

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 10/11/2015

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.

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Case Number	15/03390/FUL
Application Type	Full Planning Application
Proposal	Installation of conservation rooflight
Location	Bank Cottage Bank Lane Sheffield S36 3SS
Date Received	09/09/2015
Team	West and North
Applicant/Agent	Mr R Crookes
Recommendation	Grant Conditionally

Subject to:

**Time limit for Commencement of Development**

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

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

**Approved/Refused Plan(s)**

2. The development must be carried out in complete accordance with the following approved documents:-
  - Site Plan;
  - Ground Floor Plan;
  - Cross-section Plan; and
  - Rear elevation (south)

received on the 9 September 2015 from Mr R Crookes

**Pre-Commencement Condition(s)**

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

**Other Compliance Conditions**

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

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

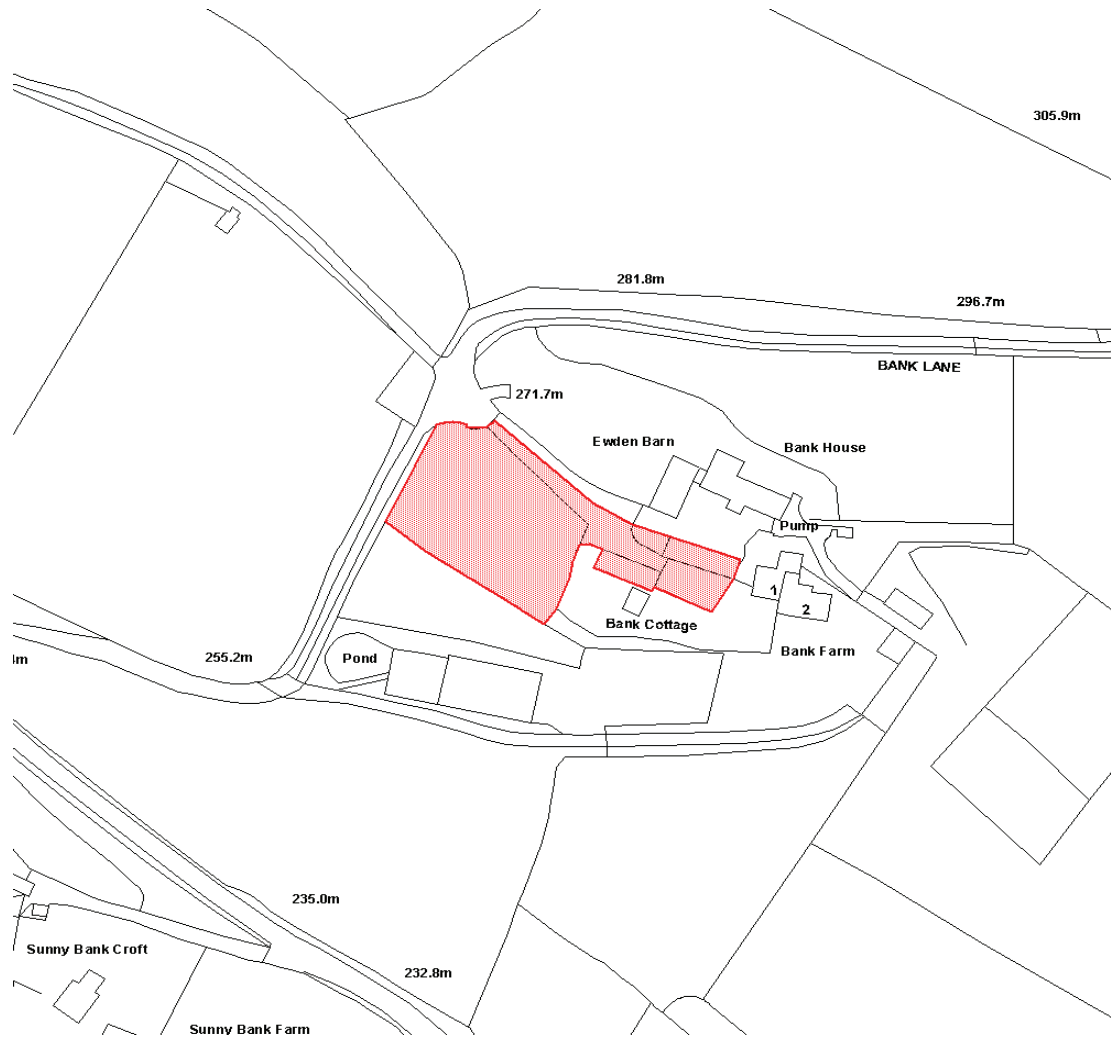
4. No part of the rooflight shall be sited below 1.8m above the finished floor level in which the window is installed.

Reason: In order to protect the privacy of neighbouring properties

Attention is Drawn to the Following Directives:

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

# Site Location



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## INTRODUCTION

The application is the second of two planning applications being considered at committee today relating to Bank Cottage, the other being 15/02574/FUL.

## LOCATION AND PROPOSAL

Bank Cottage forms part of a small group of former traditional agricultural buildings that were granted planning permission to be converted into dwellinghouses in 1991. There are five dwellinghouses that make up the small group of buildings at Bank Farm, these are Bank Cottage, subject to this application, Bank House, 1 Bank Farm (the original farmhouse), Ewden Barn, and 2 Bank Farm). The site is situated in the Green Belt and lies within an Area of High Landscape Value (AHLV).

The group of buildings hold a commanding position in the Ewden Valley, situated up a steep road (Bank Lane) that feeds off Sunny Bank Road. Bank Cottage is built in traditional materials with its walls faced in natural random stone and natural slate pitched roof. Attached to the rear of the building is a flat roofed structure that is used for storage and the stabling of horses. Bank Cottage's garden is severed from the main dwellinghouse, situated across a shared courtyard area to its west. The garden is attractively landscaped and covers an area of approximately 700 square metres.

The applicant is seeking full planning permission to install a Conservation style rooflight within the property's southern roof slope. The rooflight is being sought to provide natural light and ventilation to the property's bathroom.

## RELEVANT PLANNING HISTORY

Bank Cottage and the surrounding buildings have been subject to a number of planning applications over recent years. The planning history relevant to this application is set out below:-

90/02014/FUL – Alterations to outbuildings for use as two dwellinghouses and three garages – Granted 29/01/91

06/04824/FUL – Extension to cottage into lower level stable area to form 4-bedroomed dwellinghouse and alterations to existing cottage (Amended scheme) – Refused 23/05/07

07/01700/LU1 – Application to establish the lawful use of land as extension to residential curtilage – Granted 18/09/07

07/02797/LU1 – Establishing the lawful use of building as residential (Application under Section 191) Refused 06/09/07

07/03556/FUL – Single storey side extension to dwellinghouse – Granted 14/11/07. A condition was attached to this approval (No. 3) that removed the property's 'PD' Rights. – Granted 14/11/07

08/00536/LU1 – Establishing the lawful use of building as residential (Incidental to the enjoyment of the main dwellinghouse – Bank Cottage) (Application under Section 191) (Resubmission of 07/02797/LU1) Refused 07/04/08

09/03939/FUL – Single storey side extension, replacement of section of flat roof with pitched roof and alterations to door and window openings – Refused 28/04/10

An appeal in respect of the two refusals (06/04824/FUL and 07/02797/LU1) was held at a Public Enquiry in July 2008. Both were dismissed.

## SUMMARY OF REPRESENTATIONS

Six letters have been received in response to this application, five letters in support and one against. A summary of their comments is listed below.

### Support (5)

- Ewden Barn immediately adjacent to the site has roof lights.
- The roof lights are an unobtrusive practical way to naturally light a dwellinghouse;
- Other single storey buildings and extensions in the area have the benefit of such features;
- The room would benefit significantly from the addition of natural light;
- The proposal would reduce the need to have bathroom lighting in the daytime, which in term will make the property more energy efficient;

### Object (1) – 1 Bank Farm

- Any roof light at Bank Cottage would be visibly out of character in such a small, single storey, low barn conversion in the sensitive location of the Green Belt and Area of High Landscape Value;
- The proposed roof light is far too large for a bungalow with such a low roof. The roof is only 2.6m high at the point (eaves) where it abuts No. 1 Bank Farm. The proposed roof light would take up a disproportionate amount of the roof and be almost as large as the property's main South facing windows;
- The roof light would detract from our amenities as adjoining occupiers - it would directly overlook the table and chairs on our decking in our private garden and we would also be able to see in to it from our property;
- The roof light is also unnecessarily large for such a small room. The bungalow's bathroom measures just 2m by 2.8m, and is a room which the applicants designed to their own specification and has functioned adequately, without a roof light for the past six years.
- The applicants have made it clear, from earlier applications and discussions that their ideal would be to put in multiple roof lights in the future. We would hope that this application will not be allowed to set a precedent.

## PLANNING ASSESSMENT

### Planning Policy

Bank Cottage is situated in the Green Belt and within an Area of High Landscape Value (AHLV). The proposal should therefore be assessed against UDP Policies GE1, GE2, GE4 and GE8. Policy GE1 states that in the Green Belt development will not be permitted, except in very special circumstances, where it would lead to, amongst other things encroachment of development into the countryside. Policy GE2 states that in the Green Belt measures will be taken to maintain and enhance areas of high landscape value (this is also underlined by GE8 relating to Areas of High Landscape Value). Policy GE4 states that the scale and character of any development in the Green Belt should be in keeping with the area and conserve and enhance the landscape. Also relevant to the application is UDP Policy BE5, which seeks that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions.

#### Proposed Development

The proposal involves inserting a 'Conservation style' rooflight within the property's southern roof slope. The rooflight would measure 1000mm by 900mm and is being sought to provide natural light to the property's bathroom/toilet.

#### Impact on the character and appearance of the building and surrounding area

The application was submitted with the benefit of pre-application advice prior to the application being submitted. The applicant was advised that a single 'Conservation style' rooflight could be supported on this building and unlikely to detract from the character and appearance of the building. The use of roof lights to light upper floor rooms is commonplace and used on buildings throughout the city including in Bolsterstone, and are considered to be an acceptable form of development on traditional former farm buildings such as Bank Cottage.

Although concerns have been raised that the rooflight would be out of character, it is considered that the rooflight is acceptable from a design perspective and would not result in any undue harm to the character of the building. Given that the application proposes only a single rooflight, it is not considered that it would appear incongruous or create clutter that would be visually harmful to the building. Despite the concerns raised with regard to the size of the rooflight, this is not uncommon (1000mm by 900mm) and would be read against the full roof span of the building. To seek a smaller rooflight is considered to be unreasonable in this case. It is recommended that a condition be attached that requires that the rooflight is a 'Conservation style' rooflight to ensure that it is an appropriate response to the traditional character of the building and does not project above the roofslope.

UDP Policies GE4, GE8 and BE5 are considered to be met.

#### Effect on the residential amenity of neighbouring properties

The only property that would be affected by the development is 1 Bank Farm. All other neighbouring properties are situated to the rear of the dwellinghouse and the rooflight would not be visible from any part of their houses or gardens.

The plans show that the lowest part of the rooflight would be sited more than 2.5m above finished floor level. In addition to this, owing to the attached ground floor structure there is

a separation distance of over 6m between the rooflight and the nearest point of the neighbouring property's rear garden. In view of this, it is not considered that the proposed rooflight would lead to any loss of privacy or unacceptable light pollution that would be harmful to the residential amenity of 1 Bank Farm. It is recommended that a condition be attached to any approval requiring no part of the rooflight to be lower than 1.8m above the finished floor level in which the window is installed.

## SUMMARY AND RECOMMENDATION

The applicant is seeking full planning permission to install a 'Conservation style' rooflight within the southern roof slope of a traditional stone dwellinghouse in Bolsterstone. The rooflight is to provide natural light and ventilation to the property's bathroom/toilet.

It is considered that the application represents an appropriate form of development and would not harm the character or appearance of the building or visual amenity of the surrounding area. The submitted cross section drawings show that the lowest part of the rooflight would be over 2.5m above finished floor level. The proposal would not therefore result in overlooking that would be harmful to the residential amenity of neighbouring properties.

For the reasons set out within the report, it is considered that the application is acceptable and would be in general accordance with UDP Policies GE4, GE8 and BE5. The application is therefore recommended for approval subject to the conditions listed.

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Case Number 15/02943/FUL (Formerly PP-04389450)  
Application Type Full Planning Application  
Proposal Demolition of dwellinghouse and erection of 2 semi-detached dwellinghouses  
Location 44 Oak Hill Road Sheffield S7 1SH  
Date Received 04/08/2015  
Team South  
Applicant/Agent Millhouses Plans Ltd  
Recommendation Grant Conditionally

Subject to:

**Time limit for Commencement of Development**

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

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

**Approved/Refused Plan(s)**

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

Drawing Title / Reference Number:

- Proposed Site Plan / 238-PSP
- Drainage Plan / 238-DP
- Ground Floor Plan / 238-1
- First Floor Plan / 238-2
- Second Floor Plan / 238-3
- Oakhill Road Street Scene / 238-4 (As per Email sent By Agent to Planning Officer on 28/10/15 at 10:57hs)
- Front Elevation / 238-5 (As per Email sent By Agent to Planning Officer on 28/10/15 at 10:57hs)
- Rear Elevation / 238-6 (As per Email sent By Agent to Planning Officer on 28/10/15 at 10:57hs)
- Side Elevations / 238-7 (As per Email sent By Agent to Planning Officer on 28/10/15 at 10:57hs)



Reason: In order to define the permission.

**Pre-Commencement Condition(s)**

3. 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:

Facing Materials  
Windows  
Window reveals  
Doors  
Eaves and verges  
Roof  
Ridge & valleys  
Chimneys  
Rainwater goods  
Heads & Cills  
Bargeboards  
Finials  
Quoins  
Mullions

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

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

4. 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 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.

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

Reason: In order to ensure an appropriate quality of development

6. 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 an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

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

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

8. The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been made has been submitted to and approved by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides.

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

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

9. 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 five year period shall be replaced in accordance with the approved details.

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

10. No piped discharge of surface water from the application site shall take place until surface water drainage works including off-site works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements.

11. Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the

dwellinghouse. Thereafter the hard surfacing shall be implemented in accordance with approved details.

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

### **Other Compliance Conditions**

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

Reason: In order to ensure an appropriate quality of development

13. 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.

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

Reason: To ensure satisfactory drainage arrangements.

15. Surface water shall not discharge into a public foul sewer.

Reason: To ensure satisfactory drainage arrangements.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015, 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 dwellinghouses shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage, and to ensure that the traditional architectural character of the dwellinghouses is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the side elevations of the dwellinghouses hereby permitted without the prior written approval of the Local Planning Authority.

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

18. The dwellinghouses shall not be occupied unless the car parking accommodation for one car per dwelling as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

Attention is Drawn to the Following Directives:

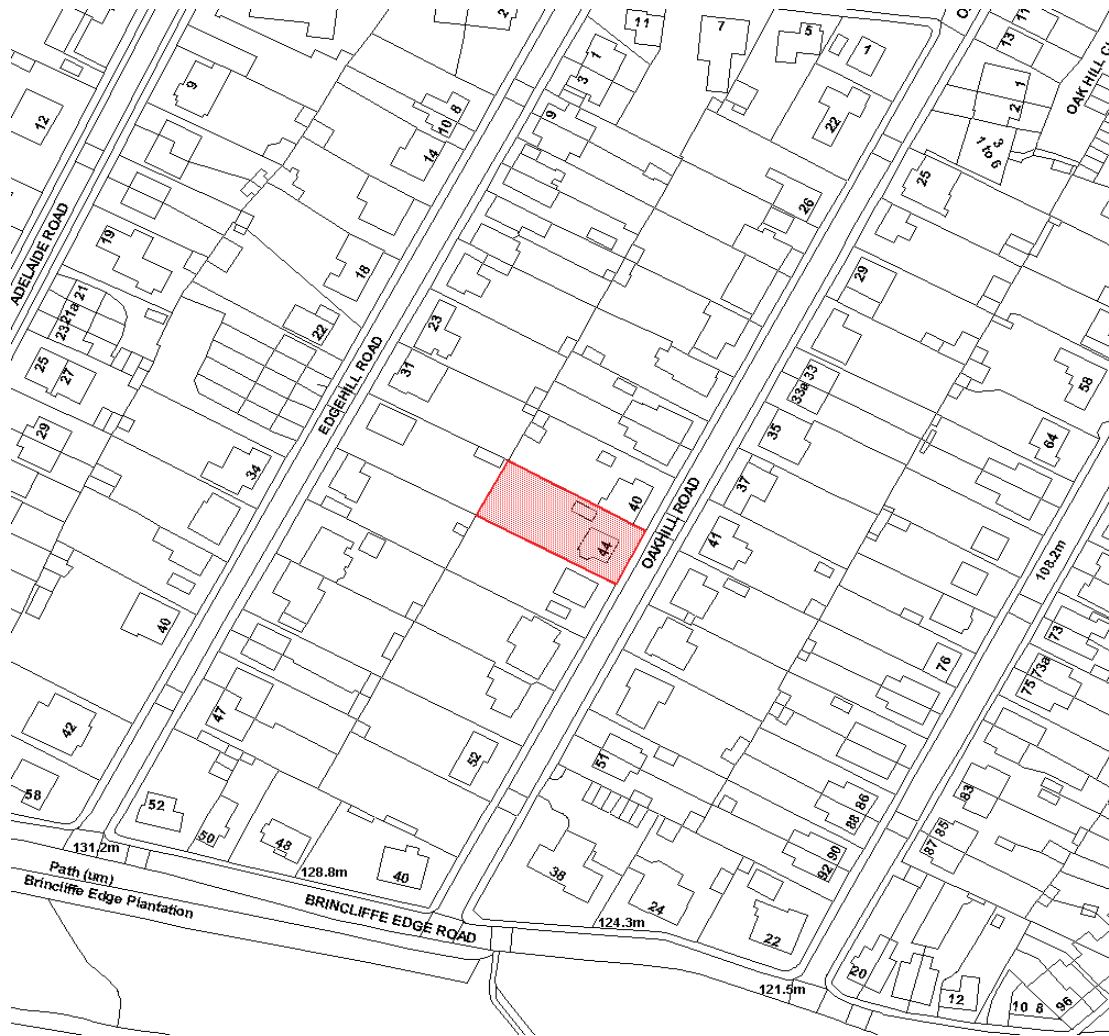
1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. It is noted that your planning application involves the construction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

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

Site Location



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## LOCATION AND PROPOSAL

The application site is located to the western side of Oak Hill Road, and is located in the Nether Edge Conservation Area. Oak Hill Road includes mainly detached properties and some semi-detached dwellinghouses. The majority of the existing dwellings are historic with the remainder being of more modern design. Oak Hill Road slopes downwards from the south to the north.

The application site currently includes a detached dwellinghouse, with a detached garage. It is of a more modern design, and is understood to have been built during the 1950's.

The full planning application seeks consent for the demolition of the existing dwelling, and the construction of two semi-detached dwellinghouses. The proposed dwellinghouses would each incorporate a single off-street parking space to their frontages. They would include a bay window at their ground floor levels and a forward projecting gable feature. The entrance doors would be centrally located. The proposed materials would include coursed natural stone and natural slate tiles. The details would include natural stone heads, cills, quoins, mullions, chimneys, and timber windows, doors, finials and bargeboards.

## RELEVANT PLANNING HISTORY

14/03486/FUL ; Demolition of dwellinghouse and erection of 2 semi-detached dwellinghouses

Refused - March 2015

Reasons for Refusal:

- The Local Planning Authority consider that the proposed development by reason of its scale and massing, external appearance and poor detailing gives rise to an unsatisfactory design, representing overdevelopment of the site and would be detrimental to the character and appearance of the Nether Edge Conservation Area and the character of the locality and be contrary to the aims of Policies BE5, BE15 and B16 of the Adopted Unitary Development Plan, and policy CS74 of the Sheffield Development Framework - Core Strategy and paragraphs 129, 131, 132 and 133 of the National Planning Policy Framework.
- The Local Planning Authority consider that the proposed removal of a substantial part of the front boundary wall and provision of hardstanding to form off-street car parking accommodation would be harmful to the character and appearance of the Nether Edge Conservation Area and be contrary to the aims of Policies BE15 and BE16 of the Adopted Unitary Development Plan, Policy CS74 of the Sheffield Development Framework - Core Strategy and Paragraphs 129, 131, 132 and 133 of the National Planning Policy Framework.

- The proposed development does not include any usable car parking accommodation within the site and the Local Planning Authority consider that, in the absence of such car parking accommodation, the proposed development could lead to an increase in on-street parking in the vicinity of the site, which would be detrimental to the safety of road users and, as such, contrary to Unitary Development Plan Policy H14.

## SUMMARY OF REPRESENTATIONS

After neighbour notification, the placement of a site notice and the publication of a press advert; a total of 17 representations have been received objecting to the proposal.

The comments are able to be summarised as follows:

### Design Issues

- Latest proposal doesn't satisfactorily address earlier reasons for refusal, or deal with the negative points raised in the previous Delegated Officer's report.
- Over-development of site. Proposed building is 2.5 times larger than the dwelling it would replace, and 4 times the size of No46. Would be larger than any building on Oak Hill Road.
- Failure to comply with best features of Conservation Area. Excessive mass and scale. Too much of site is occupied, filling almost whole width of plot. Would make the street appear as a terrace. Overall, out of character with the section of the road.
- Proposal would create an imposing and over-powering presence to adjacent properties.
- Plot is not larger than the average surrounding plots.
- Removal of substantial proportion of the front boundary walls.
- Small front gardens.
- Setback of dwellings from street compared to previous refusal. This is not in keeping with the surrounding houses, breaking existing building line. Also has implications for light and overlooking for immediate neighbours.
- Proposal considered to represent mock / pastiche houses.
- Proposed front elevation drawing is not adequate, and more consideration needs to be given to the wider picture.
- Proposed 3D images are thought to be misleading.
- Query how excavation of 1m depth of soil will be undertaken, and how a retaining wall will be formed in available space and retain bin access.
- Parking arrangements would leave cars overhanging bay windows leading to cluttered appearance.
- No evidence that plot previously accommodated two dwellings. Evidence is to the contrary.

### Highways

- Inadequate parking provision. Guidance suggests 2-3 spaces for houses of this type. Increased on-street parking will also harm character of the conservation area.
- Proposed spaces are unlikely to be used due to small size and awkward access.

- Development at far end of road has caused problems, even though it included more parking than current scheme.
- Increased traffic movements.
- Neighbours frequently experience difficulties in exiting driveways due to level of parking.
- Damage and dirt/dust created by construction traffic.

#### Neighbour Amenities

- Loss of view from opposite side of road.
- Loss of light impacts to gable window in No46 facing application site.
- Impacts of the proposed 3rd storey should be assessed as plans don't fully consider this.
- Setting houses back to create parking restricts light to adjacent properties (No's 40 and 46).
- Will block view towards the north from rear windows at No46 and restrict light to room.
- Blocking of light to No 40 for a substantial part of day, to the rear conservatory, which is used as a main living room. The '45 degree rule' does not reflect impact.
- Privacy would be impacted on by proposed windows.
- Loss of light and green view to No41 Oak Hill Road. No41 would be overlooked.

#### Landscaping Issues

- 50 year old multi trunk lilac tree on boundary of No44 and 46 would be undermined by excavation, probably killing it. Tree is an important part of the landscape character.

#### Drainage Issues

- Underground stream issue hasn't been addressed. Dwellings would reduce capacity of garden to absorb excess water. Dealing with adverse impacts when they arise may not prevent damage already occurring to neighbouring properties. Setting the houses further rearward may potentially increase risks.
- Cellars at No's 40 and 46 have been flooded in past, concerns that proposal (including the retaining wall) could increase this potential risk to No46.

#### Boundary Ownership Issues

- Land Registry documents make it clear that the boundary with No40 runs in line with its side. This leads to an angled wall which is inconsistent with the character of the area.

#### Other Issues

- House could be let as a House in Multiple Occupation, leading to additional parking demands.
- Increase in number of people resident within site.

- No opposition to redevelopment of site as current property is in a poor state of repair, subject to it being sympathetic to Conservation Area.
- An approval would lead to further similar applications, which would be difficult to resist.



### Non-material Considerations

- Possible adverse structural impact during and after construction.
- Level changes created by excavation adjacent to No46 could undermine foundations of No46 and its boundary wall.

A single representation has been received in response to an exchange of email correspondence between the Council Officers and the Agent being published on the Council's website, following discussion regarding potential modifications to the scheme. The comments made can be summarised as follows:

- Agent states that it wouldn't be financially viable to amend the scheme. Financial viability is not a planning matter, and not reason to approve inappropriate development.
- Agent reiterates that proposal would be an improvement, but this isn't sufficient justification for approval.
- Scheme should reflect best practice in a conservation area.

A representation has also been submitted by Cllr Nikki Bond, which attaches a representation sent to her by seven local residents. Cllr Nikki Bond summarises the main points as:

- Property is out of alignment with others on street.
- Overshadowing of neighbouring properties.
- Threats to a long established tree and wall.
- Overdevelopment.
- Potential parking problems.

One letter of support has been submitted from a correspondent not local to the application site. The representation comments that the proposed traditional appearance is supported. Replacement of poor quality buildings with a higher design quality building is supported and the proposal would have a positive impact on street scene and Conservation Area.

### PLANNING ASSESSMENT

In national policy terms, the National Planning Policy Framework (NPPF) is relevant.

Paragraph 14 states that "at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development". It also identifies that in decision-making terms, development proposals which accords with the development plan should be approved.

Paragraph 17 of the NPPF summarises key planning principles, with one being to "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings."

Regarding the historic environment, paragraph 129 states that the significance of a heritage asset (such as a conservation area) which may be affected by a proposal

should be assessed, and this should be taken into account when a proposal's impacts on a heritage asset is considered to avoid conflict between the heritage asset and any aspect of the proposal.

Paragraph 131 of the NPPF, requires local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 133 gives directs local authorities to refuse consent where a development would lead to substantial harm to a heritage asset, and also points to circumstances where refusal may not be appropriate.

Paragraph 134 states that when a development would lead to less than substantial harm to a heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 138 states that not all elements of Conservation Areas will contribute to its significance.

More generally, Paragraph 12 of the NPPF emphasises that the document does not change the statutory status of the development plan as the starting point for decision making, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

In terms of policy for the Local Authority area, weight is given to the following policies. Policy BE5 covers 'Building Design and Siting' deals partly with the appearance of the proposal and impacts on the local area.

Policy BE16 covers 'Development in Conservation Areas' and Policy BE17 covers 'Design and Materials in Areas of Special Architectural or Historic Interest'. Each is relevant given the site's location in a Conservation Area.

Weight is also given to policy H14 'Conditions on Development in Housing Areas'

The Sheffield Core Strategy includes the following relevant policies. Policy CS31 'Housing in the South West Area' and CS74 'Design Principles'.

#### Principle of Development

The adopted Unitary Development Plan (UDP) shows that the application site is a designated as a housing policy area. UDP policy H10 says housing is the preferred use, so the broad principle is acceptable.

The site currently incorporates a dwelling and its garden. As the development involves the replacement of an existing dwelling on the same, albeit extended footprint, it is considered to be previously developed land under the provisions of the NPPF. Paragraph 53 of the NPPF says that LPAs should consider setting out policies to resist inappropriate development of residential gardens. This development would not be considered to amount to the development of a

residential garden. Therefore, it would not be considered to be affected by the negative implications of this policy requirement, and by implication would be acceptable in principle.

Core Strategy Policy CS24 gives priority for the development of new housing on previously developed land. The proposal would therefore meet the aims of policy CS24.

The principle of the development would therefore be considered to meet the requirements of these relevant policies, and therefore be acceptable.

The existing dwelling and garage / outbuilding are not considered to contribute positively to the street scene or the character of the locality. Their removal would not be considered to harm the conservation area, however, in order to ensure that the blank site would not remain undeveloped for an indefinite period it is considered that a condition should be added to any consent to prevent demolition before a contract has been let for the redevelopment of the site.

#### Layout and Design of Proposed Dwellinghouses

The site is located in Nether Edge Conservation Area. As a result the proposal is covered by UDP policy BE16 'Development in Conservation Areas', which requires developments to preserve or enhance the character or appearance of the Conservation Area. Policy BE17 deals with 'Design and Materials in Areas of Special Architectural or Historic Interest', and states a high standard of design is required, using traditional materials.

Policy H14 of the UDP covers 'Conditions on Development in Housing Areas' and in part a) requires development to respect the local area.

The Core Strategy states in Policy CS31 'Housing in the South West Area' that the scale of new development will be accommodated at an appropriate density, and that priority will be given to safeguarding and enhancing its areas of character.

Policy CS74 'Design Principles' of the Core Strategy requires development to respect and enhance the distinctive features of the city, its districts and neighbourhoods.

The development's layout features the setback of the pair of semis by approximately 5.9metres from the back edge of the footpath, to allow a car parking space to be included at each frontage. Also the dwellinghouses would leave approximately a 1metre gap to the side boundaries.

The setback of the dwellings would mean that they sat further rearward than the respective neighbouring dwellings, which are each setback from the footpath by approximately 3.65metres (No.40) and 3.45m (No.46). The existing dwellinghouse within the site is setback by 4.65m from the footpath.

This element is an important factor in the street / locality's character, and the Nether Edge Conservation Area Appraisal states that the houses are "closely spaced along a strong building line with small forecourts. Although some plots are divided into narrower "half" plots with semi-detached houses, the spatial layout is very uniform". In regards to Oak Hill Road, it can be commented that the existing properties do not sit exactly on an entirely rigid building line, and some include staggered front elevations.

The proposed dwellings' main frontage would sit 2.25metres back from No.40, and 1.25metres to the rear of the existing dwelling. It should also be noted that the proposed dwellings include ground floor bay windows at their front elevation which project forward by approximately 0.6metres.

The depth of the additional setback would not be considered to result in the dwelling appearing to be significantly out of keeping with the character along the road. This is a result of the existing dwellings' setback, which is quite apparent from the street with the dwelling not sitting on the same plane when viewed from either direction along Oak Hill Road. This will clearly continue to be the case and whilst the proposed setback would increase, the extra setback would not be considered to be significantly more apparent or visually detrimental to the character of the street scene.

The non-uniformity of the building line and the staggered nature of some of the properties front elevations along the street are also relevant factors, and would contribute to the setback of the proposed dwellings not having a detrimental impact on the character of the street.

This setback is necessitated by the incorporation of an individual parking space at the front of each property. In contrast, it was commented as part of the report dealing with the refused scheme that a very limited number of properties along the street have parking to their fronts. The currently proposed parking spaces are perpendicular to the houses and the road. They occupy approximately 1/3 of the width of each dwelling's plot width. The remaining portion would be soft landscaped, mirroring the small front garden spaces common along the street. The proposed parking layout would not be considered to dominate the proposed forecourt areas to a degree which would be considered to be detrimental to the character of the immediate surroundings, or the street scene.

The proposed pair of semis would leave 1metre gaps to each of the side boundaries. The previously refused application incorporated similar distances to the side boundaries. As part of the report dealing with that application it was stated that the dwellings proposed at that stage occupied an excessive proportion of the plot width and as No40 sits directly on the respective side boundary, it was commented that the proposals proximity to the boundary was of particular impact. Consequently, it was stated that the proposal would have represented an over-development of the plot.

The design of the currently proposed dwellings is considered to be much improved, as discussed below. Therefore, the detrimental impacts of the separation distances to the side boundaries are considered to be much less significant. It is

not considered that the proposal would appear to be out of keeping with the character with the street scene, in the same way as the previously designed scheme would have been.

It is therefore considered that the proposed separation dimensions to the boundaries would not cause the scheme to constitute over-development to the same harmful degree as the previously proposed scheme.

As such, it is considered it would not be possible to sustain an argument that the current scheme represented an overdevelopment of the plot.

The proposed design of the dwellings has been significantly modified since the refusal of the previous application. The projecting gables, which project forwards, are typical features in dwellings of this type. The gable features are modestly designed, so to not dominate the roof scape. The windows are designed to incorporate an appropriate hierarchy of descending visual prominence from ground floor upwards. Chimneys are incorporated at the outer points of the ridge. The building steps down the hill and follows the natural topography in an appropriate way.

The visual appearance of the properties would be considered to be in keeping with the character of the street scene and the conservation area. The previously refused design incorporated a number of cumbersome elements which were not appropriate in the conservation area, and these have been addressed. Consequently, it is considered that the proposal would have an acceptable impact on the character of the surroundings and the conservation area.

The improvements to the proportions of the gable design, alterations to the design of the roof scape, the absence of steps to the front entrance door, the incorporation of quoin details, bargeboards, finials and chimneys and the improved respect for the need for a visual stepping down are considered to be the key improvements to the design of the dwellings and the resulting contribution to the character of the street scene.

The scheme also proposes the removal of a length of front boundary wall to provide access to the left hand of the proposed semis. The right hand semi would utilise the existing driveway so necessitates no further widening / modification.

The proposed opening would be approximately 3m in width, and would leave a length of wall approximately 8.5metres long. The proposed amount of removal would be considered to be acceptable, leaving a substantial proportion of the wall in place. It is not considered that proposed additional opening would be excessively wide, or be out of keeping with the character of the street scene. On this basis the proposal would be considered to have an acceptable impact upon the character of the street scene.

The previous refusal raised concerns regarding the removal of a substantial length of front perimeter walling. However, the current scheme retains a much more substantial proportion of the existing wall, therefore addressing these concerns.

Overall, the proposal is considered to be acceptable in relation to these issues, adequately overcoming the concerns which led to the previous refusal. Therefore, the requirements of the relevant policies summarised above are satisfied.

### Neighbour Amenity Issues

The proposed dwellings would be located between No's 40 and 46 Oak Hill Road, and these would be the dwellings most susceptible to potential impacts. Additionally, a number of comments have been received from occupants of dwellings on the opposite side of Oak Hill Road.

No40 Oak Hill Road is located to the north east of the application site. It is set on land approximately 1metre beneath the level of the application site. Its respective side elevation is blank, although it includes a rear conservatory extension set away from the boundary by approximately 3m which is clearly glazed facing towards the application site.

The proposed dwellings include a 2.5 storey rear off-shot element, which would be set approximately 3metres from the shared boundary.

Whilst the application site is elevated by 1metre (approx.) above No40, the respective storey heights mean that the main body of the dwelling and the rear off-shot would not be greater in height than the dwelling at No40. As a result the elevated land level arrangement does not have an additional impact upon the amenities at No40.

The main body of the proposed dwelling and the off-shot element, would not project beyond a line drawn at 45 degrees from No40's nearest rear elevation window. This technique is used to establish whether proposed extensions and buildings would undermine the amenities of neighbours. The off-shot element would be separated by approximately 9metres from the habitable room in the original dwelling. The satisfaction of the '45 degree principle' and the 9metre separation result in the conclusion that the proposal would not harm the amenities of No40 in this regard. On this basis it is not considered that the proposal would lead to a detrimental overbearing or loss of light impact to the neighbouring dwelling in question.

The use of clear glazing at the respective side elevation of No40's conservatory would not enable the proposal to be resisted. The conservatory includes clear glazing to all 3 sides, so outlook in other directions would continue to be available. Additionally, the garage at the application site currently sits in close proximity to the boundary, whilst the off-shot portion of the proposal would be set further from the boundary albeit at a greater height. Further to this the conservatory is set back approximately 3metres from the boundary. Overall, it is not considered that the proposal would significantly undermine the amenities afforded to this conservatory space.

No46 is located to the south-west of the application site, and is blank along its side elevation with the exception of a window in the gable at 2nd floor / attic level. The application site is set below the level of No46 by approximately 1metre. Again the

proposal would not breach a 45 degree line taken from the nearest window in the ground floor level of No46. Consequently, the dwelling would not be considered to have a harmful impact upon the amenities of No46, as detrimental overbearing or loss of light impacts would not be considered to arise.

The use of the space served by the 2nd floor attic window at No40 is unclear but often such rooms are used as bedrooms; however, it appears to be supplementary to other windows serving the same space. In addition, the window is borrowing amenity from the application site and should not be afforded significant weight in considering the impacts of the scheme.

Some concern has been raised about the excavation required as part of the development, and undermining impacts upon No46. This would not represent a material planning issue, and would instead need to be dealt with under civil legislation such as the Party Wall Act (and B Regs?). The retaining wall involved would not prevent access to the rear garden sufficient to take a wheelie bin along.

The proposal may lead to increased overlooking opportunities to these neighbouring dwellings at No's 40 and 46 from upper floor windows. However, the resulting relationships are similar to those associated with the existing dwelling on the site, and would not be considered to be untypical in such an area, and it would not be sustainable to resist the application based upon these impacts.

Concern has been raised about the obscuring of views from No40 to the north and from dwellings opposite the site through the application plot to the west. The planning system does not provide an entitlement to a view, and therefore these concerns would not be able to be assessed as part of the current scheme, or be capable of forming a reason for refusal of the application.

Concern has been raised regarding loss of privacy to occupants on the opposite side of Oak Hill Road. Given there is an intervening highway and the proposed relationship would be typical along the street, it would not be reasonable to resist the application due to this issue.

Overall, the application would be considered to have an acceptable impact upon the amenities of neighbouring occupiers and to meet the requirements of the relevant planning policies.

#### Highways Issues

The proposal includes a single off-street parking space at the front of each dwelling. Parking standards would target 2-3 off-street parking spaces per dwelling. Therefore, the proposal represents a shortfall below the guidance requirements of between 2 to 4 spaces. Notwithstanding this shortfall, it is considered that the shortfall would be unlikely to result in such a detriment to highway safety which would warrant a refusal of the application. Any resulting on-street parking would most commonly occur across the plot's frontage and avoid a significant impact elsewhere in the vicinity. This would not represent a worsening of the current situation, where vehicles are able to be parked on street along this section of the highway at the front of the application site.

The previously refused scheme included an off-street parking space at each dwelling, however, those spaces sat parallel to the road. This was considered to make access to them awkward, such that the spaces were essentially unusable. As a result the proposal is considered to represent a significant improvement over previous refusal in this regard.

As a result, it is not considered that the proposal would have a significant detrimental impact upon local highway safety. Consequently, the scheme would be considered to meet the requirements of UDP policy H14 part d) which requires schemes to provide safe access to the highway network and for the provision of appropriate off-street parking.

#### Landscaping Issues

Concerns have been raised regarding the impacts of the proposal and related excavations etc. upon the lilac adjacent to the site, within No46's front garden. Planning legislation only protects trees meeting certain criteria within a conservation area. The lilac in question would instead be considered to be a shrub, which wouldn't be afforded protection under the planning system. As a result the application would not be able to be resisted in order to safeguard the future lifespan of the lilac.

More generally, any approval would include conditions requiring landscaping details to be agreed.

#### Drainage Issues

Concern has been raised within a number of representations about the implications of the proposal upon an underground stream, which is said to run to the rear of the properties along Oak Hill Road. Adjacent neighbours have experienced flooded cellars in the past.

The Council holds no records of underground streams affecting this site or area. Additionally, the site is in close proximity to Brincliffe Edge Road, which is essentially a ridge. It is therefore considered that there would not be scope for a stream to form given the short distance from the 'high peak' of Brincliffe Edge Road to the application site.

Further to this, Council records show that the water table affecting the site is in excess of 5metres below the land level.

As a result it is considered that the proposed lowering of the land level, and excavations for foundations could be undertaken without leading to a significant increase in the likelihood of occurrences of flooding at the neighbouring properties.

#### Community Infrastructure Levy (CIL)

The application would be CIL liable, and the relevant charge rate in this location is £30 / sq.m.



## RESPONSE TO REPRESENTATIONS

The majority of points raised within representations have been dealt with in the above assessment.

In relation to the outstanding points the following comments can be made in response.

-Assessment took into account the plot's size, and how it related to neighbouring plots, via inspection of OS maps etc.

-The submission shows a Street Elevation including the proposed dwellings and No's 40 and 46, which is considered to be adequate to allow assessment of the proposal's implications within the street scene.

-The submitted 3D images give an impression of the scheme's impact but are not the primary documents when considering the application. Instead the submitted drawings are referred for precise information.

-The dispute regarding whether the site previously included two dwellings is not a material planning consideration. Instead, the current submission needs to be assessed on its individual merits.

-Any inaccuracy in the Layout drawing is not reflected in the red line on the Site Location Plan, which shows ownership.

-Concerns about the increased number of people resident within the site would not be considered to lead to any issues which would need to be covered here.

However, the Community Infrastructure Levy would require a payment to local infrastructure which could potentially partly alleviate any concerns in this regard.

- The proposal relates to C3 type dwellinghouses, and any occupation as a house in multiple occupation would require a separate planning permission. Any such application would be assessed on its merits.

-Any future applications for nearby plots would be assessed on their merits.

-Financial viability, whilst identified by the NPPF as a material consideration has not been a determining factor in this case.

## SUMMARY AND RECOMMENDATION

The application relates to a plot currently incorporating a 1950's detached dwelling house. The site is located in Nether Edge Conservation Area.

Permission is sought for demolition of the existing dwellinghouse, and the construction of two replacement semi-detached properties.

The application follows the refusal of a planning application, also for 2 semi-detached dwellings. The proposal is considered to have an acceptable impact upon the character of the street and the surrounding part of the Conservation Area. It is considered that the amenities of neighbouring occupiers would not be detrimentally harmed and that any implications upon local highway safety would not be significantly detrimental.

The proposal is therefore considered to have addressed the negative outcomes which previously resulted in the refusal of the scheme.

On this basis the proposal is considered to be acceptable and conditional approval is therefore recommended.

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Case Number	15/02574/FUL
Application Type	Full Planning Application
Proposal	Retention of 1.8m-2.5m high fencing panels (eastern boundary) and retention and erection of 1.2m-1.5m fencing panels with access gates (southern boundary) (Amended Description)
Location	Bank Cottage Bank Lane Sheffield S36 3SS
Date Received	07/07/2015
Team	West and North
Applicant/Agent	Mr R Crookes
Recommendation	Grant Conditionally

Subject to:

**Time limit for Commencement of Development**

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

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

**Approved/Refused Plan(s)**

2. The development must be carried out in complete accordance with the following approved documents:-
  - Location Plan;
  - Site Plan; and
  - Elevation Plans (Eastern and southern sections)

received on the 7 July 2015, 15 September 2015 from Mr R Crookes

Reason: In order to define the permission

**Pre-Commencement Condition(s)**

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

### **Other Compliance Conditions**

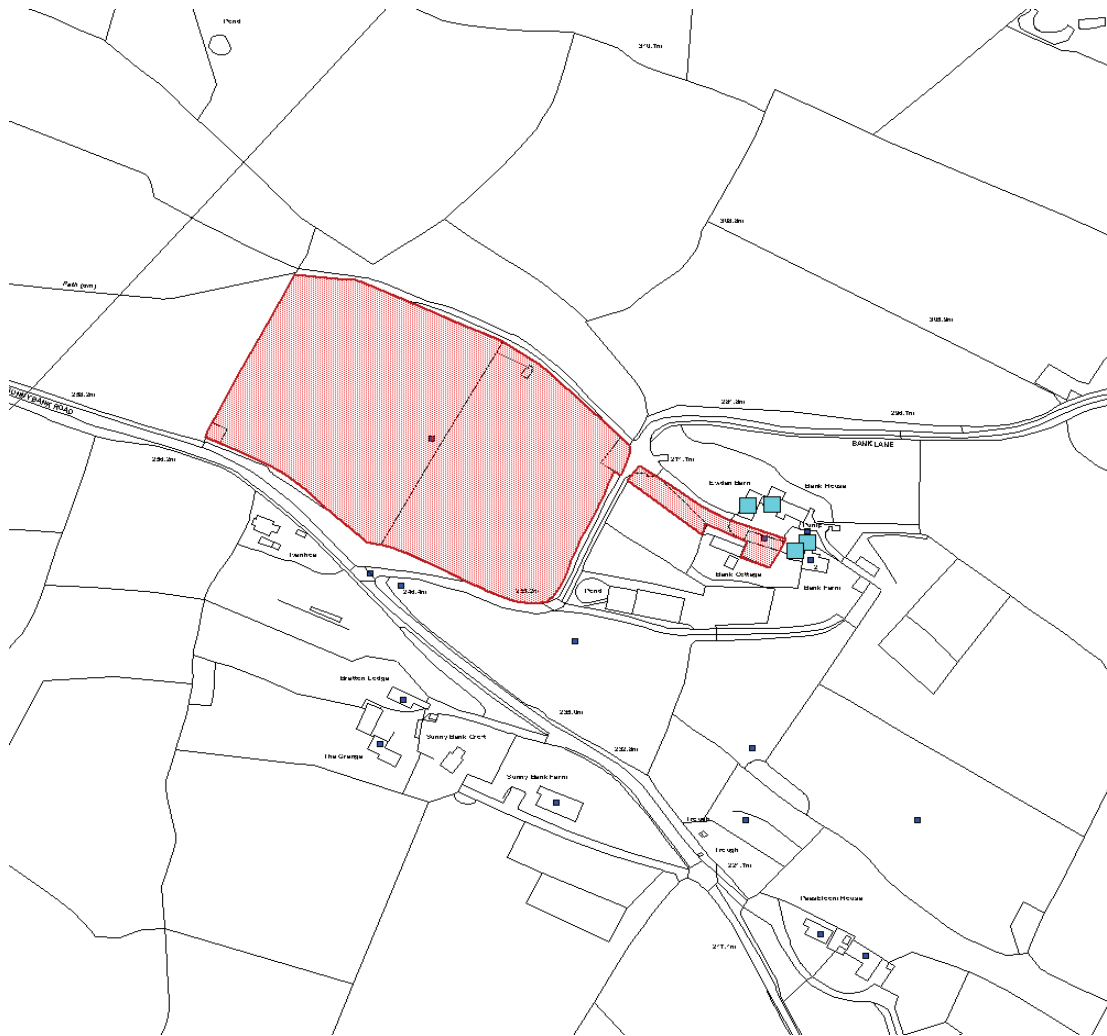
3. The fences hereby approved shall be treated in a dark green (forest green) stain only.

Reason: In the interests of the visual amenity of the surrounding area

Attention is Drawn to the Following Directives:

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

# Site Location



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## BACKGROUND

The application has been submitted in response to an enforcement enquiry regarding the erection of timber fencing panels that have been erected without planning permission to a residential property in Bolsterstone. The applicant was informed by officers that planning permission was required to retain the fencing panels owing to the panels exceeding 2m in height (eastern boundary only) and that a condition attached to the approval to erect a single storey side extension to the dwellinghouse in 2007 removed the property's 'Permitted Development' Rights.

## LOCATION AND PROPOSAL

The application relates to Bank Cottage. Bank Cottage forms part of a small group of traditional former agricultural buildings that were granted planning permission to be converted into dwellinghouses in 1991. There are five dwellinghouses that make up the small group of buildings at Bank Farm, these are Bank Cottage, subject to this application, Bank House, 1 Bank Farm (the original farmhouse), Ewden Barn, and 2 Bank Farm). The site is situated in the Green Belt and lies within an Area of High Landscape Value (AHLV).

The group of buildings hold a commanding position in the Ewden Valley, situated up a steep road (Bank Lane) that feeds off Sunny Bank Road. Bank Cottage is built in traditional materials with its walls faced in natural random stone and roof covered with artificial stone slates. Attached to the rear of the building is a flat roofed structure that is used for storage and the stabling of horses. Bank Cottage's garden is severed from the main dwellinghouse, situated across a shared courtyard area to its west. The garden is attractively landscaped and covers an area of approximately 700 square metres.

The applicant is seeking full planning permission to retain three fencing panels (1.8m-2.5m) that have been erected along part of the garden's eastern boundary and the part retention and erection of new timber fencing panels with proposed access/maintenance gate (1.2m-1.5m) along the garden's southern boundary.

## RELEVANT PLANNING HISTORY

Bank Cottage and the surrounding buildings have been subject to a number of planning applications over recent years. The planning history relevant to this application is set out below:-

90/02014/FUL – Alterations to outbuildings for use as two dwellinghouses and three garages – Granted 29/01/91

06/04824/FUL – Extension to cottage into lower level stable area to form 4-bedroomed dwellinghouse and alterations to existing cottage (Amended scheme) – Refused 23/05/07

07/01700/LU1 – Application to establish the lawful use of land as extension to residential curtilage – Granted 18/09/07

07/02797/LU1 – Establishing the lawful use of building as residential (Application under Section 191) Refused 06/09/07

07/03556/FUL – Single storey side extension to dwellinghouse – Granted 14/11/07. A condition was attached to this approval (No. 3) that removed the property's 'PD' Rights. – Granted 14/11/07

08/00536/LU1 – Establishing the lawful use of building as residential (Incidental to the enjoyment of the main dwellinghouse – Bank Cottage) (Application under Section 191) (Resubmission of 07/02797/LU1) Refused 07/04/08

09/03939/FUL – Single storey side extension, replacement of section of flat roof with pitched roof and alterations to door and window openings – Refused 28/04/10

An appeal in respect of the two refusals (06/04824/FUL and 07/02797/LU1) was held at a Public Inquiry in July 2008. Both were dismissed.

#### SUMMARY OF REPRESENTATIONS

Four letters have been received in response to this application, three letters in support and one against. A summary of their comments is listed below.

##### Support (3)

- The owners of Ewden Barn state that they are immediate neighbours to the site and have no problem whatsoever with the proposed retention of the fencing panels;
- The fence is not visible from Bank Lane, and can only be seen from the garden of the site and the driveway of 1 Bank Farm;
- Concerns of overlooking from the CCTV cameras that are attached to a wooden 'lookout tower' tower that is located close and overlook the applicant's garden. This is considered to be very intrusive, and unacceptable loss of privacy;
- The three panelled fence is a temporary measure until the trees, which have recently been planted are established; The previous trees that stood there were damaged due to high winds and had to be removed.

##### Object (1)

- The fence panels are unnecessary. 1 Bank Farm's garden is considerably lower than the applicant's garden. This property already has a breeze block wall for "screening" the garden;
- They are too high - from our side these fence panels are 3m high. (1m panels on top of a 2m high breeze block wall). The applicants have used their garden behind their breeze block wall, without additional fence panels for the past six years and nothing has changed;
- The panels were erected without planning permission and in breach of the condition that removed the right to erect any extensions, fences, walls without first seeking planning permission. The reason the PD Rights were removed were fair and for good amenity reasons;

- The site is situated in the Green Belt and “Area of High Landscape Value” - visible from the by-way up Bank Lane, which is regularly frequented by walkers. High fences erected on top of breeze block walls are not in keeping with the character of the area and damage the openness of the Green Belt.
- The Tower referred to is in fact a children’s play house with the CCTV cameras that have been fixed to it overlooking the area where the motor home is parked and not the applicant’s garden.
- No objection to the additional 10 fence panels and gate on the southern boundary; Whilst concerned that these have been erected without planning permission, it is considered that the fence is acceptable.

## PLANNING ASSESSMENT

### Planning Policy

Bank Cottage is situated in the Green Belt and within an Area of High Landscape Value (AHLV). The proposal should therefore be assessed against UDP Policies GE1, GE2, GE4 and GE8. Policy GE1 states that in the Green Belt development will not be permitted, except in very special circumstances, where it would lead to, amongst other things encroachment of development into the countryside. Policy GE2 states that in the Green Belt measures will be taken to maintain and enhance areas of high landscape value (this is also underlined by GE8 relating to Areas of High Landscape Value). Policy GE4 states that the scale and character of any development in the Green Belt should be in keeping with the area and conserve and enhance the landscape. Also relevant to the application is UDP Policy BE5, which seeks that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions.

### Proposed Development

The proposal is in two parts; (i) the retention of three fencing panels that have been erected along a short section (approximately 5.4m) of the garden’s eastern boundary, and (ii) the retention of eight panel fences and proposed erection of two additional fence panels and gate.

### Impact on Green Belt and AHLV

(i) The three fencing panels along the site’s eastern boundary are fixed to the ground by timber posts and positioned against the site’s breeze block walling. Each panel measures 1.8m (width) and stand approximately 1.85m-2.5m in height above the finished ground levels owing to the sloping levels across their length. The panels are close boarded (fixed horizontally) and stained dark green (forest green). The applicant has confirmed that the fencing panels were erected following the removal of trees/shrubbery that once provided screening but were removed due to storm damage.

The fencing panels extend along the boundary with No. 1 Bank Farm and are located along part of this neighbouring property’s driveway and entrance to the garden of this property. Owing to the difference in ground levels between the applicant’s garden and vehicular driveway, the combined height of the breeze block wall and timber

fencing above the ground level is about 3m. Inspection from this side (Facing 1 Bank Farm) of the fence shows that the existing breeze block wall is mostly screened by low dense hedging exposing only the three 1.2m high timber panels.

It is considered that the fence represents an appropriate form of development and does not unduly harm the character and appearance of the surrounding area or detract from the openness of the Green Belt. The type of fence (close boarded timber fencing), together with the colour that has been applied to the fence is considered to be an appropriate response to the high landscape setting of the site. Given the position of the fence to the main garden area of 1 Bank Farm, which is over 25m away, any effect on the residential amenity of this neighbouring property is minimal. The fence does not appear incongruous or appear at odds with the attractive and attractively landscaped appearance of both the garden it serves to screen and the driveway of the neighbouring property. Moreover, it was clear from officer's site inspection that without the fence, open views onto the applicant's garden would be readily gained particularly at the top end of the driveway. The erection of the fence is an acceptable response to the concerns raised by the applicant that the fence provides a level of privacy that would not be met if the fence is removed. It is also considered that there is no reason to issue a temporary permission until the plants/trees are established given the minimal impact of the fence on the visual amenity of the surrounding area.

(ii) The second part of the development involves the retention of eight fencing panels and the erection of two additional fencing panels and access gate along the garden's southern boundary. Similar to the eastern fencing panels, the panels are close boarded and treated in a forest green stain. The height of the existing and proposed fence would vary between 1.2m and 1.5m given the sloping ground levels of the site. The applicant has stated that the new fence was erected to replace a line of fencing that was taken down previously.

It is considered that the siting and appearance of the fence is acceptable and represents an appropriate form of development. Given the location of the fence to the southern side of the site, the height of the fencing (1.2m-1.5m) and backdrop of dense shrubbery behind the fence, views of the fence are restricted and mostly visible from within the garden only. It is also noted that the residents of 1 Bank Farm raise no objection to this section of fencing.

In the interests of visual amenity, it is recommended that a condition be attached that requires the fencing to be treated in a forest green stain only unless first receiving the written express consent from the Local Planning Authority.

The application does not raise any highway implications. The fences are not situated close to any vehicular highway that would prejudice highway safety.

It is considered that UDP Policies GE1, GE2, GE4, GE8 and BE5 would be met.

SUMMARY AND RECOMMENDATION



The application relates to Bank Cottage in Bolsterstone. The dwellinghouse is situated within a group of five dwellinghouses that are situated to the north of Sunny Bank Road.

The applicant is seeking full planning permission to retain three fencing panels (1.8m-2.5m) that have been erected along part of the garden's eastern boundary and the part retention and erection of new timber fencing panels with proposed access/maintenance gate (1.2m-1.5m) along its southern boundary.

It is considered that the application to retain the fencing represents an appropriate form of development and would not unduly harm the visual amenity of the surrounding area or openness of the Green Belt. Any impact of the fencing on the residential amenity of neighbouring properties is minimal.

For the reasons set out within the report, it is considered that the application is acceptable and would be in general accordance with UDP Policies GE1, GE2, GE4, GE8 and BE5. The application is therefore recommended for approval subject to the conditions listed.

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Case Number	15/01777/LBC
Application Type	Listed Building Consent Application
Proposal	Retention of internally illuminated fascia sign
Location	Broomhill Property Shop Kennedy House 319 Glossop Road Sheffield S10 2HP
Date Received	15/05/2015
Team	South
Applicant/Agent	Broomhill Property Shop
Recommendation	Refuse with Enforcement Action

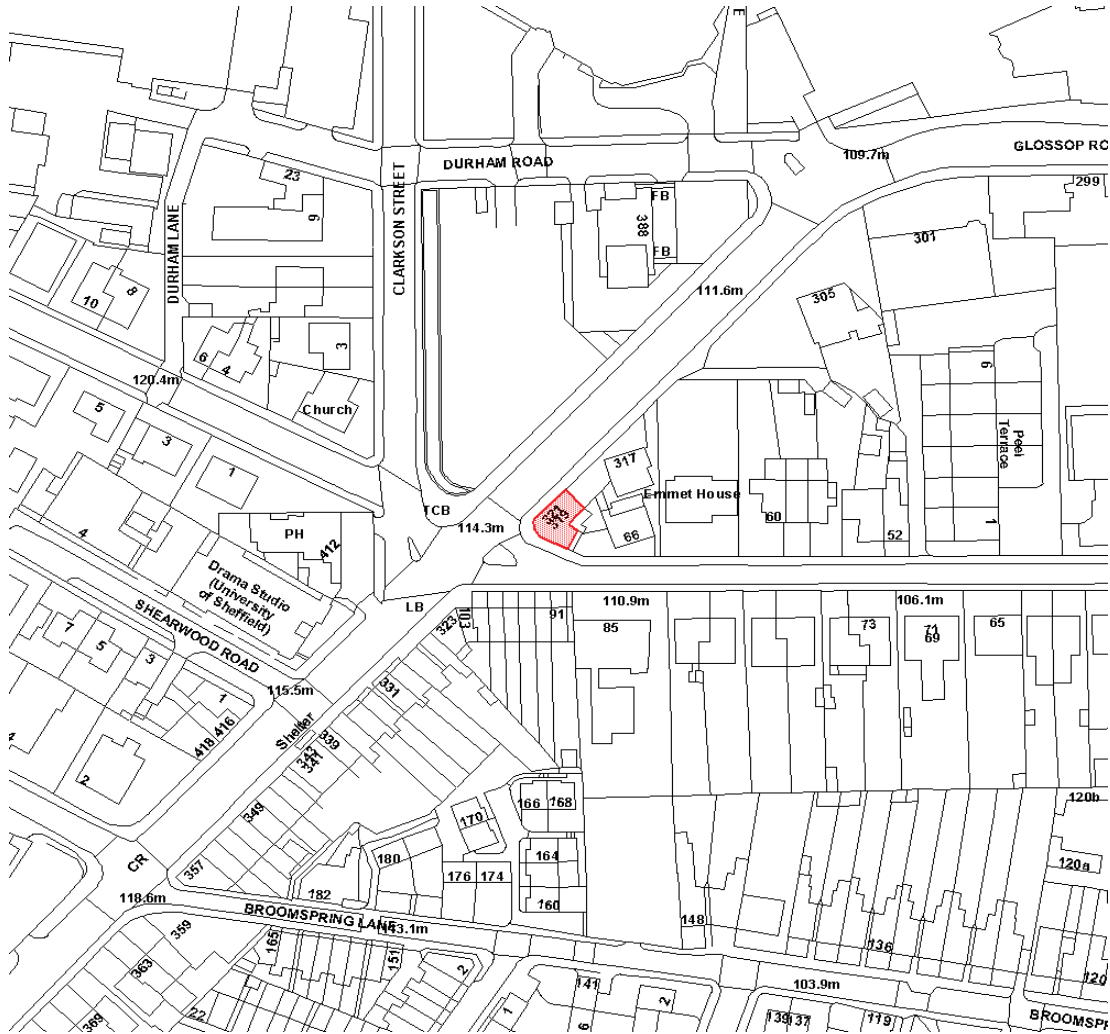
Refuse for the following reason(s):

- 1 The Local Planning Authority considers that owing to its siting, size and design, the display of the internally illuminated fascia sign to the Grade II Listed building significantly detracts, and is harmful to, the character of the listed building and the visual amenities of the wider area. As such the proposed sign would wholly conflict with the requirements of UDP policies BE13, BE16, BE19 and in the absence of any public benefits to outweigh such harm, paragraphs 68 and 132 of the NPPF.

Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with a planning application, this application was submitted without the applicant having entered into meaningful pre-application discussions about the planning policy (or policies) that apply to the proposal and has shown such disregard for those policy requirements, that the Local Planning Authority had no alternative but to refuse consent.
2. For the purpose of clarity, this refusal of planning consent relates to the information and details provided dated 15th May 2015 and 02 October 2015.
3. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the sign. The Local Planning Authority will be writing separately on this matter.

# Site Location



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## LOCATION AND PROPOSAL

The application relates to a brick and slate built corner building set on Glossop Road where it meets Wilkinson Street. The property is set within very small grounds and is Grade II Listed. The offices, which are the subject of this planning application, are set in the northern most part of the building.

The building is a period building, circa 1850's, which is currently used as an office and a shop. There is a historic planning application that relates to the building and outlined a proposal for the formation of a residential unit at first floor level. However, as this application relates to the external signage of an estate agents, it has not been verified that that permission has been implemented.

The building is brick built with stone dressings and a hipped slate roof. The corner plot lends itself to the round corner design with two ridge stacks and, the building therefore fronts both Glossop Road and Wilkinson Street. The windows are mainly 12 pane sashes with brick flat arches, some of these have been replaced in the past with casement windows. The sandwich shop on the corner of the building has been clad towards the latter half of the 20 century, although this has been done fairly sensitively.

The property is set just outside of the city centre ring road and approximately 1km from the city centre. The building is surrounded by parts of the Hallamshire hospital, residential properties and various university owned office buildings. The surrounding buildings are mostly owned by Sheffield University and these are similar ages to the subject property; many of these are listed too.

The property is set within an area which is defined in the Unitary Development Plan as a Mixed Use Area and the Hanover Conservation Area.

Advertisement consent and listed building consent are sought to retain an internally illuminated sign which relates to the estate agents.

## PLANNING HISTORY

This report relates to an advertisement consent application and a listed building consent application for the retention of an existing sign. A heritage statement was submitted with this listed building consent application; however, such statements are not required for the advertisement consent application. The two applications are to be determined at the same time and the details provided in the listed building consent application, as required in paragraph 111 of the Governments guidance entitled Guidance on Information Requirements and Validation (March 2010), are also relevant to the advertisement consent application.

The property has been the subject of various historic planning applications. The various planning consents relate to changes of use and internal alterations to accommodate residential living space. Furthermore, amongst these applications there is a full planning application and an application for listed building consent which sought permission to widen the window which is set below the signage which forms the subject of this application. These were refused permission in 2006.

The 2006 application (06/03794/FUL) sought permission to widen the window below the signage which is the subject of these applications. The window was not considered to preserve the heritage of the building or respect the proportions and detailing of the original building.

## SUMMARY OF REPRESENTATIONS

A site notice was posted which advertised this application, together with an advert which was posted in the Sheffield Telegraph. No representations have been received in connection with this application.

## PLANNING ASSESSMENT

The signage is to be located on a listed building which is set within a mixed use area and a conservation area, as defined in the Unitary Development Plan. Policy MU11 is relevant and whilst this does not specifically relate to advertisements, it states that all policies relating to the Built and Green Environment should be complied with. Policies BE13, BE16 and BE19 are therefore most relevant.

UDP Policy BE13 (Advertisements) states that advertisements will only be permitted if they are not a traffic hazard and are well-designed and relate to the character or appearance, scale and design of the locality. It further states that internally illuminated signs will be permitted if they are outside a Conservation Area and do not affect the setting of a listed building.

UDP policy BE16 states that permission will only be given to proposals sited within a conservation area which preserve and enhance the character of the site and wider conservation area.

UDP policy BE19 states that proposals for internal or external alterations which would affect the special interest of a Listed Building will be expected to preserve the character and appearance of the building and, where appropriate, preserve or repair original details and features of interest.

The National Planning Policy Framework makes a presumption in favour of sustainable development but provides guidance on how sustainable development should be achieved. The above local planning policies have been considered to be sound when viewed in the context of the NPPF. Paragraphs 68 and 132 link well with the above local planning policies and weight is given to them.

The NPPF states in paragraph 68 that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. It further states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.

Section 12 of the NPPF relates to conserving and enhancing the historic environment and paragraph 132 states that 'as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'. Paragraphs 132- 134 further explain that any harm to a heritage asset should be weighed against the public benefit of the proposal.

## Design of the Proposal

The proposal seeks permission to retain an illuminated fascia sign which is sited above a ground floor window which faces Glossop Road. The sign advertises the estate agents and is similar in colour and size to a sign which was there previously. The sign differs, however, quite significantly in terms of the projection out from the main elevation of the building and because it is illuminated internally, unlike the previous signage which has more subtle external illumination.

The size is unlike the previous signage and that on the sandwich shop, as the depth is deeper to accommodate the lighting. The depth of the sign, together with the siting above a slim window makes the sign much more prominent on the building's façade than the previous thin timber fascia board. Furthermore, the projection of the sign and its overall size and siting, when taken together with the bright and candid illumination, make the signage visually intrusive and an alien feature when viewed in the context of the building.

Whilst the building is set in a location which comprises a wide range of building styles, a substantial number of buildings within the street are of a similar size and architectural style to the subject property. The window details, sizes and fenestration define the architectural style and the sign is considered to detract from such details which are integral to the buildings heritage.

By virtue of the size, design and siting of the signage, the proposal is considered to be poorly placed and injurious to the quality and integrity of the listed building. As the listed building is a heritage asset which helps characterise and define the areas status as a conservation area, the harm caused to building is also detrimental to the visual amenities of the wider area.

The sign is not considered to preserve or enhance the visual amenities and setting of the listed building, given that the depth and illumination of the sign would be a gross addition to a subtly detailed facade. Furthermore, as the signage would be illuminated and incongruous within the context of the street, the proposal is also considered to be harmful to the amenities of the wider area and the Hanover Conservation Area.

There are no public benefits to the proposal that would weigh against the harm to the heritage assets in this case.

Accordingly, in light of the above, the proposal is not considered to comply with planning policies BE13, BE16, BE19 and the NPPF.

## Amenity and Highways Issues

It is acknowledged that the signs are located on a frontage of a building which faces a wide public highway. The size of the trough lighting is smaller than the existing lights and, as they are sensitively sited, the adverts are not considered to cause any dis-amenity to the neighbouring properties to the extent that could warrant a refusal of permission.

Similarly, the siting and design of the signage are considered to be acceptable and do not give rise to any highway issues.

#### Enforcement Issues

The application seeks permission to retain an unauthorised sign. As outlined in the reasons above, the signage is considered to be harmful to the character and visual amenities of the listed building and the wider area. Accordingly, any refusal of consent will have to be followed with enforcement action to seek the removal of the signage.

It is therefore requested that the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action, including if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signage.

#### SUMMARY AND RECOMMENDATION

Given the size, siting and nature of the signage, it is concluded that the signs would significantly harm the character or appearance of the listed building and the wider area. Although the size is similar to the previous sign, by virtue of its projection and illumination, the sign is considered to incrementally erode the character to a much greater extent than the previous signage or that of the neighbouring sandwich shop. To allow such a sign would be contrary to both national and local planning policies and would not preserve or enhance the quality of the listed building or the conservation area.

Although the sign is illuminated, the location is on a wide public highway, is considered to negate any highway safety concerns. Furthermore, the location of the property on the wide, well lit highway, also is considered to prevent any harm being created to the general amenities of any local resident.

Accordingly, it is considered that although the proposal would not impact upon the amenities of any local resident, or the safety of the public highway, the design is significantly harmful to the character of the listed building and the wider area. For the reasons relating to siting and design, it is considered that the retention of the proposed sign would wholly conflict with the requirements of UDP policies BE13, BE16, BE19 and paragraphs 68 and 132-134 of the NPPF.

It is therefore recommended that the proposed signage be refused both Listed Building Consent and Advertisement Consent and that the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action, including if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signage. It is further recommended that the Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

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Case Number	15/01776/ADV
Application Type	Advertisement Consent Application
Proposal	Retention of internally illuminated fascia sign
Location	Broomhill Property Shop Kennedy House 319 Glossop Road Sheffield S10 2HP
Date Received	15/05/2015
Team	South
Applicant/Agent	Broomhill Property Shop
Recommendation	Refuse with Enforcement Action

Refuse for the following reason(s):

- 1 The Local Planning Authority consider that owing to its siting, size and design, the display of the internally illuminated fascia sign to the Grade II Listed building significantly detracts, and is harmful to, the character of the listed building and the visual amenities of the wider area. As such the proposed sign would wholly conflict with the requirements of UDP policies BE13, BE16, BE19 and in the absence of any public benefits to outweigh such harm, paragraphs 68 and 132 of the NPPF.

Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with a planning application, this application was submitted without the applicant having entered into meaningful pre-application discussions about the planning policy (or policies) that apply to the proposal and has shown such disregard for those policy requirements, that the Local Planning Authority had no alternative but to refuse consent.
2. For the purpose of clarity, this refusal of planning consent relates to the information and details provided dated 15th May 2015 and 02 October 2015.
3. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the sign. The Local Planning Authority will be writing separately on this matter.



Site Location



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## LOCATION AND PROPOSAL

The application relates to a brick and slate built corner building set on Glossop Road where it meets Wilkinson Street. The property is set within very small grounds and is Grade II Listed. The offices, which are the subject of this planning application, are set in the northern most part of the building.

The building is a period building, circa 1850's, which is currently used as an office and a shop. There is a historic planning application that relates to the building and outlined a proposal for the formation of a residential unit at first floor level.

However, as this application relates to the external signage of an estate agents, it has not been verified that that permission has been implemented.

The building is brick built with stone dressings and a hipped slate roof. The corner plot lends itself to the round corner design with two ridge stacks and, the building therefore fronts both Glossop Road and Wilkinson Street. The windows are mainly 12 pane sashes with brick flat arches, some of these have been replaced in the past with casement windows. The sandwich shop on the corner of the building has been clad towards the latter half of the 20 century, although this has been done fairly sensitively.

The property is set just outside of the city centre ring road and approximately 1km from the city centre. The building is surrounded by parts of the Hallamshire hospital, residential properties and various university owned office buildings. The surrounding buildings are mostly owned by Sheffield University and these are similar ages to the subject property; many of these are listed too.

The property is set within an area which is defined in the Unitary Development Plan as a Mixed Use Area and the Hanover Conservation Area.

Advertisement consent and listed building consent are sought to retain an internally illuminated sign which relates to the estate agents.

## PLANNING HISTORY

This report relates to an advertisement consent application and a listed building consent application for the retention of an existing sign. A heritage statement was submitted with this listed building consent application; however, such statements are not required for the advertisement consent application. The two applications are to be determined at the same time and the details provided in the listed building consent application, as required in paragraph 111 of the Governments guidance entitled Guidance on Information Requirements and Validation (March 2010), are also relevant to the advertisement consent application.

The property has been the subject of various historic planning applications. The various planning consents relate to changes of use and internal alterations to accommodate residential living space. Furthermore, amongst these applications there is a full planning application and an application for listed building consent

which sought permission to widen the window which is set below the signage which forms the subject of this application. These were refused permission in 2006. The 2006 application (06/03794/FUL) sought permission to widen the window below the signage which is the subject of these applications. The window was not considered to preserve the heritage of the building or respect the proportions and detailing of the original building.

## SUMMARY OF REPRESENTATIONS

A site notice was posted which advertised this application, together with an advert which was posted in the Sheffield Telegraph. No representations have been received in connection with this application.

## PLANNING ASSESSMENT

The signage is to be located on a listed building which is set within a mixed use area and a conservation area, as defined in the Unitary Development Plan. Policy MU11 is relevant and whilst this does not specifically relate to advertisements, it states that all policies relating to the Built and Green Environment should be complied with. Policies BE13, BE16 and BE19 are therefore most relevant.

UDP Policy BE13 (Advertisements) states that advertisements will only be permitted if they are not a traffic hazard and are well-designed and relate to the character or appearance, scale and design of the locality. It further states that internally illuminated signs will be permitted if they are outside a Conservation Area and do not affect the setting of a listed building.

UDP policy BE16 states that permission will only be given to proposals sited within a conservation area which preserve and enhance the character of the site and wider conservation area.

UDP policy BE19 states that proposals for internal or external alterations which would affect the special interest of a Listed Building will be expected to preserve the character and appearance of the building and, where appropriate, preserve or repair original details and features of interest.

The National Planning Policy Framework makes a presumption in favour of sustainable development but provides guidance on how sustainable development should be achieved. The above local planning policies have been considered to be sound when viewed in the context of the NPPF. Paragraphs 68 and 132 link well with the above local planning policies and weight is given to them.

The NPPF states in paragraph 68 that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. It further states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.

Section 12 of the NPPF relates to conserving and enhancing the historic environment and paragraph 132 states that 'as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'. Paragraphs

132- 134 further explain that any harm to a heritage asset should be weighed against the public benefit of the proposal.

### Design of the Proposal

The proposal seeks permission to retain an illuminated fascia sign which is sited above a ground floor window which faces Glossop Road. The sign advertises the estate agents and is similar in colour and size to a sign which was there previously. The sign differs, however, quite significantly in terms of the projection out from the main elevation of the building and because it is illuminated internally, unlike the previous signage which has more subtle external illumination.

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Whilst the building is set in a location which comprises a wide range of building styles, a substantial number of buildings within the street are of a similar size and architectural style to the subject property. The window details, sizes and fenestration define the architectural style and the sign is considered to detract from such details which are integral to the buildings heritage.

By virtue of the size, design and siting of the signage, the proposal is considered to be poorly placed and injurious to the quality and integrity of the listed building. As the listed building is a heritage asset which helps characterise and define the areas status as a conservation area, the harm caused to building is also detrimental to the visual amenities of the wider area.

The sign is not considered to preserve or enhance the visual amenities and setting of the listed building, given that the depth and illumination of the sign would be a gross addition to a subtly detailed facade. Furthermore, as the signage would be illuminated and incongruous within the context of the street, the proposal is also considered to be harmful to the amenities of the wider area and the Hanover Conservation Area.

There are no public benefits to the proposal that would weigh against the harm to the heritage assets in this case.

Accordingly, in light of the above, the proposal is not considered to comply with planning policies BE13, BE16, BE19 and the NPPF.

### Amenity and Highways Issues

It is acknowledged that the signs are located on a frontage of a building which faces a wide public highway. The size of the trough lighting is smaller than the existing lights and, as they are sensitively sited, the adverts are not considered to

cause any dis-amenity to the neighbouring properties to the extent that could warrant a refusal of permission.

Similarly, the siting and design of the signage are considered to be acceptable and do not give rise to any highway issues.

#### Enforcement Issues

The application seeks permission to retain an unauthorised sign. As outlined in the reasons above, the signage is considered to be harmful to the character and visual amenities of the listed building and the wider area. Accordingly, any refusal of consent will have to be followed with enforcement action to seek the removal of the signage.

It is therefore requested that the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action, including if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signage.

#### SUMMARY AND RECOMMENDATION

Given the size, siting and nature of the signage, it is concluded that the signs would significantly harm the character or appearance of the listed building and the wider area. Although the size is similar to the previous sign, by virtue of its projection and illumination, the sign is considered to incrementally erode the character to a much greater extent than the previous signage or that of the neighbouring sandwich shop. To allow such a sign would be contrary to both national and local planning policies and would not preserve or enhance the quality of the listed building or the conservation area.

Although the sign is illuminated, the location is on a wide public highway, is considered to negate any highway safety concerns. Furthermore, the location of the property on the wide, well lit highway, also is considered to prevent any harm being created to the general amenities of any local resident.

Accordingly, it is considered that although the proposal would not impact upon the amenities of any local resident, or the safety of the public highway, the design is significantly harmful to the character of the listed building and the wider area. For the reasons relating to siting and design, it is considered that the retention of the proposed sign would wholly conflict with the requirements of UDP policies BE13, BE16, BE19 and paragraphs 68 and 132-134 of the NPPF.

It is therefore recommended that the proposed signage be refused both Listed Building Consent and Advertisement Consent and that the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action, including if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signage. It is further recommended that the Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

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Case Number	15/00740/FUL (Formerly PP-04017042)
Application Type	Full Planning Application
Proposal	Demolition of extension and conversion of nursing home into a dwellinghouse, erection of 3 dwellinghouses with detached double garages, and alterations and extension to former coach house to form 3 mews houses with associated car parking (amended description)
Location	Brincliffe Towers Old Peoples Home Brincliffe Edge Road Sheffield S11 9BZ
Date Received	01/03/2015
Team	South
Applicant/Agent	Haxton Koyander Architecture Ltd
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The Local Planning Authority considers that the height of the proposed 3 dwellinghouses would over-dominate Brincliffe Towers and the proposed extensions to the coach house would result in an unco-ordinated built form, with a variety of roof pitches and opening treatments which would detract from the original character of the coach house and would result in the building being less subservient to Brincliffe Towers. The proposed 1800mm boundary wall between Brincliffe Towers and the coach house would further erode the historic relationship between the two buildings. Overall, the proposed development would be detrimental to the setting of Brincliffe Towers and would result in substantial harm to the character and appearance of Chelsea Park and the Nether Edge Conservation Area. The proposed development is thereby contrary to Unitary Development Plan and Core Strategy Policies BE15, BE16, BE21 and CS74 and is unjustified in the context of paragraph 133 of the National Planning Policy Framework.
- 2 The Local Planning Authority considers that the proposals would be likely to result in the decline or loss of up to 4 trees in the adjoining avenue of Lime trees which is noted as a feature of Chelsea Park in the Local Schedule of Historic Parks and Gardens owing to the excavations required in the root protection zones of those trees in order to accommodate the proposed car parking court to the rear of the coach house. In addition, the Local Planning Authority consider that there would be likely to be future pressure for the removal or significant pruning of trees within the south-west and south-east facing gardens of the new-build dwellinghouses to improve the light and

utility of those gardens which would result in a loss of tree cover to the detriment of the landscape character of the site and the setting of Chelsea Park and the Nether Edge Conservation Area which would be contrary to Unitary Development Plan Policies BE6(c), BE15, BE16, BE21, GE15(b) and Core Strategy CS74.

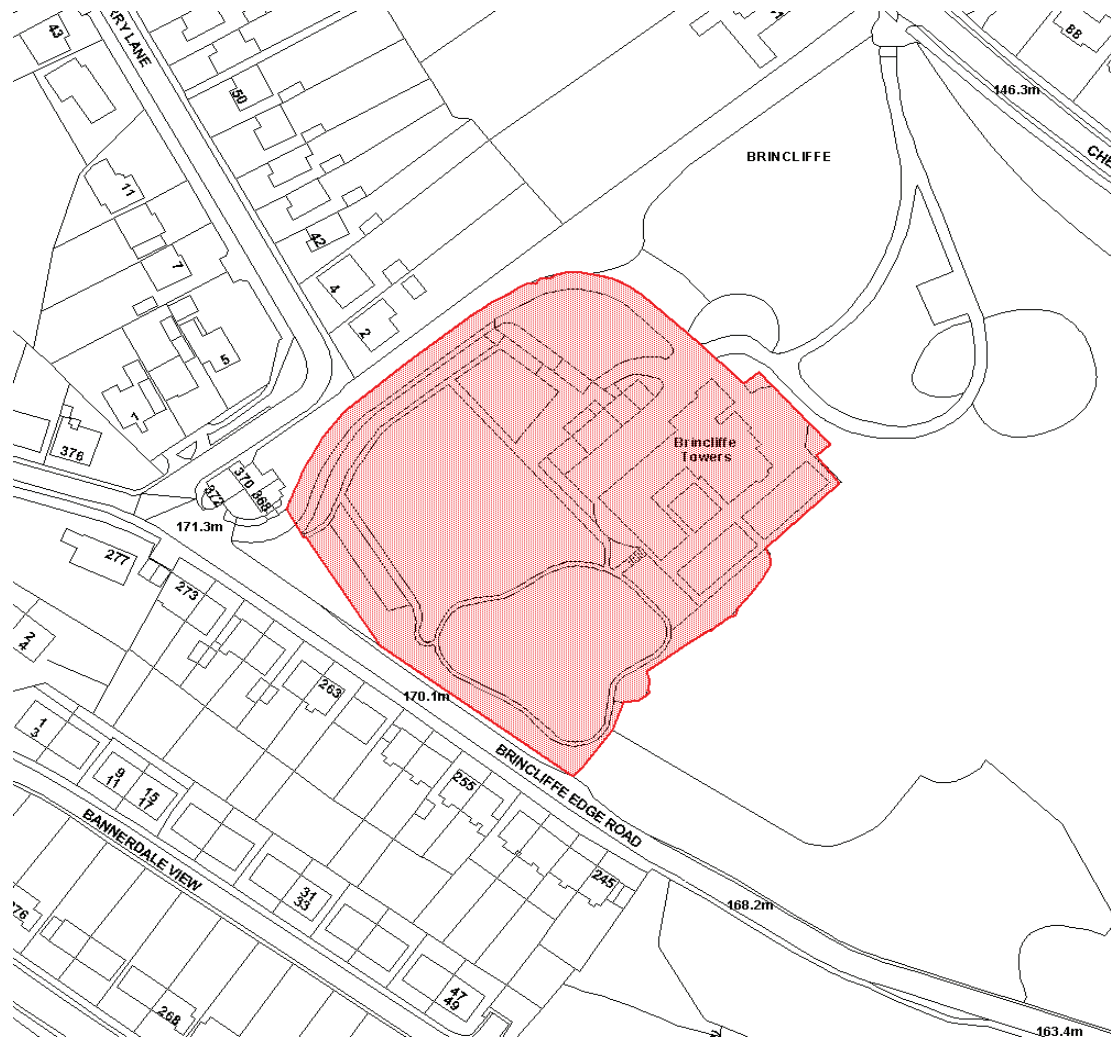
- 3 The Local Planning Authority considers that the mixture of traditional and contemporary architecture and materials in the design of the new dwellings does not reinforce local distinctiveness within the Nether Edge Conservation Area and is thereby contrary to Unitary Development Plan Policies H14(a), BE5(a) and (c), BE15, BE16 and BE17 and Core Strategy Policy CS74, and is unjustified in the context of paragraph 60 of the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner during pre-application discussions, the application still shows such disregard for policy requirement(s), that the Local Planning Authority had no alternative but to refuse consent. We would welcome pre-application discussions on an alternative scheme.
2. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

HK-213 003  
HK-213 004  
HK-213 005  
HK-213 010  
HK-213 011Rev 1  
HK-213 012  
HK-213 013  
HK-213 014  
HK-213 015 Rev 1  
HK-213 016 Rev 1  
HK-213 031  
HK-213 102 Rev 1  
HK-213 111  
BT-02 001  
520 BTS02

Site Location



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## LOCATION AND PROPOSAL

Brincliffe Towers is a vacant former residential care home within Chelsea Park. The large scale detached building is Victorian in Gothic Revival style. It was substantially and unsympathetically extended in the 1950's. The site also includes a large two storey coach house with single storey elements to the end elevations. The coach house and the extensions to the main building are separated by an informal driveway/courtyard of approximately 7.5m width. A 2.5m–3m high stone wall closes the end of the courtyard.

The site covers 7954sq.m and is virtually fully enclosed. The majority of the site comprises overgrown former gardens to the main building which rise to the boundary with Brincliffe Edge Road beyond the courtyard wall. Chelsea Park slopes away from the site to the north east and south east to entrances in Chelsea Road and further along Brincliffe Edge Road, respectively.

A low stone wall with railings forms part of the boundary with the main body of Chelsea Park. This treatment allows views of the principal elevation of the main building and its small lawned garden from the park. The main two storey 1950's extension can also be seen but views are restricted and it is not prominent. The remainder of this boundary is densely vegetated with a number of trees and overgrown shrubs. A natural stone wall forms the boundary with Brincliffe Edge Road. The wall continues along the north-west boundary to separate the site from a tree-lined driveway that gives access to the site and also into Chelsea Park. The driveway entrance is outside the boundary of the application. It is marked by two stone pillars and is splayed from the main carriageway in Brincliffe Edge Road close to the junction with Quarry Lane.

There is a detached 1.5 storey dwelling (former lodge) between the access drive and the entrance to Quarry Lane. A dormer bungalow in Quarry Lane adjoins the lower end of the access drive. Inter-wars semi-detached dwellings predominate on the opposite side of Brincliffe Edge Road. The majority of dwellings in Quarry Lane are detached and c1970, although the bungalow is much older.

The application proposes the following works:

- removal of the 1950s extensions to the main building
- conversion of main building to form 1 large dwelling
- rear extensions to each end of the coach house (projecting approx. 8.8m and 4.8m, respectively)
- conversion of coach house to form 3 x 2 storey mews houses
- erection of 3 x detached 2.5 storey dwellinghouses with detached double garages
- removal of courtyard wall (linking coach house and house extension) and creation of private shared driveway
- provision of 8 car parking spaces to rear of coach house
- erection of 1800mm high wall between main house and driveway

## RELEVANT PLANNING HISTORY

An application for demolition of the extensions to the main building, use of the main building as a single dwelling, the erection of 4 large detached houses and the construction of a new access road from Brincliffe Edge Road was withdrawn in September 2014, due to concerns raised by officers (ref 14/02452/FUL).

## SUMMARY OF REPRESENTATIONS

### Support/No Objections

4 representations have been received from local residents either supporting or not objecting to the proposals:

- Brincliffe Towers has been empty for some time and is deteriorating rapidly – currently in a terrible state with water leaking in and some of structure starting to crumble – also rats and people hanging around the back
- current scheme will raise funding from the building of the 3 houses –without such a development scheme it is unlikely that the funding will be raised and a developer attracted
- would love to see the Towers and the coach house repaired and looking lovely again –not doing anything will allow buildings to deteriorate further – which will cost more money and risk of not being repaired at all
- have to accept development to prevent eyesore as is case with most large un-used buildings
- happy that development will be small scale and high quality rather than an overdeveloped mass
- do not think the new development will affect anyone’s enjoyment of Chelsea Park - Brincliffe
- this type of development long overdue and can only improve image of park
- suggests developer be required to maintain play areas and equipment,
- number and scale of houses is balanced with space available
- existing access suitable for very minor traffic flows, and pedestrians and vehicles will be able to use it together safely
- any additional traffic will be imperceptible on adjacent highway network
- application states proposal has good access to sustainable transport. However, not easily accessible for all users - route from site to main bus stops and local facilities should be audited and applicant should propose and implement measures to ensure that 'all' people could live without reliance on private cars
- refers to barriers to safe access between site and services at Banner Cross and requests developer contribution towards improvements, including signalled pedestrian crossing at Psalter Lane/Ecclesall Road South
- conflict between demands of Conservation Area and Housing Area designations are comparable situation to Brincliffe Oaks development where development was allowable within limitations set down within Conservation Area

- density no greater than former residential home – number of occupants expected to be lower than occupancy of home and new houses seem to occupy no more land than 1950s extensions to be removed
- materials and general design in keeping with main house and coach house
- overlooking not a problem due to high wall and large trees
- traffic concerns misplaced – residential home generated steady flow of visitors, medical staff and suppliers which must have been greater than traffic for 6 or 7 households – no complaints raised then
- empty building and uncared for gardens not a recipe for conservation – decay and eventual destruction (as at Brincliffe Oaks – abandoned, vandalised, fires, destruction)
- use of existing house as a single dwelling ‘wonderful’ and demolishing awful extensions ‘great news’ – 3 new houses discreetly sited seems small price to pay

### Objection

35 objections have been received in response to publicity given to the application. It should be noted that many of the objectors welcome the demolition of the 1950’s extensions to the main building. The objections are summarised below:

### Conservation

- site is within a Conservation Area and should be protected
- disappointing that submitted Heritage Statement (Dec 2013) has not taken the revisions to the application into account
- Brincliffe Edge Road at present has the appearance of a country lane – any clearance of foliage along this section would fundamentally alter character of the neighbourhood in a conservation area
- There are a number of references to incorrect descriptions in the submitted Heritage Statement (which was originally prepared in connection with the withdrawn application (14/02452/FUL))
- scale and design of houses out of character with conservation area
- will result in loss of trees and mature landscaping within historic garden and conservation area.
- destruction of green space makes mockery of Conservation Area status
- development in line with the conservation area and ecology should be restricted to coach-house and original C19th house
- no shortage of large executive houses in this area, which is in a conservation area and covered by Article 4 directions – proposals are an unsympathetic and inappropriate change to the neighbourhood - contravention of Article 4
- Requests main property is restored to former architectural glory
- Requests coach house and stables renovated in keeping with original architectural heritage
- Requests surrounding gardens with mature trees and natural stone boundary wall are all preserved
- references to Nether Edge Conservation Area Character Appraisal – contribution of tree cover

- scale of development with removal of several trees detrimental to character of the road – the 3 houses are out of character of the conservation area and would be visible from Brincliffe Edge Road, particularly in winter months, and would impact on privacy of residents
- extension of opening into drive of Brincliffe Towers to allow HGV access for works will substantially spoil appearance of road and outlook, even when eventually replaced
- Chelsea Park and historic Brincliffe Towers require sensitive restoration in keeping with its heritage, architectural aesthetic and location in one of the city's historic and highly valued parks to protect and restore its significance as a hub for the benefit of the local community
- aesthetics of development are contrary to Council's documented commitment to protect against pastiche architecture; generally insensitive to characteristic form and appearance of historic development within local area
- any change to wall or fence along Brincliffe Edge Road would have adverse effect on character of area - journey along Brincliffe Edge Road has a particular semi-rural and intimate character
- skyline will be affected from park and new houses will reach above high roofline of Brincliffe Towers
- historic kitchen garden will have no remains – proposals cover the area in tarmac

#### Scale and Design

- scale too intrusive and intensive to the existing neighbourhood negatively impacting upon its character
- three-storey housing fails to follow natural fall of land, does not "echo the scale and features of the existing mansion" but rather dominates it so diminishing what is accepted in the Heritage Report as an important building
- can new dwellings be lowered (two-storey or set at same level as the mansion)?
- scale too large – will ruin character of park and turn it into a modern housing estate with a bit of grass to one side
- out of keeping with its surrounds, both in terms of size of the development and the amount of tarmac/hard core which will replace current woodland
- better, more in-keeping options are available – can it be developed within the current footprint, removing the 1950s build and replacing with a more in-keeping build?
- new houses should not be visible from Brincliffe Edge Rd and houses in that road – appears that they will be visible
- poor design of houses – roof line will be higher than properties on Brincliffe Edge Road

#### Impact on Trees

- clear that houses will require removal of all trees in middle of development, contrary to assurances given at consultation event that all trees would remain - will destroy all green-space that used to be historic kitchen garden
- loss of trees that form part of continuous corridor along escarpment of Brincliffe Edge to Psalter Lane – loss of character and habitat

- loss of mature trees would have massive impact on character of Brincliffe Edge Road and Chelsea Park and disrupt wild life corridor into the woods
- submitted tree survey biased to the client's needs – requires totally independent view before application goes any further
- what guarantee would be given that tree line on Brincliffe Edge would be retained by any new residents?
- no mention of trees on triangular area of land at site entrance outside application boundary – top drive will need a splayed exit onto Brincliffe Edge Rd, as confirmed in submitted Heritage Statement – will require removal of some or all of 12 trees on Council-owned triangle in addition to those in the Tree Survey - will drastically change appearance from Brincliffe Edge Road
- loss of trees and green cover will impact negatively on noise and light levels
- demands of increased number of independent private dwellings will lead to almost certain further future loss of trees and shrubs
- Tree Report encourages developer to believe that Council will not act to protect 'insignificant' trees in Conservation Areas – if correct, fate of all trees on site is in even greater doubt than already

#### Wildlife

- destruction of trees and habitat of indigenous wildlife - this corner has an obvious and significant population of bats and owls
- 'green screen' is necessary to protect privacy and allow wildlife to move freely
- greatly detrimental to local environment and rich variety of wildlife that inhabit it – requires full and independent ecological survey
- ecology reports do not clarify mitigation measures
- home of species that have statutory protection – loss of even more of their natural habitat
- regular evidence of foxes, badgers, owls and bats in the land surrounding Brincliffe Towers
- trees and shrubs form a habitat for numerous creatures in the park, including owls, bats, badgers, butterflies, bees and other beneficial insects, some of which may be protected species

#### Road Safety

- road access and traffic still a significant issue – concerned that amount of living space will not accommodate the parking resulting in spillage onto Brincliffe Edge and Quarry Lane – resident parking may be needed to combat this
- access still not properly addressed – entrance too small to accommodate safe traffic and vehicle turning, both during construction and for use by residents/service vehicles after completion
- fundamental issue with the access point at apex to Brincliffe Edge Road – no plans can be made to widen access point as applicant does not own the access point - accident waiting to happen - Council should be fully aware of this safety issue and deny current application as it stands
- increased levels of traffic on a road which is already busy at rush hours causing higher risk of collision or injury to pedestrians

- Design Statement does not adequately describe how this narrow road will accommodate the level of traffic associated with the development while remaining safe for pedestrian users
- Discrepancy between information on application form and on plans (car parking spaces/rights of way)
- site access during construction via single-track lane does not seem plausible – dangerous for pedestrians
- hazardous access – no separation for pedestrians and passing places would result in removal of further trees
- poor visibility at entrance onto Brincliffe Edge Rd – improving visibility would require spoiling the boundary wall which is a feature in the conservation area
- Brincliffe Edge Road users, especially cyclists and children, will suffer from increased traffic, particularly during school run
- Brincliffe Edge road already suffers from excessive traffic, due to people using it as a cut through – main cause of routine littering along the road – proposal will only add to unsustainable infrastructure of area
- Request walkers and cyclists remain able to safely use current driveway
- access widely used by pedestrians to gain access to Chelsea Park, including with young children and pushchair and lots of people with dogs – proposal puts all these at increased risk of collision with moving vehicles – even greater risk during demolition and construction phase
- alternative vehicle access suggested - immediately inside present access gate posts, traffic could turn right, on a new access pushed through the existing garden wall, where there is a small door. Clearances are good, no trees would need to be cut down and the vehicle traffic would be separated from pedestrians walking into Chelsea Park
- main building may be subsequently subdivided into smaller units, increasing number of vehicles needing access
- New access on to Brincliffe Edge Road is dangerous – a long section of listed wall would have to be demolished to give good visibility.
- would struggle to fit both a single lane road and a safe footpath down driveway with public access to park
- inadequate visibility for motorists exiting to Brincliffe Edge Road – improvement would require removal of part of historic wall and numerous trees
- Brincliffe Edge Road is a very narrow, single track road. Sight lines already severely compromised by need for residents to park on road, and the natural twists and turns of the road.
- inadequate parking for proposed flats - should be at least 2 parking spaces per flat plus visitor parking
- exit to Brincliffe Edge Road at junction with Quarry Lane is dangerous with very poor visibility and a difficult turn – have witnessed a number of near misses when care home staff were leaving by car – likely to be far more traffic associated with proposed development
- development may easily lead to 14 cars using the site daily – if insufficient on-site parking this will add to pressure on the limited on-road parking in Brincliffe Edge Road
- Brincliffe Edge Road already in poor repair – construction vehicles will make it more dangerous and more difficult than it already is

- Road unsuitable for heavy good vehicles – will road be upgraded as part of this development?
- will need traffic lights to enforce single file traffic and protect pedestrians

#### Community Assets/Benefits

- historical building and gardens were bequeathed to the people of Sheffield and therefore should benefit the local community and environment; this proposal would be the antithesis of this
- close proximity of housing could lead to a loss of amenity restricting the community use of the park
- no opportunity has been taken to require the provision of additional amenity facilities e.g. public toilets in park –running costs could be met by the various community interest groups or out of a service charge for the development
- Could the grounds of Brincliffe Towers be considered a wild space or transformed into something like a physic garden, run by the community for the community and still allow development in the Towers and coach house?
- balance for the beneficiaries totally out of proportion, especially as Brincliffe Towers was bequeathed to the people of Sheffield
- those who visit and enjoy natural beauty of park will suffer due to northern aspect now being residential
- Request local residents remain main beneficiaries of Historic Park and Garden in spirit of its initial gift to people of Sheffield, redevelopment could provide a community facility – currently ensures public loss and private gain
- A more sympathetic, smaller scale and better thought out development should be considered, with some community gain – for example, gardens could as far as possible be restored; outhouses could be turned into a small café with public toilets/baby changing etc. This would go some way to ensuring that the original wishes of the donor of the house, that it should be used for the benefit of the people of Sheffield, are met
- Brincliffe Tower & Chelsea Parkland were a gift to the City of Sheffield and it's people for community use - this commercial housing development does not abide by these community gift rules and should not be developed for private gain and profit
- Chelsea Park hosts many community events, for example the November Bonfire Night celebration – a private housing estate next to these public utilities may lead to difficulties and conflict of interests
- Applicant has chosen to ignore spirit of historic bequest of site as a public amenity, whilst seeking to exploit the presence of Chelsea Park to leverage value of proposed development – questions Council's role and responsibilities in this
- Why not offer some of the site to the community, as an extended woodland sector of Chelsea Park?
- no mention of any "community gain"

#### Residential Amenity

- privacy issues with overlooking windows and gardens between existing and new dwellings

- unclear what orientation and separation distances are between the 3 new houses and houses facing them over Brincliffe Edge Road but is clear that the 3 storey houses would be higher than and would directly overlook – loss of mature trees will exacerbate this
- large houses would overlook houses opposite on Brincliffe Edge Road, which for almost 100 years have not been overlooked front or back – top rooms would look straight into front bedrooms of houses on Brincliffe Edge Road, and vice versa

### Green Spaces

- more important than ever to protect our inner-city green spaces - sale of this land is fundamentally wrong and sets a precedent - thin end of wedge
- don't see why we have to spoil Sheffield by building houses on every available square metre of green space – this development will degrade quality of life for people in area
- need to protect our green spaces – opportunity for planning department to demonstrate its integrity and its power to support the interests of ordinary residents in their wish to safeguard this exceptional and beautiful site
- more and more green space in the area being taken for development than any other in the city
- In the face of growing demand for housing, there is an increased responsibility for the Council to protect the City's green spaces from development and preserve their quality
- walled garden designated as Open Space – deemed not suitable for housing

### Affordable Housing

- will not diversify the local area's housing stock – no concession to "affordable homes"
- contrary to Core Strategy Policy CS40 – no provision for affordable housing

### Other

- restoration of the Towers and the coach house would be a positive thing but do not see why 3 large houses needs to be added to an already tight plot of land
- house and surroundings have been allowed to fall into disrepair by the owners/applicants over the last few years and the threat of blight is emerging
- important that any such development be held up to proper scrutiny to ensure character of site and surrounding area is not compromised simply through fear or threat of further degeneration
- Questions sustainable transport credentials – people living here will drive or use taxis
- poor condition of buildings is due to a complete lack of management - should be investigated by to enforce statutory environmental & safety requirements that apply to empty buildings
- Proposals present no interest in well-being of Nether Edge as a long cherished leafy environment
- need for independent financial viability report



- require assurances that no changes to plans if permission for suitable development is granted
- more than enough new housing being built and developed in this area – cumulative impact of this proposal and developments of old Abbeydale school site and Psalter Lane campus
- sewage system on Brincliffe Edge Road is very close to surface and has caused problems – drainage could only go through Chelsea Park
- application still giving an impression of an ad hoc application that may be changed in the future to a more comprehensive development
- grounds and house are in poor condition but is not a reason to build new houses to pay for the costs of renovation to a house that was originally left to the people of Sheffield – has always been applicant's responsibility to maintain their own property and grounds to a reasonable standard and cannot be used as a lever to promote a positive planning outcome
- inconvenience in terms of noise/pollution/parking and safety during construction - affects home working and will devalue properties
- single occupancy premises are now being used for multiple occupancy purposes - does this planning application have an enforceable covenant restricting multiple occupancy especially in the main building – can envisage future conversion in a few years' time
- Council have irreconcilable conflict of interest in relation as owner of land at end of the access road which will be needed as a visibility splay if planning permission is granted – will inflate value (ransom strip)
- concerned about selective way various instruments such as Conservation Area status, Tree Protection Orders, Planning and Safety regulations are invoked when considering changes to balance of built and non-built environment
- Possibility in applying particular interpretations of planning and public safety rules that Council appears to side with latter causing an existing culture clash to be more pronounced - human impacts of all kinds should be continually incorporated into knowledge base around planning to ensure that interpretation upholds deeper well-being of existing communities as well as creating opportunities for developers, landlords and property managers - urges promotion of view of ownership as 'custodianship'
- natural environment is a source of sustenance and well-being, for instance, in enhancing physical and mental health, and countering social isolation through engagement with wildlife and open space; as well as in practical ways such as filtering road traffic pollution - some of these benefits are hard to measure no less real or important to people than the easier-to-assess factors which might, more typically, inform planning decisions
- Proposals narrowly focused on developer's private benefit, and relatively unconcerned with local community it would affect
- suggestions for alternative layout with one new house and creation of nature reserve
- concerns raised about limitations of publicity given to application

Councillor Nikki Bond objects:

- Nether Edge has one of lowest areas of green space in the city – proposals put that at further risk.

- Draft City Policies and Site Plan identified that this site is inappropriate for residential development due to its open space within the conservation area – for sake of health and wellbeing, it's important to maintain and support our green spaces as much as possible
- No resolution over historical ownership of site - proposes no planning permission granted until this is resolved
- traffic already congested in Brincliffe Edge Rd – local Councillors have been contacted by residents with requests for more traffic calming measures including a one-way system – proposal will exacerbate congestion and will be particular problem in the event of snow due to the narrowness of the road
- prospect of heavy vehicles using the road to access the site is worrying - will damage road surface and be difficult for cars passing from opposite direction
- Heritage statement fails to address concerns about the prospect of trees or parts of the wall having to be removed to improve visibility to Brincliffe Edge Road
- Tree survey reinforces concerns about potential loss of trees by saying that their removal is inevitable and that it presents an opportunity for tree management by new planting
- No ecological survey, yet it is widely considered that the area is frequented by bats, badgers and various other wildlife that will be affected by the development (Note – Ecology Survey since submitted)

Sheffield Wildlife Trust has commented:

- not against restoration of the building but concerned about potential ecological impact – not convinced by Phase 1 Ecological Survey findings in connection with bats and does not include an overall assessment of potential loss of green space – both in ecological terms and for public access and enjoyment
- concerned about potential loss of trees and community green space – not clear whether the remaining green space would be available to the community and unclear whether new tree planting is proposed to compensate for removals
- would like to see management plan for green space and CIL funds for this and for management of neighbouring Brincliffe Edge Local Wildlife Site if permission is granted

Banner Cross Neighbourhood Group objects:

- acknowledges that new proposal addresses some of previous objections – in particular reduction in number of new dwellings from four to three and no longer plans to demolish section of old boundary wall on Brincliffe Edge Road
- still overdevelopment of significant local open space
- loss of open green space in Conservation Area – need for housing land outweighed by greater need to preserve open spaces such as this – area not blessed with large areas of undeveloped land let alone ones such as this that are designated Historic Park and Garden.
- Ecological Survey concludes no evidence of bats in the buildings although much activity observed in the surrounding skies – this conclusion runs counter to previous survey by expert resident – needs further investigation

- further specialist field survey work should be carried out – doubt that herbaceous species and bryophytes were surveyed in detail and lateness of survey may have been limiting for observing many species
- continued concern about protection of trees on the site – also applies to driveway where it may be necessary to provide passing spaces for vehicles and a segregated pedestrian path
- welcome any scheme which will bring main house and stable block back into use as residential dwellings – but new houses are still of considerable scale and built on a downward slope above the Towers – roof line will run parallel with the Towers itself – design likewise out of character with Conservation Area
- taken together with converted stable block and main house, new houses represent a substantial and too intensive development of whole site
- site access inadequate and hazardous with poor visibility at entrance/exit at a point where cars are often parked on opposite side of Brincliffe Edge Road ( which is already narrow and increasingly used as a rat-run)
- general consensus that Brincliffe Tower and gardens were originally gifted for the enjoyment of people of Sheffield –restrictions may well apply to its development – attempts to clarify this with the have so far come to nought - application should not proceed without clear legal determination following examination of council records
- there is a need to restore Brincliffe Tower and lands and to prevent further decay through neglect – sad that owners rejected substantial offer from a co-housing group of local residents which would have seen demolition of extensions and house converted into apartments while retaining its fabric and character and bringing garden back into use to provide food for residents and a small café and toilet built for use of visitors to the park – would represent the kind of sensitive development which would gain approval of the whole community

#### Nether Edge Neighbourhood Group objects:

- Heritage Statement does not adequately address impact of proposed development - although Brincliffe Towers has been separated and subsequently sold, it remains an integral part of highly considered and designed landscape – missed opportunity to celebrate rich history - instead the proposal wipes the heritage value away
- application does not examine drainage risks – surrounding land wet and soggy after rainfall
- Chelsea Park is important community asset used by individuals, groups and on occasion, large gatherings e.g. Bonfire Night is a major event next to development site – application site is treated as separate from the park rather than integral to historic and communal value
- Further survey work recommended in Ecology Report not carried out and does not adequately address ecological and habitat impact of development
- application does not clearly indicate full impact in terms of loss of trees, hedges and overgrown shrubs, to demonstrate how prominent the proposed development will be after removal of those trees etc.
- proposed substantial houses not designed to be sufficiently subservient to Brincliffe Towers, to ensure that this house retains its prominence – also

- concerned that new houses will appear over dominant in views from the Park and in terms of the relationship with existing houses in Brincliffe Edge Road
- proposed dwellings lack design detailing expected in Conservation Area setting
- 2013 consultation (Local Plan) for change of use of this land to open green space - general principle to change use was agreed - application flies in the face of this agreement
- potential for conflict between drivers and pedestrians not addressed in application – highly restricted visibility likely to lead to highway safety problems
- previous use acknowledged - it is understood that there has been a history of accidents at this junction – no evidence that past use would resume if permission refused, therefore no evidence that past use constitutes a fall-back position
- any grant of planning permission requested to be subject to restriction preventing future sub-division or, at least, a limitation to control traffic generation to the level that the nursing home would have generated
- loss of 1950s extensions to Brincliffe Towers would enhance character and appearance of house and Conservation Area but proposed development would be so harmful as to justify refusal

In addition, a further representation has been received from a planning consultant acting on behalf of Brincliffe Edge Group and Banner Cross Neighbourhood Group:

- site reallocated as Open Space in draft City Policies and Sites Plan – should be a material consideration despite temporary withdrawal of Plan in context of extent of public consultation and stage in adoption process, as acknowledged in Council’s Cabinet minutes (Dec 2013)
- importance as open space identified despite current housing allocation – to relinquish this is contrary to legislation which requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise
- unacceptable based on criteria in Core Strategy policy CS47 – open space is in a Conservation Area and has heritage and ecological value
- loss of trees/shrubs will degrade area and result in loss of habitats – no proposals for replacement open space
- contrary to Policy CS31, which seeks to counter pressure for development in larger gardens in South West Area, particularly Conservation Areas, and CS74 which seeks to enhance distinctive local features, particularly heritage, through design principles
- resubmission of original Heritage Statement illustrates lack of fresh analysis to overcome previous officer concerns
- statutory duty to preserve and enhance Conservation Areas – scheme undermines character – spacious grain of development; trees; stone walls
- insufficient detail regarding tree removals and parts of wall for visibility – contrary to UDP Policy BE16 which refers to need for such details
- development cannot be justified on basis of removal of trees as a means of providing for remaining trees to be managed
- will be necessary to remove at least 75m of wall to gain satisfactory visibility splay
- loss of trees and stone wall contrary to several UDP and draft policies

- no justification for 'enabling development' in absence of viability appraisal – likely to be sufficient profit from conversion opportunities without need for new houses – harm not outweighed by benefits
- site is green corridor in draft Proposals Map and adjacent to Area of Natural History Interest – no evidence submitted to prove proposals will not damage these designations and contrary to Policies GE11 and GE13 (Note – an ecological survey has since been submitted)

## PLANNING ASSESSMENT

### Policy

The site lies within a Housing Area as defined in the Unitary Development Plan (UDP). The adjoining Chelsea Park is defined as Open Space and an Area of Natural History Interest. A Green Link runs through the site ultimately linking Brincliffe Edge and Brincliffe Plantation.

The Housing policy area is partly replaced as Open Space in the Local Plan Draft Proposals Map. This affects the garden areas to the south of the existing buildings. The buildings and immediate surrounding areas remain within a Housing Area designation.

The site is also within the Nether Edge Conservation Area. Brincliffe Towers and Chelsea Park, which was historically a single unit, is included in the local list of Historic Parks and Gardens.

The most relevant UDP and Local Plan Core Strategy policies are:

- H11 (Development in Housing Areas in Nether Edge and Broomhall)
- H14 (Conditions on Development in Housing Areas)
- H15 (Design of New Housing Developments)
- BE5 (Building Design and Siting)
- BE6 (Landscape Design)
- BE9 (Design for Vehicles)
- BE15 (Areas and Buildings of Special Architectural or Historic Interest)
- BE16 (Development in Conservation Areas)
- BE17 (Design and Materials in Areas of Special Architectural or Historic Interest)
- BE21 (Historic Parks and Gardens)
- GE10 (Green Network)
- GE11 (Nature Conservation and Development)
- GE13 (Areas of Natural History Interest and Local Nature Sites)
- GE15 (Trees and Woodland)
- T25 (Car Parking in Residential Areas)
- CS22 (Scale of the Requirement for New Housing)
- CS23 (Locations for New Housing)
- CS24 (Maximising the Use of Previously Developed Land for New Housing)
- CS26 (Efficient Use of Housing Land and Accessibility)
- CS31 (Housing in the South West Area)
- CS47 (Safeguarding of Open Space)
- CS63 (Responses to Climate Change)

CS64 (Climate Change, Resources and Sustainable Design of Developments)  
CS65 (Renewable Energy and Carbon Reduction)  
CS67 (Flood Risk)  
CS74 (Design Principles)

The adopted Supplementary Planning Guidance “Sheffield’s Historic Parks and Gardens” and the associated Background Paper are relevant and consider the historic interest of Chelsea Park, which includes the application site.

The adopted Supplementary Planning Guidance “Designing House Extensions” is also relevant. Whilst not strictly applicable to new housing developments, the SPG sets out minimum separation standards for maintaining adequate residential amenity.

The National Planning Policy Framework (NPPF) is relevant and sets the context for the formulation and application of local policies. It takes precedence over the earlier UDP and Core Strategy policies where necessary.

The adopted Nether Edge Conservation Area Appraisal is relevant and sets out the special character and historic interest in the 3 character areas that make up the Conservation Area.

In addition to the Local Plan Draft Proposals Map several policies in the Local Plan City Policies and Sites document (pre-submission version) (CPS) are also relevant. However, the CPS is no longer intended to be submitted to the Government for adoption purposes although its contents are expected to be considered as part of an early review of the Local Plan. In these circumstances the Proposals map and CPS policies can only be given very limited weight. This assessment is therefore restricted to relying on the adopted policies only.

#### Principle of Proposed Development

Housing uses (Class C3) are preferred in Housing Areas in accordance with UDP Policy H11. The former care home use (Class C2) is listed as an ‘acceptable’ use. The proposals therefore represent the replacement of an acceptable use with a preferred use and also facilitate the restoration of the care home to its original use as a single dwelling.

The representations make reference to the draft Open Space designation in the Local Plan Draft Proposals Map. Greater weight must be given to the current adopted designation as the proposed designation is not currently being pursued. In addition, there remains an objection (by the applicant) to the proposed designation was submitted as part of the formal consultation on the Draft City Policies and Sites.

Policy CS47(a) states that development will not be permitted where it would result in a quantitative shortage of either informal or formal open space in the local area. ‘Open space’ is defined as “a wide range of public and private areas that are predominantly open in character and provides, or have the potential to provide direct or indirect environmental, social and/or economic benefits to communities.”

CS47(b) states that development will not be permitted where it would “result in the loss of open space that is of high quality or of heritage, landscape or ecological value” CS47(c) states that development will not be permitted where “people in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area”. CS47(d) states that development will not be permitted where it would cause or increase a break in the City’s Green Network.”

It should be noted that the proposed Open Space designation was designed to reflect the identification and protection of the site as a Historic Garden rather than its value as recreation space. There is no legitimate public access to the application site and little potential for such access as the site has long been in private ownership. The Green Link is retained and the proposals do not prevent easy or safe access to Chelsea Park. In these circumstances, the principle of development of the site can be accepted subject to the historic interest of Chelsea Park not being compromised.

#### Housing Supply

Core Strategy Policy CS22 commits to maintaining a 5 year supply of deliverable housing sites at all times. There is currently a significant shortfall in ‘deliverable’ (i.e. with planning permission for housing uses) sites which is being addressed through proposals for additional Housing Site allocations in the Local Plan. Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area. The proposals are in accordance with these policies and granting planning permission will increase the supply of ‘deliverable’ housing sites.

Policy CS24 gives priority to providing housing on previously developed sites and requires no more than 12% of dwelling completions to be on greenfield sites until 2025/26. In this instance, the proposed 3 new build houses will be on greenfield land. The NPPF (para.49) states that “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.” Nevertheless, there is no presumption against greenfield development in Policy CS24 and current dwelling completions on greenfield sites in the Plan period currently equate to approximately 5.9%.

In view of the above, housing (Class C3) development is acceptable in principle.

#### Housing Density and Mix

The density equates to approximately 8.8 units per hectare. This is significantly below the 30-50 density normally expected within the urban area but outside District Centres and away from Supertram/high frequency bus routes, as set out in Core Strategy Policy CS26. However, the policy provides scope for densities outside this range where they achieve good design, reflect the character of an area or protect a sensitive area. Policy CS31 (Housing in the South West Area) reinforces the need to respect the character of the attractive and distinctive neighbourhoods in the south west of the City and requires the density of new

developments to be in keeping with them. UDP Policies BE5(a) and H14(a) require new development to complement the surrounding area in terms of scale, form and character.

In this instance, there is a need to protect the character and appearance of the Nether Edge Conservation Area and the Historic Park. The perimeter landscaping needs to be protected to screen/filter views from Chelsea Park and Brincliffe Edge Road. There is also a need to ensure that the tree-lined historic driveway is protected. A denser scheme would result in more intense use of the sub-standard driveway with a likely requirement for significant improvements which would alter the character of the driveway and the setting of Chelsea Park. In these circumstances, it is considered that a lower density scheme can be justified on this site.

The proposals provide a good mix of housing, ranging between 2 and 9 bedrooms. There is no requirement for Affordable Housing for schemes of less than 15 dwellings.

### Conservation and Design

Brincliffe Towers is identified as a building of townscape merit in the Nether Edge Conservation Area Appraisal. The Appraisal (para. 11.15) considers Brincliffe Towers to be “one of the grandest of the unlisted buildings...particularly notable for its impressive tower and crenellated form.” In accordance with the NPPF (para.132) ‘great weight’ should be given to conserving the asset. The NPPF says “...The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification....”

The NPPF (para.133) goes on to say “Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss...”

The listing in the Background Paper to the Local Schedule of Historic Parks and Gardens SPG considers Chelsea Park (including the application site) as “of historic importance in demonstrating the role of the public benefactor and as an example of a Victorian villa garden with many original features remaining”. The features most closely affecting the application site are identified as:

- the villa (Brincliffe Towers)
- the balustrade terrace (to Brincliffe Towers, facing the park)
- a Lime avenue (access drive from Brincliffe Edge Road)
- lodge (between access drive entrance and Quarry Lane)
- specimen trees and evergreen shrubberies (south-east corner of site behind boundary wall to Brincliffe Edge Road)



The listing (1998) notes that the condition of the site is “fair although original features are not being well maintained nor are existing plantings being reinforced by new planting.”

Consideration has to be given to the proposals in terms of the impact on the character and appearance of the heritage assets comprising the Nether Edge Conservation Area, Historic Park and Garden, the building of townscape merit (Brincliffe Towers) and the setting of these assets.

Whilst Brincliffe Towers technically forms part of Chelsea Park there is a clear boundary between the curtilage of the building and the public park area. The building is at the highest point of the park with the principal elevation of the villa and the balustrade terrace being clearly visible from the park. The 2 storey 1950s extension is also visible but to a lesser extent due to it being set away from the boundary and partly obscured by boundary planting. The single storey extension (facing the coach house) is visible on the approach to the park from the Lime Avenue but is not particularly prominent. Also visible from the park are some of the specimen trees and evergreen shrubberies that form an impenetrable boundary between the park and the application site. The Lime Avenue is on the other side of the application site and is separated by a tall boundary wall. Beyond the Lime Avenue is the lodge in Brincliffe Edge Road. A belt of mature native and specimen trees provides a strong green edge to the boundary and street scene in Brincliffe Edge Road which forms the southern boundary of the Nether Edge Conservation Area.

There is no doubt that the removal of the unsympathetic 1950s extensions, the restoration of the imposing villa to its original form and its return to beneficial and appropriate use would be a significant enhancement of the character and appearance of the building and Conservation Area. The works would ensure the long term future of the important villa, preventing further deterioration, and would be entirely in accordance with Policies BE15, BE16 and CS74 and also in accordance with policies relevant to the historic environment in the NPPF. This factor is therefore given significant weight.

The coach house will also benefit from being brought back into beneficial use and appears capable of conversion without the need for significant additions. This does not mean that the coach house should not be extended, provided that any additions are sympathetic to the character and appearance of the building and its relationship with Brincliffe Towers.

The coach house is relatively large with a 2 storey central portion with single storey elements at each end. The proposed extensions are to the rear of the single storey elements and are considered excessive in terms of projection and overall height. They would project approx 8.5m and 5m respectively with the roofs taken up to the existing ridge level. The single storey elements would be dominated by the extensions which would significantly alter the original form and proportions of the building and, in particular, would detract from the strong gable ends. In addition, the extensions introduce gables of differing roof pitches and which also differ from the pitches to the roofs of the existing building. The existing rear elevation currently includes several narrow window openings at first floor level and

no openings at ground floor level. Whilst the principle of ground floor openings can be accepted, the proposed opening treatments are numerous and the proportions are excessive relative to the existing openings. Together with a number of roof lights, the result is an uncoordinated form of development that confuses the original character and is less subservient to the main building.

The proposals also include a 1.8m high stone wall that will define a curtilage for Brincliffe Towers but will effectively separate that building from the coach house. Whilst it is accepted that Brincliffe Towers will need a private garden area, this does not require the wall to extend between the dwelling and the driveway in front of the coach house. The wall will detract from the historic relationship of the building and its coach house to the detriment of the character and appearance of the building and its setting.

Overall, the treatment to the coach house and the extent of the new boundary wall is considered to detract from rather than enhance the Conservation Area. The proposals are therefore contrary to Policies BE15, BE16 and CS74.

The scale of the proposed buildings and their elevation above the ground level of the existing buildings results in the roofs of 2 of the 3 new dwellings being some 650mm above the ridge of Brincliffe Towers. The height and scale is sufficient to over dominate the Towers in views rather than to adopt a subservient relationship which would allow the Towers to remain as the dominant building on the site as a whole. For this reason, the proposals are considered contrary to Policies BE15, BE16 and CS74.

The NPPF (para.60) states that “Planning policies and 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.”

The new dwellings are large scale and 2.5 storeys high (approx 10.7m high). They are arranged around a square shared surface accessed from the driveway in front of the coach house. Advice has been provided to the applicant both prior to and during the application process with a view to developing the site in a more sympathetic manner. A mews arrangement is preferred. Alternative suggestions have included a more contemporary form of individual dwellings which could allow for flat, preferably ‘green’, roofs that would reduce the impact on the main building.

The new dwellings are proposed to be constructed in a mix of natural stone and render with natural slate roofs and a mix of timber and aluminium opening treatments. The natural materials will comply with Policy BE17 but the large areas of render do not reflect the predominant materials in the Nether Edge Conservation Area. The houses appear somewhat confused as a hybrid of contemporary and traditional architectural treatments – the rendered elevations having a more contemporary appearance with large openings with both horizontal and vertical emphasis whilst the stone elevations are more traditional with mullioned windows and stone heads and cills. Overall, the appearance of the new dwellings does not

reinforce local distinctiveness which includes traditional and more modern properties rather than a hybrid of architectural styles in individual dwellings.

Officers have been proactive rather than prescriptive in trying to offer potential solutions that would enable the proposals to be viewed more favourably. However, the applicant wishes the proposals to be considered as submitted.

### Sustainability

There is a presumption in favour of sustainable development as set out in the NPPF.

The proposals involve the re-use of existing vacant buildings and the site is located within walking distance of regular bus services and local facilities at the Banner Cross District Shopping Centre. The location at the edge of Chelsea Park ensures access to good quality informal recreation space. The conversion and extension of the existing buildings provide opportunities to ensure energy efficiency and the new dwellings will be energy efficient in order to comply with current Building Regulations. Renewable or low carbon energy should be feasible and there are opportunities to reduce surface water discharge by draining to permeable areas and/or providing attenuation. In these respects the proposals represent sustainable elements of development which is capable of complying with Core Strategy Policies CS63, CS64, CS65 and CS67.

The NPPF (para.9) states that “Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment...” Due to the impact of the new build dwellings on the setting of Brincliffe Towers and its coach house, the physical separation of those two buildings by the introduction of a new boundary wall, and the impact of the proposed extensions to the coach house on the historic scale and character of that building, the overall quality of the historic environment is not considered to be enhanced. These concerns are given sufficient weight to override the sustainability credentials outlined above and are also considered to outweigh the significant benefit of removing the 1950s extensions to Brincliffe Towers.

### Landscape

Policies BE6 and GE15 seek to retain and incorporate landscape features and existing trees in new developments as far as possible. Policy BE21 seeks to protect the character, setting and appearance of Historic Parks and Gardens.

The new dwellings are sited so as to retain the perimeter trees and therefore protect the appearance of the boundaries of the site. A total of 21 trees are shown for removal and 5 replacements are proposed in a small grouping adjacent the internal roadway. However, the plans show works to provide the parking court to the rear of the coach house within the root protection areas of trees shown for retention. No information about any level changes in this area has been submitted. This could result in further tree losses, including 4 trees within the Lime Avenue which is noted as an important feature in the Historic Parks and Gardens listing in respect of Chelsea Park.

In addition, the gardens to at least 2 of the 3 new build dwellings are likely to be considerably shaded by the retained perimeter trees. This is likely to result in pressure for further removals or significant pruning once the dwellings are occupied in order to improve amenity. Removal of these trees would detract from the setting of Chelsea Park and the Conservation Area, including the street scene in Brincliffe Edge Road.

In the circumstances, the proposals do not adequately consider the existing trees and increase the potential for subsequent decline, removal or pruning which would be detrimental to the character and appearance of the site and the setting of the Nether Edge Conservation Area. The proposals are therefore considered contrary to Policies BE6(c), BE21 and GE15(b).

## Ecology

Policy GE10 seeks to protect green links and corridors for the benefit of wildlife habitats and movement. Policy GE11 requires the design, siting and landscaping of development to respect and promote nature conservation.

The proposals maintain sufficient landscape to maintain the green link that the site currently provides.

Whilst no bat roosts have been identified, the submitted Ecological Assessment considered that there is some potential for bats in the buildings. The assessment indicates that the house and tower have moderate/medium potential and the coach house and the coach house buildings have low potential. The buildings to be demolished are confirmed as having negligible potential for bat roosts.

The single storey elements of the coach house are to be extended as part of the application proposals. These buildings have 'low' potential for bats and the survey found no direct evidence of bats in these areas.

Guidance in Government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System states (para.99) that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted..."

The submitted survey does not fully comply with preferred methodology in that all potential access/egress points do not appear to have been monitored concurrently. However, the survey found no direct evidence of bats in examining the buildings and, whilst there is some acknowledged 'low' potential for bat activity, it would be unreasonable to withhold planning permission for further survey work. The areas of potential are such that there appears to be a reasonable prospect of adequate mitigation in the event that further surveys identify a bat presence. In these circumstances, appropriate conditions can be formulated in the event that planning permission is granted.

No other protected species have been identified in the submitted assessment.

Policy GE13 states that development that would damage Areas of Natural History Interest (ANHI) will not normally be permitted. The proposals are not within an ANHI and will have no adverse impact on the adjoining ANHI in Chelsea Park.

Overall, the proposals are acceptable in terms of potential ecological impact and there is no conflict with Policies GE10, GE11 or GE13.

#### Residential Amenity

The proposals will provide a high standard of internal amenity for future occupiers. The coach house conversion will benefit from a shared courtyard garden and the new houses will have relatively large garden areas.

There is a separation distance in excess of 30m to the houses on the opposite side of Brincliffe Edge Road. This is well in excess of the minimum 21m suggested in the Supplementary Planning Guidance (Designing House Extensions) and the habitable room windows to the new houses will be at a lower level and screened by the perimeter planting. In addition this distance spans a public highway.

Overall, the proposals provide and maintain adequate residential amenity for new and existing residents. In these respects the proposals comply with UDP Policies H14 and H15.

#### Highway Matters

The proposals include double garages and double width driveways to serve the new dwellings, a hardstanding for at least 3 cars to serve the converted main building and 8 spaces to serve the 3 dwellings in the coach house. The level of provision is sufficient to serve the development in accordance with Policies H14(d) and T25.

The vehicular access to the site is less than ideal. The entrance to the site is at an approximately 45° angle to the main carriageway in Brincliffe Edge Road. Visibility for any vehicles attempting to turn left on leaving the site is severely restricted by the historic gatepost and boundary wall. The single width driveway is used by pedestrians to access Chelsea Park. The driveway benefits from lighting columns along its length. Due to the alignment of the driveway, visibility is restricted along the full length with a sweeping 90° turn at the entrance into the site and a curve obscured by trees towards the entrance from Brincliffe Edge Road. There is no segregated route for pedestrians or cyclists. In addition, car parking on the opposite side of Brincliffe Edge Road prevents two way traffic flow and there is no footway along the site boundary.

The driveway would benefit from widening and the access realigning in order to improve highway safety. However, this would involve land outside the applicant's control and any such measures would require the removal or realignment of the historic gateposts and boundary wall together with the removal of mature trees and shrubs, impacting on the Lime avenue which is noted as an important feature in the Historic Parks and Gardens listing.

However, the vehicular arrangement is long established and has previously served a substantially sized care home. This use can reasonably be expected to have involved a significant number of vehicles used by staff, visitors, deliveries etc. The application proposals are estimated to result in the order of 50 - 60 vehicular movements per day.

Given the relatively low level of traffic estimated to be generated by the proposal it is difficult to justify refusal of the application on the grounds of additional traffic generation using the immediate site access or the impact of such traffic on the surrounding highway network.

The access to the coach house parking has been moved from one side of the building to the other in an attempt to avoid the root protection areas of trees outside the site within the driveway.

The internal road layout is generally acceptable in highway terms although minor adjustments may be required to facilitate adequate turning for service vehicles to comply with UDP Policy BE9.

#### Community Asset

Many of the representations refer to the site being bequeathed to the people of Sheffield and question the validity of the application on this basis.

This is not a material planning consideration and granting planning permission will not override any legal restrictions affecting the land. Notwithstanding this, the site has been in private ownership for at least 15-20 years.

#### Community Infrastructure Levy (CIL)

The development is subject to CIL. The charge rate in this part of the City is £30.00/sq.m.

#### SUMMARY AND RECOMMENDATION

Development of this site at the edge of Chelsea Park provides an opportunity to remove unsympathetic 1950s additions and restore key unlisted historic buildings within the Nether Edge Conservation Area. The site is in an accessible location, within walking distance of local services and facilities and the principle of re-use and redevelopment of the site represents a sustainable form of development. These factors can be given significant weight.

However, the proposed 3 new build houses are considered to result in a poor relationship with the large scale Victorian villa due to their scale, appearance and elevation above the roof line of the villa. To adequately protect the historic environment and provide an appropriate setting for the heritage assets, a more sensitive form of development is required that would allow the villa to remain the dominant feature on the site. This can be achieved through an alternative design approach. At present, the proposed new dwellings will over dominate the villa and

its coach house to the detriment of the setting of the buildings within the Conservation Area. In addition, the proposed large extensions to the coach house result in an uncoordinated built form which confuses the original character and would result in the coach house being less subservient to the main building. A new 1800mm boundary wall to the villa will divorce the coach house from the main building resulting in further erosion of the historic relationship.

It is acknowledged that some tree removals will be needed in order to accommodate any new build development. However, the arrangement of the new dwellings and the proposed parking court to the rear of the coach house are likely to result in the decline or subsequent removal or pruning of additional trees to the detriment of visual amenity and the setting of Chelsea Park, including an avenue of Lime trees noted for its historic interest in the local Schedule of Historic Parks and Gardens.

The submitted Ecological Assessment has not found any direct evidence of bats or other protected species but considers that there is 'low' potential for bats in the coach house. Ideally, a more comprehensive survey would be undertaken prior to determining the application but there is considered to be scope within the proposals to provide mitigation in the proposed roof extensions and further survey work and a scheme of mitigation could reasonably be conditioned if planning permission is granted. There is greater potential for bats in the roof of the main building but these would not be affected by the proposed works.

The access to the site is less than ideal. However, the anticipated level of traffic associated with the proposed development is not expected to exceed the level of use associated with the former care home use and it would be difficult to justify refusing the application on highway safety grounds.

Having regard to the potential to deliver a more sympathetic form of development without necessarily reducing the number of units proposed, the harm to the historic environment and potential additional impact on trees does not represent a fully sustainable form of development in the context of the core planning principles set out in the NPPF and is not considered to be outweighed by the acknowledged benefits. The proposals are thereby considered to be unjustified in the context of the NPPF and contrary to relevant elements of Policies BE5, BE6, BE15, BE16, BE17, BE21, GE15 and CS74. It is therefore recommended that planning permission is refused.

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