caused by building new houses on Underwood Road, which is close to this site, along with others locally.
- The schools/doctors/services in the area are already oversubscribed and this will worsen the case.
- Water pressure may drop with increased demand.
- There will be a loss of view from houses at the top of Newsham Road (23 and 25 in particular), yet the new houses have been staggered to take advantage of the view.
- The impact on highway safety and road users during construction will be considerable along with noise and disturbance to neighbours, many of whom are key workers needing sleep.
- More hard surfacing results in more water run off in place of a green space, which could impact on neighbouring properties.
- Building out just a shell will lengthen the construction time, with further deliveries and contractors on site.
- Comments in support are from non-residents.
- Only the houses at the top of the street were notified of the application.
- The proposed development will devalue neighbouring properties.
- The developer may not have the funds to see the project carried out in a timely manner.
- There has been a lack of consultation from the developer.

- The developers comment about vandalism and fly tipping are unsubstantiated Children have made dens at the top of Newsham Road, and play.

Individual Representations in Support:

- The roads are narrow in the area, if turning space is provided at the top of the road as part of the design that is a good thing.
- The plans are sympathetic and considerate of the immediate area and wider neighbourhood.
- The design takes account of the latest sustainable thinking, not building houses based on principles from 100 years ago.
- This is an infill site which has been planned to ensure privacy to existing houses.
- There is a shortage of housing in the area, with the sustainability ethos fitting in with the area, with well insulated houses.
- There is a need for more affordable housing in the area, whereby young and old live together in a mixed community.
- The land is privately owned and has already had planning permission on it.
- There has been fly tipping on the site (carpets and fencing).
- The land is overgrown and this proposal offers a positive opportunity if done sympathetically with hedging and hedgehog gaps etc within the landscaping plan.
- There is greenspace on the quarry side for wildlife.
- The slight increase in traffic is spread over three streets and will be unnoticeable.
- Foot access between the roads is a wonderful addition.
- The developer has reached out to the community to talk to us about the plans to make sure we are part of the process, keeping trees, and the turning space.
- More housing will bring more residents and attract more business and amenities to the area. More densely populated cities become more sustainable with better and more effective public transport.

PLANNING ASSESSMENT

Policy Context

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework revised in 2021 (NPPF) is a material consideration.

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

The Council has released its revised 5-Year Housing Land Supply Monitoring Report. This new figure includes the updated Government's standard methodology which includes a 35% uplift to be applied to the 20 largest cities and urban centres, including Sheffield.

The monitoring report released in August 2021 sets out the position as of 1st April 2021 – 31st March 2026 and concludes that there is evidence of a 4-year supply of deliverable housing land. Therefore, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites.

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and as such, planning permission should be granted unless the application of policies in the NPPF

that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In this instance, the site does not lie within nor is adjacent to any protected areas or assets of particular importance which should be taken into consideration in the tilted balance process.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting point for the decision-making process. For Sheffield this is the UDP and Core Strategy.
- Consider the degree of consistency these policies have with the NPPF and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Apply 'the tilted balance' test, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Key Issues

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The design of the proposal and its impact on the surrounding street scene and listed building,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided,
- Impact on Ecology and Landscaping

Land Use Principle

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

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

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' prioritises the development of previously developed (brownfield) sites, states that Housing on greenfield sites should not exceed more than 12% completions and should (part (b) be on small sites within the existing urban areas, where it can be justified on sustainability grounds.

Policy CS23 and CS24 are restrictive policies, however the broad principle is reflected in paragraph 119 of the NPPF, which promotes the effective use of land and the need to make use of previously-developed 'brownfield' land.

In this instance, in accordance with the NPPF definition the site constitutes greenfield land. The site is sustainably located and is a small site within an urban area. The completions on greenfield sites are well below the 12% figure set out in policy CS24, and the NPPF does not require a brownfield first basis, so therefore the proposal is acceptable in principle.

Therefore, it is considered that the proposal is consistent with the aims of policies H10, CS23 and CS24.

Efficient Use of Land

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. This is reflected in paragraph 125 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

Paragraph 124 of the NPPF promotes making efficient use of land taking account of a number of factors including identified housing needs; market conditions and viability; the availability of infrastructure; the desirability of maintaining the prevailing character of the area, or of promoting regeneration; and the importance of securing well designed places.

For a site such as this, CS26 part (d) is relevant and states that a range of 30-50 dwellings per hectares is appropriate where a development is within the remaining urban area.

The application site is approximately 0.21 hectares, and the 7 proposed units would give a density of approximately 33 dwellings per hectare. This figure is at the lower end of the suggested range in CS26, however avoids low density developments, securing optimal potential of the site.

Furthermore, the prevailing character of the immediate area is semi-detached and terraced dwellings which are close to the back edge of the footpath and at relatively high density.

The proposed density at 33 dwellings per hectare reflects the character of the area and is considered acceptable in policy terms providing that the resulting scheme would provide acceptable living standards which is assessed in the sections below.

As such the proposal complies Policies CS26 and of the Core Strategy and paragraph 124 and 125 of the NPPF in relation to densities and efficient use of land.

Design

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is also reflected in 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 126 states that good design is a key aspect of sustainable development and should contribute positively towards making places better for people. Paragraph 134 states that development which is not well designed should be refused. Paragraph 134 also says that significant weight should be given to outstanding or innovative designs which promote high levels of

sustainability, or help raise the standard of design more generally, taking into account any local design guidance and supplementary planning documents.

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

The site layout shows 7 units in total proposed. 3 units proposed at the top of Meersbrook Avenue on the western side (plots 1-3), with 4 units proposed at the top of Newsham Road, 3 on the western side (plots 4-6) and 1 on the eastern side (plot 7). The proposed development is served by all three roads, Woodbank Road leads to car parking at the rear of Plots 1-3, Meersbrook Avenue serves the front of plots 1-3 and then the rear of plots 4-6 along with car parking at the head of cul-de-sac. The front of plots 4-6 and plot 7 is then accessed from Newsham Road with parking to the front.

The topography of the area rises up from the north to a high point within the site boundary, before dropping back down following the face of the quarry. The existing character of the surrounding street scene is a mixture of mainly terraced and semi-detached housing, whereby the semi-detached dwelling is built up close to the side boundaries, and each step up follows the natural rise in land. The houses have gables to the side with a number of dormer windows visible. The majority of surrounding properties appear to have some habitable space within the roof space utilising dormer windows or roof lights, with the exception of some of the newer infill plots. The existing houses have small front yards/gardens approximately 1 metre deep, and relatively small rear gardens approximately 5.5-7 metres long. The overall character is of a dense and compact urban grain.

Each of the proposed units are detached and are relatively close together which is not out of character with the surrounding street scenes. The houses are set back slightly, behind the lines of existing built form along Meersbrook Avenue and Newsham Road and will not be readily visible until you reach the top of the streets.

Plot 7 does sit slightly further forward but is 1.5 storey in design and is not considered to be a prominent feature, with a large conifer tree within the site boundary of the adjacent property which screens the plot.

Plots 1-6 take the form of a two-storey property from the front with the main eaves line running above the first-floor windows, with roof lights serving accommodation in the roof space/the void above the first floor. At the rear, the eaves line has been increased so that it sits above the second-floor windows and the properties have a three storey appearance. These elements are not so readily visible in the street scene and are set back.

The houses step up slightly to follow/continue the natural topography of the site. A contemporary design approach has been taken. The two storey gabled properties when viewed from the front respect the character and form of the existing street scene. They contain modern detailing for windows, good sized window reveals, small projecting entrance features and areas of cladding around key features.

Following negotiations with the applicant, materials have been simplified and are predominately sandstone coloured render with brick detailing and metal cladding to the window surrounds on the front elevations facing the street.

Amended plans show the introduction of a green cable walling system introduced to the side gables of Plots 1, 3, 4, 6 and 7 along with green roofs to each of the entrance canopies, to create a design feature with bio-diversity credentials.

proposed dwellings take a contemporary approach, they are of a scale and mass that respects and complements the overall character of the surrounding area and sit comfortably within the street scene.

There are a number of mature trees to the boundary with the highway in front of the proposal which are intended to be retained and new landscaping is to be planted. The acceptability of the proposals does not rely on the presence of the trees, however they will screen the buildings to some extent.

The proposal therefore complies with H14, BE5, CS74 and paragraphs 126 and 130 of the NPPF.

Living Conditions

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

The NPPF at paragraph 130 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 130 so should be given significant weight.

Impact on Neighbouring Occupiers

The closest neighbouring properties to the application site are those flats along Woodbank Crescent, Meersbrook Avenue, Newsham Road and Derbyshire Lane.

The guidelines found in the adopted Supplementary Planning Guidance on Designing House Extensions are not strictly applicable in this instance owing to them relating to house extensions. However, they do suggest a number of detailed guidelines relating to overbearing and overshadowing, privacy and overlooking, and appropriate garden sizes. These guidelines include a requirement for two storey dwellings which face directly towards each other to have a minimum separation of 21 metres. Two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window, and a two-storey extension built along site another dwelling should make an angle of no more than 45° with the nearest point of a neighbour's window to prevent adverse overshadowing and overbearing. These guidelines are reflected in the South Yorkshire Residential Design Guide (SYRDG), which Sheffield considers Best Practice Guidance, but which is not adopted as Supplementary Planning Guidance.

Overlooking

Generally, main habitable windows are proposed in the front and rear of the properties, with those properties along the southern boundary (adjacent to the quarry face) having windows in the sides.

Plots 1-3 are positioned so that the rear elevation is approximately 30 metres from No. 76 Woodbank Crescent. Windows are proposed in the front elevation which are at a splayed angle and approximately 18 metres from the properties on the other side of Meersbrook Avenue at No's 97 and 99. Whilst the recommended distance is 21 metres this is for scenarios where the view is over private garden space and not over a public highway as this is, and where the same level of privacy cannot reasonably be expected.

Furthermore, the existing properties along Meersbrook Avenue face each other with approximately 12 metres between facing windows overlooking the highway.

Windows are proposed in the rear of Plots 4-6 which look down the gardens. Plot 4 which is positioned closest to the existing houses has a fin detail that helps to reduce views looking down the garden towards the windows in the rear of No. 99 Meersbrook Avenue.

Plots 4-6 are then positioned approximately 17 metres away from 23 and 25 Newsham Road. Therefore, taking account of the public highway and the relationship between existing neighbouring dwellings, this is considered acceptable.

Plot 7 does have a window serving the staircase and three high level rooflights in the side, however these are not considered to create any adverse overlooking to occupiers of No. 25. A condition can secure obscure glazing to the staircase.

A narrow, slit window is proposed in the rear of Plot 7 at first floor level. This is positioned approximately 8.8 metres away from the rear boundary of the site which abuts the garden of No. 96 Derbyshire Lane. No. 96 Derbyshire Lane sits at a splayed angle from the rear of the Plot 7 and it is not considered that this one narrow window will cause any adverse overlooking.

Overbearing and overshadowing

No. 84 Meersbrook Avenue is positioned adjacent to the site boundary and close to the proposed Plot 1. There are two windows in the side of No. 84 which take their aspect and light immediately over third-party land. There will be some overbearing to these windows, however at present the ground floor window is overshadowed by the existing landscape on the site. Plot 1 is positioned approximately 5.5 metres away from this window. A window is present within the roof space at the side. Plot 1 is positioned further back from Meersbrook Avenue and as a result, no adverse overbearing will be created to this window. No. 84 has a single storey projection to the rear along the boundary with the site and it is not considered any adverse overbearing or overshadowing will be created to occupiers of this property.

Plots 1-3 stand in front of 97 and 99 Meersbrook Avenue, and whilst the outlook from the front of these properties will be changed, there is no adverse overbearing or overshadowing created by the proposal.

No. 30 Newsham Road has a single storey projection running along the site boundary closest to Plot 4. There are no windows in the side of No. 30 and the proposal is positioned to not overbear or overshadow occupiers of this dwelling. Plots 4-6 are positioned in front of 23 and 25 Newsham Road approximately 17 metres away which meets the 12 metre guideline found in the SPG resulting in no overbearing or overshadowing.

Plot 7 is positioned adjacent to No. 25 which has a garage close to the boundary of the site, and it is believed the area above the garage is used for sitting out on by the occupants. There is a window in the roof space of No. 25 in the side elevation serving a bedroom which also gains light and outlook from a front dormer window. The proposal has the appearance of a 1.5 storey building with relatively low eaves so there will remain a reasonable level of light to this room/area.

All other properties within the wider area are considered to be sufficient distance away from the proposed 7 new units so that no detrimental overbearing or overshadowing will be created by the proposal.

The South Yorkshire Residential Design Guidance (SYRDG) suggests 77 square metres floor area as a minimum for a 3 bed unit. In this instance plots 1-5 have a gross internal area of 88 square metres, with plot 6 being slightly larger at 119 square metres. Plot 7 is a two bed unit, with SYRDG suggesting 62 square metres and the proposal showing 68 square metres. In addition, occupiers of each unit have access to a good sized private garden in excess of the SPG and SYRDG and all habitable rooms have a good outlook.

Therefore, it is considered that the proposed dwellings offer good quality living accommodation.

Living conditions conclusion

It is inevitable that there will be a change to the outlook from those properties closest to the application site. Some of these closest properties have an aspect directly over the site relying on third party land for light. The proposed development is considered to be sensitive to the location of those windows and is not considered to create an adverse level of overlooking, overbearing or overshadowing which would warrant refusal of the application.

Therefore, the application complies with policies H14 of the UDP and paragraph 130 of the NPPF.

Highways

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

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

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 111 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Those local policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 107 and 108 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

At present the site is accessed from three roads, Woodbank Crescent, Meersbrook Avenue and Newsham Road. Each of these roads is relatively narrow with little if any off road parking for existing residents. This results in these 3 streets experiencing difficulties for access for larger vehicles.

There is an existing vehicular access into the site between the trees from Woodbank Crescent. At the top of Meersbrook Avenue at present there is no turning facility with footpaths terminating at the end of the cul-de-sac, and a garage to the side of No. 99. At the top of Newsham Road, No. 25 has a garage, with a footpath running up to the top of

the cul-de-sac on the eastern side. Along the western side, the footpath appears to finish outside No. 30, albeit there is a grit bin further up. There is what appears to be an informal patch of hardstanding which is used as a turning area. The applicant has confirmed that this hardstanding is within their site boundary and is not in the public domain/part of the public highway and is therefore not a turning head.

This application seeks to utilise the existing access point into the site along Woodbank Crescent to provide access to 5 car parking spaces which are located to the rear of Plots 1-3. Tracking has been provided to demonstrate that each of these spaces can be accessed, and that existing residents and visitors travelling along Woodbank Crescent can utilise the entrance to act as a turning facility.

At the top of Meersbrook Avenue, it is proposed to create 6 spaces in total. 2 in front of Plot 3 and 4 spaces at the rear of Plots 4-6. Each of the spaces can be manoeuvred into and exited from independently via a shared turning facility at the top of the street. Tracking has also been provided to demonstrate that a car could turn within the new shared turning facility (whilst each of the spaces is occupied by a car), which would allow for cars travelling up the road and visiting other existing properties to use this area to turn around.

It is proposed to provide 4 spaces at the top of Newsham Road along with a shared turning area to the front of Plots 4 and 5. Again, this area has been tracked to show a car doing a three-point turn with all parking spaces occupied. An additional parking space is provided off Derbyshire Lane along the rear boundary of Plot 7.

The proposed shared turning facilities will not be adopted as they are not to adoptable standards. For a facility to be adopted, it has to provide a turning facility for a large refuse vehicle and that is simply not achievable to each of the three roads in the space available. However, it is considered that these shared turning facilities can provide ample room for occupiers and visitors of the proposed units to access the site, and to enter and exit in a forward gear. Furthermore, the turning facilities are available to non-residents to use, to help with turning at the top of the roads and will need to be kept clear to ensure that the parking spaces adjacent within the site can be independently used.

Whilst there will be an increase in traffic generation from occupiers and visitors to the proposed development, this will be dispersed between the three roads and as such it is not considered that there be a significant increase in traffic on each of the roads and this would not materially impact on the operation of the surrounding streets.

With regard to parking spaces, the Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53. Outside of the city centre, a 2-3 bedroom house would have a maximum of 2 spaces, in addition 1 visitor space per 4 houses should be provided. For this scheme it would therefore be 16 spaces based on 2 spaces per unit and 2 visitor spaces.

This application proposes 15 parking spaces in total. With this site being within the main urban area this ratio of parking is acceptable and is considered to meet the required justification in paragraph 108 of the NPPF.

Secure cycle parking can be provided within the curtilage of each of the units.

The infrastructure is proposed to be provided for electric charging facilities for each parking space, which would allow for future residents to provide the connection.

On this basis, the proposal is considered to comply with UDP, Core Strategy and NPPF policies as listed above, and would not have the level of impact that would justify refusal

of permission on highway safety grounds as required by the NPPF.

Ecology and Biodiversity

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

NPPF paragraph 174 a) and d) identifies that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 180 a) identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 180 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Local policy aligns with the NPPF and is therefore relevant to this assessment.

A Preliminary Ecological Appraisal (PEA) has been submitted and analysed by the Council's Ecologist. The PEA has been carried out to a good standard and provides sufficient information on the habitats present on site and the species (including protected species) that may be present. The PEA was subsequently updated at the end of August.

Bats

The PEA includes a Preliminary Roost Assessment of the trees found on site which concludes that some trees have bat roost potential, and that a precautionary approach to their removal should be taken by someone with is experienced/licensed in tree inspections.

Mammals

The site is broadly suitable for a range of native mammal species, comprising scrub, trees and unmanaged grassland. Whilst no evidence of badgers was found during the PEA site survey, anecdotal reports taken from the many representations suggest that badgers do commute through, or forage on site. An updated PEA was carried out which detected a badger latrine which is likely to define the edge of their range but no setts were located.

A precautionary approach to development is suggested, and it's recommended that scrub is cleared by hand (brush cutters), and contractors being alert to the potential for finding badger setts/evidence. If a badger sett is located, all works on site should cease. Other measures that are considered appropriate for this site include the clearance of scrub in a gradual phased way, reducing the height of vegetation allowing time for smaller mammals to disperse and providing means of escape.

Invasive species:

The PEA was originally carried out in April 2021 and didn't record any invasive species. However, a significant number of the representations state that Japanese knotweed is present on site. An updated PEA has been submitted which identifies a small area of Japanese Knotweed. A relevant license is required for its removal.

Biodiversity:

The NPPF seeks to incorporate bio-diversity improvements in new developments. In this instance a range of potential enhancement measures are suggested which include:

- Hedgerow planting
- Bird boxes – 2x swift boxes and 2x house sparrow ‘terrace’ boxes
- Bat boxes – 2x
- Gaps in fencing to allow unhindered passage for hedgehog
- Felled wood habitat piles
- Woodland wildflower area
- Wildflower area
- Cable green wall system
- Providing homeowners with a guide to maintaining a high ecological value garden

Therefore, the proposed development is in line with paragraph 174 of the NPPF and UDP policy, having given consideration to bio-diversity net gain, protecting existing and promoting bio-diversity. The details of the above can be controlled through a relevant conditions/directives.

Landscaping

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

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

These policies are considered to align with the NPPF and therefore be relevant to this assessment on the basis that paragraph 130 expects appropriate and effective landscaping, along with sympathetic developments including landscape setting.

The site contains a group Tree Preservation Order (TPO) which covers the group of lime trees along Woodbank Crescent, shown as G6 on the plans.

A full tree survey has been carried out on the site. It concludes that all the 21 individual trees on the site (Limes, Sycamores, Beech, Ash, Hawthorne and Cherry trees) have a category of C1 or C2 which are trees of low quality. There are no Category A (high quality) or Category B (moderate quality) individual trees on the site.

It is clear from a recent visit that the site has been left unmanaged for a significant length of time. It is proposed to retain the protected Lime trees along Woodbank Crescent, and the Beech and Lime to the rear of No. 84 Meersbrook Avenue. The large Sycamore tree (T10) is to be retained along Meersbrook Avenue. The Ash tree (T17), the Sycamore (T18) at the top of Newsham Road are to be retained, along with the majority of trees in the rear of Plot 7.

A number of replacement trees are to be incorporated within the scheme along the site boundaries, along with a comprehensive soft landscaping scheme of hedging and lower-level planting. A green wall cable system is to be installed along the side elevations of Plots 1, 3, 4, 6 and 7, and green roofs to the entrance canopies of each unit.

In conclusion, each of the trees on the site have a low amenity value whereby insistence upon retention is not viable or justified. The most prominent of trees

are being kept where possible. The replacement landscaping plan will provide an improvement for this unkempt parcel of land. The trees which are the subject of Tree Preservation Orders (TPO's) are protected and retained. Consequently, the proposal complies with paragraph 130 of the NPPF and UDP policy.

Sustainability

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

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

At the heart of the NPPF, there is a presumption in favour of sustainable development (paragraph 11), with paragraph 152 stating that the planning system should support the transition to a low carbon future in a changing climate.

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

Policy CS65 'Renewable Energy and Carbon Reduction' of the Core Strategy sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions. This is supported by Paragraph 157 of the NPPF and therefore can therefore be given substantial weight.

This site is located within the main urban area, and whilst it is a green field site, it has previously been used many years ago for housing.

This application proposes a fabric first development, which will use sustainable construction materials and techniques, and where possible cement replacements. Further insulation will be added leading to an extremely high-performance building with triple glazing. Solar PV could be installed to the roof slope of Plot 7, and alternative heating methods such as air source heat pumps could be incorporated. Permeable paving is proposed to help reduced surface water run-off rate from the site.

Electric vehicle charging facilities are proposed. The infrastructure will be put in place during construction works, to allow individual apartment owners to have their own charging point allocated to their parking space, which takes advantage of Government grants available to individuals.

Relevant conditions can be attached to any approval to ensure that these features are provided and the 10% target is met.

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

Ground conditions

A geotechnical slope stability assessment was carried out in September 2021, which included a site inspection. This concluded that the overall slope of 30° to 35° below the

application site was very favourable regarding promoting general stability. There was no evidence of significant rockfall at the slope/cliff base, no evidence of slumping or slipping of superficial materials higher up the slope, no evidence of water seepage or surface water erosion, no tension cracks or fence movement. Reference and comparison was made in the assessment to sites mentioned in the neighbour representations, which concluded that this application site is very different both in its material/bedrock composition and strength and its slope profile. This was considered to satisfy any concerns about stability and a suite of ground contamination conditions can be attached to any approval.

Flood Risk/Drainage

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

Policy CS67 is considered to align with Section 14 of the NPPF. For example, paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided and development should be directed away from areas at the highest risk. Paragraph 167 states that when determining applications, LPA's should ensure that flood risk is not increased elsewhere with relevant applications being supported by a Flood Risk Assessment. Paragraph 169 expects major developments to incorporate sustainable drainage systems unless there is clear evidence to demonstrate otherwise.

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

To mitigate for surface water runoff, permeable paving to all hardstanding areas is proposed. A condition on any approval can ensure that calculations are submitted demonstrating a reduction in surface water run-off and allowing for the 1 in 100-year event plus +30% for climate change.

Therefore, the proposal complies with CS67 and paragraph 169 of the NPPF.

Community Infrastructure Levy

CIL applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 4. Within this zone there is a CIL charge of £50 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

RESPONSE TO REPRESENTATIONS

The majority of comments raised in the representations have been covered in the main body of the report. The outstanding comments are referenced below:

Noise and disturbance are an avoidable consequence of development. Construction hours are controlled through other legislation and a relevant directive will be added to any decision to remind the developer of their obligations.

Developments often occur on tight sites adjacent to busy main roads or where there are site constraints. A comprehensive highway management plan condition can be added to any approval. For information, the applicant owns the land extending to Derbyshire Lane, which could potentially be used for access and storage.

Sunlight analysis is not required on a scheme such as this. Guidelines in the adopted SPG set out principles and guidelines.

Loss of property values is not a material planning consideration.

No Landscape Visual Impact Assessment, Residential Visual Impact Assessment or parking impact survey/traffic assessments have been carried out. However, for this type of application for 7 houses within the main urban area these are not required. Neighbour notification was carried out in accordance with statement of community of involvement.

Community consultation was carried out by the developer using social media and e-mails. Whilst developers are encouraged to carry out community consultation, it is not a requirement.

SUMMARY AND RECOMMENDATION

This application seeks planning permission for the erection of 7 dwellings on the site.

Sheffield has updated its 5 year housing land supply position to reflect the deliverability of sites as at 1 April 2021 and in relation to the local housing need figure at that date taking account of the 35% urban centres uplift. Using up to date evidence, Sheffield can demonstrate a 4 year deliverable supply of housing land, with details set out in the 5 Year Housing Land Supply Monitoring Report.

Therefore because the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the relevant policies for determining applications that include housing should be considered as automatically out-of-date according to paragraph 11(d) of the Framework. The so called 'tilted balance' is therefore triggered, and planning permission for housing should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The proposal would deliver a number of benefits, with the NPPF emphasising the importance of delivery of housing. The provision of 7 additional homes will contribute to meeting the current shortfall. There would be economic benefits through expenditure in construction, in the supply chain, and in local spending from residents. There are several sustainable design features including highly efficient building envelopes, solar PV to Plot 7, green roofs to the entrance canopies, green walls, infrastructure for electric car charging, and bio-diversity measures.

The proposal is not considered to create any significant or severe highway safety issues. The scheme proposes a development at an appropriate scale and mass which sits comfortably within its street scene and is a good quality contemporary scheme. There are no adverse impacts on occupiers of neighbouring properties.

There are therefore no adverse impacts that would significantly and demonstrably outweigh the benefits of the development. Taking into account the tilted balance set out in paragraph 11(d) of the Framework, the application is recommended for approval subject to conditions.

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Case Number	21/03684/CHU
Application Type	Planning Application for Change of Use
Proposal	Change of use of dwellinghouse (Use Class C3) to supported living accommodation for children and young persons (Use Class C2)
Location	24 Norwood Drive Sheffield S5 7BH
Date Received	13/08/2021
Team	West and North
Applicant/Agent	Barber Design
Recommendation	Grant Conditionally

Time Limit for Commencement of Development

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

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

Approved/Refused Plan(s)

2. The development shall be carried out in accordance with the following drawing published 13 August 2021:

Drawing No. 429 01 Revision A (Proposed floor Plans, elevation and Site Plan)

Reason: In order to define the permission.

Pre-Commencement Condition(s)

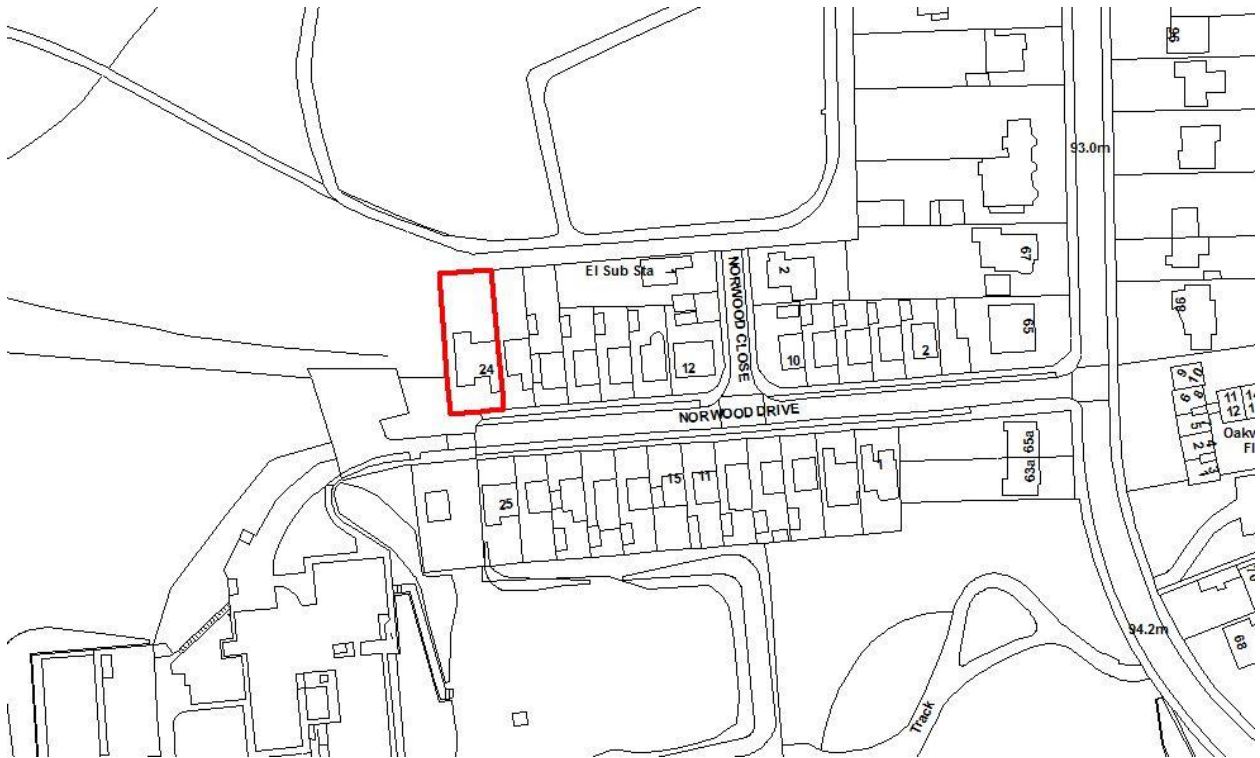
Pre-Occupancy and Other Stage of Development Condition(s)

Other Compliance Conditions

Attention is Drawn to the Following Directives:

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

Site Location



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INTRODUCTION

The application relates to 24 Norwood Drive, a large two storey detached dwellinghouse that is situated at the western end of Norwood Drive, a residential cul de sac in Firshill.

In September 2019, a Certificate of Lawful Development (CLUD) was refused by the Local Planning Authority (LPA) under application 19/02828/LD2. The applicant sought to demonstrate that the use of the property as a young people's residential home for the care of up to four children/young adults would fall within the same use class as a dwellinghouse (Use Class C3(b) - up to 6 people living together as a single household and receiving care) and did not represent a change of use requiring planning permission. In refusing the CLUD, the LPA concluded that the provision of on-site care by staff working on a shift pattern as opposed to living on site prevented the use benefiting from the provisions of Use Class C3(b), and instead would fall within Use Class C2 of the Use Classes Order and would require full planning permission.

The application has been submitted in response to this earlier decision.

LOCATION AND SITE SURROUNDINGS

No. 24 Norwood Drive is a two storey detached dwellinghouse that comprises five first floor bedrooms and generous ground floor accommodation that includes two living rooms, a dining room, kitchen and an attached flat roofed garage. To the rear is a large garden, approximately 225 square metres in area, that is enclosed by timber fencing and high hedging. To the front of the property is a driveway and hardstanding that together with the property's attached garage allows for off-street parking for 4 vehicles.

Norwood Drive is a residential street, characterised by two-storey brick-faced detached dwellinghouses, accessed off Norwood Road to the east. The property is bound by a detached dwellinghouse on its eastern side (No. 22) and by allotment gardens to the north. To the west is a wooded area and across Norwood Drive to the south is a row of detached dwellinghouses (Nos. 11-25). The Sheaf Training Centre, which provides specialist education and training to young people, is located to the south-west at the head of Norwood Drive.

The site is situated in a Housing Area as identified on the Sheffield Unitary Development Plan (UDP) Proposal Map.

PROPOSAL

Full planning permission is being sought to change the use of the dwellinghouse (Use Class C3 (a)) to supported living accommodation (Use Class C2). The submission states that the property would provide assisted living accommodation for up to three children or young people (between the ages of 10-17 years) with up to three full time resident carers (7 days a week). The time of occupancy for each resident would be around 6 months to 2 years, although this could vary dependent upon the level of need and care required by the individual.

The proposal includes no internal or external works to the building as part of the change of use.

19/02828/LD2 Application for lawful development certificate for use of building as residential use for up to 4 no. children/young people and up to 2 no. full-time carers (use class C3 (b) (Application under Section 192) – Refused 27 September 2019.

REPRESENTATIONS

The application received 16 objections from residents of neighbouring properties.

In addition a petition has been signed against the development by 22 residents, sent in by Councillor Dr Mark Jones.

The concerns raised include:

Highway Issues

- Norwood Drive already has parking issues, which would be multiplied by staff, visiting doctors and ambulances arriving day and night in connection with the proposed use. Parking would be worse at weekends when most people visit family and friends.
- Sheaf Training Centre already causes problems for many of the residents. Between Monday to Friday, the road has an influx of transportation dropping off children to the training centre during peak times when many residents are leaving for work or to drop kids to school. Regularly, residents are unable to access our drives due to the parking issues from the employees of the Sheaf Training Centre. This is exacerbated by visitors and staff from the Northern General Hospital.

Amenity Issues

- The development would result in anti-social behaviour.
- It will not be safe for children to play out on the street.
- Changing the use of the dwellinghouse for children aged 10 – 17 with a 'turbulent upbringing' will change the character of the neighbourhood.
- The proposed use will likely increase noise and disturbance in the area.
- Norwood Drive is a residential neighbourhood and the application site should not be turned into a business spoiling the neighbours enjoyment of their homes.
- Norwood Drive is situated in an area of already recognised deprivation. Moving 'turbulent' children into the area will not help them.
- There are several temporary accommodation and young offender homes in the area and adding another would mean more risk to the community.
- It would be in the children's best interests to be placed in a neighbourhood where they would be able to develop independence in an area with less crime and where they would be able to be more positively influenced by those around them.
- Residents already experience antisocial behaviour from teenagers attending the training centre at the end of the cul-de sac.
- The wood surrounding the application site is a security concern.
- There are a lot of homes along Norwood Drive with young families and elderly and vulnerable residents. These residents are worried for their safety.

Other Matters

- Lack of consultation.

Non-Material Matters

- The application states that the adjacent Sheaf Training Centre use would sit harmoniously with the new use. Would the children/young people will be educated there as at the moment this establishment is for older teenagers not children of 10 years old.
- Devaluation of property.

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 National Planning Policy Framework (NPPF) is also a material consideration in planning decisions. The NPPF was published in 2012 and has subsequently been revised in 2018, 2019 and 2021 with consequent changes to some paragraph numbering.

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.

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

- The principle of development – policy and land use;
- Highway matters;
 - Residential amenity;
 - Management/operation of the facility; and
 - Other matters.

The Principle of Development – Policy and Land Use

A children's home can either fall within Use Class C2 (residential institutions) or Use Class C3(b) (dwellinghouses) of the Town and Country Planning (Use Classes) Order 2015. The distinction largely depends on whether or not the children are in themselves capable of living together as a single household and, as described above, whether the care provided is on a permanent basis or on shift patterns. If the children are being looked after by a permanent occupant of the dwelling, then the use would normally fall within class C3(b). However, when the care is based on shift patterns and the carers

are not resident they are not regarded as living together in a single household and the use would fall within Class C2. In this case the full time carers are not resident so in respect of this application, the use would fall within Use Class C2 requiring planning permission.

The application site lies within a designated Housing Area. The development should therefore be assessed against UDP Policies H8, H10 and H14.

Policy H8 relates to housing for people in need of care. This includes supportive accommodation which is defined as purpose-built or converted exclusively for specific groups of people, consisting of grouped self-contained accommodation or a shared house with resident or visiting caring support. This definition applies to this proposal and while the reasons for the policy suggest that it was mainly intended to apply to adult accommodation, this is not explicit. Policy H8 states that supportive accommodation will be permitted provided it would:

- Be within easy reach of a shopping centre and public transport;
- Be suitable for people with disabilities;
- Provide a reasonable and attractive area of accessible private open space or be immediately next to an area of public open space; and
- Not involve extensions which would remove essential open space.

The supporting text to this policy states that there is an increasing demand for accommodation which meets the needs of a range of people in the community, and that residents of accommodation for people in need of care should be able to enjoy a good quality of environment.

Policy H10 states that housing is the preferred use of land in Housing Areas and residential institutions (Use Class C2) are described as acceptable uses. The supporting text to this policy states that residential institutions in Housing Areas allow residents to live in the community and enjoy the same housing environment as everyone else.

Policy H14 says that non-housing uses must occupy only a small area and not lead to a concentration of uses that would threaten the residential character of the area.

UDP Policies H8 and H10 are considered to be consistent with government guidance contained in the NPPF, which states at paragraph 62 that the needs of groups within the community with specific housing requirements should be addressed.

Policy H14 is broadly in line with government policy contained in paragraph 130 f) of the NPPF which states 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.

In relation to Policy H8, the site is located within relatively easy reach of the Firvale shopping centre by foot and is located within very easy walking distance of the bus route along Norwood Road that serves the city centre, though it should be recognised that access to a shopping centre is less relevant in this case as the site will house children or young people who would not be expected to travel to these facilities on their own. The very close proximity of the site to the Sheaf Training Centre may be of benefit.

The house currently has bedrooms on the first floor but could be easily adapted to offer ground level accommodation for people with disabilities. It also has an attractive and

generous private garden and will not involve extensions that would remove essential outdoor open space.

The application relates to a detached 5-bedroomed dwellinghouse which would accommodate up to 3 children or young people, with two overnight support staff and a day time staff member. Whilst additional specialist staff may sometimes be required, it is considered that this number of people would not be unusual in a property of this size, and the good-sized accommodation, including ample reception rooms, will allow it to cater for the individual needs of the children whilst maintaining a comfortable family setting.

Given the family-home style setting, it is considered that the development would not lead to a concentration of uses that would threaten the residential character of the area or be of a scale that would be inconsistent with its character.

Based on the above, there is no objection in principle to the development to change the use of the dwellinghouse to provide assisted living for up to three children or young people (10-17 years old).

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, be provided with appropriate off-street parking and not endanger pedestrians.

This generally aligns with paragraph 111 of the NPPF, which 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 requirement for appropriate off-street parking is not directly reflected in the NPPF, with government policy suggesting that a shortfall in off-street parking should only be refused in instances where this would result in an unacceptable impact on highway safety or lead to severe impacts on the road network.

The submission states that there will be 2 carers present on site overnight, working on a 24 hour or 48 hour rota basis, and one additional staff member would work during the day and evening, from 0800 hours to 2300 hours. Additional staffing would be provided in times of need dependent upon the individual requirements of the respective child.

It is acknowledged that a number of residents are concerned that the development would increase traffic in the area. However, it is considered that the amount of vehicular traffic over and above the use of the property as a dwellinghouse would not be significant that would result in an unacceptable impact on highway safety or lead to severe impacts on the road network.

As described above, the site benefits from off-street parking for four vehicles. This level of parking is considered to be acceptable based on the proposed occupancy of the site. While it is expected that there would be occasional visitors to the site (teachers, therapists and relatives), this is unlikely to lead to pressure for on-street parking that would prejudice highway safety.

Residential Amenity

UDP Policy H14 says that for non-housing uses, change of use will be permitted provided that it would not lead to air pollution, noise, smell, excessive traffic levels or other nuisance or risk to health and safety for people living nearby. Further, it states that sites should not be overdeveloped or deprive residents of light, privacy, or security.

This is consistent with NPPF paragraph 130 f) which states that developments should promote health and well-being, with a high standard of amenity for existing and future users.

There is no reason why overlooking from the use of the property as a children's home would be significantly different to overlooking from a family house. The property is a large family house with a large garden which provides generous private amenity space sufficient to meet the needs of the intended number of occupants.

There is no reason to suppose that the occupation of the house as a children's home will create more noise and disturbance than a normal family house, other than noise caused by the additional visitors which is discussed above.

It is concluded that the amount of additional traffic attracted to the development will not be at a level that it will have a significant impact on air quality/pollution or undermine the residential character of the area.

There is no evidence that the proposal would cause an increase in anti-social behaviour, crime or danger to existing residents' children. The planning system exercises no control over the behaviour or character of who might occupy a property, whether it is a dwelling house or a children's home. Whilst fear of crime can be a planning consideration it needs to be clearly supported by evidence that this would be likely to be a problem. There is no such evidence which would be robust enough to justify a reason for refusing planning permission in this case given the small scale nature of the use.

Management/Operation of Facility

Local Planning Authority decisions should focus on whether the proposed development is an acceptable use of land. Planning decisions should assume that separate legislation which controls the operation of a children's homes will operate effectively and it is not for the planning authority to duplicate these controls. This principle applies even if the operators of children's home do not have a track record and it is a new business venture. The Children's Homes (England) Regulations 2015 provides quality standards for children's homes. Ofsted is the registration authority for children's homes and as registration authority regulates and inspects children's homes.

Other Issues

Due to concerns regarding the lack of consultation, a site notice was posted outside of the property on the 15 September 2021. Officers are satisfied that an adequate level of neighbour consultation has been made in respect of this minor application.

SUMMARY AND RECOMMENDATION

The application relates to 24 Norwood Drive, a large two storey detached dwellinghouse that is situated along the western end of Norwood Drive.

Full planning permission is being sought to change the use of the dwellinghouse (Use Class C3) into supported living accommodation (Use Class C2) for the care of up to three children or young people (between the ages of 10-17 years).

The application site is located in a Housing Area, where residential institutions (Use Class C2) are included within the menu of acceptable uses under UDP Policy H10. There is no policy objection to changing the use of the dwellinghouse to provide 24 hour

care and support for up to three children or young people in this residential neighbourhood.

It is not considered that the proposed development would lead to an unacceptable impact on highway safety. The site benefits from off-street parking that would meet the expected user requirements. Occasional on street parking would not have an unacceptable impact on highway safety.

The development would not lead to a concentration of similar uses that would impact on the character of the residential neighbourhood. While concerns have been raised regarding noise and anti-social behaviour, it is considered that this would not be materially greater than that created by a large single-family household. Furthermore, staff will be present on site at all times.

The Council 's Children and Young People's Service use independent children's homes to place some of Sheffield's children in care. There are insufficient placements currently locally and nationally which makes it difficult to find the right placements for children and young people and more placements are needed in the city. Therefore, there is a clear need for facilities and this fits with the NPPF requirement to meet the differing housing needs of the community. This benefit should be given weight in determining this application.

It is considered that the proposal complies with the Local Development Plan when considered as a whole and is also consistent with the aims of the NPPF as it is considered to be sustainable development for which planning permission should be granted.

It is therefore recommended that the application be approved subject to the proposed conditions.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 9 November 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 erection of two dwellings with associated access, parking and landscaping (amended plans published 03.12.2020) at land between 94 and 98 Wheel Lane, Grenoside, Sheffield, S35 8RN (Case No: 20/02057/FUL).

3.0 APPEALS DECISIONS – DISMISSED

Nothing to report.

4.0 APPEALS DECISIONS – ALLOWED

Nothing to report.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

Nothing to report.

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report.

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

9 November 2021

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