

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 15/07/2014

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

NOTE 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.

Case Number	14/01548/RG3 (Formerly PP-03353588)
Application Type	Application Submitted by the Council
Proposal	Erection of a 2/3/4 storey school for ages 2 to 16 with community usage
Location	Site Of Don Valley Stadium Worksop Road And Leeds Road Sheffield S9 3TL
Date Received	29/04/2014
Team	City Centre and East
Applicant/Agent	Bond Bryan Architects (Church Studio)
Recommendation	Grant Conditionally

Subject to:

- 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.

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

Site Plan Ref: DVH/BBA/Z0/ZZ/DR/A/01006/S0/P7 (received on 18 June 2014)

Elevation Plans Ref: DVH/BBA/Z0/ZZ/DR/A/03003/S2/P4 (received on 25 June 2014) & DVH/BBA/Z0/ZZ/DR/A/03004/S0/P2 (received on 18 June 2014)

Floor Plans Ref: DVH/BBA/Z0/LG/DR/A/02001/S0/P7 - DVH/BBA/Z0/GF/DR/A/02001/S0/P7 - DVH/BBA/Z0/01/DR/A/02001/S0/P7 - DVH/BBA/Z0/RF/DR/A/02001/S0/P7 (received on 28 April 2014) & DVH/BBA/Z0/02/DR/A/02001/S0/P8 (received on 03 July 2014).

Section Plans Ref: DVH/BBA/Z0/ZZ/DR/A/04001/S0/P2 - DVH/BBA/Z0/ZZ/DR/A/04002/S0/P2 & DVH/BBA/Z0/ZZ/DR/A/04003/S0/P2 (received on 28 April 2014).

Reason: In order to define the permission.

- 3 Before the building is brought into use a completed Community Use Agreement shall have been submitted to and approved in writing by the Local Planning Authority. The building/use shall be operated in accordance with this agreement thereafter and any changes thereafter shall be agreed in writing with the Local Planning Authority.

Reason: To ensure suitable access and provision to facilities is secured for wider community benefit.

- 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 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:

- Canopies.
- Boundary Treatments.
- Balconies.
- Eaves and verges.
- Structure covering walkway at roof level.
- Central projecting features, including metal fins.
- Soffits, including lighting.
- Cladding patterns, including fixings.
- Windows and window reveals.
- Doors.

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

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

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

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

- 7 Before that part of the development commences full details, including finishes, of the following shall have been agreed in writing with the Local Planning Authority:

- Bin store
- Substation
- Cycle parking, including covering

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

- 8 The sole means of vehicular ingress to and egress from the site shall be gained from and to Leeds Road.

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

- 9 The building 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.

- 10 Within 3 months of development commencing, a scheme including improvements (which expression shall include traffic control, pedestrian safety and cycle measures) to the highways listed below shall have been submitted to and approved in writing by the Local Planning Authority and 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 building is brought into use.

To Attercliffe Road, Attercliffe Common, Worksop Road, Leeds Road, Beverly Street and Bootle Street as appropriate.

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.

- 11 Unless alternative timeframes are agreed, before first occupation full details of way finding signs to guide site users to the Don Valley Tram Stop shall have been agreed in writing by the Local Planning Authority and put in place.

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

- 12 Before first occupation full details of real time information facilities to be provided within the building shall have been submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be in place before the use commences and they shall be retained in full working order thereafter.

Reason: To promote the use of public transport.

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

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

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

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

- 15 The building shall not be occupied 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, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and the Core Strategy).

- 16 Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.
The Travel Plan(s) shall include:
1. Clear and unambiguous objectives and modal split targets;
 2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
 3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
 4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

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

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

- 17 Before first occupation, two mobility compliant on-street drop-off spaces shall have been provided as close as practical to the primary school entrance. These details shall have been agreed in writing with the Local Planning Authority beforehand.

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

- 18 Unless alternative provision is in place, resulting in secondary school students not requiring regular access to the English Institute of Sport, before the secondary school students occupy the building, the path linking the principle secondary school entrance with Old Hall Road shall be in place. Full details of this path, including surfacing and lighting, shall have been agreed with the Local Planning Authority beforehand.

Reason: To ensure a safe and efficient route to the English Institute of Sport is provided.

- 19 The development shall not be used for the purposes hereby permitted, unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. These details shall include plans showing the

location of the fume extract terminating one metre above eaves or ridge and shall include a low resistance cowl. The use shall not be commenced until the approved equipment has been installed and is fully operational.

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

- 20 Noise from new plant and equipment shall not exceed 5dBa (LA90) below background noise levels (LA90) when measured at the site boundary.

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

- 21 No externally mounted plant or equipment, including rooftop plant, shall be fitted to the building unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered.

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

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

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

- 23 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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

- 24 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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 25 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.

- 26 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 or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 27 A comprehensive and detailed soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority within three months of development commencing, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

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

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

- 29 The proposed green/brown roof (vegetated roof system) shall be provided on the roof(s) in accordance with 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/brown roof(s) shall be provided prior to the use of the building commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

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

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

- 31 Before first occupation the boundary treatments, as approved, shall have been provided. These boundaries shall remain in place as approved thereafter.

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

- 32 Before the relevant works commence full details of the levels, steps, ramps and furniture relating to the landscaped areas shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

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

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

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

- 34 Within three months of development commencing, a report shall have 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 are being obtained from decentralised and renewable or low carbon energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is

occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed.

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, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 35 The construction phase of the development shall be carried out in accordance with the dust mitigation proposals detailed within email dated 02 July 2014.

Reason: In order to mitigate the effects of dust during the construction phase.

- 36 The development shall be carried out in accordance with the following mitigation measures detailed within the Flood Risk Assessment and supporting documentation:

a) No development within 8 horizontal metres of the Kirkbridge Dike culvert. This excludes car parking and minor drainage works.

b) Ground levels to be contoured to shed surface water flows away from the school building.

c) The surface water management scheme for the development should limit drainage rates to a maximum of 5 litres/second/hectare and also provide surface water storage for the 1:100yr climate change event on site.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme.

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

- 37 The Multi Use Game Areas shall be designed to comply with the size requirements set out by Sport England.

Reason: To ensure suitable provision for sport is made within the development.

- 38 Before development commences, a report detailing further intrusive site investigation works in relation to the site's coal mining legacy shall be submitted to and approved in writing by the Local Planning Authority. In the event that the said report identifies the need for remedial/mitigation works relating to its findings the development shall be carried out in accordance with these agreed recommendations.

Reason: To ensure the safe redevelopment of the site.

- 39 Before first occupation, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, final 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 in accordance with agreed timeframes. The project shall be retained and managed in accordance with the agreed details thereafter.

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.

- 40 Within three months of development commencing details of bird and bat boxes, including locations on the building, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason: In the interests of ecology.

Attention is drawn to the following directives:

1. The applicant is advised that the highway improvement works to Attercliffe Road, Attercliffe Common, Worksop Road, Leeds Road, Beverly Street and Bootle Street could include:
 - a) New crossing points.
 - b) Amendments to existing infrastructure.
 - c) Build outs for protected parking.
 - d) Enhanced safety features in the highway adjacent to school access.
 - e) Turning provision.
 - f) Narrowing of sections of highway.
 - g) Removal of existing, and introduction of new Traffic Regulation Orders for restricted parking and restrictions to vehicular movement.
 - h) Improvements to cycle infrastructure.
 - i) Direction signing and markings to highway.
 - j) Provision of adequate on street parking.

- k) Reconstruction of highway.
2. 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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

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:-

Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

For the attention of Mr P Vickers

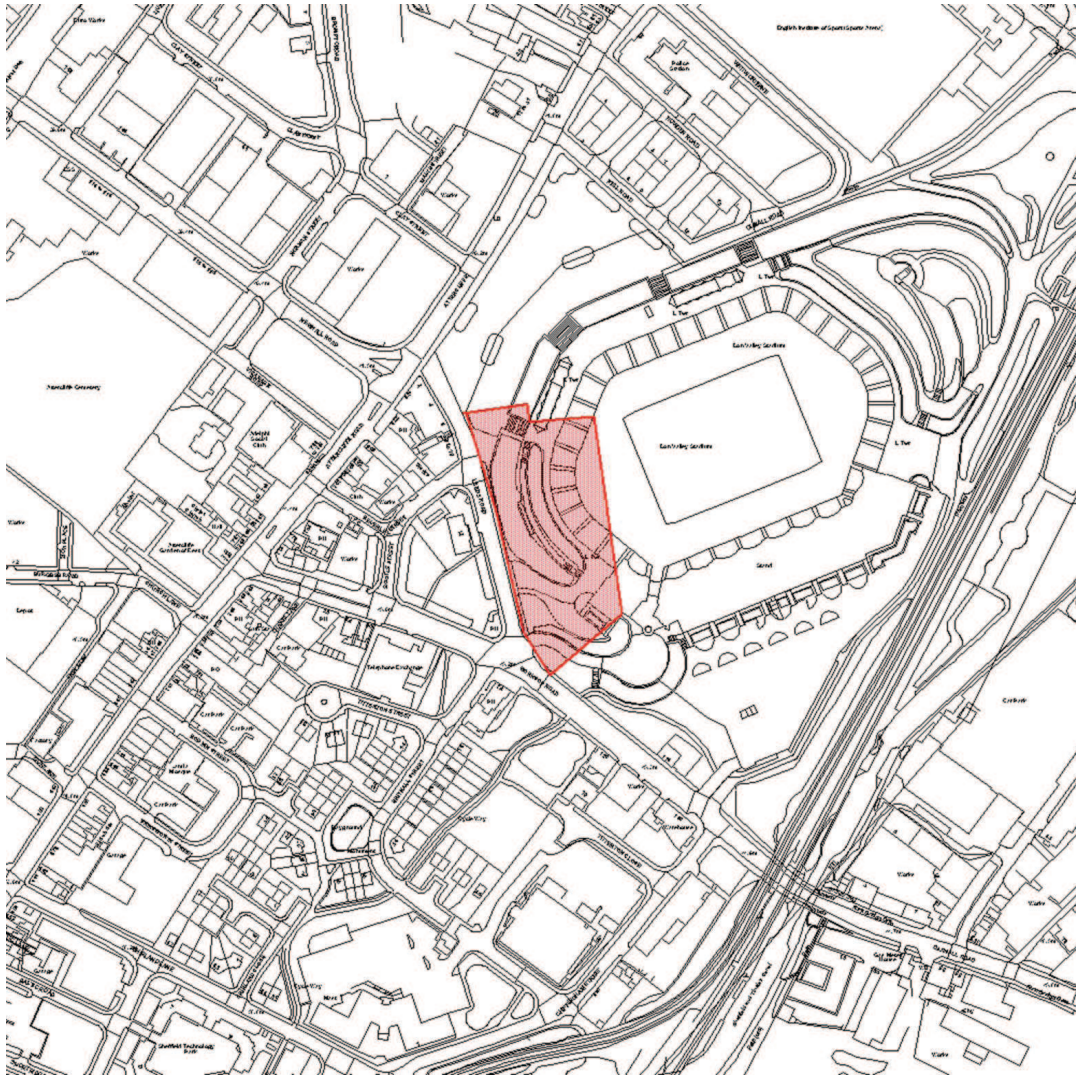
Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

4. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

5. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
6. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Site Location



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LOCATION & BACKGROUND

This application relates to a section of the former Don Valley Stadium site, which is currently in the process of being cleared.

The application site has a principle frontage onto both Leeds Road and Worksop Road, which are set to the west and south respectively, resulting in a frontage of approximately 200 metres. Attercliffe Road is set around 45 metres to the north of the site.

The entire site is located within a designated Open Space Area as defined by the adopted Sheffield Unitary Development Plan (UDP). In addition, the site is also within a Coal Mining Referral Area.

An Area of Special Character sits adjacent to the site's Leeds Road frontage and several different land uses zones, as defined by the UDP, are in close proximity. These include a Local Shopping Centre to the immediate west and a Mixed Use Area set directly across Worksop Road. As a result there are a variety of uses in the immediate vicinity, including some residential, shops, local businesses and several high profile venues. These larger venues include The English Institute of Sport, ICE Sheffield and The Sheffield Arena, all set to the north of the application site.

The site is also surrounded by excellent public transport links, which includes the Sheffield Supertram to the east and frequent bus services along Worksop Road and Attercliffe Road.

PROPOSAL

The applicant is seeking planning permission to create a new through-school and community HUB. The need for this facility comes because the Darnall/Attercliffe area of the city has seen population growth and increasing in-year demand coming together to create an immediate shortage of primary school places. In addition, this is also an area of the city which does not have a secondary school in the immediate locality and this proposal will therefore sit at the heart of the city's plan to tackle the secondary school places shortage from 2015 onwards.

The timeframes for delivery would see the entire building completed by September 2015 with the nursery, primary and community uses being available for use immediately. The secondary school element would open to students in 2017.

The school would cater for children between the ages of 2 & 16. The layout of the building is based on the nursery and primary elements being separated from the secondary school users by a central HUB area, which provides both shared and community functions, such as dining spaces and the main halls.

The building varies in scale, partially in response to the topography of the site. This results in the primary element being principally three storeys, before the central HUB and secondary elements reach four storeys. The building is articulated in various ways, which includes generous windows openings, a roof garden and canopies. This modelling also includes the creation of 2/3 storey projecting

features that sit centrally on the front and rear, these features help define the HUB area. The principle building materials are red brick and a modular panelling system.

Externally the scheme continues the theme of creating separation between the three more distinct elements by creating a separate secondary entrance via Leeds Road to the north, and a nursery/primary entrance via Worksop Road to the south. The HUB entrance is via Leeds Road and provides the grander approach to the building with the aid of a wide plaza, tree planting and street furniture.

The remainder of the external spaces are principally made up of:

- A car park (80 parking spaces) and cycle spaces to the north of the site. Vehicle access is taken from Leeds Road.
- Various outside play spaces, including Multi Use Game Areas (MUGA's), a mini active woodland to the rear and hard and soft play areas.
- A replacement sub-station fronting Leeds Road to the north and a bin store are also proposed.

Two distinct approaches have been taken in relation to the site boundaries depending on prominence. The boundary that runs parallel to Leeds Road and Worksop Road, which is the main frontage, will employ painted railings interspersed by brick pillars. The rear boundary will be weldmesh fencing.

RELEVANT PLANNING HISTORY

Prior Notification to demolish the stadium, which included grandstands, terraces, concourses, hardstandings, ancillary buildings and structures, was granted in 2013 under planning reference 13/02597/DPNRG3.

SUMMARY OF REPRESENTATIONS

Sport England

Sport England did initially object to the scheme as a small area to the east of the site encroached onto the area where the former Don Valley playing pitch was located. Following further discussions and given that a replacement pitch is anticipated to be delivered as part of the wider masterplan, Sport England have removed their objection.

Local Representations

Two representations have been received from local businesses. These raise the following objections:

- When Don Valley Stadium was demolished it was promised that replacement sports facilities would be provided. This should remain the case.
- The building is too large and will have a negative impact on the neighbouring listed building.

- The proposal will cause traffic management issues, including overloading the road network and creating parking/loading problems. This will have a negative impact on local businesses.
- The area is industrial and is therefore not safe for school children.
- The additional noise created by students would cause undue distress to surrounding businesses.
- Several trees have been removed from the site, which is not welcomed.
- The existing litter problems will increase.
- There are more appropriate sites.
- Money would be better spent regenerating Attercliffe.
- The development will result in the decline of existing wildlife such as birds and foxes.

A representation has been received from South Yorkshire Police in their capacity as occupiers of an adjacent site to the north. The principle concern of the Police relates to a proposed new footpath link identified on the site plan. This would link the school site to Old Hall Road, which is approximately 77 metres to the north.

The concern is that the path will encourage parents to drop off students in this location and also encourage students to congregate in the vicinity of the station. This would lead to increased congestion and potentially hamper the speed in which emergency vehicles can respond to events. In addition, if students do congregate around the station, this could lead to both safety and security issues. It is suggested that the path is not provided, or it is fenced in and locked.

PUBLIC CONSULTATION

The applicant undertook two public consultation events, one at the English Institute for Sport and one at the Sheffield and Pakistan Muslim Centre. The applicant has stated that the overall tone of responses were positive, with the vast majority of both parents and local community members recognising the need for a new school. Comments such as “100% support for this project” were received. The applicant has stated that the comments from these events have been considered and integrated in the proposed scheme wherever practical.

PLANNING ASSESSMENT

National Planning Policy Framework

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

Land Use

The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and

new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

The NPPF also encourages the reuse of land that has been previously developed (brownfield land).

As the proposal will develop a brownfield site and will meet an identified capacity need, it is considered to accord with the spirit of the NPPF.

Policy CS43: Schools, within the Sheffield Development Framework Core Strategy (CS), identifies a requirement to provide sufficient modern education facilities to meet identified needs.

In this respect the applicant has identified that the need for this proposed school comes because the Darnall/Attercliffe area of the city has seen both a population growth and increasing in-year demand coming together, creating an immediate shortage of primary school places. In addition, this is also an area of the city that does not have a secondary school in the immediate locality and would therefore sit at the heart of the city's plan to tackle the secondary places shortage from 2015 onwards. In light of this the proposal accords with Policy CS43.

The entire site is set within an Open Space Area as defined by the Unitary Development Plan (UDP). In this respect, it is considered that the facilities available within the stadium did/or could have provided formal open space functions for the catchment and wider city going forward.

Policy LR5: Development in Open Space Areas within the UDP lists a number of criteria that must be met for the development of open space to be considered as acceptable. This includes not causing damage to nature conservation sites, or detracting from the green and open character of the green network. As the site has been previously developed, the proposals are not deemed to contravene any of the restrictions highlighted within Policy LR5.

Policy CS47: Safeguarding Open Space within the CS sets out the parameters for which losing open space would be considered. In this regard, section a) states that the loss of existing open space would not be permitted if it would result in a quantitative shortage of the relevant type of open space. In addition, section b) states that the loss of open space would not be supported if that open space is of a high quality.

As formal open space in the area is already underprovided, and Don Valley Stadium was deemed to be a high quality facility, the proposal contravenes sections a) & b) of Policy CS47. However, the following points need to be considered:

- The proposed scheme includes a Community Use Agreement that will allow wider community access to several of the building's facilities, which include all weather MUGA's.

- As part of the masterplan for the wider site it is proposed to create an additional full size sports pitch for community use.
- Woodburn Road Stadium provides similar functions to those found at the former Don Valley Stadium and is situated in the same catchment. These facilities were recently upgraded.

In light of the above, the proposal is considered to be acceptable in the context of Policy CS47.

Policy CS21: The Boulevard of Sport within the CS is also relevant. CS21 promotes the development of sports related leisure uses around the Don Valley Site. At the time of the policy designation the Don Valley Stadium was still in use but it is a sensible assumption that this principle also applies to this now vacant site.

In relation to CS21, it is noted that a new school is not a sports and leisure use. However, there is an opportunity for the new school to establish strong links with existing sports facilities close by, and it is well placed to take advantage of any new facilities which may come forward as the wider site is redeveloped. Therefore the school does not threaten the wider objectives of Policy CS21.

Given the above, the proposal is considered to be broadly in accordance with the relevant land use policies.

Design & Landscape

The NPPF states that development should always seek to secure high quality design but decisions should not attempt to impose architectural styles or particular taste, albeit they should promote and reinforce local distinctiveness.

Policy BE1: Townscape Design within the UDP states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design.

Policy BE5: Building Design and Siting within the UDP states that good design and the use of good quality materials will be expected in all new buildings.

Policy CS74: Design Principles within the CS states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city.

- Layout

The principle elevation of the building will front Leeds Road and Worksop Road, which is an appropriate response to the context. There would have been some benefit in siting the school closer to the back edge of pavement, as this is an approach used elsewhere in the area. However, owing to the presence of a culvert running across the front of the site, this is not possible.

The internal layout has been given careful consideration to ensure the multiple functions of the building can be carried out efficiently. This results in the

nursery/primary and secondary elements largely segregated from one another by the shared/community facilities that are provided through the central spaces. Several of these communal spaces, such as the main hall and dining hall, will be double height. This, and details such as the roof gardens, ensure a better environment and greater enjoyment for users of the building.

The layout of the external spaces follows the principle of largely segregating the primary and secondary students. This is achieved in subtle ways, rather than through the employment of features such as large fences. For example, a natural break is created at the front of the site by the wide plaza that leads to the principle entrance.

The location of the car parking away from the prominent junction of Leeds Road and Worksop Road is also supported and benefits the overall design of the scheme.

- Massing and Appearance

The two principle materials to be used are red brick and a modular cladding system. The use of red brick is supported as this is the dominant material across the area. The use of the cladding system ensures a contrast is created with the brick, which aids in creating interest and also allows certain key features to be emphasised.

The height of the building will range between three and four storeys. This height is considered appropriate and is reflective of several landmark buildings seen within the Attercliffe area.

The architect has used the natural topography to create a fairly consistent roofline, even though the secondary and primary elements are three and four storeys respectively. Given the footprint of the building there was a danger that it could appear somewhat monolithic. However, the architect has utilised a number of features to ensure a significant degree of modelling and visual interest is created. The more notable features include:

- Large central projecting elements that also help denote the location of the central HUB.
- Projecting canopies, which double up as outside teaching spaces.
- Stepping within the roofline.
- Generous window proportions and window reveals.

It is considered that through the use of such features, the overall composition of the building is successful.

- Landscaping and external spaces

The scheme has taken advantage of the opportunities available to offer a variety of high quality external areas. These include the central entrance plaza, MUGA's and a number of hard and soft play spaces for the varying user groups. These spaces also include generous tree planting.

Two distinct approaches have been taken in relation to the site boundaries depending on prominence. The boundary that runs parallel to Leeds Road and Worksop Road, which is the main frontage, will employ painted railings interspersed by brick pillars. The rear boundary will be the more traditional weldmesh fencing. This split approach is deemed as appropriate and provides for an appropriate hierarchy of treatment.

It is noted that a new substation will be required as part of the development and, for operational reasons, it must be located on a road frontage outside of the school boundary. Although not ideal, it will be constructed in materials to match the main building and has been located as far from the Leeds Road/Worksop Road junction as possible. This ensures that its prominence is reduced to acceptable levels.

- Design and Landscape Conclusion

Overall it is considered that the scheme will represent an excellent addition to the area from a design and landscape perspective. It therefore accords with the above design policies.

Drainage

Policy CS67: Flood Risk Management within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

Although the site is within Flood Zone 1, as it is over one hectare, the application is accompanied by a Flood Risk Assessment and a Drainage Strategy. These list a range of proposals, including reducing the existing discharge rate from the site. Subject to conditions, the Environment Agency has confirmed that these proposals are acceptable. A formal response from Yorkshire Water is still awaited and this will be reported to Members at Planning Committee.

The scheme will include other sustainable drainage techniques to reduce surface water run-off, which includes extensive landscaping and the inclusion of sections of green roof.

Highways

The NPPF promotes the location of developments that generate significant movement to be where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

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

Policy CS59: New Roads, within the CS, states that new road schemes will only be built in a limited number of circumstances, which include: 1) The need to enable regeneration; and 2) The need to reduce serious traffic impacts on the local environment where there is no sustainable alternative option. The Junction 34 Relief Road is one of the seven proposed schemes listed within Policy CS59.

The application site benefits from excellent public transport links, which includes being in close proximity to two Supertram stops and Attercliffe centre. This localised infrastructure is also set to improve further with the introduction of the new Bus Rapid Transport System along Attercliffe Road in the near future.

Whilst these links are of real benefit to members of staff and some sections of the catchment area, such as Tinsley, a large section of the catchment area do not benefit, and public transport links from these areas are far from ideal. This, coupled with the distance to travel from the catchment areas, has resulted in a higher than average amount of vehicle movements to the school in the AM & PM peak.

As a result of the anticipated movements, the Transport Statement has assessed the capacity of the immediate junctions to cope, most notably Worksop Road/Attercliffe Road. The results have been assessed and clearly demonstrate that these junctions do have existing capacity to deal with this increased demand.

In relation to dropping off and picking up students, at its busiest it is anticipated there could be up to 89 vehicles in the 08:50 to 09:00 AM 10 minute period. The applicant has assessed existing parking capacity in the area during peak hours, and has also explored the possibility of creating new capacity by removing existing double yellow lines. Highways officers have assessed the initial proposals and are satisfied that a suitable scheme can be designed to accommodate the increased pedestrian and vehicular movement in a safe and efficient manner. This may include new crossing points, amendments to existing infrastructure, build outs for protected parking and the narrowing of sections of highway. The final details of this scheme will be secured through planning conditions.

The proposed scheme provides 80 in curtilage parking spaces, close to the maximum permitted under current parking standards. 5% of these spaces are mobility compliant and 5% are extra-large and therefore easily adaptable. This provision allows a space for each of the 80 members of staff who the Transport Statement identifies as travelling to work by car. Highways have confirmed that this provision is justified from an operational perspective. Although some visitor parking would have been preferable, on street parking is available if needed.

The location of the vehicle ingress and egress point on Leeds Road has been assessed by Highways officers and is considered to be suitable. In addition, the limited servicing from Leeds Road is also viewed as necessary given the lack of available space within the site.

The Transport Statement has also further considered the local infrastructure, such as footpaths, street lighting and bus stops, in order to determine if these features have capacity to deal with the additional demand created in a safe manner. The

conclusions, which Highways officers concur with, are that this existing infrastructure would remain 'fit for purpose' in this regard.

Owing to committed development, it has been determined that Junction 34 has reached capacity and any further significant development will add undue pressure to the highway network at this location. As a result, from mid-2008, any significant developments between Rotherham Town Centre and Sheffield's Inner Ring Road, that adds increased demand on the Junction, are required by the Council to contribute towards the construction of the M1 Junction 34 Relief Road. The relief road will ease the growing pressure on Junction 34 south and permit the junction to work within capacity. The strategic importance of this road is emphasised within Core Strategy Policy CS59, which identifies the delivery of the relief road as a key strategic aim for the city.

In order to determine if a contribution is required various factors have been considered. Firstly, the only student trips will be from the limited section of the catchment based in Tinsley. Any impact on the junction as a result of this is expected to be very limited for the following reasons:

- Other school options are available in closer proximity on the Tinsley side of the junction.
- Students that would attend the new school are likely to be already travelling through the junction to attend alternative schools elsewhere in Sheffield.
- As Tinsley students would be in close proximity to good public transport links, such as the Supertram, and given the car ownership demographics of the area older pupils would be more likely to use these facilities to travel to school.

In relation to staff, the original assessment stated 26 additional movements would come through the junction in the AM peak. However, upon discussing the matter further, it became apparent that various factors had not been accounted for. The applicant has now taken account of such matters including the baseline figures for movements from former members of staff who until recently travelled to Don Valley Stadium on a daily basis, the excellent transport links available for staff members and the employment figures in the catchment areas.

As a result of these adjustments it is concluded that there will be no increase in vehicle movements through Junction 34 in the AM or PM peak. These conclusions have been assessed by Highways officers and are accepted.

Given the above, the proposals are considered to comply with the relevant highway policies.

Sustainability

Policy CS64: Climate Change, Resources and Sustainable Design of Development within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions.

In practice, to satisfy the main body of the policy non-residential developments should achieve a BREEAM rating of Very Good. CS64 has further requirements that may fall outside BREEAM, such as designing buildings flexibly from the outset to allow a variety of possible future uses.

Policy CS65: Renewable Energy and Carbon Reduction within the CS sets out objectives to support and require renewable and low carbon energy generation and also to further reduce carbon emissions. Policy CS65 requires new developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy unless it can be demonstrated that it is not feasible and viable.

CS65 did until recently also require the generation of further renewable or low carbon energy, or the incorporation of design measures, sufficient to reduce the development's overall predicted carbon dioxide emissions by 20%. As this is now a requirement of Building Regulations it is no longer being sought as part of planning applications.

The developer has confirmed that the scheme will meet the BREEAM Very Good standard.

In relation to the 10% requirement set out in section a) of Policy CS65, the intention is for the development to connect to Sheffield's Combined Heat and Power System, which is being extended along Attercliffe Road. A condition will be attached to secure the final details of this, or agree an alternative proposal if required.

In addition to the above, the development is a brownfield site in a sustainable central location and includes a number of additional features to promote sustainable design, such as extensive landscaping, a green roof, cycle parking and recycling facilities.

Given the above, it is considered that the development will comfortably meet the sustainability requirements introduced by the CS.

Ground Conditions

The applicant has provided the required ground contamination reports, which are currently being assessed by the Environmental Protection Service. Relevant conditions will be imposed to ensure the development is carried out in a safe manner.

The site is located within a Coal Mining Referral Area and, as a result, a Coal Mining Risk Assessment accompanies the application. The Coal Authority have assessed this and are satisfied with its finding, with a recommendation that additional intrusive investigation is undertaken before development commences. A condition will be attached to any decision securing this.

Archaeology

Although the site would have had important historic industrial uses in the past, construction of the stadium will have removed any structures of archaeological interest. It is therefore not necessary to undertake any archaeological work prior to or during redevelopment.

Air Quality

The application is accompanied by an Air Quality Impact Assessment (AQIA) which has been revised during the course of the application. It is firstly noted that the proposed development would result in dust during the construction phases, and an overall increase in traffic movement in the local area, which is likely to have some impact on the local air quality.

The specific pollutants assessed within the AQIA are nitrogen dioxide (NO₂) and particle matter (PM₁₀) of sizes less than 10 micron, which are largely produced from internal combustion systems, such as motor vehicle engines and construction dust.

The assessment has identified that the significance of the development on local air quality will be imperceptible/negligible for both NO₂ and PM₁₀. The assessment also concludes that the health-based annual average air pollution standards of 40µg.m⁻³ for these pollutants, and the 24 hour mean standard for PM₁₀, are not breached with or without the proposed development. These conclusions have been considered by the Council's Air Quality Officer and are accepted, such that the development does not give rise to any significant air quality concerns.

It is always beneficial to provide some measures to mitigate against the impact of developments in a bid to improve air quality. Features such as the landscaped areas and a green roof will help and additional measures, such as a dust mitigation plan for the construction phase, are detailed within the AQIA (Section 8).

Public Art

Policy BE12: Public Art within the UDP encourages public art as an integral part of the design of major developments.

All stakeholders consider that it would be a lost opportunity if the public art to be delivered as part of the scheme did not involve the input of students. It has therefore been agreed that the public art scheme will be delivered after the school has opened following consultation between students, teachers and a public artist. This will be secured through a planning condition.

Amenity

Policy GE24: Noise Pollution within the UDP requires that development should not create noise levels causing a nuisance, and sensitive uses and noisy uses should not be located close together.

Planning conditions will be attached to ensure that noise emitted from the rooftop plant will not be a nuisance. Conditions will also be imposed to ensure any odours emitted from the kitchens are suitably managed.

In relation to general noise, such as children playing, as this is not taking place during unsocial hours it creates no concern.

In general amenity terms, it is considered that the distance between the new school building and the surrounding uses/buildings will ensure the proposal does not lead to undue dominance or shadowing issues to nearby businesses.

In light of the above the scheme is viewed as being acceptable from an amenity perspective.

Access

Policy BE7: Design of Buildings Used by the Public within the UDP requires safe, equal and easy access for people with disabilities to buildings used by the public.

Level access will be provided to all three entrances and suitable mobility parking is provided. In addition, the applicant has been in liaison with Access Officers to ensure the internal arrangements and facilities meet the requisite guidelines.

In respect to the external areas, this always provides a challenge on a sloping site and the applicant will work with officers to achieve the most usable external spaces possible as the external work progresses. It is noted that the majority of the external spaces will be useable for all.

The proposal is therefore considered to comply with the above access policies.

Ecology

The scheme has been accompanied by a Desk Top Ecology Report. The city ecologists have assessed this and have confirmed that nothing of notable ecological interest is on the site. In addition, the introduction of features such as the active woodland and green roofs is very welcome.

Environmental Impact Assessment (EIA)

The requirement for the provision of an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 was assessed during the pre-application process. This is because the proposed development is considered to be an Urban Development Project under Part 10, Schedule 2 of the Regulations

After full consideration of the selection criteria, a screening opinion was issued by letter on 01 April 2014, which concluded that an EIA was not required to accompany the application.

RESPONSE TO REPRESENTATIONS

The majority of the matters raised within the representations have been addressed in the above planning assessment. The remaining issues are addressed as follows:

- (i) *When Don Valley Stadium was demolished it was promised that replacement sports facilities would be provided. This should remain the case.*

As part of delivering the wider masterplan it is still anticipated that a sports and leisure offer will be included.

- (ii) *The building will have a negative impact on the neighbouring listed building*

The closest listed building is over one hundred metres from the application site and will not be seen in the same context.

- (iii) *Several trees have been removed from the site, which is not welcomed.*

The proposed scheme is introducing extensive landscaping, which includes tree planting and a green roof. These will provide adequate compensation for any trees lost during demolition.

- (iv) *The existing litter problems will increase.*

There is no reason to assume this will become an increased problem, but if this is the case, then this will be a management issue for the school to deal with.

- (v) *There are more appropriate sites.*

In relation to why this site was chosen the Education Service has provided the following response.

“The Darnall/Attercliffe area of the city is one where population growth and increasing in-year demand has come together to create an immediate shortage of primary places. This is also an area of the city that does not have a secondary school in the immediate locality and would therefore sit at the heart of the city’s plan to tackle the secondary places shortage from 2015 onwards.

The closure of the Don Valley Stadium provided an opportunity to create a vision for the future of this site. Within this vision is the co-location of the 2-16 school and University Technical College (UTC) and other health/sport science related facilities. There are no other sites within the Darnall/Attercliffe area that currently have the capacity to develop this vision. The development of the school on this site was considered to be an integral part of the regeneration of this area and potential catalyst for further developments.”

- (vi) *Money would be better spent regenerating Attercliffe.*

The funding provided is unique to delivering a school in order to satisfy unmet capacity needs.

(vii) Issues in relation to the police and the proposed new path.

It is firstly noted that the path being discussed would only be provided in 2017 when the secondary education element of the school is occupied. The need for the path is to ensure a safe and efficient route to the English Institute of Sport is provided should secondary students need to use these facilities (which may not be the case). If alternative provision is in place at this time the path may not need to be provided.

Issues with people using the roads around the police station for drop off are highly unlikely, as capacity has been demonstrated to the front of the school.

If issues do arise in relation to students causing nuisance around the police station then this will be for the school and the police to resolve.

Ultimately, providing safe routes to link facilities and increase permeability is encouraged. The principle of this path is therefore supported and any suggestion that it should be fenced in should be resisted from an aesthetic and permeability standpoint.

SUMMARY AND RECOMMENDATION

Owing to existing and anticipated future formal sports provision in the locality, the development of a section of allocated open space for educational purposes is considered to be acceptable.

The new building will address the principle road frontage and the proposed scale reflects the more notable buildings in the Attercliffe area. The applicant has ensured suitable modelling and detailing is provided in order to deliver a high quality building. The principle material is red brick, which respects the context, and the use of a modular cladding system aids in emphasising key features.

The scheme has taken advantage of the opportunities available to offer a variety of high quality external areas, including a roof garden and extensive hard and soft landscaped areas.

The staff car parking identified will meet identified capacity. Sufficient details have been provided at this stage to demonstrate that the existing highways/junctions can cope with the higher than average school car journeys and drop-off/pick up demands. The vehicle ingress and egress point on Shoreham Street is viewed as acceptable.

The Air Quality Impact Assessment has identified that the significance of the development on local air quality will be imperceptible/negligible and that the health-based annual average air pollution standards are not breached with or without the proposed development.

The site is considered to have excellent sustainability credentials, which includes meeting BREEAM Very Good, connecting to the Combined Heat and Power System and providing a green roof.

The scheme has been designed to provide access for all users, taking account of the constraints of the site.

Overall the development will present an excellent and welcome addition to the Don Valley area, providing much needed school capacity in a deprived part of the city. The development is therefore recommended for conditional approval.

Case Number	14/01363/FUL (Formerly PP-03319276)
Application Type	Full Planning Application
Proposal	Landscaping works to front of building including erection of a jumbrella
Location	Robin Hood Hotel Millhouses Lane SheffieldS7 2HB
Date Received	11/04/2014
Team	South
Applicant/Agent	ABA Architecture
Recommendation	Grant Conditionally

Subject to:

- 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.

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

Drawings (ABA Architecture)
13-1458.P02 (proposed site layout)
13-1458.P03 (boundary treatment/planters),

Reason: In order to define the permission.

- 3 The patio seating area shall not be used unless 2 disabled car parking spaces have been provided as shown on the approved plans and thereafter such car parking spaces 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.

- 4 The patio area shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

- 5 The building shall not be used for the above-mentioned purpose unless a suitable receptacle for the disposal of litter has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

- 6 No amplified sound or live music shall be played within the patio area nor shall loudspeakers be fixed at any time outside the building.

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

- 7 The jumbrella shall be removed when it is no longer required for the purpose for which it was installed

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

Attention is drawn to the following directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
2. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

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

Development Services
Howden House
1 Union Street
Sheffield S1 2SH

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

3. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

4. 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.

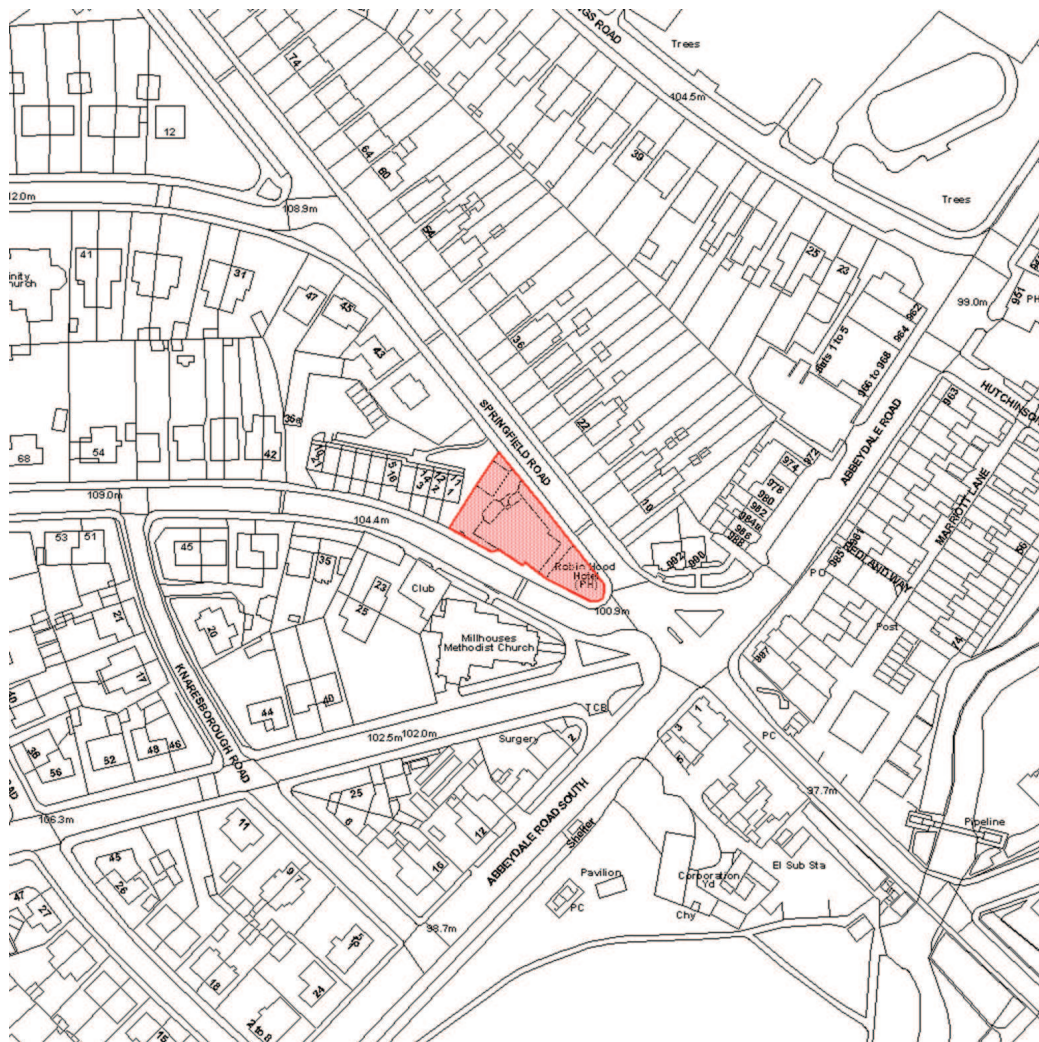
The notice should be sent to:-

Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

For the attention of Mr P Vickers

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.

Site Location



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LOCATION AND PROPOSAL

The application relates to a historic public house at the junction of Millhouses Lane with Springfield Road. The building is on a triangular site and directly faces the road junction which is close to the signalled junction of Springfield Road with Abbeydale Road South. The site has frontages of approximately 50 metres to both Millhouses Lane and Springfield Road. Directly to the front of the building is a car park and 3 flights of steps up to the raised main entrance into the building.

The car park is marked out to provide 12 parking spaces which line the boundaries with the road frontages. A small shrub bed and a tall freestanding signage column are at the head of the car park at the road junction. There is a terrace to one side of the building abutting Springfield Road which accommodates 3 tables/benches. To the rear is a further external seating area with several more tables/benches and a smoking shelter. There is a small service yard area accessed from Springfield Road towards the rear boundary of the site.

On the opposite side of Springfield Road is a row of dwellinghouses which follow a strong building line some 11m behind the road frontage. On the opposite side of Millhouses Lane is Millhouses Methodist Church which also has a frontage to Whirlowdale Road. There is no access from Whirlowdale Road to Millhouses Lane.

The application is for works to facilitate the provision of an outdoor customer area on the site of the existing car park area. The works include resurfacing, the provision of post and rope perimeter treatment, fixed planters, recessed floor lights, the provision of a 4m diameter 'jumbrella' with fixed heating elements and the provision of 11 tables and 48 chairs. The jumbrella will be a semi-permanent fixed feature and the tables and chairs will be freestanding. In addition, 2 disabled parking bays will be provided accessed from Millhouses Lane and Springfield Road, respectively.

RELEVANT PLANNING HISTORY

Planning permission to construct means of vehicular access to the existing car parking spaces from both road frontages was granted in 2009 (ref 09/01599/FUL). The permission was not implemented and expired in 2012.

Permission to retain an unauthorised smoking shelter at the rear of the building was granted in 2008 (ref 08/01811/FUL).

Permission for a front canopy, alterations to the rear elevation and alterations to the rear external area was granted in 2001 (ref 01/00240/FUL). A condition attached to the planning permission requires the retention of the car parking area and no obstructions to parking during opening hours. The validity of this condition is discussed in the Assessment below.

SUMMARY OF REPRESENTATIONS

2 representations have been received from residents at 10 Springfield Road (nearest to the car park) supporting the proposals:

- Well aware of public house opposite house when moved in and enjoy character of fairly busy area
- Plenty of comings and goings to pub at weekends, including taxis turning in driveway (10 Springfield Road), but overall impact is minimal - have had more disturbance from other activities nearby
- Appreciates success of local business and reasonable tolerance is essential for all to muddle along
- Can't see any pollution issue as heaters are electric
- Unfortunate inaccurate reference to commuter parking at the pub in the application but no doubt that car park is used by others in addition to pub customers
- Plenty of parking in Springfield Road, Millhouses Lane and Whirlowdale Road if people are prepared to walk short distances
- Pedestrian and road users safety probably better without the car park as pavements are currently randomly driven over to access spaces
- Not entirely comfortable with potential privacy issue but acknowledges that passers-by and people in pub already have views over property and would prefer to see patio area and activity rather than car park - could perhaps increase planting to filter views
- Rather live opposite a successful pub than one that is boarded up due to lack of viability
- Can't imagine any real increase in noise - hasn't caused problems in the past

27 representations have been received from nearby properties objecting to the proposals. The objections are summarised below:

Car parking

- Robin Hood is not a small local pub - Ember Inn business is based around larger establishments and Robin Hood (with seating for almost 200) fits this template. Analysis of Ember Inns website suggests that around 240 people visit their establishments daily with over 90% coming from a 3km radius - given hilly nature around Millhouses this implies approx. average of 100 car journeys daily - should not be allowed to remove parking
- Monitoring over 6 day period (by a resident) shows car park normally full in evening with substantial parking in Springfield Road and Millhouses Lane - no evidence of commuter parking
- already problems with parking associated with Robin Hood in Grove Road (200m from site) and Millhouses Lane including obstruction of driveways and parking on grass verges - residents already have difficulty parking near their homes at busy times
- could also affect parking in Knaresborough Road
- unwelcome potential for additional parking on Marriott Road which is unadopted and ill equipped to cope

- existing problems compounded by Millhouses Park car parking charges, greater restrictions in Abbeydale Road and one-way restriction at Hastings Road
- access for emergency services in Millhouses Lane will be more difficult due to extra parking
- lack of parking already affects local traders (only 9 spaces in bays serving the shops) - displaced parking from pub will mean less parking available for shops, church, restaurant/takeaway customers and snooker club members - may put some traders out of business which will also affect linked pub trade - sequential testing of impact should be carried out
- photos provided showing use of the car park by pub customers, not commuters
- recent planning permissions for Tesco and Sainsbury's and increase in takeaway businesses have resulted in increase in traffic issues that persist well into evening and beyond management hours of Council parking services
- affects parking for residents and Church and deliveries to pub frequently contravene parking regulations
- impact on public safety, especially during school term time
- bus drivers frequently have trouble negotiating around delivery vehicles to public house
- pub visitors frequently park on double yellow lines outside and prevent reversing to driveways - also park on pavement and obscure sight lines - dentist's premises also contributes to this problem
- 2009 permission for vehicle crossings demonstrates that applicant recognises importance of car parking
- Potential solution of providing car parking and servicing areas to rear of building
- Suggest introducing limited parking in cul-de-sac section of Whirlowdale Road, subject to consultation

Design and Appearance

- Robin Hood is historic and attractive community building - jumbrella will look hideous and visually intrusive and will be out of character with building and surrounding buildings
- Jumbrella is a marquee and, together with heating and loss of parking is out of scale and will dominate views of Victorian style building from surrounding roads and houses in Springfield Road and dominate views up Millhouses Lane and Springfield Road

Pollution

- Heaters will add to pollution in area where EU pollution levels are already exceeded and not in accordance with Supplementary Planning Guidance 'Climate Change and Design'
- Use of Greenhouse gases to artificially warm people in colder months is not ethical
- should not be encouraging smoking outside which will increase level of toxins polluting the area and sets bad example to young people

- gas heaters are wasteful, cause fumes and contribute to climate change - unnecessary and harmful near to a junction with vehicle emissions problems and well used footpaths (Note - electric heaters, not gas)
- scope for renewable technologies should be considered e.g. solar pv or alternative off-setting method
- light and noise pollution

Disturbance

- late night noise disturbance to residents opposite in Springfield Rd - already has extended opening hours
- noise and disturbance associated with additional parked cars as customers return late at night
- young family directly opposite have been close to reporting increased noise since trading hours increased to midnight - interrupts sleep of children - wouldn't have moved here if these plans go ahead and will only worsen situation
- general noise associated with outdoor use, particularly during World Cup
- anti-social behaviour - potential for large numbers of intoxicated customers very close to residential property which will affect the character of the area - quotes Human Rights Act in respect of right to a private life
- potential for unregulated music
- possible overall capacity for 100 consumers - already has outside capacity for 60 customers although noted that use is limited even in midsummer
- currently an acceptable balance between needs of pub and needs of residents, although not necessarily view of all residents
- absence of secure gated boundary and absence of resident staff results in no means of preventing unauthorised use after closing time - potential unsupervised drinking and broken glass
- transient nature of pub users means potential for residents having to make additional complaints to landlord/Police
- requests acoustic screening
- application for smoking area at Millhouses PH was refused due to potential problems for neighbours

Other matters

- pub already has beer garden and tables - this proposal is unnecessary and will result in ill will from surrounding residents who will withdraw their custom
- will disrupt open aspect and view of church from 18 Springfield Rd
- loss of privacy to 10 Springfield Road
- applicant has made no attempt to consult with local community - motivated by financial considerations only
- elderly residents could find walking past site unpleasant and threatening (bad behaviour) and jumbrella could be vandalised
- increased pressure on Local Authority budget associated with responses that will be needed to parking and noise regulation, nuisance and litter
- several requests for Committee determination

- questions viability and business plan - view and environment for customers probably not that pleasant or safe (high risk of vehicle collisions and emissions)
- questions drainage arrangements
- more neighbours should have been notified - insufficient consultation

Councillor Diana Stimely objects:

- Parking is a problem all over the city and Millhouses is no exception – traders rely on parking so that people can come and trade with them – Robin Hood cannot be an exception to this so why are they asking to use their parking area for clients to sit, eat and drink?
- Will be using the other traders parking spaces/nearby residents parking spaces – surely in these difficult times traders should stand together A business is worth fighting for so hopefully The Robin Hood will stand with the other traders and work not only for themselves but for the community

Nick Clegg MP has relayed one of his constituents objections (included in the representations above).

Carter Knowle and Millhouses Community Group also object:

- proposals impinge considerably beyond immediate surrounding residents - widespread objections evident and application should be determined by Committee
- serious implications for car parking in surrounding streets - potentially detrimental to residents and businesses
- visual intrusion is of wide concern as are increase in noise and heat-derived pollution
- misrepresentation by applicants in respect of alleged commuter parking - customers form majority of car park users and substantial overspill to surrounding streets

Millhouses Methodist Church have made representation. They do not object to the proposals in principle but confirm that a number of their members, including elderly and/or disabled, have difficulty parking for weekday meetings as well as on Sundays and the church is used by many community groups in the evenings. They request that the Council take the opportunity to consider the wider issue of parking in the Millhouses area which they feel has been exacerbated by the introduction of parking charges in Millhouses Park.

PLANNING ASSESSMENT

Policy

The site lies within a Housing Area as defined in the Unitary Development Plan (UDP). In the Local Plan Draft Proposals Map the site lies within a Neighbourhood Centre. The UDP is afforded greater weight at this stage of the adoption process.

No special designations affect the site.

The most relevant UDP and Local Plan Core Strategy policies are referred to in the Planning Assessment below.

The Local Plan draft City Policies and Sites document (pre-submission version) has not been submitted for final approval and is not an adopted document. Its policies therefore carry limited weight and are not considered in detail as part of this assessment. Nevertheless, the most relevant policies do not raise any additional requirements for this proposal over and above the adopted local policies and national policies in the National Planning Policy Framework (NPPF).

The NPPF provides the context for formulation and consideration of the Council's policies. Reference to the NPPF is made throughout the assessment where deemed necessary.

Restrictive Condition and Need for Planning Permission

The condition attached to the 2001 planning permission for external alterations (ref 01/00240/FUL) requires the retention of the car park and prevents any obstruction of the car park during opening hours.

In the absence of the condition, the applicant would be able to resurface the car park area, provide a means of enclosure up to 1 metre high and provide unsecured tables and chairs for use in connection with the public house without the need for planning permission. Portable heaters, planting containers and recessed floor lights could also be provided without planning permission and the hours of use would be unrestricted.

The only element of the scheme requiring planning permission would be the installation of the 'jumbrella'. A less substantial parasol type product could be provided without planning permission if it was capable of being easily erected and removed on a regular basis. The tests for assessing whether a building operation has taken place concern the size, physical attachment and degree of permanence of the structures. In this case, a permanent base is required to be installed and must be sufficient to prevent movement of the 4m wide jumbrella which is of substantial construction and requires an electricity supply for the fixed heater units. The base appears to be needed to be installed professionally and will be permanently fixed and it is clear that the intention is to leave the jumbrella in place rather than remove it when the premises are closed. In these circumstances, the jumbrella constitutes a structure for which planning permission is required.

If planning permission for the works is refused, the applicant has the option of appealing against the Council's decision and/or submitting an application to remove the condition attached to the 2001 planning permission. If such an application were successful then it would be possible for the applicant to carry out the majority of the works described above without any planning control. The impact on the appearance of the street scene, amenity and car parking would not

be materially different to the proposals that are the subject of this application. This is a potential fallback position.

In considering any application to remove the 2001 condition, consideration would need to be given to the validity of the condition. The NPPF Planning Practice Guidance (PPG) states that conditions should not be imposed in a planning permission unless they meet all of the following test criteria and are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects.

The 6 conditions tests in the PPG reflect those in the cancelled Circular 11/95 (Use of conditions in planning permissions) that was in force when the 2001 permission was granted.

In this instance, the condition cannot reasonably be described as necessary to the granting of the 2001 planning permission or relevant to the alterations that were subject of the 2001 proposals. The alterations were considered acceptable in their own right at that time and the Officer's report noted that it would be difficult to demonstrate that they would lead to any intensification of the use of the site which might have justified the car parking requirement. The condition appears to have been imposed as a result of a significant shortfall in car parking provision on site relative to the Car Parking Guidelines rather than being related to the development that was permitted. In those circumstances, the 2001 condition can be expected to be judged to fail the necessity and relevance tests and significant weight should therefore be given to the fallback position in considering the impact of the proposals.

Design and Appearance

The proposals will improve the appearance of the frontage in this prominent corner location. The Robin Hood is an attractive well maintained local landmark which sits above a car park that dominates two road frontages over a distance of some 15m. The view from the road junction is largely obscured by the existing shrub planting at the corner of the site. The removal of 10 of the 12 car parking spaces and replacement of the tarmac with good quality paving, planters and tables/chairs will provide a more attractive setting for the public house and will add to the street scene.

The cream coloured jumbrella is a good quality robust product which it will be in the interests of the applicant to maintain properly. It will be centrally located and has a square canopy which is 4m wide. The installed height is 3.11m. Whilst relatively large, the jumbrella will not obscure views of the building due to the difference in ground levels.

Overall, the proposals are considered to enhance the front of the site and the street scene which is consistent with general design principles as set out in UDP Policy BE5 (Building Design and Siting), Core Strategy Policy CS74 (Design Principles) and the NPPF.

Sustainability

Core Strategy Policy CS63 (Responses to Climate Change) requires new development to, amongst other things, be designed to increase energy efficiency, reduce energy consumption and carbon emissions and reduce flood risk. The adopted Supplementary Planning Document "Climate Change and Design" provides guidance on implementing Policy CS63 but does not specifically preclude certain forms of development.

The use of the electric heaters cannot be said to be a sustainable form of development although electricity is a clean form of energy. The specification literature indicates that each heater will use approximately 4kWh per hour which is not insignificant. However, the installation cannot reasonably be resisted when considering the fallback position of installing portable freestanding heating units.

Porous paving has been suggested but the applicant prefers a non-porous specification. The new planters will marginally reduce surface water run-off compared to the existing arrangement and this minor concession is consistent with the aims of Policy CS63 and Policy CS67 (Flood Risk Management)

Residential Amenity

UDP Policy H14 (Conditions on Development in Housing Areas) seeks to ensure that, amongst other things, development does not lead to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby.

The proposals can reasonably be expected to increase activity outside the public house. The applicant has indicated that 11 tables and 48 chairs are anticipated. This should be considered indicative but the layout indicates that this level of provision is ambitious given the space available.

The extent of use is difficult to judge as it will be largely dependent on the weather. It seems likely that customers will prefer this south west facing area to the existing north west and north east facing areas that are currently provided with seating. The heating units will only be effective under the jumbrella and so are therefore unlikely to result in significant additional activity on colder days. However, it is acknowledged that additional outdoor provision for customers has the potential to create additional noise and disturbance for residents in Springfield Road. The bottom 4 properties on the eastern side of Springfield Road are within 20m of the edge of the proposed seating area. It must also be noted that outside activity already arises from the use of the terrace to the side of the building directly opposite the Springfield Road dwellings. It is also possible that the car park already experiences customers drinking despite the condition preventing obstruction although this is expected to be minimal.

Restricting the hours of use has been considered but this is very difficult to effectively control, particularly as the other outside areas would not benefit from the same restrictions, and the car park area could be used for external drinking currently without planning control over hours. The current pub opening hours are 1130 - 2300 (Sun - Thur) and 1130 - 0000 (Fri/Sat). When considering the fallback position described earlier the proposals are, on balance, considered to be acceptable although not necessarily strictly in accordance with Policy H14(k).

Highway Matters

There are traffic calming measures in Millhouses Lane and Springfield Road. Springfield Road is a bus route. There are full time parking restrictions outside the existing car park and directly opposite in both highways. There is unrestricted parking directly outside the remainder of the site frontages. The dwellings on the opposite side of Springfield Road generally have off street parking for at least 2 cars.

The applicant has provided, on request, survey data taken over 14 days to establish the extent of use of the car park. The survey indicates that there are generally 3-6 cars in the car park during the day and 8-10 cars at the busiest times (1900-2000 hours). At no time has the car park been full during the survey. The applicant contends that not all of the daytime cars are associated with the public house and suggests that they may be associated with the Church and/or local shops rather than by commuters. It is noted that the use of the car park appears broadly consistent with the photographs provided with one of the representations received.

The applicant has also undertaken a survey of on-street parking availability in both highways over distances of approximately 100m, between the pub and Grove Road and Knaresboro Road, respectively. The lay-bys outside the shops in Abbeydale Road South were also surveyed. The survey was done over 4 days (Tue - Fri) and shows that on only 2 occasions were no spaces available.

The proposals will potentially increase demand for on street parking by displacing up to 10 vehicles as a result of the loss of the car park. The survey data provided indicates that there is adequate capacity for this to be taken up on-street.

Disabled parking provision will be improved as a result of the two marked out spaces with access zones to either side as proposed. In addition, the overrunning of the kerb close to the road junction will cease which is a benefit in highway safety terms.

Overall, the loss of the parking is considered acceptable in this location which is easily accessible by public transport and within walking distance of a large residential catchment area and there is no conflict with Policy H14(d). Again, the fallback position must be given significant weight.

SUMMARY AND RECOMMENDATION

A condition attached to a planning permission granted in 2001 prevents loss of the car park area but is unlikely to stand up to the relevant validity criteria as set out in the NPPF practice guidance. In the absence of the condition, the proposed works, with the exception of the 'jumbrella' could be carried out without planning permission. This fallback position has been given significant weight in considering the merits of the proposals, particularly in terms of the impact on the amenity of residents in Springfield Road.

The proposals will improve the appearance of the public house and street scene and survey data has been submitted to demonstrate that there is sufficient on street availability for cars displaced from the site.

In view of the above, it is recommended that planning permission is granted subject to conditions.

Case Number	14/00624/FUL (Formerly PP-03203869)
Application Type	Full Planning Application
Proposal	Demolition of industrial building and erection of mixed use development comprising of 38 cluster flats and 90 studio flats, with ancillary facilities, retail/ commercial units (A1, A2, A3, A4 and B1 uses) at lower ground and ground floor level and landscaped courtyard
Location	Site Of 102 Arundel Street And Site Of Gatecrasher,112 Arundel StreetSheffieldS1 3BA
Date Received	24/02/2014
Team	City Centre and East
Applicant/Agent	DLP Planning Ltd
Recommendation	GRA GC subject to Legal Agreement

Subject to:

- 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.

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

Dwg No: 704-AP-0128 rev C: proposed south east elevation to Arundel Street

Dwg No: 704-AP-0126 rev C: Northwest elevation to Eyre Lane

Dwg No: 704-AP-0127 rev B:Proposed North east elevation to adjoining buildings

Dwg No: 704-AP-0129 rev B: proposed south west elevation to Matilda street

Dwg No: 407-AP-0125 rev C: Proposed contextual street elevations

Dwg No: 704-AP-0120 rev B: section A-A through Courtyard looking towards Matilda Street

Dwg No: 704-AP-0121 rev B: section B-B through Courtyard looking towards Eyre Lane

Dwg No: 704-AP-0122 rev B: section C-C through courtyard looking north

Dwg No: 704-AP-0123: section D-D through courtyard looking towards Arundel Street

Dwg No: 704-AP-0001 rev B: Site location plan

Dwg No: 704_AP_0132 rev A: Typical Student Entrance
Dwg No: 704-AP-0133 rev B: Typical Room Plans
Dwg No: 011_101_01 rev B: landscape layout
Dwg No: 011_1-1_02 rev A: Landscape planting plan
Dwg No: 704-AP-0110 rev C: Proposed Lower Ground Floor Plan
Dwg No: 704-AP-0111 rev C: Proposed Upper Ground Floor plan
Dwg No:704-AP-0112 rev B: Proposed 1st floor plan
Dwg No: 704-AP-0113 rev B: Proposed 2nd and 3rd floor plans.
Dwg No:704-AP-0114 rev B: Proposed 4th Floor Plan
Dwg No: 704-AP-0115 rev B: Proposed 5th Floor plan
Dwg No: 704-AP-0116 rev B Proposed 6th Floor plan
Dwg No: 704-AP-0117 rev B: Proposed roof plan

Reason: In order to define the permission.

- 3 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.

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.

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

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

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

- (a) Eaves
- (b) All Fenestration details (including window recesses).
- (d) Doors (including recesses)
- (e) louvers
- (f) Entrance gates
- (g) Shop/office fronts
- (h) metal door/screens
- (i) Parapets
- (j) Typical elevation sections
- (k) Horizontal precast concrete trim

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

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

- 7 Before the development is commenced, or 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.

- 8 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.

- 9 The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

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

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

- 11 The surface water discharge from the site is subject to a reduction of at least 30% compared to the existing peak flow. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres per second per hectare is required, or 5l/s in total if the site is smaller than 1 hectare. The detailed proposals for s.w. disposal, including calculations to demonstrate the reduction, must be submitted and approved by the Local Planning Authority prior to commencement of building

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

- 12 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the development can be properly drained.

- 13 There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

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

- 14 Prior to the commencement of development details of the provision (including specification, design and location) of 10 bird and 5 bat boxes on site shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the bird and bat boxes shall be installed in accordance with the approved details prior to the occupation of the development.

Reason: In the interests of biodiversity.

- 15 No development shall commence until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on site and a report submitted to and approved in writing by the Local Planning Authority. In the event that site investigations confirm the need for remedial works to treat areas of shallow mine workings details of the remedial works shall also be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

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

- 16 The residential accommodation hereby permitted shall not be occupied unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:
A) Be based on the findings of the noise survey by S & D Garritt dated 17th December 2013, and be capable of achieving the following noise levels:

Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours),

Living Rooms: Noise Rating Curve NR35 (0700 to 2300 hours),

(Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 kHz to 8 kHz),

B) include a system of alternative acoustically treated mechanical ventilation to all habitable rooms details of which shall be submitted for approval by the Local Planning Authority prior to installation.

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

- 17 Before the use of the development is commenced, a Validation Test of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Test 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 attenuation works thus far approved, a further scheme of sound attenuation 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.

- 18 The development shall not be occupied unless the following glazing specification: 10.8mm-16mm gap-8mm glass (or equivalent) has been installed to all bedroom and living accommodation facing Matilda Street, Eyre Lane and Arundel Street.

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

- 19 Any buildings to be used for A3/A4 purposes hereby permitted shall not be brought into use, until a scheme for the installation of equipment to control the emission of fumes and odours from the premises has been submitted to and approved in writing by the Local Planning Authority. Thereafter the system shall be installed and retained in accordance with the approved details. After installation, such equipment shall be retained, operated and maintained for the purpose for which it was installed.

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

- 20 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 have first been submitted to and approved by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority.

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

- 21 Any buildings to be used for Use Class A3/A4, shall only be used between 0800 hours and 2330 hours, Mondays to Saturdays, and 0800 hours and 2300 hours on Sundays and Public Holidays.

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

- 22 Deliveries to the A3/A4 uses shall be restricted to between 0800 hours and 2100 hours Monday to Saturday, and no deliveries on Sundays and Public Holidays.

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

- 23 No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins associated with the B1/A1/A2/A3/A4 uses shall be carried on outside the building within the site of the development between 2300 hours and 0800 hours Monday to Saturday and between 2300 hours and 0900 hours on Sundays and Public Holidays.

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

- 24 No live music or amplified sound shall be played within any part of the buildings to be used for A3/A4 uses unless a scheme of sound attenuation works has been installed and thereafter retained. Such 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 building to the street to levels not exceeding:
 - (i) the background noise levels by more than 3 dB(A) when measured as a 15 minute Laeq,
 - (ii) any octave band centre frequency by more than 3 db when measured as a 15 minute linear Leq.

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.

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

- 25 Plant and equipment shall be designed to ensure noise levels do not exceed 10dBA (LA90) below background noise levels when measured at the site boundary.

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

- 26 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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

- 27 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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 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 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 or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 30 Before the development is commenced full details of the proposed refuse and recycling storage facilities to be provided to serve the development shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include a method statement indicating how the facilities will be managed and serviced and how occupiers of the proposed development will be encouraged to maximise the use of the proposed recycling facilities to reduce general waste arising. Prior to the occupation of the proposed development the approved facilities shall have been implemented in conjunction with the approved method statement and shall thereafter be retained.

Reason: In order to ensure that proper provision for refuse is made and to encourage the maximum use of recycling in the interests of protecting the environment.

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

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

- 32 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how the following will be provided:
- a minimum of 10% of the predicted energy needs of the of the completed development being obtained from decentralised and renewable or low carbon energy;

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 33 Before any of the ground floor use class A1/A2/A3/A4/B1 become operational, full details of the proposed servicing arrangements (particularly the hours of servicing) shall have been submitted to and approved in writing by the Local Planning Authority, and thereafter adhered to.

Reason: To ensure access is available at all times.

- 34 Prior to the commencement of the development, or 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/or Core Strategy) Policies.

- 35 Prior to any works commencing on site, full details of the following shall have been submitted to and approved in writing by the Local Planning Authority, and the construction works shall only be progressed in accordance with the approved details:
- Construction method statement.
 - Any temporary site access for construction traffic.
 - Location of site compound and temporary car parking arrangements for contractors.
 - Haulage routes.
 - Any times when construction works and movement of construction traffic will be restricted.

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

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

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

- 37 The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

- 38 The development shall not be used unless the cycle parking accommodation for the development 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, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies.

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

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

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

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

- 41 The development shall not be begun until improvements to the highways listed below have either:
- a) been carried out (details of which shall have been given prior approval by the Local Planning Authority), or
 - b) arrangements have been entered into to ensure the works are implemented before any of the apartments are occupied.

Highway Improvements:

- New street lighting scheme round the perimeter of the development site, specification/design to be agreed (to give best fit with windows/doors).

- Re-construction of the footways abutting the development site frontage along Eyre Lane, Matilda Street and Arundel Street (rationalisation of the highway boundary round the perimeter of the development site, offering the potential for Section 38 Adoption up to the footprint) all in accordance with the palette of materials stipulated in the Sheffield City Centre Urban Design Compendium, Secondary Zone.

- Review/promotion of Traffic Regulation Orders in the vicinity of the development site that might be desirable as a consequence of development (waiting/loading restrictions) entailing advertising, making and implementing the Traffic Regulation Order subject to usual procedures (including provision and installation of regulatory traffic signs and road markings in accordance with traffic signs, Regulations and General Directions 2002).

- A review of tactile paving and lowered kerb locations in the vicinity of the development site (and provision of new facilities where necessary) to assist pedestrians crossing the road and to fit with new pedestrian desire lines created by the development.

- Any other accommodation works to traffic signs, road markings, lighting columns, and general street furniture necessary as a consequence of development.

Reason: In the interests of traffic safety and the amenities of the locality, in the interests of the safety of road users, and pedestrian safety.

- 42 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.

- 43 Prior to occupation of the student accommodation, details of a management plan relating to beginning and end of term arrivals and departures shall have been submitted to and approved in writing by the Local Planning Authority, and thereafter adhered to.

Reason: In the interests of the amenities of the locality, and traffic and pedestrian safety.

- 44 No window/door/gate shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

Attention is drawn to the following directives:

1. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
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 and application forms on the Council website. 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. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
5. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

6. For advice on the preparation of Travel Plans, contact Paul Sullivan (0114 205 3073) SCC Travel Plan Officer.
7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Engineers in their document "Guidance Notes for the Reduction of Light Pollution". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Engineers, telephone number (01788) 576492 and fax number (01788) 540145.
8. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:

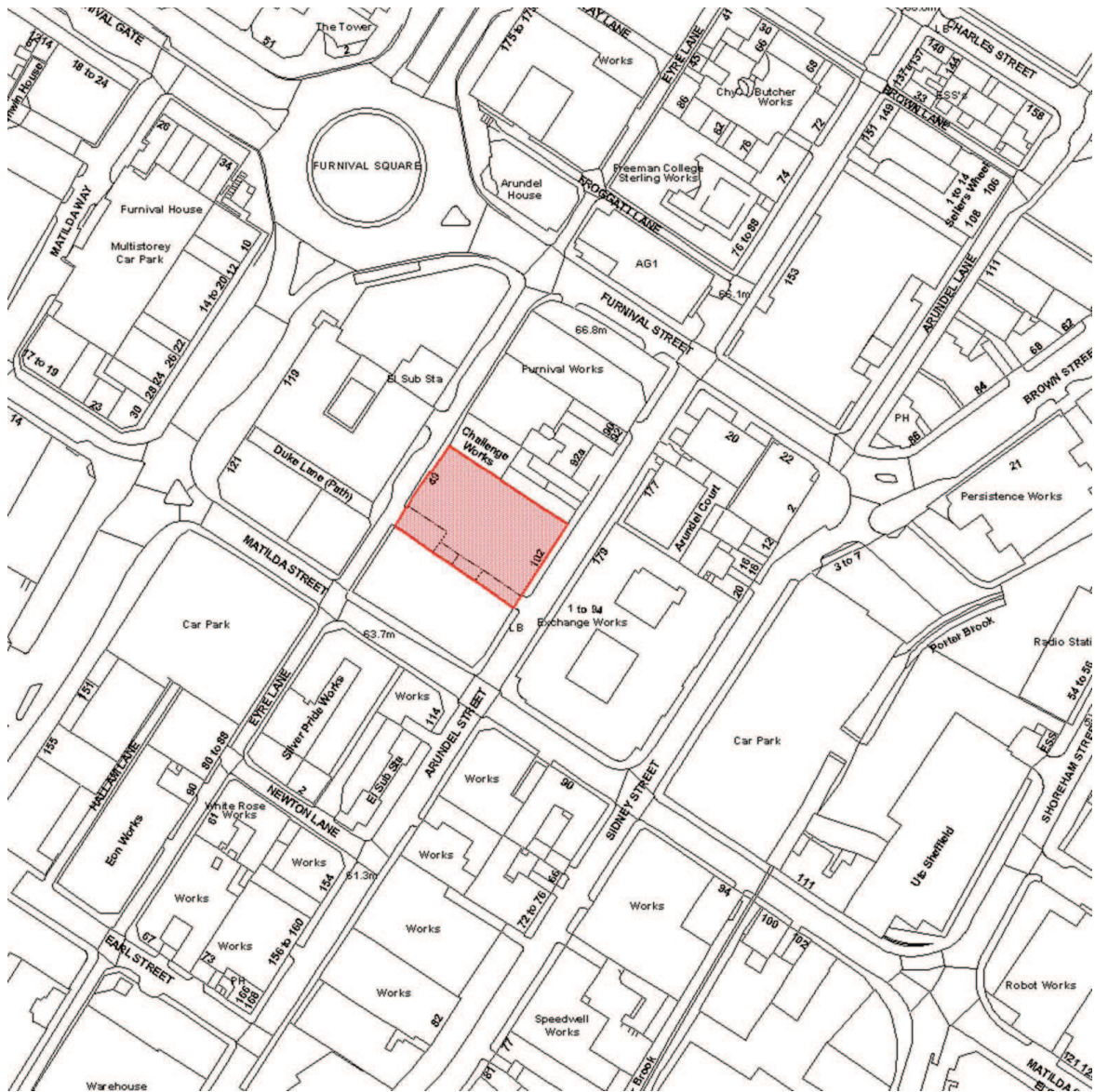
- (a) limited/no car parking provision is available on site for occupiers of the building,
- (b) resident's car parking permits will not be provided by the Council for any person living in the building.

9. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

10. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Site Location



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LOCATION AND PROPOSAL

This application relates to 00.23 Hectares of land within the Cultural Industries Quarter (CIQ) of the City and comprises of the cleared former Gatecrasher Nightclub site and an adjoining vacant industrial building. The application site is located between Arundel Lane, Eyre Lane and Matilda Street.

Following a fire at the former Gatecrasher nightclub, the western part of the application site was cleared of buildings and is currently enclosed with site hoardings. The eastern part of the site comprises of the MM Bells building which is a two storey former industrial/storage building which has remained largely vacant and underused for a number of years.

This application seeks permission to demolish the remaining MM Bells building and erect a 5/6/7 storey building comprising of 38 cluster flats and 90 studio flats, ground floor flexible use space to be used for either Office (use class B1), retail (use class A1), financial and professional services (use class A2) or food and drink purposes (use class A3/A4/A5) with a central courtyard space for the use of residents.

The application site is located in a Fringe Industry and Business Area and the Cultural Industries Quarter Conservation Area as defined in the adopted Sheffield Unitary Development Plan and within the Cultural Industries Quarter Action Plan Area.

RELEVANT PLANNING HISTORY

07/02551/CAC - Demolition of fire damaged building (Retrospective Application) - Granted Conditionally

SUMMARY OF REPRESENTATIONS

No letters of representation have been received.

PLANNING ASSESSMENT

Policy Issues/Land Use

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The key goal 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.

Within the Sheffield Adopted Unitary Development Plan the application site is designated as a Fringe Industry and Business Area. Policy IB6 of the UDP relates to development in such areas and advises that whilst Business (Use Class B1), General Industry (B2) and Warehousing (B8) uses are preferred, a range of other uses including small shops (A1), food and drink (A3), leisure and recreation (D2) and housing (C3) may also be considered acceptable.

Policy IB9 of the UDP seeks to limit development that would prejudice the dominance of business and industry in an area, and determines that residents should not be made to suffer unacceptable living conditions by way of noise, air pollution, or ground contamination. The intention of Policy IB9 is to ensure that existing employment areas continue to provide employment and confirms that in industry and business areas, the preferred uses should effectively remain dominant. However, many of the referred B1/B2/B8 uses are no longer considered appropriate in this area following the adoption of the Core Strategy (CS) which takes into account up-to-date national planning policy guidance. Specifically policy CS6(f) identifies the CIQ as no longer suitable for manufacturing, as such the loss of existing industrial space is not considered contrary to policy.

Policy CS3 and CS4 of the CS advises that new office development should take place in key locations in the City Centre and other accessible edge of centre locations. Whilst the policy does not identify the application site as one of these key locations it does note that significant amounts of new office floor space will be allowed in other areas of the City Centre, including development as part of mixed schemes. This proposal includes ground floor flexible uses space, which could be used for B1 office space. The site is in a highly sustainable location and as such is considered to comply with Policies CS3 and CS4.

Policy CS17 of the Core Strategy relates to the City Centre Quarters and advises, with specific regard to the Cultural Industries Quarter, that the area is suitable for a wide mix of uses and is to be established as the main location for the city's creative and digital industries, as one of the key growth clusters for the economy of the City Region. The proposed development is considered to comply with this approach in terms of delivering ground floor flexible use space that could contribute to the City's creative and digital industries.

With regard to the provision of class A uses within the scheme, such uses are considered town centre uses. However in this case the site is highly accessible by a choice of means of transport and is located in very close proximity to the city centre itself. It is considered that any proposals for A class uses are likely to supplement and service the proposed residential accommodation above, and in the vicinity and have minimal effect on the vitality and viability of the city centre.

Policy CS27 of the Core Strategy relates to housing in the city centre and advises that a further expansion of City Centre living with a mix of tenures and sizes of unit will form part of a mix of uses within the CIQ. The proposal incorporates a mix of residential flats, which could be used for student or private occupation as well as cluster flats which are specially targeted at the student market. As such the proposal is considered to comply with Policy CS27.

Student Housing

With specific regard to the proposed provision of student housing in this location, a key consideration is Policy CS41 of the Core Strategy, which relates to creating mixed communities. The supporting text to this policy advises that the objectives of Policy CS41 (d) in relation to student housing will be achieved by limiting the forms of housing types where more than 20% of residences within 200 metres of

the application site are shared housing. In this instance, the site falls within an area where there is already a high concentration of shared housing and taking account of existing residences and committed schemes on adjoining sites the existing concentration of shared housing within 200 m of site is 27% and would rise to 28% as a result of the proposed development. This concentration of shared housing is contrary to Policy CS41 (d), however it is not considered to be such a significant increase to amount to a departure from the CS.

It is noted that the site is located in close proximity to the Sheffield Hallam University campus and as such may prove to be a convenient sustainable choice for student housing. The scheme includes a mix of one bed studios which could be let to the open market and cluster flats which are only likely to be let to students but could be converted should the market change in the future. The scheme will secure the redevelopment of a vacant site and buildings which are currently considered to detract from the character and appearance of the Conservation Area and will add to the mix of existing accommodation in an area already dominated by shared housing by introducing some studio accommodation. As such the proposal is considered acceptable in this particular case in accordance with Policies IB6 and IB9 of the UDP and Policies CS3, CS4, CS17, CS27 and CS41 of the SDF Core Strategy.

Design Issues

Policy CS74 of the CS, which relates to design principles, advises 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. Policy CS74 also advises that any new development should respect the topography of the City, views and vistas and the townscape and landscape character of the particular area with their associated scale, layout, form and building style and materials.

Policy BE5 of the Adopted UDP relates to building design and siting and advises that good design and the use of good quality materials will be expected in all new developments, with new buildings expected to complement the scale form and architectural style of surrounding buildings. It seeks to achieve original architecture and a design on a human scale and for large scale developments materials should be varied and the overall mass of development broken down.

The Cultural Industries Quarter Action Plan identifies the site as being located within the traditional Industry character zone and encourages diversity of design solutions provided the design is of a sufficiently high standard. Building heights should be generally low rise, between 3 and 5 storeys in height with tight street frontages providing strong building lines and effective corners, some extra height may be allowed in the right setting as landmarks and focal points.

The proposed development is orientated around a central courtyard with the buildings arranged as a continuous perimeter block addressing the street frontages of the site. This approach to the layout of the site is considered to reflect the character and traditional pattern and arrangement of buildings in the CIQ. Active frontages in the form of flexible use space and a student common room occupy the entirety of the ground floor street facing elevations which will help to bring some

much needed activity at street level and animate the facades. Entrances to the residential accommodation are located on Arundel Street and Eyre Lane and are framed with concrete with contrasting coloured cladding which is extended over two storeys to give the entrances suitable prominence and legibility.

The building design is contemporary and will be constructed around a concrete frame. A horizontal precast concrete banding is used to express each floor of the building which helps to break down the overall mass of the building. The material palette has been kept to a minimum, the elevations are to be faced in a red and light coloured brick to reflect the traditional and robust character of the conservation area and local built context.

Subtle projections and recesses in the elevation and changes in the colour of the facing brickwork help break up the overall mass of the building and add interest to the elevation. Throughout, the building incorporates large glazed openings creating a vertical emphasis with subtle variation in the detail of glazing system by varying the position of the full height ventilation louvers.

The scheme is well detailed with deep window reveals throughout an ordered vertically proportioned window pattern with enlarged vertically proportioned openings at ground floor which help to define a hierarchy within the elevation. The glazing system has been designed to provide an element of privacy in the residential accommodation with the lower section of the glass obscured which also masks any clutter inside the rooms.

The corner blocks on Matilda Street incorporate projecting concrete fins which help provide some depth and shadowing to the elevation. The design approach creates a well detailed and robust building, which is considered to contribute to the character of the CIQ conservation area. It is concluded that the proposed new development is of a sufficient quality and appropriate architectural merit and therefore accords with Policy BE5 of the UDP and Policy CS74 of the SDF Core Strategy.

Scale and Massing

A key issue in the determination of this application is the proposed scale of development, in particular with regard to the impact of its scale on the street scene, existing buildings and visual amenities of the locality.

With regard to the street scene, the Urban Design Compendium (UDC) identifies that infill developments should respect the character of the quarter and the appropriate scale of development within the CIQ is three to five storeys.

The block fronting Arundel Street steps from 6 storeys on the corner of Matilda Street down to 5 storeys adjacent to Challenge Works in order to minimise the impact of the new building and to create an acceptable relationship to the Grade II Listed Challenge Works. The Eyre Lane elevation follows the same pattern stepping down from the corner of Matilda Street to reflect the scale of a permitted (but not yet constructed) building on the adjoining site.

The elevation fronting Matilda Street is broken into three distinct blocks which step in order to reflect the steeply sloping natural topography of the street reducing in height from 7 storeys at the corner of Eyre Lane to 6 storeys on the corner of Arundel Street. Matilda Street is a relatively busy thoroughfare through the CIQ with wider street proportions and as such it is considered the increased scale of the proposed development would be acceptable. It is acknowledged that the building on the corner of Matilda Street and Eyre Lane is two storey's higher than the guidelines prescribed in the UDC. The 7 storey element is restricted to the corner block. It is felt the additional height in this location just off the ring road, adjacent to the Jury's Inn and other taller permitted schemes immediately adjacent to the application site which front the ring road, the additional height can be accommodated without appearing out of character.

The applicants have produced a series of visuals and views which adequately demonstrate that the building will not be overly prominent or unduly affect long distance views across the site and as such the scale of the proposed is not considered to unacceptably affect the character of the conservation area.

The scale, height and massing of development in relation to the street scene, established built context and adjacent buildings is considered acceptable, and appropriately reflects the established heights and character of the site context. As such the revised scheme is considered to comply with Policy BE5 of the UDP and CS74 of the CS.

Impact on the Conservation Area

The entire site lies within the CIQ Conservation Area and, as such, the proposals must be assessed in terms of their impact on the character of the area. The CIQ Conservation Area Appraisal identifies the site as falling in the Arundel Street Character Area.

Policy BE16 of the Sheffield UDP relates specifically to development in Conservation Areas and advises that permission will only be granted for proposals where they would preserve or enhance the special character or appearance of the Conservation Area. Policy BE17 advises that a high standard of design using traditional materials and a sensitive approach to preserve and enhance the conservation area, and a flexible approach to the layout of buildings and roads will be expected for new buildings, and alterations and extensions to existing buildings. Policy BE1 states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design. The best of Sheffield's buildings will be kept, refurbished and their setting improved.

The applicant has submitted a Heritage Assessment which considers the significance of the CIQ Conservation Area, the contribution existing buildings make to it, and the impact the development will have on the Conservation Area.

In this case the application seeks to demolish the remaining building on site which is a two storey flat roofed former commercial building occupied by MM Bells, the remainder of the site is cleared following the demolition of the fire damaged former Gatecrasher nightclub a number of years ago.

The cleared former gatecrasher site and the MM Bells building are not considered to be of any significant heritage value. The proposed replacement buildings are considered to be of an acceptable scale and appropriate design quality and as such the removal of the existing building and replacement with the proposed development is considered appropriate. The proposed building will repair the existing gap in the street scene with a new building which has continuous built frontages and enclosed private courtyard space behind which is a distinctive character of the conservation area and the scheme

It is also noted that the scheme is to be constructed in traditional brick with deep window reveals, which are characteristic of traditional buildings within the locality of the site.

The closest heritage assets to the site is the grade II listed Challenge Works which is located immediately to the north of the site and comprises of a substantial three storey red brick faced pitched roof building. The scheme has been designed to respect the setting and appearance of the listed building, the scale of the development is reduced to reflect the height and scale of the listed building and it is considered that the development would not have any detrimental impact on the listed building or character of the conservation area.

In light of the above the proposed development is considered to contribute positively to the character and appearance of the conservation area and is therefore considered to comply with Policies BE1, BE5, BE15, BE16 and BE17 of the UDP and Policy CS74 of the CS.

Sustainability

Policies CS63, 64 and 65 of the CS set out the Council's approach to dealing with climate change and sustainability. The supporting text to CS64 advises that to satisfy the policy, all new non-residential developments over 500 square metres should achieve a BREEAM rating of very good (or equivalent) and all residential developments in excess of 5 dwellings must achieve level 3 of the Code for Sustainability Homes guidance. The applicant has submitted a sustainability statement, which confirms that will achieve a 'very good' BREEAM rating, which is consistent with the requirements of Policy CS64.

Policy CS65: Renewable Energy and Carbon Reduction within the CS sets out objectives to support renewable and low carbon energy generation and also to further reduce carbon emissions. Policy CS65 requires, if it is feasible and viable, new developments to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

With regard to the renewable requirements set out in Policy CS65, the sustainability statement advises that a variety of measures have been considered including Solar thermal, photovoltaic, and combined heat and power units, however the preference would be to connect to the Sheffield District Heating System which has infrastructure in the area. Further investigations are required with regard to the

capacity of the district heating system to serve the development as such details will be secured by condition to ensure compliance with Policy CS65.

In addition to the above measures the buildings have also been designed to reduce energy demand from the outset and will include natural ventilation to living spaces, rainwater harvesting will be used to irrigate the landscape areas and the building will incorporate extensive areas of green roof which will contribute to the biodiversity of the area, provide storm water attenuation, and provide improved thermal insulation reducing heat loss, green roofs also contribute towards air quality improvements.

Further to the above the site has other sustainability credentials that promote and encourage sustainable design/living, including the site's highly sustainable central location close to several modes of public transport, shopping facilities and the provision of cycle parking and recycling facilities.

Overall, the proposal is considered to comply with the requirements of Policies CS63, 64 and 65.

Amenities Issues

Policy IB9 of the UDP seeks to ensure that the environment for future residents would be acceptable. The applicant has undertaken a daylight/sunlight analysis of the proposed development to demonstrate that the occupiers would benefit from appropriate natural lighting within the living accommodation.

Whilst there is no recognised conclusive minimum daylight percentage value for a habitable room, there is agreement in best practice publications that less than a 2% average daylight factor will often produce an interior perceived to be dull and that electric lighting will be required for substantial periods of the daylight hours.

A 1% average daylight factor is however endorsed in British standard BS8206. However it is considered that 1% and less will often produce dull spaces and occupants' perception of daylight will be poor except on bright days and Electric supplementary lighting will be required for substantial periods of daylight hours.

BS8206 gives a definition of a minimum acceptable average daylight factor and states, "Even if a predominantly day lit appearance is not required in buildings, it is recommended that the average daylight factor be at least 1% in bedrooms, 1.5% in living rooms and 2% in kitchens..."

The lighting assessment has confirmed that all bedroom and living spaces meet the minimum and in a number of cases significantly exceed the minimum daylight factors.

A landscaped private courtyard has been provided for the use of occupants. The courtyard is considered to be of an appropriate size for the scale of the development and will provide welcoming and useable space for residents. Light coloured materials will be used on the facing courtyard elevations to help to create a

light and welcoming space and maximise light reflection. Appropriate outlook natural light and privacy is provided for the future residents of the proposed flats.

The impact of the proposal on adjoining properties and permitted schemes has also been considered. The proposed development does not result in any unacceptable overbearing, overshadowing or overlooking of adjoining properties. As such the living conditions of future occupants the proposal are considered acceptable and the proposal complies with Policy IB9.

Noise

The provision of residential accommodation in the CIQ is supported by policies in the CS , and whilst ensuring that the living conditions for future residents is acceptable, there are established commercial/industrial premises in the locality that continue to operate and their operations must not be curtailed by the introduction of new residential uses and populations.

The applicant has undertaken a robust noise assessment, which has identified AK Orme opposite the site on Matilda Street as a source of unrestricted noise that could potentially affect the amenity of future residents. There are established residential developments located in close proximity and extant approvals for new residential developments in the locality, as such it is evident that the area already has been established as having acceptable living conditions for residents. Subject to the installation of appropriate glazing specifications and alternative mechanical ventilation in addition to natural ventilation, future occupants of the proposed development would not suffer unacceptable living conditions in respect of noise.

Highways issues

In policy terms, Policy IB9 of the UDP advises that new development in industry and business areas will be permitted provided that it would be adequately served by public transport and provides safe access to the highway network and appropriate off-street parking.

This is a car-free development with no on-site car parking provision. The site is located within a highly sustainable location as it lies in close proximity to major shopping facilities in the City Centre and high frequency bus routes on Eyre Street and Arundel Gate, which provide links to The University of Sheffield and Sheffield Hallam University campuses as well as other areas of the city.

Given the site's highly sustainable location the lack of on-site parking is considered acceptable. Disabled parking is available on the adjoining highways as is short stay visitor parking.

No alterations are proposed to the layout of the adjoining highways with the exception of removing dropped and returned kerbs from redundant access points. Improvements to the footways adjoining the development sites in accordance with the Urban Design Compendium (UDC) secondary palette standard are required and will be secured by planning condition.

With regard to servicing the proposed flexible use space will be serviced from the adjoining highway which is considered acceptable in this case. In light of the above the proposal is not considered to give rise to any unacceptable highways implications and therefore complies with Policy IB9.

Affordable Housing

The recently updated Interim Planning Guidance: 'Affordable Housing', sets out the requirements for developers to provide or make a contribution towards affordable housing provision as part of schemes comprising 15 dwellings or more (or 60 bedspaces). The expected level of contribution towards affordable housing provision is defined on an area basis, with the city being broken up into 12 distinct zones for the purposes of the policy. The application site lies in the City Centre Zone and in accordance with Policy G2 of the IPG a contribution is not required towards affordable housing in this area.

Open space

Policy H16 of the Unitary Development Plan requires the developer to make a financial contribution towards the provision or enhancement of public open space within a kilometre of the application site.

The City Centre Living Strategy (CCLS) also advises that developers will be expected to make a financial contribution to the City Council towards the provision or enhancement of open space in the city centre, prioritising open space in the same quarter as the development; or provide appropriate publicly accessible open space as part of their development which would complement the city centre open space strategy.

Under the terms of Policy H16 of the UDP and the CCLS an open space contribution of £226,119.99 is required and this will be secured by legal agreement.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments details of which will be secured by planning condition.

SUMMARY AND RECOMMENDATION

This application proposes to clear the former gatecrasher site and adjoining building and erect a new building comprising of ground floor flexible use space with 38 cluster flats and 90 studio flats above.

The principle of a mixed use development comprising of flexible use space (B1 and A class uses), housing and shared housing (sui-generis) is compliant in principle with Policies IB6 and IB9 of the UDP and Policies CS3, CS4, CS17 and CS27 of the Sheffield Development Framework Core Strategy.

It is acknowledged that the application is contrary to Policy CS41(d) of the Core Strategy, which relates to creating mixed communities, which is to be achieved by limiting the forms of housing types where more than 20% of residences within 200 metres of the application site are shared housing. In this instance, within 200m of this site, 27% of residential addresses are currently known to the Council as shared housing such that an addition of 38 student cluster flats would increase this to 28%, which is contrary to Policy CS41(d). However, the location of the site is very close to the Sheffield Hallam University campus and is a sustainable choice for student housing as a result. It is also a viable use in the current market.. It is therefore concluded that there is sufficient justification in this instance to support the principle of development despite being contrary to Policy CS41.

The scale and massing of development has been fully assessed in terms of its impact on the listed building to which it adjoins and the CIQ Conservation Area. The proposal in part exceeds the scale parameters set out in the Urban Design Compendium and conservation area appraisal but the scale of development is considered appropriate for this site, given the established and permitted built context of the site. The proposal responds to the site's topography and steps to respond to the lower scale of existing buildings on adjoining sites. The proposal is not considered to impact on long and medium views within the Conservation Area.

Architecturally, the scheme represents a modern design approach but it is well detailed with full height glazing frames and deep reveals to provide modelling to the main brick elevations. The predominant use of traditional materials with feature concrete banding between floors and vertical concrete fin details on the corner elements of the scheme delivers an elegant high-quality scheme, which will redevelop this vacant derelict site within the CIQ conservation area

Commercial uses (class A and B1) at ground floor level will animate the street scene and are considered to contribute to the vitality and viability of the CIQ. The lack of parking provision is not deemed unduly problematic in this highly accessible location.

The proposal is not considered to give rise to any amenity issues for neighbouring properties or future residents. Subject to the imposition of conditions an appropriate noise environment can be provided for residents. An enclosed private courtyard space is provided for the use of residents which is well detailed and proportioned.

Finally, with regard to sustainability the applicant has confirmed a commitment to achieve a BREEAM rating of 'Very Good' and will also be able to secure a reduction in carbon dioxide emissions and the use of decentralised low carbon or renewable sources of energy.

In conclusion, the application is considered to comply with relevant national and local planning policy and is recommended for approval subject to conditions.

HEADS OF TERMS

The owner shall pay to the Council upon the commencement of development the total sum of £226,119.99 towards the provision or enhancement of open space in the locality of the site within the City Centre in accordance with adopted planning policy.

Case Number 14/00543/OUT (Formerly PP-03197838)

Application Type Outline Planning Application

Proposal Demolition of dwellinghouse and erection of 10 apartments with associated car parking accommodation (amended plans) - Layout and floor plans received on 16/05/2014, amended elevations and car park tracking information received on 16/06/2014

Location 3 Ryecroft Glen Road Sheffield S17 3NG

Date Received 18/02/2014

Team South

Applicant/Agent DLP Planning Ltd

Recommendation Grant Conditionally Legal Agreement

Subject to:

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

Drawing numbers:

RG(02)01B

RG(02)02B

RG(00)02B

And Sketch Elevations received on 16/06/2014

Reason: In order to define the permission.

- 2 The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) appearance, and (b) landscaping (matters reserved by the permission) shall have been obtained from the Local Planning Authority.

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

- 3 Application for approval in respect of any matter reserved by this permission must be made not later than the expiration of three years from the date of this decision.

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

- 4 The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

- 5 Before any work on site is commenced, a comprehensive and detailed hard and soft landscape scheme for the site shall have been submitted to and approved by the Local Planning Authority. The landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first agreed in writing with the Local Planning Authority. Thereafter the landscaped areas shall be retained and shall not be used for any other purpose without the prior consent of the Local Planning Authority. They shall be cultivated and maintained for a period of five years from the date of implementation and any plant failures within that five year period shall be replaced.

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

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

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

- 7 The surface water discharge from the site is subject to a reduction of at least 30% compared to the existing peak flow and that the detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted and approved by the Local Planning Authority prior to commencement of building. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare is required.

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

- 8 Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

- 9 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

Reason: To ensure satisfactory drainage arrangements.

- 10 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements.

- 11 The apartments shall not be used unless the car parking accommodation for 24 vehicles 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.

- 12 The apartments shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of vehicular access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

- 13 No gate shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

- 14 The apartments shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

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

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

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

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

- 17 Before the development is commenced, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the apartments shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

- 18 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 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.

- 19 Unless it can be shown not to be feasible and viable, each reserved matters application for a new building shall be accompanied by a report which shall be submitted to and approved by the Local Planning Authority identifying the strategy for providing:

a) a minimum of 10% of the predicted energy needs from decentralised and renewable or low carbon energy

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

This condition shall not preclude an agreement being reached with the Council for a contribution towards an off-site carbon reduction scheme if it is

demonstrated that it is not feasible to generate renewable or low carbon energy on site.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 20 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the proposed recycling facilities for users shall be provided. This shall include the details of how bin storage on site will include separate storage for recyclable materials on site including paper and plastic/metal storage.

The details shall be submitted to and approved in writing by the Local Planning Authority, provided and thereafter retained in accordance with the approved scheme.

Reason: In the interests of sustainable development.

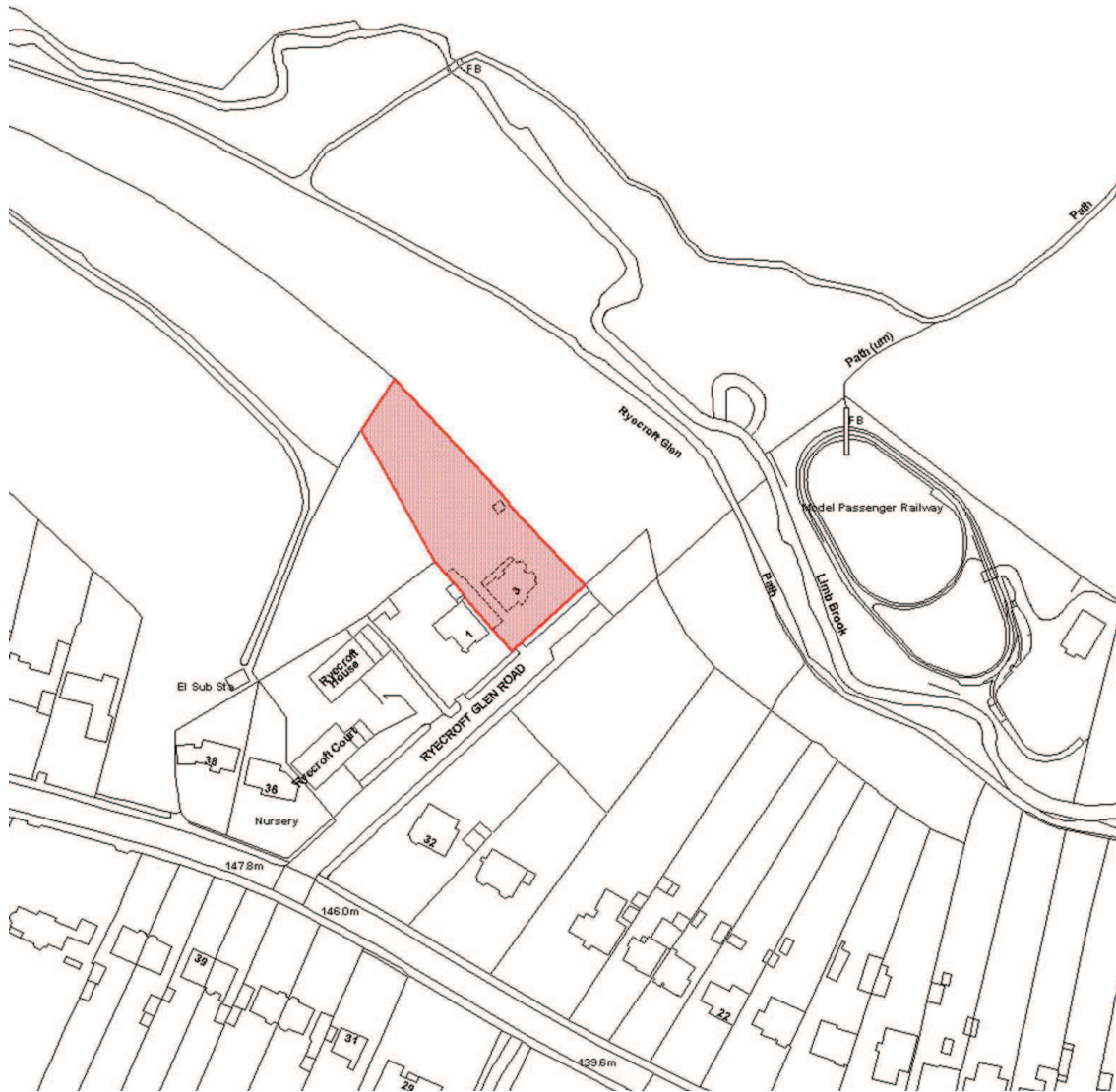
Attention is drawn to the following directives:

1. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.
2. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

3. The applicant should be aware that a legal agreement has been completed in respect of this proposal.

Site Location



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LOCATION AND PROPOSAL

The application relates to a dwellinghouse situated at the end of a short row of properties on Ryecroft Glen Road, a small unadopted cul-de-sac off Dore Road. The site is bordered by Ecclesall Woods to the North East, and residential property towards the South West. The existing property is a dormer style bungalow, with significant side extensions, including a two-storey flat roofed side extension. The properties in the street differ, with number 1 comprising of a traditional Victorian/Edwardian villa style property, and properties to the South West of this consisting of two blocks of apartments set within established landscaped grounds. Both these neighbours benefit from boundary walls and soft landscaping, whilst the existing property has a more open frontage, with a large lawn helping to soften its appearance.

The wider local neighbourhood is characterised by detached and semi-detached dwellinghouses fronting Dore Road. Several of these properties are large, and are set within generous grounds. The widest two-storey frontages tend to be just under 20m, with the widest frontages in the immediate vicinity being the apartments on Ryecroft Glen Road, which are approximately 19m in width.

This application is for outline consent to demolish the existing building and to erect a three/four storey building, with basement parking accommodation, to accommodate 10 apartments with 20 parking spaces (17 in undercroft accommodation and 3 on the frontage of the building).

The indicative elevations show that the style of the building would, to a degree, mirror that of the villa at number 1, with an interpretation of the traditional gable elevation seen on this dwellinghouse. The front elevation of the building would contain the main pedestrian access, with a front landscaped area and new stone boundary wall, whilst the vehicular access is proposed to travel to the side of the building to an undercroft area accessed upon the side elevation.

Accommodation on the floors above would, for each flat, feature open plan living room/dining room/kitchen spaces, two double bedrooms, and the incorporation of small balconies. A rear 'garden flat' would be accessed independently, and would be sunken into the garden level.

The scheme is outline and seeks consent only for matters of layout, scale and access – with the issues of landscaping and appearance being reserved.

The plans being considered are those received on 16/06/2014.

RELEVANT PLANNING HISTORY

There is previous outline consent for the demolition of the property and erection of two detached houses under reference 12/00518/OUT, granted conditional planning permission on 30/07/2012.

SUMMARY OF REPRESENTATIONS

Original Proposal

Representations have been received from 26 different addresses. The following objections have been made with regards to the application:

Design and Character Issues:

The size of the development is excessive.

The plot of land is too small to accommodate the development.

The building will be out of character with the streetscene and the neighbouring dwellinghouse.

The development is too close to the side of 1 Ryecroft Glen Road.

The proposed development would be out of character with views from the adjoining woods.

Two dwellinghouses as opposed to flats would be more appropriate for the character of the area.

Highway Issues:

The proposal will lead to excessive traffic.

The proposal will result in excessive on-street parking.

Additional traffic using the road will result in damage to the unadopted road.

The road is already heavily used by walkers in Ecclesall Woods as a pedestrian route and also for parking, and traffic and parking caused by the development will add to congestion and conflict between users.

Residential Amenity Issues:

The proposal will invade the privacy of the immediate neighbours.

The proposal will overbear neighbouring property.

Noise from traffic and additional residents will be unacceptable.

The proposal will reduce light to the stairway, landing, hallway, bathroom and kitchen windows on the side elevation of 1 Ryecroft Glen Road.

Other Issues:

The proposal will adversely affect wildlife in the neighbouring woodland.

Non Planning Issues:

Representations have also been made that are not material considerations with regards to this application. One comment is that the Council should adopt the road. Although the issue of the condition of the road is a material consideration, the adoption of the road is a complex issue that involves the civil agreement of other owners, and is outside the remit of the controls of the Planning Authority. A second comment is with regards to the motives of the developers, which is not a planning issue. A final comment questions the plans stating that they show 12 flats. It is understood that this is likely a confusion caused by the fact that two apartments are duplex – and the proposal has always been for 10 flats in its original submission.

An objection has also been received by Cllr Colin Ross, raising the following issues:

The development is out of scale with neighbouring property, and will be contrary to CS31 from the Sheffield Core Strategy.

The development will result in privacy issues and a loss of light for neighbours, contrary to UDP policy H14.

The visual impact of the development will impact upon the sensitive site of Ecclesall Woods.

The proposal will result in increased traffic on the road, which will impact upon the fabric of the un-adopted route.

On-site parking may be inadequate.

First Amended Proposal

Following the re-notification of neighbours to amended plans on 16/05/2014 (plans received on 01/05/2014), 8 representations have been made making the following comments:

The proposal will add to traffic levels on a dilapidated road.

The road cannot support additional traffic levels.

There is no provision to make improvements to the road.

The basement accommodation will not be used by residents and occupants will prefer to park above ground, creating traffic problems.

The TRICS data analysis of traffic movement to and from the property is inaccurate as it does not take into account visitors, tradesmen and presumes each family will make one journey per day.

The development remains out of character with the neighbourhood.

The development will overlook neighbouring property.

The amendments are cosmetic only.

Second Amended Proposal

Further amendments were received on 16th June 2014. Neighbours were re-notified of this on 26th June 2014. At the time of drafting this report, no further representations have been received. Any representations that are received prior to the Planning Committee meeting will be reported in a Supplementary Report.

PLANNING ASSESSMENT

Policy

The National Planning Policy Framework (NPPF) has replaced previous national planning guidance and the following paragraphs are relevant in terms of overall principle:

The key principle enshrined in the document is a presumption in favour of sustainable development.

At Paragraph 11: Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

At Paragraph 19 states:

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth...Therefore significant weight should be placed on the need to support economic growth through the planning system.

At Paragraph 58 states:

Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area.

Planning policies and decisions should aim to ensure that developments:

- 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;
- optimise the potential of the site to accommodate development
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- and are visually attractive as a result of good architecture and appropriate landscaping.

At Paragraph 47 states:

To boost significantly the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to

provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

At Paragraph 49 states:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The site lies within a Housing Area as defined in the adopted Unitary Development Plan (UDP). The Housing designation is retained in the Sheffield Local Plan (SLP) Proposals Map. The site is also located within an Area of Special Character. The most relevant UDP and SLP Core Strategy policies are:

H5 (Flats, Bed-Sitters and Shared Housing)
H7 (Mobility Housing)
H10 (Development in Housing Areas)
H14 (Conditions on Development in Housing Areas)
H15 (Design of New Housing Developments)
H16 (Open Space in New Housing Developments)
BE5 (Building Design and Siting)
BE18 (Development in Areas of Special Character)
CS23 (Locations for New Housing)
CS24 (Maximising the Use of Previously Developed Land for New Housing)
CS26 (Efficient Use of Housing Land and Accessibility)
CS31 (Housing in the South West)
CS41 (Creating Mixed Communities)
CS63 (Responses to Climate Change)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS65 (Renewable Energy and Carbon Reduction)
CS74 (Design Principles)

The Supplementary Planning Guidance "Designing House Extensions" provides guidelines for protecting residential amenity. Whilst not relating specifically to new build schemes the guiding principles are considered relevant.

The South Yorkshire Residential Design Guide, whilst not formally adopted by Sheffield City Council, offers guiding principles with regard to design, layout and space about dwelling standards for new build residential proposals.

Principle, Density and Mix

Housing is the preferred land use in accordance with Policy H10 (Development in Housing Areas).

H5 'Flats, Bedsitters and Shared Housing' states:

Planning permission 'will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if:

- a) a concentration of these uses would not cause serious nuisance to existing residents

The proposal is for a limited number of two bedroom self-contained flats for sale or let and, as such, there is no reason to believe that their introduction would cause serious nuisance to existing residents. The immediate area surrounding the application site does not contain a significant concentration of flats, bedsitters or shared homes, with houses dominating the local community. The proposal is considered acceptable in respect of Policy H5 (a)

Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposals are in accordance with these policies.

Policy CS26 specifies density ranges for new housing developments. Subject to protecting the character of an area, the policy advises a density of between 30 to 50 dwellings per hectare for 'remaining parts of the urban area' – as defined by the Core Strategy (land within the Urban Area not near to the City Centre, District Centres or high-frequency transport routes).

The density of units on the same side as the subject site on Ryecroft Glen Road (the apartments and number 1) is 29 units per hectare. The existing apartments alone have a density of 58 units per hectare.

The proposals represent a density of approximately 50 units per hectare, but at 100 units per hectare when the sections of land in the Green Belt are taken into account and excluded from the area (as new development here is contrary to policy, such as GE3). The Green Belt designation concerns the back section of the garden, whereby the front section (where the development is located) is within a designated Housing Area.

This figure can be considered to be inflated to a degree by the form of development (2 bedroom flats) which obviously accommodates more units in a smaller space than traditional housing and proposals have been approved in the past with densities exceeding stipulated densities.

Such examples of greater density above 50 dwellings per hectare in such areas have only been approved where it was considered that the scheme represented good design, respected the character of the area and could be considered to be in keeping with the established overall grain of the built environment in the locality.

In the case of this development, the mass of the building itself as seen in amended plans received on 16/06/2014 is not considered to be overly large or excessive. The visible element of the development will be seen principally from Ryecroft Glen Road. The width of the frontage, at 20m, is not excessive when viewed in context with the massing of some of the larger detached dwellings within the local area, including a development of circa 1970's housing on Ryecroft Glen Road within 25 metres of the site. Although the building will project significantly to the rear, these elements are set in from the side elevations, and the furthest extent is set down

from the main building, sunken into the garden. Visually, therefore, the impact of the size of the building as shown on the indicative plans does not constitute overdevelopment.

The built form of the proposed development will take up 22% of the entire plot area, which is comparable to the existing apartments on Ryecroft Glen Road, which occupy 30% of the plot size, and 36 and 38 Dore Road (which lie next to the access to Ryecroft Glen Road), which have a built area that occupies 15% and 20% of their plot sizes respectively.

The proposals provide a single house type (2 bedroom flats). There is no policy requirement for mixed house types in this scale of development and the development does add a new housing type in an area where larger residential houses predominate. The provision of flats will support the overall aims of the policy and in these respects, there is no conflict with Policy CS41.

Housing Supply

Housing Supply, and 'Sustainable Development'

The NPPF at paragraph 49 states:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The proposal would undoubtedly contribute towards housing supply as set out in Core Strategy Policy CS22.

Paragraph 14 of the NPPF states that planning permission should be granted in such circumstances unless the adverse impacts of doing so clearly outweigh the benefits.

There is currently a shortfall in the supply of deliverable sites for housing, and it is accepted that the proposal would make a contribution to housing supply. This is, however, subject to the need to ensure that no unacceptable harm to the character and appearance of the area or other considerations out-weigh the benefits.

Policy CS31 'Housing in the South West' states:

In South-West Sheffield, priority will be given to safeguarding and enhancing its areas of character. The scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport. It continues:

Priority is given to safeguarding and enhancing the character of the south-west because of the concentration of attractive and distinctive neighbourhoods, which are one of the reasons for the strong demand for housing here. This area has a strong concentration of features that are distinctive to Sheffield and which should be safeguarded and enhanced. In recent years there has been a tendency to

increase the volume of housing here through higher densities, including the construction of apartments, but respecting the character of the area means that the density of new developments should be in keeping with it. In many parts of the south-west, such as the Victorian suburbs and other areas with distinctive townscape, this will place significant limits on higher densities.

Design

The National Planning Policy Framework (NPPF) states:

At Paragraph 9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life

Paragraph 17 states that decisions should:

Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

Paragraph 58 states:

Planning policies and decisions should aim to ensure that developments function well and add to the overall quality of the area, and respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture and appropriate landscaping.

At paragraph 59 it continues:

...design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Further, at paragraph 60 it states:

Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. Relevant policies in the Sheffield Unitary Development Plan are

Policy BE5 'Building Design and Siting' states:

(a) original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings;

Policy BE 18 'Development in Areas of Special Character' states:

In Areas of Special Character the following will be expected:

(c) new development which respects the appearance and character of the Area.

Policy H5 'Flats, Bedsitters and Shared Housing' states:

Planning permission 'will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if:

(a) a concentration of these uses would not cause serious nuisance to existing residents; and

(b) living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours; and

(c) there would be appropriate off-street car parking for the needs of the people living there.

Policy H14 Conditions on development in Housing Areas' states:
In Housing Areas, new development or change of use will be permitted provided that:

- (a) new buildings and extensions are well designed and would be in scale and character with neighbouring buildings; and
- (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;

H15 'Design of new Housing Developments' states:

The design of new housing developments and residential institutions will be expected 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 that 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

In addition Policy CS74 'Design Principles' of the Sheffield Core Strategy applies which states:

High-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods

Attention is also given with CS31 and the design requirements summarised in the section above.

Design matters are reserved as part of the outline application. However, there are crucial issues with regards to the access arrangements and massing of the development that will have an impact on the final design of the development. This necessitates consideration to be made of the visual impact of the access arrangements and parking provision.

In terms of the front elevation taken in isolation, the overall scale and massing of the proposal is not dissimilar to the height of the neighbouring Victorian/Edwardian villa at 1 Ryecroft Glen Road. The massing of the proposed building shows a width that will be in scale with the width of larger properties in the local vicinity, being only 2m wider than existing flats on Ryecroft Glen Road and of a similar width to wider houses on Dore Road, which extend up to approximately 20m in width. The proposal indicates two prominent gables with a central element set back, which helps to break down the massing of the building from the streetscene.

The rear elevation is not prominent, and the set in from the site curtilages will reduce its impact by making it more subservient to the main building. It is noted that the scheme is outline, and consent is for massing as opposed to design. In this vein, the general massing is considered appropriate. However, the indicative

design includes a large flat roof area which is at odds with the roof forms in the locality. As such, the applicant is to be reminded, via a directive, that a better designed roof form will be expected during the submission of details for reserved matters.

Ryecroft Glen Road features a relatively fragmented set of buildings with regards to design and massing. However, looking at the massing in relation to the two neighbours to the South, the new build will not be unduly out of character with the setting of its neighbours in the immediate streetscene.

Measures to add significant levels of parking on the development for the apartments have led to issues in the originally submitted scheme and the first set of amendments, where the placement of spaces accessed off the street and significant introduction of hard-standing would have appeared significantly out of character with the streetscene.

The latest amendments have significantly reduced the required levels of surface parking, with the majority of the proposed accommodation proposed within undercroft accommodation. In design terms, this has resulted in a situation where the amount of visible surface parking is equivalent to development in the local area (i.e. large houses), and the access down the side is not dissimilar to how drives intervene with the layout of houses in the locality. The undercroft has resulted in ground floor accommodation at a slightly higher elevation, with the front access relying upon ramps and steps. This height relative to the street is not dissimilar to the arrangements of the apartments already on Ryecroft Road, and the extent of the increase in height from ground level is minor when viewed from the front elevation, with the impact lessened by the proposed front wall.

Given the above it is therefore concluded that the proposal is acceptable in regard of Policies H14, H15, BE5, BE18 and CS74 and paragraphs 9 and 58 of the NPPF

Sustainability, Renewable energy and energy conservation

Policy CS64 would require the development to achieve Code for Sustainable Homes Level 3 as a minimum. CS65 requires the provision of a minimum of 10% of a development's predicted energy needs to be from decentralised and renewable or low carbon energy.

Given that the existing scheme is outline, no precise details of how this will be achieved have been provided.

Such details can be reserved by condition, and also provided during an application for reserved matters. As such, this absence of precise information is not an issue that could lead to a refusal in this instance.

CS64 also requires measures to be taken to promote recycling and to use resources sustainably. As such, a condition will be put in place to require the use of a waste recycling scheme to promote recycling by residents on site. This will ensure an adequate supply of recycling bins for residents on site.

Residential Amenity

Existing residents

Overlooking, overbearing and overshadowing

With regard to H14 (c) and (d) the general principles outlined in Policy H14 are further supported by Supplementary Planning Guidance 'Design of house extensions' (SPG) which lays out good practice guides for new build structures and their relationship to existing houses. Of these the following are particularly relevant:

SPG guideline 5 provides guidelines as to prevent significant overshadowing to neighbouring property, such as a two-storey extension not breaking a 45-degree angle when taken from the main rear windows.

SPG guideline 6 states that dwellings should keep a minimum of 21 metres between facing main windows.

Impact on 1 Ryecroft Glen Road

The position of the new building relative to this neighbour will offer enough of a separation distance to the side to ensure that the loss of light to the main rear windows of this neighbour is not to a significant degree, in accordance with 45-degree sightlines set by SPG guideline 5.

Comment has been made in representations concerning the impact on the side windows of this neighbour. It is noted that the position of the development will result in the formation of a side wall in relatively close proximity to the side windows of this neighbour. However, none of these windows form main habitable windows to main habitable rooms. This reduces the weight given to the protection of these, and it would therefore be very difficult to substantiate a reason for refusal on the basis of loss of light or outlook to these windows, especially in the present context where their outlook relies almost exclusively upon the amenities of the neighbouring dwellinghouse.

The layout of the development does allow for the main outlook of the dwellings to be to the front and rear. There is an opportunity for direct views towards the side windows of 1 Ryecroft Glen Road from the proposed side windows and balconies. However, the imposition of screening that can be reserved by condition in the final details in the reserved matters application would be a simple solution to prevent this.

The basement 'garden flat' offers no significant overshadowing or overlooking issue for number 1 given its elevation relative to the existing boundary treatments.

Oblique views to the sides from the rear windows towards the rear garden of number 1 are unlikely to prove unacceptable given that the windows will be separated from the side curtilage by a reasonable degree.

Properties on Dore Road

Separation distance to the houses on the opposite side of Ryecroft Glen Road (towards the gardens to the rear of houses on Dore Road) would equate to more than 21metres to a field, and 56m over the field to the actual gardens of these properties. This more than satisfies Supplementary Planning Guidance and it is considered that this separation distance to gardens across the public highway and field is acceptable to prevent any significant overlooking.

The same separation distance prevents any overshadowing towards these properties.

Noise and Disturbance

The issue of the apartments causing noise and disturbance for residents has been raised in a representation. In this case, however, there is no specific evidence as to how the use of the site for continued residential use will cause such issues. Although the density of units are higher, the separation distance to neighbouring detached property will prevent direct noise migration.

Increased traffic levels may cause some additional noise. However, the likelihood of an extra 56 car movements per day (extrapolated from the TRICS data submitted by the agent) would not result in the cul-de-sac featuring constant traffic or noise that would cause significant harm to neighbouring living conditions. In the AM and PM peaks, the data suggests less than 6 car movements per hour from a development of the size sought.

Amenity of Future Occupiers

NPPF paragraph 17 (d) states:

Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Outlook

The outlook from main aspect windows facing Ryecroft Glen Road and the rear garden from all the apartments is acceptable.

The outlook from bedroom windows on the side elevations of the apartments is considered acceptable on balance. Although screening on the side elevation of the balconies would likely be required (see above) and would restrict the outlook, the bedrooms served are the second smaller bedroom, and all other parts of the apartments would enjoy unrestricted outlooks.

External Amenity Space

External amenity space for the flats will be provided by the use of private balconies for a number, plus shared access to the large rear garden of the premises. Such accommodation would provide suitable amenity space.

Given the above considerations with regard to the level of amenity afforded future occupiers the scheme is considered acceptable with regards to Policies H5, H14 and to paragraph 17 (d) of the National Planning Policy Framework

Highway Matters

H14 (d) requires the provision of safe access to the highway network and the provision of appropriate off-street parking and for development to not endanger pedestrians. H5 (c) requires flats to provide suitable off-street parking accommodation for the needs of people living there.

The Council's car parking guidelines are that 2 parking spaces are required for each residential unit of 2-3 bedrooms in size. Account of the local area indicates that a parking provision of at least 2 spaces per unit is required given the high car ownership of the local area and distance from high frequency public transport (over 400m walking distance from the closest High Frequency Bus Stop on Dore Road).

Figures from the 2011 census show that, for the area to which the site belongs, 46% of households have 2 cars or vans in their household (figures are taken from the Local Level Super-output Area in the census), compared to a Sheffield and England average of 20% and 25% respectively, whilst the proportion with only one vehicle is 31% compared to 42% in Sheffield and England. This is indicative of the local area, where local income and demographics as well as the relative isolation from local facilities has resulted in a more car-dependant neighbourhood. These figures help to demonstrate the importance of ensuring that there is suitable parking accommodation on site in accordance with the guidelines.

The proposal indicates a provision of 2 parking spaces per unit, with no visitor accommodation. This would be sufficient accommodation. Officers consider that the existing road has capacity for a degree of visitor parking, which by its nature will be temporary and infrequent. The use of the road is not uncommon by walkers to the neighbouring woods (where 1 to 2 cars have been observed during site visits parked on the road). Due to the nature of the road, as a cul-de-sac, such parking does not cause any significant highway danger or hazard.

TRICS data has been submitted by the agent, involving data (from surveys of apartment blocks in suburban areas in England and Wales) from other apartments schemes to calculate the car movements that would be expected. For 10 apartments, the data indicates that 40 car movements would be expected per day. Extrapolating this for 14 apartments shows 56 car movements per day. In terms of the estimates of traffic generated by the proposal, officer's consider that the adjacent highway network is able to accommodate the level indicated by the TRICS data. The data is consistent with the expected use of a residential movement, presuming 4 car movements per apartment per day. As such, the data is considered reliable.

It is noted that the road is unadopted. However, there is no legitimate reason that this alone would offer reason for refusal. The road is wide enough for vehicles to pass, and offers good visibility. As such, there is no highway danger caused by the unadopted nature of the road. As an unadopted public highway the public have the

same rights of access over the road but the responsibility for maintenance (or any liability) lies with the frontage owners.

It is noted that there is no footway on Ryecroft Glen Road, which not ideal from a highways point of view. However, the likely increase in traffic resulting from this development proposal (less than 1 car every 10 minutes, even at peak times) would not result in any serious deterioration in road safety given the infrequent traffic movements that the development could create compared to the existing situation.

Checks have been made upon the turning areas within the under-croft parking area. The majority of spaces (17) would offer suitable turning space for all common vehicles. Additional tracking information has been requested from the agent to demonstrate that the remainder of spaces (7) are suitable. The tracking data provided has used dimensions of a small car (a city car size) to demonstrate that the remainder can be used. The size of vehicle tracked is not ideal. However, it does show that 3 of the 7 spaces can be used with only one single manoeuvre. As such, larger cars would be expected to be able to use these spaces with 2 manoeuvres.

This information still leaves 4 spaces that will only reasonably be used by small city car sized vehicles. Given the nature of the development, it is not considered that this offers significant reason for refusal. Each household typically benefits from 1 large car and a second smaller vehicle. As such, it is highly unlikely that all 14 apartments will consist of households with two large vehicles. By this degree, it would be hard to justify a refusal based on the car parking provision provided and tracking information received.

Mobility Housing

UDP policy H7 requires a minimum of 25% of the units proposed to be suitable as mobility housing. The layout of the scheme is considered to be acceptable in this regard. Lift access will ensure that all the apartments and the upper level of the undercroft parking area (where the disabled spaces are located) enjoy level access. All the apartments will be wheelchair accessible.

Disabled parking spaces comply with guidelines and are considered acceptable specifically with regards to H7.

Open Space

A contribution towards the improvement of local space is required by UDP Policy H16. This states that, for sites of less than one hectare where 5 or more residential units are sought, the developer is expected to make an appropriate contribution to the provision or enhancement of recreation space in the catchment area of the site if provision of recreation space within the catchment area is below the minimum guideline or in need of enhancement. In this case, the amount of informal and formal recreation space within the catchment area (1200m) is 30.36ha and 5.09ha per 1000 people respectively. These are significantly in excess of the 4.3ha and 1.9ha figures within the Supplementary Guidance on 'Open Space

Provision in New Housing Development' (designed to supplement policy H16), and demonstrates that there is no shortage of Open Space within the catchment of the site.

Due to the nature of the development, no contribution is expected towards play facilities, as per the Supplementary Planning Guidance.

Open space in the catchment area is in need of enhancement, however. As such, a sum of £4,171.50 has been agreed as a contribution towards improvements to informal recreation space and youth/adult outdoor sports provision in the locality. A signed section 106 legal agreement has been received to secure this contribution.

Trees in Ecclesall Woods

The site lies next to Ecclesall Woods, which does consist of a range of mature trees. The trees are of visual value, but are not worthy of a Preservation Order.

The development in this case will result in a building footprint that is sufficiently distant from the trees so as to not harm their long term health. Indeed, the footprint will be further away than the existing building.

The latest revisions have reduced the length of hardstanding that lies close to the trees over the original submission. The hardstanding will cover a similar level of ground as per the existing building on site, and as per the approved footprint of houses under 12/00518/OUT. As such, the changes in site conditions caused by this proposed development will not cause any significant damage to the neighbouring trees.

SUMMARY AND RECOMMENDATION

Overall, the principle of housing development is acceptable on this site. Amendments to the layout, massing and car parking arrangements have resulted in a scheme that will not detract from the nature of the streetscene nor cause significant highway hazards or congestion.

Being an outline application, details over the final appearance and landscaping details have yet to be approved (and require a Reserved Matters application). It should be stressed that the appearance of the rear elevation in the approved drawings is unlikely to be acceptable and would require revisions to create a more traditional roof form.

It is therefore considered that the scheme meets the relevant requirements the Unitary Development Plan and Core Strategy listed above and relevant sections of the NPPF.

Accordingly, it is recommended that the application is Granted Conditionally.

Case Number	13/03889/FUL (Formerly PP-03009923)
Application Type	Full Planning Application
Proposal	Demolition of existing building and erection of 13 terraced houses and two-storey retail building with associated external works
Location	Partco Autoparts Markham Works 20 Broadfield Road Sheffield S8 0XJ
Date Received	14/11/2013
Team	South
Applicant/Agent	WMA
Recommendation	GRA GC subject to Legal Agreement

Subject to:

- 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.

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

7260 010 rev P10
7260 100 rev P2
7260 101 rev P2
7260 102 rev P2
7260 103 rev P2
7260 104 rev P2
7260 300 rev P2
7260 301 rev P2
7260 302 rev P2
7260 010 rev P11

Reason: In order to define the permission.

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

approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

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

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

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

- 5 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how the following will be provided:

a) a minimum of 10% of the predicted energy needs of the of the completed development being obtained from decentralised and renewable or low carbon energy;

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. 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, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 6 The retail units shall not be used unless the car parking accommodation for 14 spaces 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.

- 7 The retail units shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

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

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

- 9 Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the retail units shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

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

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

- 11 The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

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

- 12 A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

- 13 The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a

period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

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

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

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

Reason: To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

- 16 The proposed green roof system shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

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

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

- 18 The use of the commercial units shall be in accordance with Class A1 of the Town and Country Planning (Use Classes) Order, 1987, as amended.

Reason: In order to protect the vitality and viability of the shopping area in accordance with Unitary Development Plan (and/or Core Strategy) Policies.

- 19 The retail units shall be used only between the hours of 0730 and 2100 Monday to Saturday and 0900-1600 on Sundays and Bank Holidays.

Reason: In the interests of the amenities of future occupants of the proposed terraced houses

20 No deliveries to the building shall be carried out between the hours of 2100 to 0700 hours (on the following day) Sundays to Fridays and 2300 hours to 0900 hours (on the following day) on Saturdays and the day before a Public Holiday.

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

21 No goods or materials of any description shall be stored or displayed wholly or partly outside the retail units within the site of the development.

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

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwellings shall be constructed without prior planning permission being obtained from the Local Planning Authority.

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

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

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

24 The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

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

- 25 The parking and access roads within the site shall not be used unless the hard surfaced 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.

- 26 The retail unit and mobility housing shall not be used unless the access and facilities for people with disabilities shown on the plans have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

- 27 The retail units shall not be used unless a level threshold has been provided to the entrance thereto in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such level threshold shall be retained.

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

- 28 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 retail building unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered.

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

- 29 The residential accommodation hereby permitted shall not be occupied unless a scheme of sound attenuation works has been installed and thereafter retained. Such 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 achieving the following noise levels:
Bedrooms: LAeq 15 minutes 30 dB (2300 to 0700 hours),
Living Rooms: LAeq 15 minutes 40 dB (0700 to 2300 hours),
- c) Include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound attenuation 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.

- 30 Before the use of the development is commenced, a Validation Test of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Test 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 attenuation works thus far approved, a further scheme of sound attenuation 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.

- 31 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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

- 32 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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 33 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.

- 34 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 or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

- 35 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.

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

Windows
Window reveals
Doors
Eaves

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

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

- 37 No windows serving the retail floor space shall be blocked up, filmed over or otherwise rendered non transparent.

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

- 38 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any

dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 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.

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

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

- 40 No element of the development shall be brought into use unless a Flood Plan including a detailed evacuation procedure and safe exit routes to land within Flood Zone 1 in the event of flooding, has been submitted to and approved in writing by the Local Planning Authority, together with details of arrangements that will ensure that each future resident/retail unit occupant has access to the approved Flood Plan.

Reason: To ensure safe evacuation procedures are in place in the event of flooding.

- 41 Before the retail development is first brought into use details of all external lighting shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter such approved lighting shall be retained and maintained.

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

Attention is drawn to the following directives:

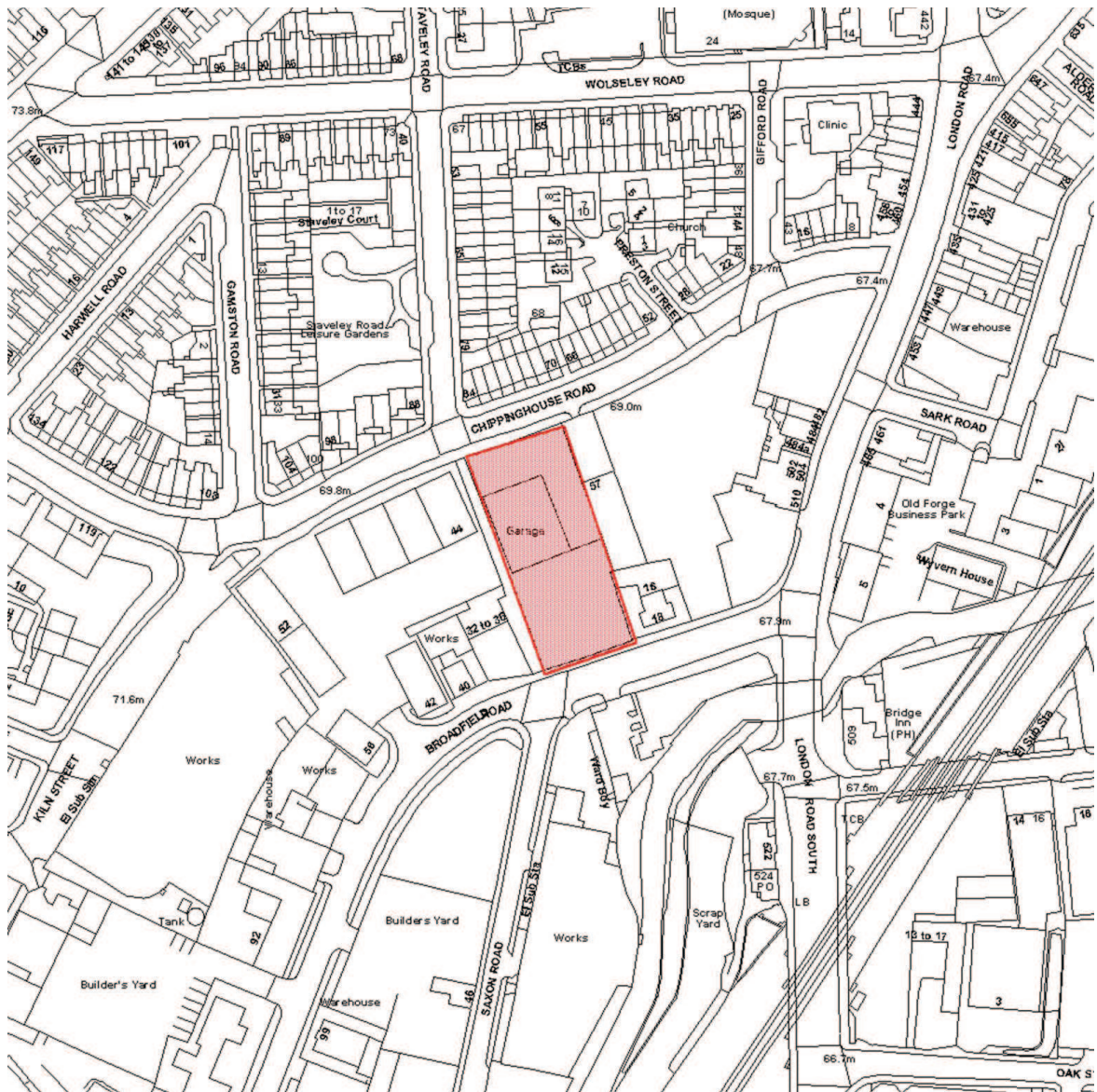
1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Engineers in their document "Guidance Notes for the Reduction of Light Pollution". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Engineers, telephone number (01788) 576492 and fax number (01788) 540145.
2. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a

fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at www.sheffield.gov.uk/planning or apply online at www.planningportal.gov.uk. The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

3. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

Site Location



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LOCATION AND PROPOSAL

The application relates to a parcel of land which was formerly the site of a large retail building serving the motor industry. The buildings footprint was approximately 950 square metres. The balance of the site was given over to tarmacadam hardstanding.

The site occupies an area bounded to the west and east by Chippinghouse Road and Broadfield Road respectively. The street scene of the former is residential on its north side (which is within a Housing Area) but the character on the south side is predominantly commercial and light industrial. The latter is characterised almost exclusively by commercial and light industrial uses.

Immediately adjoining the site to the east is a three storey commercial building (Works 57) which includes small workshops, studios and offices and a complex of older two storey buildings fronting Broadfield Road, these being occupied by an accountancy firm.

Immediately adjoining to the west lies a small estate of commercial/business premises (which are accessed from Broadfield Road and effectively turn their back on Chippinghouse Road) and a repair garage fronting Broadfield Road.

The site is very gently sloping, with a slight fall in levels to the north and east.

A mixed use development is proposed though the two uses proposed would effectively divide the site into two separate parcels rather than representing an intermix of the uses.

The northernmost third of the site would be occupied by seven terraced houses fronting Chippinghouse Road. The terraces would be of traditional appearance, two storeys in height and featuring accommodation in the roof space served by roof lights in both front and rear roof planes. They would be constructed in red brick and have dark grey concrete tile roofs. The rear roof plane would feature solar panels for each terraced property.

The houses would feature small front gardens with longer rear gardens in a pattern of external amenity space that mirrors the layout and character of terraced housing to the north.

Boundary treatments to the back edge of footway on Chippinghouse Road would consist of low brick walls.

The balance of the site would be occupied by a single building, subdivided into three retail units, with ancillary car parking and landscaping.

The building itself would be set back into the site such that its rear elevation bordered the foot of the rear gardens of the proposed terraced housing with its side elevation located along the west boundary of the site (adjacent the pedestrian footway/cycle lane linking Chippinghouse Road and Broadfield Road).

The building would be two storeys in height, constructed in red brick and feature a flat roof most of which would be given over to a sedum roof system. The balance of the flat roof would feature roof lights and solar panels.

Off-street car parking and access/servicing surfaces within the site would wrap around the proposed retail building with 14 off street spaces being provided, the two closest to the front elevation and entrances being disabled spaces.

A discrete pedestrian entrance path would be provided from the footway on Broadfield Road to the main entrances of the three retail units.

RELEVANT PLANNING HISTORY

There is no recent planning history on this site consistent with its former longstanding function as a retail unit.

The existing building was granted permission in 1987 (87/02451/FUL) : Erection of building for servicing and repair of vehicles and retail/trade sales with associated parking spaces).

SUMMARY OF REPRESENTATIONS

There has been one letter of objection received regarding the application. (this letter was received in response to the initially submitted scheme which located the retail unit closer to Broadfield Road and an additional terrace of houses across the middle of the site (running parallel to Chippinghouse/Broadfield Road).

Summary of points raised

The proposal would result in loss of light that would impact on the working environment of users of a neighbouring building (Works 57).

The objector raised concerns about parking provision though these were not specific.

PLANNING ASSESSMENT

Policy

The National Planning Policy Framework (NPPF) has replaced previous national planning guidance and the following paragraphs are relevant in terms of overall principle:

At Paragraph 11: Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

At Paragraph 19 states:

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth...Therefore significant

weight should be placed on the need to support economic growth through the planning system.

At Paragraph 58 states:

Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area.

Planning policies and decisions should aim to ensure that developments:

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;

optimise the potential of the site to accommodate development

respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

and are visually attractive as a result of good architecture and appropriate landscaping.

The site lies within a Housing Area as defined in the adopted Unitary Development Plan (UDP). The Housing designation is retained in the Sheffield Local Plan (SLP) Proposals Map. The site is also located within an Area of Special Character.

The most relevant UDP and SLP Core Strategy policies are:

IB6 (Development in Fringe Industry and Business Areas)
IB9 (Conditions on development in Industry and Business Areas)
IB11 (Housing and Residential Institutions in Industry and Business Areas)
H7 (Mobility Housing)
H15 (Design of New Housing Developments)
H16 (Open Space in New Housing Developments)
BE5 (Building Design and Siting)
BE9 (Design for vehicles)
CS23 (Locations for New Housing)
CS24 (Maximising the Use of Previously Developed Land for New Housing)
CS26 (Efficient Use of Housing Land and Accessibility)
CS41 (Creating Mixed Communities)
CS63 (Responses to Climate Change)
CS64 (Climate Change, Resources and Sustainable Design of Developments)
CS65 (Renewable Energy and Carbon Reduction)
CS74 (Design Principles)

The Supplementary Planning Guidance "Designing House Extensions" provides guidelines for protecting residential amenity. Whilst not relating specifically to new build schemes the guiding principles are considered relevant.

The South Yorkshire Residential Design Guide, whilst not formally adopted by Sheffield City Council, offers excellent guiding principles with regard to design, layout and space about dwelling standards for new build residential proposals.

Principle, Density and Mix

Policy IB6 'Development in Fringe Industry and Business Areas' states:

In Fringe Industry and Business Areas (FIBA's), the following uses will be:

Acceptable

Small shops (A1)
Housing (C3)

Given the above both uses are acceptable in principle within the FIBA since the retail element includes three units each of which has a gross floor area of less than 280 square metres.

Policy IB9 'Conditions on development in Business and Industrial Areas' states:

In Industry and Business Areas, new development or change of use will be permitted provided that it would:

- a) not lead to a concentration of uses which would prejudice the dominance of industry and business in the area

It is not considered that the introduction of 7 dwellings and a retail unit in place of an existing retail unit will alter the balance of uses in the Fringe Industry and Business Area and that consequently the scheme satisfies Policy IB9 (a).

Housing

Policy IB11 'Housing and Residential Institutions in Industry and Business Areas' states:

In Fringe Industry and Business Areas, housing (C3), including redevelopment, will be permitted only where the development would:

- (a) not further constrain industrial or business development to protect the environment of the new housing; and
- (b) be next to an existing residential area; and
- (c) not suffer from unacceptable living conditions, including air pollution, ground contamination, nearby hazardous installations, noise, other nuisance or risk to health and safety

The proposal lies immediately opposite an established residential area on Chippinghouse Road and therefore satisfies criteria (b)

The proposals merit with regard to criteria (a) and (c) will be addressed in the section of the report dealing with Environmental Protection considerations.

Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposals are in accordance with these policies.

Policy CS26 specifies density ranges for new housing developments. Subject to protecting the character of an area, at least 50-80 dwellings per hectare are normally expected in areas within or near to a District Centre.

The proposals represent a density of approximately 31 units per hectare. The traditional housing in the area is typically around 65-85 units per hectare. The proposed density therefore lies below the 50-80 units quoted in Policy CS26 and the density of the surrounding housing, the latter of which partly establishes the context/grain of existing development in the locality.

However, the proposed density is considered to be reduced by the mixed form of development which obviously accommodates additional forms of development on the site.

Taking this factor into consideration and considering the terraced housing element in isolation the density and response to context is welcomed, reinforcing, as it does, the residential character of this part of Chippinghouse Road with a traditional form and design ethos.

This element is therefore felt to respect the character of the area and could be considered to be in keeping with the established overall grain of the built environment in the locality.

In these circumstances, and taking into consideration the highly sustainable location, it is considered that the density achieved indicates an appropriate development of the plot, and represents an appropriate design for the site, a view that will be further examined in detail in the rest of this report. The proposal is therefore considered to satisfy Policy CS26.

The proposals provide a single house type (3 bedroom houses). There is no policy requirement for mixed house types in this scale of development and the area has a good mix of 2, 3, and 4 bedroom properties in housing and flats developments. In these respects, there is no conflict with Policy CS41.

Housing Supply and Mix

The NPPF at paragraph 49 states:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The proposal would undoubtedly contribute towards housing supply as set out in

Core Strategy Policy CS22.

Paragraph 14 of the NPPF states that planning permission should be granted in such circumstances unless the adverse impacts of doing so clearly outweigh the benefits.

Whilst there is currently a shortfall in the supply of deliverable sites for housing, it is not considered that the proposal would make a substantial contribution to housing supply. However, whilst it is considered that limited weight can be afforded this factor it nonetheless represents a positive aspect of the scheme.

Housing mix

Since the development would result in a number of units below the 60 dwelling threshold referred to in Policy CS41(a) there is no requirement to introduce a variety of housing types within the scheme. Furthermore, since the scheme does not involve an element of shared or communal housing the scheme is not considered to be contrary to the aims of Policy CS41 (d)

Retail Sequential Test

The retail units would be located 100 metres from Heeley Bottom Shopping Area.

Policy IB6 requires edge of centre development to be considered on its merits in the light of national policy.

The NPPF (at paragraph 24) requires the Sequential Test to be applied to out of centre retail proposals. The proposal is considered to pass the Sequential Test since it is edge of centre and because there are no in-centre sites available in the likely catchment area of the units.

The site also has an established use as a retail outlet and this is a material consideration.

Flood Risk

The site straddles three degrees of Flood Zone.

A strip of the site averaging approximately 8 metres in depth adjacent Broadfield Road is located in Flood Zone 3a (i)

Only car parking is proposed in this zone

A further band beyond this approximately 15 metres in depth is in Flood Zone 3a

The great majority of this area is given over to car parking with the front entrances of the retail units also present.

The balance of the site is located in Flood Zone 2.

The great majority of the proposed retail unit and the housing beyond is located in this zone.

Core Strategy Policy CS67 (Flood Risk Management) seeks to reduce the extent and impact of flooding. CS67 states that housing in areas with a high probability of flooding will not be permitted before 2016/2017.

The recently published NPPF and the supporting Technical Guidance maintain previous requirements for the sequential testing of sites at risk of flooding. The objective is to steer development to sites at lower risk of flooding.

The Applicant was asked to submit data in order to facilitate a Sequential Test.

Due to the functional requirements of the mix use development the search area for site consideration was limited to the following:

- Maximum of 4 kilometres from Sheffield City Centre
- Within 400 metres of a Very High Frequency Public Transport Route.
- Within 400 metres of a District Shopping Centre.
- Within +/- 10% of the development site area.

These criteria were suggested by Officers since the development relies on cross funding and any car free housing development would be required to be in a highly sustainable location.

The Applicant has looked for sites with suitable allocations that satisfy these criteria.

Four sites have been identified but in all cases these were not sequentially preferable as they carried a higher risk of flooding. In the light of this it is considered that the Sequential Test process has demonstrated that this development cannot be steered to a suitable site with a lower flood risk. It is therefore considered that the Sequential Test has been passed.

The Exception Test should be applied if the Sequential Test is satisfied. The NPPF (para.102) states:

“For the Exception Test to be passed:

1. it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
2. a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

The Environment Agency (EA), as a statutory consultee, comments on flood risk having regard to the Sequential and Exception Tests and having regard to the Flood Risk Assessment (FRA). The EA objected to the originally submitted proposals on flood risk grounds due to an inadequate FRA and insufficient data being supplied to enable a Sequential Test.

At the time of writing this report the EA has not yet withdrawn its objection and is still considering the revised FRA. A supplementary report will be presented to Committee prior to the Committee meeting in this regard.

A site specific FRA has been submitted. The existing site levels vary from 68.3 AOD to 68.8 AOD. The surrounding ground levels fall gradually to the north and east

Data taken from the 2012 Sheffield Comprehensive Flood Review Model indicates undefended modelled flood levels on the River Sheaf above and below the site.

Interpolating these results gives a 1 in 100 year flood level for the site of 68.62 AOD.

The site therefore varies from being 180mm above the 1 in 100 year flood level to being 320mm below were the Sheaf to be undefended. The Sheaf is however maintained in channel past the site.

The FRA states that the site itself has no recent history of flooding. There are records of localised flooding in the immediate vicinity in 1973 but not in 2007.

The FRA submitted with the revised scheme indicates that the Environment Agency consider that finished floor levels for the dwellings (which are in Zone 2) should be set at a minimum level of 68.85 AOD and higher where possible.

Furthermore, flood resilient construction should be employed to a height of 600mm above this minimum floor level for the residential properties and 300 mm for the retail units.

The house design has incorporated these suggested levels with finished floor levels set at 68.85 AOD

Having established that the required finished floor levels can be achieved satisfactorily in the context of the street scene, and that occupants would be unaffected by flood waters within the buildings, the external environment needs to be considered.

The ability to safely access and egress the building in the event of a flood is also a necessary and key consideration. However, the NPPF Technical Guidance makes it clear that flood resistance and resilience measures should not be used to justify development in inappropriate locations.

Given that there is no history of flooding of the site the FRA anticipates that there will be no difficulty in maintaining safe access and egress to and from the

buildings. No exit route may be available on the Broadfield Road side of the site in the event of a major event but the adjacent pedestrian footpath provides a ready means of escape to areas less threatened by flooding and to areas of Chippinghouse Road not indicated as being at risk from any flooding.

Within the pedestrian footway there are no significant trip hazards, barriers or other obstructions.

In addition to the dangers presented by the volume of water, the most significant risk would appear to arise from the potential for gullies and manhole covers to be lifted, creating a hazard that has in previous flood events in the country led to fatality. It will be necessary for any evacuation plan to devise a method of identifying, or warning residents of the location of such features. This could for instance involve maps being provided to individual properties. In addition, a requirement that occupiers can be ensured to sign up to the Environment Agency's Flood Warning System can be conditioned.

Overall, it would be unreasonable to conclude that the proposals do not meet the requirements of the Exception Test, in principle, the Sequential Test having been considered to be satisfied.

Other sections of this report have considered the scheme in terms of location, density, visual amenity and sustainability. These matters are considered to amount to wider sustainability benefits that potentially outweigh the flood risk concerns.

Design

The National Planning Policy Framework (NPPF) states:

At Paragraph 9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life

Paragraph 17 states that decisions should:

Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

Paragraph 58 states:

Planning policies and decisions should aim to ensure that developments function well and add to the overall quality of the area, and respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture and appropriate landscaping.

At paragraph 59 it continues:

...design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape,

layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Further, at paragraph 60 it states:

Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Relevant policies in the Sheffield Unitary Development Plan are

Policy BE5 'Building Design and Siting' states:

- a) original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings;

Policy IB9 'Conditions on development in Business and Industrial Areas' states: In Industry and Business Areas, new development or change of use will be permitted provided that it would:

(c) be well designed with buildings and storage of a scale and nature appropriate to the site; and

H15 'Design of new Housing Developments' states

The design of new housing developments and residential institutions will be expected 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 that 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

In addition Policy CS74 'Design Principles' of the Sheffield Core Strategy applies which states:

High-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods

The Housing element.

The terraced houses proposed are considered the most appropriate response (for

a residential development) to the prevailing street scene on Chippinghouse Road. The houses are well proportioned, with an eaves height that marries nicely with the neighbouring commercial buildings to the west. The roofs are set at a pitch not dissimilar to Victorian terraces opposite.

Their design appearance overall is traditional in approach with unfussy lines and appropriate detailing. The small porches are considered acceptable and the use of materials appropriate.

The development will result in a strengthening of the street frontage, this being further enhanced by the introduction of the low boundary walls at back edge of footway.

The retail element

The retail units are set back into the site which is not ideal in design terms but the location is a response to the requirement to keep any development out of Flood Zone 3a(i) which precludes a development set at back edge of footway.

Despite this the proposed building is not without merit with the use of red brick considered an appropriate main facing material. The front elevation towards Broadfield Road features a good proportion of glazing to the front elevation and an interesting detail at first floor level provided by the timber louvers and anodised aluminium detailing.

The introduction of a green roof to the majority of the building is welcomed.

The ancillary development around the retail units is not described in detail in this application though the intention is to include a significant element of porous surfacing and soft landscaping in order to increase the sustainable aspects of the proposal.

Given the above it is therefore concluded that the proposal is acceptable in regard of Policies IB11, H15, BE5, and CS74 and paragraphs 9 and 58 of the NPPF

Sustainability

Location, land use and economic development.

The NPPF sets out a commitment to achieving sustainable development. Developing sustainably includes supporting strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations and creating a high quality built environment. It also encourages improvement of biodiversity, and mitigating and adapting to climate change.

The scheme offers several benefits which contribute to achieving sustainable development.

The site is in a highly sustainable location being within easy walking distance of the Local Shopping Centre at Heeley Bottom and 300 metres of Abbeydale Road. The proposal represents an efficient use of a previously developed site and will assist the economy in terms of providing jobs during the construction process.

The reduction in hard surfacing and the extensive use of porous paving for the retail parking should enable greater percolation of rainfall into the site and help to diminish rainwater run-off from the site reducing downstream flooding.

The introduction of the green roof and the introduction of landscaping should offer potential for greater biodiversity and assist with a reduction in rainwater run off.

Housing element

Policy CS64 would require the development to achieve Code for Sustainable Homes Level 3 as a minimum. The applicant has indicated in their Sustainability Statement that this would be achieved, referring to specific measures and methods. In order to ensure that any development meets this requirement, an appropriate condition could be added to any consent granted.

Renewable energy and energy conservation

CS65 requires the provision of a minimum of 10% of a development's predicted energy needs to be from decentralised and renewable or low carbon energy.

The use of solar renewables should help to contribute to this requirement but in the absence of specific detail a condition should be added to any approval to demonstrate this.

Retail element

The submitted Sustainability Statement states that the building will achieve a BREEAM rating of 'Very Good'.

The use of a large amount of glazing to the south elevation should enable excellent light penetration into the rather deep profile of the building. The employment of roof lights towards the north end of the roof should assist in introducing more natural light into the upper floor. There is an intention to introduce sun pipes into the building to enhance natural lighting at ground floor towards the rear of the building.

The use of a green roof should assist in terms of reducing rain water run off, as well as insulating the building and providing an opportunity for biodiversity.

The use of porous paving and surfacing will also reduce rainwater run off

Conditions should be attached to any permission seeking details of the additional measures detailed in outline in the Sustainability Statement.

Drainage

Surface water discharge should be reduced by a minimum of 30% on brownfield

sites in accordance with Core Strategy Policy CS67. Whilst the area of built footprint on the site would represent a marginal increase over existing the introduction of grassed garden areas, green roof and extensive areas of porous/permeable car parking and access routes should significantly reduce discharge compared to the existing development

Overall, it is expected that surface water discharge will be reduced in accordance with the relevant provisions in Policy CS67 but a condition should be added seeking to ensure that this criteria is met.

Residential Amenity

Existing residents

Overlooking, overbearing and overshadowing

Paragraph 17 of the NPPF states that decisions should:

Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

Policy IB9 'Conditions on development in Business and Industrial Areas' states:

In Industry and Business Areas, new development or change of use will be permitted provided that it would:

- b) not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

The general principles outlined in the NPPF para. 17 and Policy IB9 are further supported by Supplementary Planning Guidance 'Design of house extensions' (SPG) which lays out good practice guides for new build structures and their relationship to existing houses. Of these the following are particularly relevant:

SPG guideline 4 states that in most circumstances a minimum distance of 10 metres should be achieved between main aspect windows in the rear elevation and the rear boundary. It also states that in most circumstances the Council considers a garden size of 50 square metres the minimum acceptable for a two or more bedroom house.

SPG guideline 5 states that a two storey structure should not be located closer than 12 metres in front of ground floor windows of a neighbour and that level differences may require this distance to be increased.

SPG guideline 6 states that dwellings should keep a minimum of 21 metres between facing main windows.

Properties on Chippinghouse Road

Separation distance to the houses on the opposite side of Chippinghouse Road

would equate to 18 metres. It is considered that this separation distance to dwellings across the public highway is commensurate with other separation distances between opposing houses on the street. Hence, whilst this represents a shortfall in comparison to the 21 metres specified in SPG it is not felt that unacceptable levels of overlooking would arise in this case.

In terms of overbearing and overshadowing the relationship between the proposal and properties on the north side of Chippinghouse Road, taking account of ridge height and separation distance, would not differ significantly from other examples on nearby streets and as such there is not considered to be any significant reason to resist the scheme on the grounds of overbearing.

Being located to the south of the properties opposite some very limited shadow cast is likely from the proposal but given that the ridge height of the proposal (relative to the footway) is no greater than other dwellings with similar separation distances and orientations it is not considered that any shadowing potential is sufficient reason upon which to base a refusal of permission.

Overlooking

It is considered that the separation distances to dwellings across the public highway are commensurate with other separation distances between other houses on the street. Hence, it is not felt that unacceptable levels of overlooking would arise in this case.

Overshadowing towards neighbouring commercial/office uses

The revised plans indicate that the retained terraced houses will be located away from Works 57 and to the north west of windows in that building. It is not considered that any overshadowing will result from these buildings.

The retail element is separated from the west elevation of Works 57 by approximately 12-13 metres and once again this two storey building should not result in any significant overshadowing of that building.

Given the above it is considered that the proposal should not significantly affect existing residential amenity or the amenity of workers in neighbouring commercial buildings and in these respects is considered to satisfy Policy IB9 and Supplementary Planning Guidance.

Future Occupiers

Natural lighting

The dwellings have excellent provision of fenestration, none of which is considered compromised by nearby buildings. It is considered that levels of natural light should be acceptable within all main habitable spaces. The windows serving the bedrooms should also provide a degree of natural light that will be acceptable. The roof space bedroom in each terrace is served only by roof lights but it is considered

that having one bedroom with more limited outlook (out of three provided in each property) is acceptable

Outlook

The outlook from main aspect windows facing Chippinghouse Road is acceptable and the main aspect windows in the rear will face over good sized rear gardens. Whilst the proposed retail building will appear at the foot of these gardens the separation distance is considered more than adequate so as to maintain good levels of amenity.

Noise and disturbance

The application was accompanied by a Noise Assessment Survey at submission stage which it was felt did not address key concerns regarding the development as originally submitted. However, those concerns related almost exclusively to an additional terrace of houses that was proposed across the middle portion of the site. These have since been removed from the scheme.

Potential noise sources were originally identified as the motor vehicle repair garage on Broadfield Road and the light industrial/storage/wholesaler units on the adjacent site to the west.

In the case of the former the retained terraced houses (from the original scheme) are considered to achieve good separation to this source and the proposed retail building should provide a significant acoustic 'baffle' between the garage and the rear gardens of the houses.

In the case of the latter the closest unit has a 'blind' wall facing the houses and back gardens of the housing element of the scheme. The vehicle manoeuvring areas between the units lie adjacent the side elevation of the proposed retail unit and once again it is felt that no significant disturbance of future occupants should arise from activities within the complex.

Nonetheless it is considered necessary to add conditions requiring the houses to be suitably attenuated so as to protect residential amenity of future occupants from general background and event based noise sources.

Given that the area has been in use previously for commercial activity and is now intended for use as private gardens it is also considered necessary to add conditions requiring an assessment of potential contamination and mitigation should contaminants be discovered.

External Amenity Space

External amenity space for the houses is provided for with the back garden areas which equates to approximately 54 square metres per dwelling. This satisfies SPG guideline 4 which states that a two or more bedroom house should have a minimum of 50 square metres of private amenity space.

The scheme is therefore considered satisfactory with regard to the NPPF, Policy

IB11 and SPG.

Highways and Car Parking

Residential element

The residential element of the scheme has been designed with no provision for off street car parking. This is in part a response to providing the appropriate design for the houses in terms of how they address the street scene but also due to the fact that pushing the front elevations of the houses back the required 5.5 metres so as to achieve an off street space would have compromised rear amenity space.

Given the availability of on street car parking the highly sustainable location and the access to high frequency public transport linkages it is considered that this represents an acceptable response and given the overall regeneration benefits of the whole development is not considered a robust enough reason to refuse the proposals.

Retail Element

The sole means of vehicular access serving the retail will be taken from Broadfield Road This will replace the long established access and should not result in any adverse impact on highway safety. It is considered to be the most suitable access point for the proposed development.

The parking layout provides for 14 off street car parking space with two dedicated disabled spaces. This level of provision is less than the 20 spaces maximum that current Car Parking Guidelines suggest. The recently published NPPF states that local planning authorities should consider the following factors in setting local parking standards:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

In this instance, a lower level of provision can be justified as the site is located close to a range of services, employment and high frequency public transport routes.

Overall, this element of the proposal is considered acceptable with regard to UDP Policies IB9, and BE9.

The potential for improving the adjacent pedestrian footway/cycle path was considered as part of the application. However, a requirement to widen the cycle path would have resulted in the loss of a further residential unit. Since negotiations, in response to constraints on the site, had already reduced the residential element of the scheme down from 13 dwellings to 7, and the schemes viability was becoming more marginal it was considered that the regeneration and sustainability

benefits of the scheme outweighed the desire for upgrading of the adjacent public realm pathway.

Nonetheless it is felt that appropriate external lighting on the proposed retail building should enhance the security and viability of this pathway.

Landscaping

Policy BE6 'Landscape Design' states that good quality landscape design will be expected in new developments.

The development itself will not result in the loss of any significant publicly accessible open/green space or loss of trees of significant public value and the proposal will introduce a welcome 'greening' of the site overall. As existing, the site is exclusively hardstanding. The proposal will not only introduce the private green spaces to the rear of the terraces and frontage planting to the retail park but will also introduce a green roof on the retail building.

Overall, it is felt that the scheme would signify a significant positive contribution to the local environment in this regard thereby satisfying the requirements of Policy BE6

Mobility Housing

UDP policy H7 requires a minimum of 25% of the units proposed to be suitable as mobility housing. This equates to approximately 1.75 units. The proposal is limited to one mobility standard house located in the north west corner where the internal floor level of the proposed dwellings is closer to that of the footway.

Given the significant constraints on the site and overall desirability to see the site redeveloped in a way that offers significant regeneration value it is considered that the marginal shortfall is acceptable.

As mentioned earlier in this report there is no off-street car parking within the site for the housing and so it will be necessary for any disabled person who took up residence in the unit to enter into discussions with the Council with regard to delineating a space within the highway. It is considered that such provision can be accommodated without detriment to highway safety.

Open Space

There is a significant shortage of formal and informal open space within the catchment area of the site. In accordance with UDP Policy H16 (Open Space in New Housing Developments) and the associated Supplementary Planning Guidance, enhancement of existing open space will be required.

Based on the number of proposed dwellings and the type of accommodation shown, the required commuted sum has been calculated as £8,327.55.

Response to Representations

Matters relating to overshadowing, overbearing and car parking have been dealt with in the main body of this report.

SUMMARY AND RECOMMENDATION

This is a mixed use scheme consisting of two discrete elements. Both elements are considered acceptable in principle and despite being located in areas identified as Flood Zones it is considered that the proposals satisfy the Sequential Test and offer substantial gains to the locality in terms of regeneration, housing supply and sustainability (including flood mitigation) that outweigh concerns relating to flood risk.

The design and detailing of all buildings is considered appropriate in the context of the locality and these and the ancillary works and planting should enhance the built environment.

It is therefore considered that the scheme meets the requirements of UDP polices IB6, IB9, IB11, H7, H15, BE5, BE9, and Core Strategy policies CS23, CS24, CS26, CS41, CS63, CS64, CS65, and CS74 and to several paragraphs of the NPPF.

Accordingly, it is recommended that the application is granted conditionally.