

## SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 01/08/2017

### 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	17/02175/FUL (Formerly PP-06080903)
Application Type	Full Planning Application
Proposal	Use of hairdressing salon (Class A1) as a Hot Food Takeaway (Class A5) including repairs to shop front and installation of fume extraction flue pipe to rear
Location	352 - 354 Manchester Road Stocksbridge Sheffield S36 2RH
Date Received	20/05/2017
Team	West and North
Applicant/Agent	Mr Nasir Khan
Recommendation	Grant Conditionally

#### Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Plans and elevations as proposed received on 20.05.17

Reason: In order to define the permission.

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

3. The commercial food use hereby permitted shall not commence unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. These details (Optional: shall be in accordance with Defra document; "Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems" and) shall include:

- a) Plans showing the location of the fume extract terminating height and including a low resistance cowl.

- b) Acoustic emissions data.

- c) Details of any filters or other odour abatement equipment.

- d) Details of the systems required cleaning and maintenance schedule.

- e) (Optional: Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building).

The use shall not commence until the approved equipment has been installed and is fully operational and shall thereafter be installed, operated, retained and maintained in accordance with the approved details.

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

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

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

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

Other Compliance Conditions

5. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

6. The front window to the east side of the entrance door (in front of the proposed storage area) on the elevation of the south, facing Manchester Road; shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

7. The premises shall be used for the above-mentioned purpose only between 17.00 and 22.30 hours Monday - Friday, .  
17.00 and 23.00 hours Saturdays, and  
17.00 and 22.30 hours Sundays and Public Holidays

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

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

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

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
2. The Local Planning Authority has dealt with the planning application in a positive and proactive manner in accordance with the requirements of the National Planning Policy Framework. The Local Planning Authority considered that it wasn't necessary to have detailed discussions in this case.

# Site Location



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## LOCATION AND PROPOSAL

The site is located within the Stocksbridge district of Sheffield. No. 352 - 354 Manchester Road is a large stone built detached building, benefiting from A1 use at ground floor (hairdresser); however the shop unit is currently vacant. The applicant has not confirmed the first floor use; however, from the site visit the first floor and the basement appear ancillary to the ground floor. This has also been confirmed by the current owners who have stated that the first floor and the basement level are ancillary to the hairdressers at ground floor. The first floor is used as a beauty salon in connection with the ground floor hairdresser and the basement was used as storage space. The building is currently vacant.

Planning permission is sought for the change of use of the ground floor hairdressing salon (Class A1) to a Hot Food Takeaway (Class A5) including repairs to shop front and installation of a fume extraction flue pipe to rear of the building. From the plans submitted, there are no significant external alterations to the building. Internally; a new stud wall to separate the serving counter from the storage area is shown and an existing doorway to be reinstated, with a chimney to be removed.

## SUMMARY OF REPRESENTATIONS

Stocksbridge Parish Council have raised concern with regards to the planning application and outlined that strong concerns and objections be expressed with regard to the above planning application, due to it being in a quiet residential area; privacy issues of the residents of neighbouring property who have young children; the abundance of takeaway outlets already in the area; parking issues; dangerous road situation and possible health hazards with the attraction of vermin to the area.

52 letters of objections have been received (of these, five letters have been received from two addresses). Objections raised are outlined below;

- highway issues
- noise issues
- odour issue
- other adequate vacant properties available for hot food takeaways nearby
- litter problems
- antisocial behaviour
- vermin issues
- devaluation of properties
- disruption during construction
- loss of privacy

## PLANNING ASSESSMENT

### Policy

The site is located within a Housing Area as defined in the UDP and Policy H10 suggests that Food and Drink Outlets are acceptable. Amongst other things Policy H14 of the UDP states that change of use must ensure that the living conditions of existing residents are not compromised and that there is no impact upon the highway network.

### Design Issues

Policy H14 of the Unitary Development Plan (Conditions on Development in Housing Areas), states that new buildings should be in scale and character with neighbouring buildings.

Policy CS 74 (Design Principles) within the Core Strategy, states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

The proposed new frontage integrates well with the existing building and is not considered to be prominent in the street scene as such there are no concerns about the appearance of the building.

The proposed internal storage area, will sit behind part of the existing shop frontage. This shop front incorporates a large plain glass window and as such the storage area will be visible from the main street elevation. Plans do not show how the storage area will be screened from this window and as such a condition will be imposed to provide obscure glazing to part of the shop window in order to screen the internal storage area from the main front elevation, but to retain the large shop frontage.

The proposed flue relates well to the existing building in terms of scale and location and could therefore not be reasonably objected to.

The proposals are therefore considered to be acceptable from a design perspective.

### Amenities Issues

The nearest neighbouring residential property is No.356 Manchester Road, to the west of the site. This property is separated by a driveway and a footpath approximately 6m away. There are no openings in the side elevation of this neighbouring dwelling which faces the site in question. Houses are located opposite the site and are approximately 25 metres away. To the east side of the site is a large car park which serves the veterinary surgery at No.340 Manchester Road.

The proposed plans show a flue to the rear of the site, which is not visible from the immediate neighbouring dwellings or the street scene. There are no significant alterations to the façade, other than signage, lighting and some minor repairs as

indicated. The internal alterations will have no impact upon the fabric of the building or the immediate neighbouring dwellings.

Submitted information suggests that there will be 3 full time staff at any one time and the opening hours proposed are; 1700 to 2230 Monday to Friday and 1700 to 2300 Saturdays with 1700 to 2230 Sundays and public holidays, which are reasonable for this kind of use.

The Environmental Protection Service (EPS) have raised concern with the proposed change of use stating that as the application site is within a predominantly residential area, with the nearest commercial premises, the veterinary surgery, located approximately 50metres from this site, and that there is concern with the likelihood of activities from this premises causing disamenity to the surrounding residents, a refusal has been suggested. However, the Environmental Protection Service has also suggested conditions be imposed should planning consent be granted. Conditions recommended are as follows;

- Opening hours- restrictive opening hours of 8:00 to 20:00 Monday to Saturday with no working Sundays or Bank Holidays.
- installation of equipment to control the emission of fumes and odours from the premises
- No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority.

The building does have some separation from the nearest properties. As a takeaway the footfall is likely to be by local residents who would not be loitering around the premises. There are also no restrictions to parking on-street and as such there would be no concern with customers parking opposite the shop. With regards to the noise, the proposed change of use would not necessarily create any more external noise audible away from the premises than the existing use. The flue extraction unit is to the rear, which would control odour nuisances. The first floor and basement will be conditioned to be used as ancillary storage space to the ground floor A5 use.

The opening hours suggested by EPS for the proposed use are considered restrictive. A hot food takeaway usually operates during the evening into the night. The applicant's proposed opening hours are typical of such A5 uses and given the position of the building, separated from the nearest properties it is considered that the proposed hot food takeaway will not cause any detrimental impact to its immediate neighbouring dwellings. As such the suggested opening hours alongside the suggestion for refusal made by EPS are considered too restrictive as noise, odour, operating times can be controlled adequately by conditions.

The proposal is therefore considered to be acceptable from an amenity perspective. Policy H14 has been complied with.

## Highways

There are no off-street parking shown on the submitted plans, nevertheless parking to the rear of the site is available. On-street parking is not restricted, and as such from a highways point there are no objections. The proposal is therefore considered to be acceptable from a highway perspective.

## SUMMARY and RECOMMENDATION

The proposed change of use from A1-retail to A5-Hot food takeaway complies with Policies H10 and H14 of the UDP. There will be no harm to the living conditions of the neighbouring dwellings or the amenities of the locality.



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Case Number	17/02139/FUL (Formerly PP-06084044)
Application Type	Full Planning Application
Proposal	Single-storey extension including raised patio with storage area underneath to rear of dwellinghouse (Re-submission of 17/01531/FUL)
Location	10 Park Terrace Sheffield S35 1WJ
Date Received	18/05/2017
Team	West and North
Applicant/Agent	DK Designs C/o Mr D Keeton
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Drawing number 2017-052-01 Rev C

Reason: In order to define the permission.

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

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

Other Compliance Conditions

3. The proposed facing materials shall match the facing materials to the existing building.

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

4. The proposed roofing materials shall match the roofing materials to the existing building.

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

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

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

Attention is Drawn to the Following Directives:

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

Site Location



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## LOCATION AND PROPOSAL

The application relates to a semi-detached property finished in red brick and render with a tiled roof. The property has a two-storey side extension and a single-storey front extension.

The proposal involves the erection of a single-storey rear extension and raised patio with storage area under.

The application is a re-submission of a previous application (17/01531/FUL) which proposed a raised patio to the rear of the dwellinghouse. The application was withdrawn due to concerns regarding overbearing and overlooking issues.

## RELEVANT PLANNING HISTORY

Full planning permission was granted conditionally in January 2011 for a two-storey side extension and single-storey front extension including garage, single-storey rear extension and provision of raised decking to rear of dwellinghouse. (Ref: 10/03746/FUL). To date the two-storey side extension and single-storey front extension have been completed but the single-storey rear extension has not been carried out.

In May this year an application was received for a raised patio with canopy over and storage under to the rear of the property. This application was withdrawn due to concerns regarding the proposal being over-bearing and causing overlooking to the adjoining property. (Ref: 17/01531/FUL).

## REPRESENTATIONS

The adjoining neighbour (No. 8 Park Terrace) has objected to the proposal for the following reasons:

- Development started without permission
- Property already has significant extension
- Overlooking from windows in proposed extension
- Overlooking from raised patio
- Noise pollution
- Extension overbearing
- Loss of light

The property to the rear of the site (No. 86 Ecclesfield Road) has objected to the proposal for the following reasons:

- Overdevelopment of plot

- Erosion of privacy

Ecclesfield Parish Council have requested that the application be decided by the Planning Board rather than under delegated powers and that site visits are conducted to assess the proposal from neighbouring properties.

## PLANNING ASSESSMENT

### Policy Context

The site is identified on the Unitary Development Plan Proposals Map as being within a Housing Area. The assessment takes account of policies BE5 and H14 from the Sheffield Unitary Development Plan (UDP). The Supplementary Planning Guidance (SPG) on Designing House Extensions is also relevant. Attention is given to the provisions of policy CS74 from the Core Strategy regarding design.

### Design

The proposed extension and raised patio are to be constructed to the rear of the property so will not have any effect on the character of the area or appearance of the streetscene.

The proposed extension and the raised patio structure are to be constructed using matching facing materials to the existing dwellinghouse, this will ensure that they blend with the appearance of the property.

The extension will feature a pitched roof which will be finished in tiles to match the main roof of the dwelling. This design of roof reduces the dominance of the proposed extension and the matching roofing materials ensure that the extension complements the subject dwelling.

### Amenity/Impact on Neighbours

It is acknowledged that the property has previously been extended, but the proposed extension along with previous extensions would not constitute an overdevelopment of the plot as an ample rear garden will be retained which is well in excess of guidance contained with Guideline 4 of the Supplementary Planning Guidance (SPG). The distance from the proposed rear elevation to the back boundary is also in excess of 10 metres, as required by Guideline 4 of the SPG.

Privacy to the adjoining property (No. 8 Park terrace) will be protected as the proposed extension includes no side facing windows towards this property. Outlook from the proposed extension will be towards the applicants own rear garden area. Furthermore, the proposed windows facing towards the rear of the site are narrow, which will also negate any perception of overlooking.

The sloping nature of site dictates the height of structure to keep the floor levels consistent with the existing house. It is noted that an extension which projected 3 metres from the rear of the dwelling could be constructed under Permitted

Development at the heights shown within the current proposal. It is therefore considered that the extension projecting just an additional metre and being designed to angle away from the adjoining neighbour would not warrant a refusal of the application.

Furthermore, the extension has been designed with a pitched roof which angles away from the adjoining property, this further reduces the possible dominance of the extension.

The raised patio element of the scheme is also not considered to create unreasonable amenity impacts to surrounding properties as it is set away from all common boundaries. The raised patio will largely be screened from the view of the adjoining property by the proposed extension.

The orientation of the property ensures that the proposal will not create any overshadowing to the adjoining property.

Overall, it is considered that the scheme has been designed to minimise any detrimental effects to the adjoining property. The proposal is an improvement on the previously withdrawn scheme and concerns regarding overbearing and overlooking have been addressed.

The property and proposed extension are set at a considerable distance from other neighbouring properties to the side and rear so it is considered that privacy, over shadowing or over-dominance issues do not impact on these properties.

#### Response to Representations

Many of the points raised have been considered in the assessment of the application above, the remaining items are considered below.

#### Development started without permission

It was noted on a site visit to the property that some brickwork had been erected. During the course of the application the site has been visited on various occasions and work on the development has halted. It is not considered that any enforcement action is necessary.

#### Noise pollution

It is considered that the proposed raised patio would not cause any noise pollution over and above that which normally occurs in a typical rear garden area.

#### SUMMARY AND RECOMMENDATION

It is considered that the proposal has been suitably designed to mitigate any potential harmful effects to surrounding properties and would complement the style of the existing dwellinghouse. As such the development would be in accordance with UDP Policy H14 and BE5 as well as the Council's SPG on Designing House Extensions and so it is recommended that planning permission be granted.

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Case Number	17/02022/FUL (Formerly PP-05990799)
Application Type	Full Planning Application
Proposal	Erection of a 17 storey/6 storey building for use as purpose built student accommodation (sui generis) with ancillary amenities and associated access and landscaping works
Location	St George's Close Car Park St George's Close Sheffield S3 7HL
Date Received	12/05/2017
Team	City Centre and East
Applicant/Agent	Turley Associates (Manchester)
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Location Plan 16053-(01)-101-P  
Site Plan 16053-(00)-001-P  
Ground Floor Plan 16053-(20)-201-P Rev A  
Level 01 Plan 16053-(20)-202-P Rev A  
Level 02 Plan 16053-(20)-203-P Rev A  
Levels 03 - 05 Plan 16053-(20)-204-P Rev A  
Levels 06 - 13 Plan 16053-(20)-205-P Rev A  
Levels 14 - 16 Plan 16053-(20)-206-P Rev A  
Proposed roof plan 16053-(27)-201 Rev A  
Site Section CC 16053-(01)-403-P  
Site Section DD 16053-(01)-401-P  
North Elevation 16053-(20)-401-P Rev A

South Elevation 16053-(20)-402-P Rev A  
East Elevation 16053-(20)-403-P Rev A  
West Elevation 16053-(20)-404-P Rev A  
Detail - Window Bay 16053-(30)-601-P

Reason: In order to define the permission.

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

3. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
  - a) been carried out; or
  - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements (section 278 agreement) have been entered into, which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvements:

1. The footway to the frontage of the site on Netherthorpe Road and St Georges Close shall be reconstructed in compliance with Sheffield City Council's Urban Design Compendium.
2. A junction plateau and ancillary works should be implemented at the junction of St Georges Close and Brooke Drive as shown on the approved drawings.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

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

5. No works of construction, nor other enabling, engineering or preparatory works associated with this permission, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved by, the local planning authority. The CEMP shall assist in ensuring that all such activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, and light nuisance. The CEMP shall include strategies to mitigate any residual effects from noise and vibration that cannot be managed to comply with acceptable levels at source. The CEMP shall also include details relating to the permitted working hours on site, and include a fugitive dust management plan.



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

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

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

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

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

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

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

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

9. Notwithstanding the approved plans, large scale details at a minimum scale of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Roof top parapet;  
Main entrance;  
Shop front curtain walling; and  
Ground floor ventilation louvres.

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

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

10. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is

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

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

11. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority 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.

12. A roof plan, with details of the layout and height of plant if required, shall be approved in writing by the Local Planning Authority before that part of the development commences. Plant and equipment shall not project above the roof parapet.

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

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

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

14. The proposed green/brown roof (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/brown roof(s) shall be provided prior to the use of the building commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

15. Notwithstanding the approved plans, details of all means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the development shall not be used unless the approved boundary treatments have been provided in accordance with the approved details. Thereafter such means of site enclosure shall be retained.

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

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

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

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

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

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

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

19. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the designated Permit Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

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

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

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

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

a) Be based on the findings of approved Noise Impact Assessment Report (Ref. 70023854-001; May 2017).

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

External Amenity Spaces: LAeq (16 hour) 55dB to be achieved by screening or building design in at least some areas of amenity space.

c) Include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

22. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

- a) Be carried out in accordance with an approved method statement.
- b) Demonstrate that the specified LAeq and LAm<sub>ax</sub> internal sound levels have been achieved.

In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

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

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

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

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

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

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

26. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in

writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

27. No construction of buildings or other structures shall take place until an Employment and Training Strategy, including an implementation plan has been submitted to and approved by the Local Planning Authority. Thereafter the strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic benefits of the scheme for the local community.

#### Other Compliance Conditions

28. The development shall be carried out in accordance with the approved Sustainability Strategy as detailed within the Sustainability Statement.

Reason: To ensure the development is constructed and operates in a sustainable manner in accordance with policy CS64 of the Core Strategy.

29. The development shall not be used unless that part of the road providing access thereto has been provided in accordance with the approved plans.

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

30. The development shall be carried out in accordance with the Drainage Strategy (prepared by Ramboll - Report 162002489-RAM-XX-XX-RE-D-00001 dated 09/05/2017).

Reason: In the interest of satisfactory and sustainable drainage.

#### Attention is Drawn to the Following Directives:

1. As the proposed development will involve the closing/diversion of a highway(s) you are advised to contact the Principal Engineer of Highway Information and Orders, Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH, as soon as possible.
2. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

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

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

You should apply for a consent to: -

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

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

4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
6. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [epsadmin@sheffield.gov.uk](mailto:epsadmin@sheffield.gov.uk).
7. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
8. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
9. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

# Site Location



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## LOCATION AND PROPOSAL

The application site is triangular shaped and comprises of a surface level car park located between St George's Close and Netherthorpe Road (the ring road), to the north west of the city centre and on the edge of the St. Vincent's Quarter as defined in the city's Urban Design Compendium (2004).

The site slopes from south to north. To the south there is a terrace of three storey maisonettes which face north. To the east, on the opposite side of St George's Close, are 6 to 7 storey purpose built student accommodation blocks known as Allen Court and Atlantic One. They are owned by the applicant (IQSA) and provide 1,112 bed spaces and associated amenities, including social and study spaces.

Netherthorpe Road skirts the site to the west and north, but is separated from the site by a footpath which provides a link to the Netherthorpe Road tram stop. On the western side of Netherthorpe Road are four 15 storey residential tower blocks.

Planning permission is sought for purpose built student accommodation in a part 6 and part 17 storey building. The accommodation will comprise of a mix of en-suite cluster flats, non-en-suite cluster flats and two standards of studios. Shared leisure and study space will be provided at ground and first floor level.

Also proposed are areas of hard and soft landscaping, a raised platform connecting the application site to Allen Court and Atlantic One, and a cycle store.

## RELEVANT PLANNING HISTORY

16/01876/PREAPP Pre-application enquiry for use of existing car park site for development as student accommodation.

The pre-application proposals were presented to the Sheffield Sustainable Development and Design Panel. They considered that this site provided an opportunity to construct a tall building of up to 17 storeys in height subject to further testing of key views and a high quality façade.

06/02619/FUL An application for the erection of 102 residential units in a stepped, five to ten storey building was approved in October 2006.

## SUMMARY OF REPRESENTATIONS

No representations were received in relation to the proposed development.

## PLANNING ASSESSMENT

### Land Use

The site lies within a designated Housing Area as defined in the Unitary Development Plan (UDP) in which housing (C3) is the preferred use of land.



However, purpose built student accommodation is a *sui generis* use and so must be considered on its own merits

Core Strategy policy CS41 (a) (Creating Mixed Communities) aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. CS41 (d) also seeks to limit purpose built student housing and Houses in Multiple Occupation (HMOs) to 20% within 200 metres of an application site, where communities are already imbalanced by a concentration of such uses.

The application proposes 106 units of residential accommodation including 66 studios and 40 shared cluster apartments. 62% of the proposed units would be studio apartments which would conflict with part (a) of policy CS41, which states that no more than half the new homes in larger developments should consist of a single house type.

Furthermore, an assessment undertaken in May 2017 found that the concentration of shared housing units within 200 metres of the site, including extant permissions, is 20%. The proposed development takes this concentration to 21%, which would also be contrary to part (d) of CS41.

That said, the site is owned by the providers of the adjoining student accommodation and will add to the range of accommodation they offer. It will also allow them to share facilities and to make environmental improvements which will benefit the wider community. In relation to part (d) of CS41, the development will only just take the concentration of shared housing over the 20% threshold. Moreover, the site lies in close proximity to the University of Sheffield campus – which is approximately 150 metres to the south – and is within walking distance of the city centre and adjacent to the Supertram network. Students will be able to commute to lectures, and many other facilities, on foot and will have easy access to public transport. It is therefore considered to be a suitable and sustainable location for student accommodation.

This is supported by both the Urban Design Compendium and policy CS17 of the Core Strategy (g) (City Centre Quarters) which describe St Vincent's as a mixed use area with an academic focus and a strong relationship with the University of Sheffield.

## Design

Policy H14 of the UDP (Conditions on Development in Housing Areas) states that new buildings must be well designed, in scale and character with neighbouring buildings.

The requirement for good quality design is also embodied in policy CS74 of the Core Strategy (Design Principles), which expects high quality development that respects, takes advantage of and enhances the distinctive features of the city, and in policy BE5 of the UDP (Building Design and Siting), which encourages original architecture, but states that new buildings should complement the scale, form and architectural style of surrounding buildings.

The NPPF also advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people (para. 56).

The proposed development reaches 17 storeys in height toward the western side of the site, with a 6 storey podium fronting St George's Close. The taller element is rectangular in plan and measures approximately 33 metres by 14 metres, with the wider elevation perpendicular to Netherthorpe Road.

The applicant claims that the site's gateway location and the cluster of tall buildings on the western side of Netherthorpe Road justifies the proposed height of 17 storeys and there is considered to be some mileage in this argument.

The group of tall buildings to the west includes four 15 storey residential towers, as well as the 19 storey grade II\* listed Arts Tower and a recently approved consent for a 16 storey purpose built student accommodation (PBSA) block at the junction of Winter Street and Weston Street. While the application site is separated from these buildings by the ring road, they do form a definite cluster on the north-western approach to the Brook Hill roundabout.

The Urban Design Compendium advises that infill development in the St Vincent's Quarter should respect existing building heights, generally considered to be in the range of 6 to 8 storeys outside the conservation areas. However it also suggests that Brook Hill provides an opportunity to introduce a tall building.

The busy Brook Hill roundabout, which is a gateway to the city centre, sits 125 metres to the south of the application site and, while it is separated from the application site by 6 terraces of three storey maisonettes, in the context of the ring road and the existing tall buildings, it is considered that a case can be made for a tall building in this location.

As previously described the taller element of the scheme is much wider than it is deep so that as you approach it from the south or north-east (i.e. along the ring road) it will appear slim and tower-like. However, when seen in views from the east and west the building does not benefit from the same tower-like proportions. That said, amendments to the design of the facade incorporate an expressed brickwork grid which has dominant vertical piers and full height windows which detract from its wider girth and prevent it from feeling too slab like.

The building will be finished entirely in brick and glass. While other, more contemporary materials may have also worked, brick is the dominant material in St Vincent's. Its use is also considered to give the façade a feeling of quality, which is further enhanced by the modelling provided by the expressed grid – the grid projects 500mm from the façade line, while the dominant vertical piers sit forward of the verticals by 100mm.

The 6 storey podium which fronts St George's Close forms a comfortable relationship with the existing 6 storey student accommodation to the east while the glazed double height entrance and two storey high glazed curtain walling to St

George's Close give visual strength to the base, as well a degree of interactivity with the street – the communal facilities are situated at ground and first floor level.

It is generally considered that the proposals, as amended, will result in a good quality, robust building which will be read in the context of nearby tall buildings and sit comfortably with the adjacent student accommodation and busy ring road location. It will therefore make a positive contribution to the character and appearance of the St Vincent's Quarter and the city as a whole.

The incorporation of public art will be secured by condition.

### Access

Following amendments to the internal layout, the number of accessible bedrooms has been increased from 9 (3.5%) to 13, which equates to 5% of the total provision. The accessible accommodation comprises of 5 non en-suite rooms, 6 en-suite rooms and 2 studios.

### Amenity Issues

Policy H14 of the UDP states that new buildings should not be over-developed or deprive residents of light, privacy or security.

The main concern in terms of amenity is the impact of the proposed development on the occupiers of the neighbouring buildings. In particular, the 3 storey maisonettes to the immediate south of the site and the 6 storey student accommodation blocks to the east.

A minimum of approximately 13 metres separates the north facing elevation of the maisonettes from the proposed building – the single storey cycle store in the south west corner – though the ground floor of the development is over a metre lower than the maisonettes and so the cycle store will have little visual impact. The 17 storey element of the scheme is approximately 14.5 metres from the north facing elevation of the maisonettes, while the 6 storey podium is set approximately 20 metres away.

The maisonettes are understood to contain one bedroom flats at ground floor level with an entrance door and kitchen window on the north facing elevation. Three bedroom flats occupy the first and second floors; the windows on the north elevation serve a kitchen, bathroom, landing and second bedroom. The living room and main bedroom windows are located on the south side of the maisonettes facing away from the development site.

As the proposed development is located to the north of the maisonettes it will not have a significant impact on natural light or direct sunlight. It will result in the loss of the existing open aspect to the north, across the surface level car park, however residents have no right to a view across this land in planning terms. The 17 storey element of the building is perpendicular to Netherthorpe Road, and its narrower end elevation is therefore set closer and at an angle to the maisonettes. This layout is considered to lessen the dominance and overbearing impact of the

development as seen from the maisonettes, particularly the taller element. It also means that the closest windows will not directly overlook the maisonettes. Therefore, given that the main habitable room windows to the maisonettes face south and that separation distances between buildings are typically in the region of 10 to 15 metres in the city centre, it is considered that the proposed development will not have an unacceptable overbearing impact upon the occupiers of the maisonettes.

15.5 metres separates the proposed 6 storey podium from the 6 storey student accommodation on the eastern side of St George's Close, while the 17 storey element ranges between 16 and 32 metres away. Whilst the proposed development will block late evening sun to west facing windows of the existing student accommodation, separation distances are again considered to be typical of city centre sites and the overall impact of the development upon the amenities of the occupants are not so significant so as to be unacceptable, particularly given the more transient nature of the student population.

Traffic on the adjacent ring road dominates the area in terms of noise. However, the Environmental Protection Service is satisfied that acceptable internal noise levels can be achieved through a good quality scheme of sound insulation.

#### Highway Issues

The application site is accessible in terms of public transport, being within 100 metres of the Netherthorpe tram stop as well as frequent bus services along Broad Lane and Brook Hill, and is close to the shops and other facilities available in the city centre. It is also very close to the University of Sheffield's central campus. Therefore the provision of a largely car free development, save for five accessible parking spaces, is considered to be acceptable. Further on-street accessible parking spaces are available on Brook Drive.

The provision of a raised plateau/shared surface at the junction of St George's Close and Brook Drive should have a positive impact on highway safety as it will slow vehicles in an area that is becoming increasingly residential in character. The associated landscape proposals, including the reconstruction of footways, will also have a positive visual impact.

A secure cycle store for 40 bikes will be provided for residents as well as external cycle parking for 8 visitors close to the main entrance. This level of provision is considered to be sufficient given the proximity of the site to the University and range of facilities available in the city centre.

#### Sustainability

Policy CS63 of the Core Strategy (Responses to Climate Change) gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be energy efficient and to use resources sustainably. New major developments are expected achieve a minimum BREEAM (BRE Environmental Assessment Method) rating of 'very good'.

Policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources, with 10% of predicted energy needs provided from decentralised and renewable or low carbon energy.

The proposed development is in a sustainable city centre location, close to a range of services and a short walk from the public transport network. Safe and secure cycle storage will be provided in the form of a 40 space cycle store and the development will be car free.

A BREEAM pre-assessment was submitted as part of the Sustainability Statement which indicates that the required 'very good' rating is achievable. The Statement notes, however, that due to the constraints of the site, some credits, such as the Ecology Credit, may be difficult to achieve and may impact on the final rating.

A range of energy efficiency and monitoring measures are proposed in order to reduce energy use and deliver carbon reductions. The strategy includes reducing energy demand through improved U-value and air tightness targets, maximising natural daylight to occupied spaces, whilst managing the risk of glare and overheating; the use of a micro Combined Heat and Power(CHP) unit and Air Source Heat Pumps (ASHPs); the specification of high efficiency lamps and the use of LED lighting where possible; and the increased use of energy monitoring and potential inclusion of a building energy management system.

On the basis of the submitted Sustainability Statement, it is considered that the aims of policies of CS 63, 64 and 65 can be achieved and a bespoke condition is proposed requiring the development to be carried out in accordance with the approved strategy.

### Drainage

The applicant submitted a Drainage Strategy which Yorkshire Water consider to be acceptable. Foul water will discharge to the public combined water sewer and surface water will discharge to the public sewer via storage with a restricted discharge of 5 litres per second.

A 300mm diameter public combined sewer and a 900mm x 600mm diameter public combined sewer cross the application site. However, in this instance, Yorkshire Water are satisfied that the public sewers will not be affected by the building-over proposals.

### Archaeology

A desktop survey was carried out in connection with the 2006 planning consent and trial trenching was undertaken as part of the adjacent student accommodation

development. As nothing of interest was found, no further archaeological assessments are considered necessary.

#### Employment and Training

To maximise the training and employment opportunities for local people associated with the proposed development, a condition is proposed seeking the submission of an Employment and Training Strategy.

#### Affordable Housing

The site falls within the City Centre Housing Market area where there is no current requirement for an affordable housing contribution.

#### Community Infrastructure Levy (CIL)

Purpose built student accommodation commands a charge of £30 per square metre.

#### SUMMARY AND RECOMMENDATION

The proposed development lies in a designated Housing Area, very close to the University of Sheffield's central campus. The proposed purpose built student accommodation is therefore considered to be both acceptable in policy terms and sustainable.

Whilst tall, at 17 storeys, the development comprises of a good quality, robust building which relates to nearby tall buildings and sits comfortably within the context of the adjacent student accommodation and busy ring road location. It is also considered that the proposed development will not have an unacceptable overbearing impact upon the occupiers of the neighbouring 3 storey maisonettes.

Taking everything into account, it is considered that the proposed development will have a positive impact on the character and appearance of the St Vincent's Quarter, and the wider area.

It is therefore recommended that Members grant planning permission subject to the proposed conditions.

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Case Number	17/01726/A3PN
Application Type	Restaurant/Cafe Prior Notification
Proposal	Application for prior approval to change the use of building from shop (Use Class A1) to cafe (Use Class A3)
Location	Crosspool Hardware 54A Sandygate Road Sheffield S10 5RY
Date Received	21/04/2017
Team	West and North
Applicant/Agent	Mr A Heath - Javlin Property Ltd
Recommendation	Grant Conditionally Prior Notification

Subject to:

- 1 No customer shall be permitted to be on the premises outside the following times: 0800 hours to 1700 hours on Mondays to Saturdays and 0900 hours to 1600 hours on Sundays and Bank Holidays.

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

- 2 Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0800 to 1700 Mondays to Saturdays and between the hours of 0900 to 1600 on Sundays and Public Holidays.

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

- 3 No amplified sound or live music shall be played within the commercial use hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time.

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

- 4 Commercial deliveries to and collections from the building shall be carried out only between the hours of 0800 to 1700 on Mondays to Saturdays and between the hours of 0900 to 1600 on Sundays and Public Holidays.

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

- 5 Bins shall at all times be stored clear of the public highway.

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

Attention is Drawn to the Following Directives:

1. The applicant is advised that the hereby approved use must begin within three years from the date of this notice.
2. 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

This application seeks approval to use a vacant shop (use class A1) as a café (use class A3).

Full planning permission is not sought as the applicant is seeking the approval of the Local planning Authority under the permitted development rights afforded by Part 3, Class C of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015, which permits a change from Use Class A1 (shops) to Use Class A3 (restaurants and cafes), where the floor area is under 150 square metres, subject to conditions that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to;

- (a) Noise impacts.
- (b) Odour impacts.
- (c) Impacts of storage and handling of waste.
- (d) Impacts of the hours of opening.
- (e) Transport and highways impacts.
- (f) Impact on the dominance of the preferred retail use in the centre.
- (g) The siting, design or external appearance of any external extraction or bin storage;

This application has therefore been submitted in order to determine whether the approval of the Planning Authority is required with regard to any of the above considerations.

## LOCATION AND PROPOSAL

The site falls within the Crosspool Local Shopping Centre and the property is currently vacant having last been used as a DIY store (Crosspool Hardware). The property is located on the corner of Sandygate Road and Ringstead Crescent.

The proposal involves the change of use of the ground floor of a two storey semi-detached property, which is less than 150 square metres, into a cafe (Use Class A3).

The ground floor benefits from a conservatory which is attached to the rear elevation of the property. The upper floor of the property is used as a residential flat. There are established commercial uses to the east and west and a Children's Nursery to the north.

The applicant is proposing to operate the cafe between 0800 hours and 1600 hours on Monday to Friday and between 0900 hours and 1400 hours on Saturday no Sunday and bank holiday hours are proposed. No external extraction equipment is required and it is proposed to locate the bin storage to the side of the property off street.

No associated external building works are required to facilitate the change of use.

## RELEVANT PLANNING HISTORY

No relevant planning history.

## SUMMARY OF REPRESENTATIONS

67 letters of representation have been received in support and objection to the proposal. The issues raised are summarised as follows:

31 representations in support

- Ideal location for a café.
- Café would bring people into the area and can only be good for other shops.
- The proposal will offer more choice and act as a social hub.
- The area lacks the same choices as other shopping area and additional café is welcomed.
- The café will add vibrancy to the prescient, attracting more people to the benefit of all businesses.
- Additional choice offered by an additional café.
- Existing café is very busy and a further facility would be beneficial to the area.
- Excellent use of an empty shop.
- Support independent trade.

36 representations in objection

- Insufficient trade for two cafes in the shopping area.
- There is already a well-established café who's trade and it associated suppliers would be affected by the development.
- This is not a main pedestrian thoroughfare where high demand would warrant multiple vendors being located in the shopping area.
- The proposal will not drive additional footfall and detrimentally affects existing businesses.
- A limited customer market exists and additional competition will affect the sustainability of existing cafes.
- The area does not benefit from the same density of people as other shopping areas.

- The additional use will aggravate the existing parking situation.
- Highways safety issues, there has been near fatal crash in the locality and a number of other incidents, the café is directly opposite a T junction and is considered to increase potential incidents and affect pedestrians.
- Insufficient parking.
- Litter will be created.
- The area needs other uses.
- An additional café would change the character of the area.

## PLANNING ASSESSMENT

As noted above the change of use of the premises from a café to a shop is afforded by Part 3, Class C of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015. Therefore as part of this application, an assessment has only been undertaken of the following matters (A to G) which require the prior approval of the Planning Authority.

- (a) Noise impacts
- (b) Odour impacts
- (c) Impacts of storage and handling of waste
- (d) Impacts of the hours of opening

The site is located in an established busy local shopping area where there are already high levels of activity associated with the established commercial uses, as well as high volumes of passing traffic which generate noise. The proposal itself is not considered to generate any significant levels of noise and disturbance or activity which would lead to any harmful impact on existing residents or uses in the area.

The hours of use proposed (0800 hours and 1600 hours on Monday to Friday and between 0900 hours and 1400 hours on Saturday) are deemed to be reasonable in this busy shopping area. In fact it is considered acceptable to allow some extended operation to enable the premises to open on a Sunday and/or bank holiday, similar to other uses in the area.

The residents of the flat above the premises could be subjected to structure-borne noise and it is therefore considered that any approval should be conditioned so as to exclude the playing of amplified sound above background noise levels. The food preparation area is located within the main part of the existing building and the applicant has indicated that a broad set of measures will be incorporated into the design of the internal space to reduce the level of any potential intrusive noise.

Bin emptying and deliveries will be restricted by condition to the opening hours of the café, which will minimise any potential disturbance of adjoining residents.

Waste will be stored in a yard area to the side of the property and the applicant has indicated that it will be collected on a weekly basis by an appointed waste contractor.

The applicant has indicated that the cafe use will primarily offer a dining in service; however should customer's take away goods there is considered to be adequate provision of litter bins in the existing shopping centre which would minimise the spread of litter or waste.

No commercial external extraction equipment is required and as such the proposal is not considered to give rise to any harmful odour issues.

In light of the above the prior approval of the local planning authority is not required in relation the impacts of noise, odour, storage and handling of waste and hours of opening.

(e) Transport and highways impacts.

No dedicated off-street parking would be provided for customers, and given the nature of the site; there is no scope for this to be included. However, the lack of off-street parking is not considered to be unacceptable given that Crosspool Local Shopping Centre is adequately served by public transport, is within easy walking distance of surrounding residential areas and there is publically available on street parking in the vicinity for the use of customers. It is also considered that a certain amount of trips to the café will be linked with other existing uses in the centre which will help to contribute to the vitality of the wider shopping area.

There is a wide pavement to the site frontage and whilst noting that the site is located close to a junction of a number of roads dedicated Zebra crossing facilities are provided on Sandygate Road (two crossings), Watt Lane and Selborne Road which will enable customers to reach the site safely on foot.

The frequency and nature of servicing associated with the proposed use is considered to be similar to that of the existing A1 shop and others in the locality, and therefore is not considered to be harmful from a highways perspective. In light of the above the prior approval of the Planning Authority is not required in relation to transport and highways impact associated with the development.

(f) Principle/Dominance

Where the building is located in a key shopping area, the prior approval of the Planning Authority is required as to whether it is undesirable for the building to change its use with regard to the impact of the development on the sustainability of the shopping area.

The site is located within the Crosspool Local Shopping Centre. UDP Policy S7 states that in Shopping Centres, shops (Use Class A1) are the preferred use, but food and drink outlets (A3/A4/A5) are acceptable.

Policy S10(a) states that in Shopping Areas, new development or change of use will be permitted provided that it would not lead to a concentration of uses which would prejudice the dominance of preferred uses (retail - use class A1) in the area or its principle role as a Shopping Centre. Latest data shows that over 50% of the units within the Crosspool Local Centre are in A1 use. Therefore, A1 units would still remain dominate and the impact on the sustainability of the shopping area is considered to be acceptable, complying with UDP Policy S10 (a). In this regard the proposal does not require the prior approval of the Planning Authority.

(g) The siting, design or external appearance

No physical changes to the design or appearance of the existing shop are required in order to accommodate the café use. The proposed bin storage area will be located to the side/rear of the site set back from the public highway and screened by a bank of mature trees that define the western boundary of the site. As such the proposal does not give rise to any siting, design or external appearance issues which require the prior approval of the Planning Authority.

## RESPONSE TO REPRESENTATIONS

It is not the Local Planning Authorities role to prevent competition between operators.

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

## RECOMMENDATION

This application has been submitted under Part 3, Class C of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015, which permits a change from Use Class A1 (shops) to Use Class A3 (restaurants and cafes), where the floor area is under 150 square metres, subject to conditions that before beginning the development the applicant must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required in relation to the matters highlighted above.

The location and impacts of the use are such that the Prior Approval of the Planning Authority is not required in this case. However for the reasons highlighted above it is recommended that conditions are applied.

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Case Number 17/00675/FUL (Formerly PP-05792140)

Application Type Full Planning Application

Proposal Demolition of existing office extension, alterations and extensions to existing building to create eleven apartments, and the erection of dwellinghouse and associated access, parking and amenities (amended description and amended plans scanned on 08 June 2017)

Location Wake Smith & Co  
68 Clarkehouse Road  
Sheffield  
S10 2LJ

Date Received 16/02/2017

Team South

Applicant/Agent Mr Adam Murray

Recommendation Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

- Red Line Plan scanned on 16 February 2017 (Ref: CRS-PA-PL-102).
- Site Plan received via email dated 19 July 2017 (Ref: CRS-PA-PL-111-D).
- Site Plan received via email dated 19 July 2017 (Ref: CRS-PA-PL-119-D).
- Level -1 Floor Plan received via email dated 04 July 2017 (Ref: CRS-PA-PL-112-B).
- Level 00 Floor Plan received via email dated 04 July 2017 (Ref: CRS-PA-PL-113-B).
- Level 01 Floor Plan received via email dated 04 July 2017 (Ref: CRS-PA-PL-114-B).
- Level 02 Floor Plan received via email dated 04 July 2017 (Ref: CRS-PA-PL-115-B).

- Level 03 Floor Plan received via email dated 04 July 2017 (Ref: CRS-PA-PL-116-B).
- Ground and First Floor Plan (dwellinghouse only) received via email dated 04 July 2017 (Ref: CRS-PA-PL-120-B).
- Second and Third Floor Plan (dwellinghouse only) received via email dated 04 July 2017 (Ref: CRS-PA-PL-121-B).
- Floor Plans (apartments only) received via email dated 04 July 2017 (Ref: CRS-PA-PL-125-A).
- Elevations Plan received via email dated 17 July 2017 (Ref: CRS-PA-PL-117-C).
- Side Elevations (apartment only) received via email dated 17 July 2017 (Ref: CRS-PA-PL-128-A).
- Elevation Plans (dwellinghouse only) received via email dated 04 July 2017 (Ref: CRS-PA-PL-122-B & CRS-PA-PL-123-B).
- Street Scene Plan received via email dated 04 July 2017 (Ref: CRS-PA-PL-118-B).
- Site Section received via email dated 04 July 2017 (Ref: CRS-PA-PL-131-B).
- Section Plan received via email dated 19 July 2017 (Ref: CRS-PA-PL-135-A).

Reason: In order to define the permission.

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

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

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

4. No development shall commence until details of the implementation, adoption, maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

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

5. Before the development commences, a strategy to control/mitigate dust and emissions from the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The construction phase shall be carried out in accordance with the approved details thereafter.



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

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

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

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

7. No development shall commence until full details of measures to protect the existing Rutland Park street trees that sit adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented. These measures shall include a construction methodology statement detailing how any works within the root protection areas of these trees will be implemented, and a plan showing these accurate root protection areas.

Reason: It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

8. The hereby approved boundary treatments shall be in place before first occupation and retained as approved thereafter.

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

9. Within three months of development commencing, final details of the cycle parking accommodation serving the apartment block shall have been submitted to and approved in writing by the Local Planning Authority. Before first occupation the approved details shall be in place and thereafter such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

10. All windows/glazing relating to the following sections of the development shall be permanently fixed shut below a height of 1.7 metres, as measured from the internal floor level, and fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity. Thereafter no part of the windows/glazing shall at any time be glazed with clear glass and/or be openable below the specified height:

1. All windows/glazing within the elevation of the new extension facing north towards 40 Rutland Park.
2. All windows/glazing within the elevations of the new dwellinghouse facing north towards 8 Southbourne Road and facing south towards 2 Southbourne Road.

Reason: To protect the development potential of the adjoining site and in the interests of sustainable development.

11. The existing hereby approved car parking accommodation within the site, as indicated on the approved plans, shall be retained for the sole use of the occupiers of the development hereby approved.

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

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

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

13. Within three months of any development commencing final details of bin storage, including any screening, shall have been submitted to and approved in writing by the Local Planning Authority. Before first occupation the approved details shall be in place and thereafter such bin storage accommodation, including any screening, shall be retained.

Reason: In order to ensure an appropriate quality of development

14. Before first occupation details of a scheme shall have been submitted to and approved in writing by the Local Planning Authority that ensures future occupiers will not be eligible for resident parking permits within any designated Permit Parking Zone. Future occupation shall then occur in accordance with the approved details.

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

15. A comprehensive and detailed hard and soft landscape scheme, which shall be in substantial accordance with the approved plans, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

The approved landscape works, which shall include ramps, steps, planters and seating as appropriate, shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority.

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

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

16. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

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

Reason: In order to ensure an appropriate quality of development

17. Sample panels of proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding and mortar finish to be used. The sample panel(s) shall be approved in writing by the Local Planning Authority prior to the commencement of development and shall be retained for verification purposes until the completion of said development.

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

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

- a) Windows, including reveals and curtain walling.
- b) Cladding Patterns.
- c) Doors.
- d) Eaves, verges and parapets.
- e) External wall construction.
- f) Garage Doors.
- g) Soffits.
- h) Rainwater Goods.
- i) Rooflights within the converted building, which must be conservation style.
- j) External vents, pipes and cabling, including locations.

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

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

19. No externally mounted plant or equipment, including rooftop plant, shall be fitted to any building within the development unless full details thereof, including screening and acoustic emissions data as relevant, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment should not be altered.

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

20. No residential accommodation hereby permitted shall be occupied unless a scheme of sound insulation works has been installed.

Such scheme of works shall:

- a) Be based on the findings of an approved Noise Survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of achieving the following noise levels:
  - i) Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
  - ii) Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
  - iii) Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
  - iv) Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before any scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority and, once installed, and the approved scheme(s) of works shall thereafter be retained.

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

21. Before the residential use is commenced, validation testing of the sound attenuation works shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority. Such Validation Testing shall:

a) Be carried out in accordance with an approved method statement.

b) Demonstrate that the specified noise levels have been achieved.

In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved in writing by the Local Planning Authority before the use is commenced. Such further scheme of works shall be installed before the use is commenced and shall thereafter be retained.

Reason: In order to protect the health and safety of future occupiers and users of the site.

22. Before development commences a report shall have been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed new build elements of the development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before the corresponding part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation of the corresponding part of the development. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

23. Within three months of development commencing, details of the any proposed gates or barriers serving the vehicle access points shall have been submitted to

and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with these details thereafter. No gate or barrier shall open over the public highway.

Reason: In the interests of delivering sustainable forms of transport.

24. Unless alternative timeframes are agreed in writing with the Local Planning Authority, no building shall be occupied unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway. Thereafter the means of vehicular access shall be restricted solely to the access points indicated in the approved plans.

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

25. Details of any new/replacement windows within the retained building shall be submitted to and approved in writing by the Local Planning Authority before that element of the works commence and the development shall be carried out in accordance with these details thereafter.

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

#### Other Compliance Conditions

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, 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, including new windows, which materially affect the external appearance of the hereby approved dwellinghouse fronting Southbourne Road 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 conservation area is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

27. No roof area associated with the hereby permitted development shall be used as a balcony, roof garden or similar amenity area.

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

#### Attention is Drawn to the Following Directives:

1. The applicant is advised that the materials associated with this development will need to be of the highest standard for these to be deemed as appropriate. This includes natural stone and slate.
2. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
3. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed

consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for consent to: -

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

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

4. Where conditions require details to be submitted, an Application for Approval of Details Reserved by Condition is required (unless the condition gives the option of implementing the details already submitted). The Local Planning Authority is expected to determine these applications within 8 weeks of being validated, so it is essential to include all the information required. Apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). There are fees, which are also set by the Government.
5. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council  
Highways and Transport Division  
Howden House  
1 Union Street  
Sheffield  
S1 2SH

For the attention of Mr P Vickers

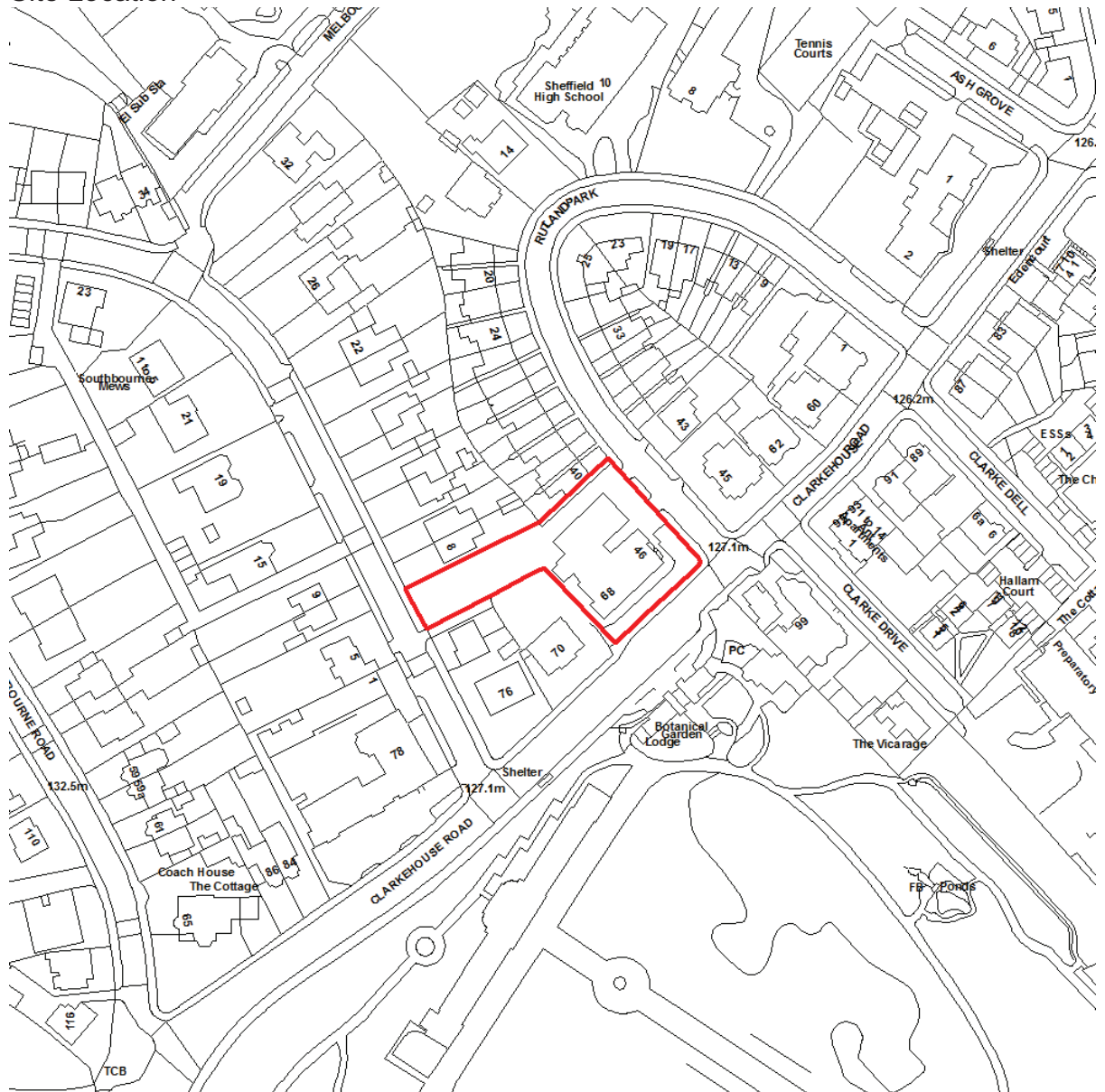
Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the

condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.

8. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
9. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
10. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
11. The applicant is advised that any construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.
12. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.

# Site Location



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## LOCATION AND PROPOSAL

The application site is located across Clarkehouse Road from the Botanical Gardens and occupies three road frontages, those being Rutland Park to the east, Southbourne Road to the west and Clarkehouse Road to the south. Existing residential properties and their associated gardens define the northern boundary.

In combination the site has until recently been utilised as offices (Use Class B1), but is currently vacant. It is made up of the following elements.

- A rather grand stone two/three storey building set on the corner of Clarkehouse Road and Rutland Park. The second floor accommodation is located within the roof space.

This building would have originally been two detached villas which have been linked at some point in the past by a two storey flat roofed extension. The combined building is recognised as being of townscape merit within the Broomhill Conservation Area Appraisal.

- An unsympathetic addition/extension to the existing building, which reaches two storeys in height and is constructed in a mixture of stone and render.

This extension is set to the rear/north of the existing building and is attached via a flat roofed link block.

- Notable areas of hardstanding providing car parking, which is accessed from Rutland Park and Southbourne Road.

The section of Rutland Park closest to the application site is defined by a striking crescent of terraced properties that terminate at the northern boundary. These properties, which date back to 1893, present three storeys to street owing to the presence of undercroft car parking and have additional accommodation in the roof space. They have pitched roofs and stone facades, reflecting the overwhelming character of the conservation area.

The section of Southbourne Road closest to the application site is a little varied in terms of property type, but the large detached and semi-detached two/three storey stone fronted properties are those that are most prevalent.

With a few exceptions, including the Botanical Gardens, the dominant land use surrounding the application site is housing. It is also noted that several of the larger detached buildings in the area are in office use, including the adjacent building that fronts Clarkehouse Road (70 Clarkehouse Road).

In terms of topography there is a fairly gentle downward slope from north to south and east to west.

The proposal seeks full planning permission for the three distinct elements, which in total will lead to the provision of eleven apartments and one detached dwellinghouse. These elements are as follows:

- The conversion of the existing building to create nine apartments split between three one bedroom units, five two bedroom units and one three bedroom unit.

The internal works to the building are relatively substantial with a number of partitions being removed or added. The changes will also see a lift introduced into the building in order to achieve level access to all floors.

Externally the main alteration to the fabric of the original building involves the introduction of a pitched roof over the existing central flat roofed link extension.

The only other notable external alterations see new rooflights placed into the Clarkehouse Road elevation and the replacement of the entrance doors in this elevation with a new window.

- The demolition of the existing extension and the erection of a new addition to the retained building providing three, two bedroom units.

This new extension would be in a similar position to the existing, on the northern side of the building, and occupies a reduced footprint. The extension will connect into the existing building via a glazed link and offers a contemporary flat roofed appearance utilising stone, zinc and glazing as the main external materials.

- The erection of a four storey detached five bedroom dwellinghouse fronting Southbourne Road.

The ground floor of this building presents a larger footprint in comparison to the upper floors and, as with the extension, this dwellinghouse follows a contemporary flat roofed approach, which includes the use of stone, zinc and glazing as the main external materials.

The upper floors provide the bedrooms, with the ground floor providing the main living accommodation, including a living room, a kitchen/diner and a study.

In relation to external areas, the Southbourne Road property includes a private rear garden in excess of one hundred square metres in area and has a large parking area to the frontage, accessed off Southbourne Road. Soft landscaping is also included in both external areas.

The external space serving the apartment building is split into two main elements:

- The existing raised lawn that fronts Clarkehouse Road and a section of Rutland Park.
- A large area of car parking to the rear of this building, which is accessed from Rutland Park.

It is noted that the original proposal has been revised during the course of the application process, having initially included a pair of semi-detached properties fronting Southbourne Road and a detached apartment block fronting Rutland Park, as opposed to an extension to the existing building. As a result of the amendments a further neighbour consultation process has been carried out, which included the posting of new site notices.

The site is located within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP) and is entirely within the Broomhill Conservation Area.

#### RELEVANT PLANNING HISTORY

An application to demolish the existing rear extension and provide alterations to the existing building to form 9 apartments with associated parking accommodation, and to erect of 4 dwellinghouses was withdrawn in September 2016. This was considered under planning reference 16/02427/FUL.

#### SUMMARY OF REPRESENTATIONS

Historic England (HE)

HE has provided comments in relation to the updated scheme. Within these comments HE state that there would be no objection to the proposed redevelopment of the site and consider a contemporary interpretation of the surrounding buildings to be an interesting way of responding to the character and appearance of the conservation area.

HE note that the amendments that have been made to the proposed new apartment block/extension facing onto Rutland Park have addressed previous concerns about the large expanse of blank wall on the south-east elevation and the impact this would have on views from Clarkehouse Road.

HE go on to note both proposed new-build blocks still have large, heavy flat roofs, however the reduction in size of the blocks means the prominence of these features is reduced when viewed in conjunction with the existing dwellings within the conservation area.

HE note that their previous concerns regarding the large rooflights on the retained building have not been addressed. They state that these features are not characteristic of the area and would therefore not preserve or enhance the character and appearance of the conservation area.

Local Councillor

A representation has been received from Councillor Magid raising the following issues:

This application does not address the issues previously raised, which led to the first application being withdrawn. The comments (from residents) on parking, building design and materials and building density need to be listened to for this significant site.

The wrong balance is being struck between maximising revenue and a development suitable for a conservation area. This is most marked in the absence of green initiatives in accordance with Core Strategy Policy CS63 and other guidance designed to make buildings suitable for the future.

If the proposal for flat roofs is accepted then clearly they should be green roofs, hopefully with rainwater harvesting.

There's no sign of insulation features, solar panels, heat pumps and many other climate change adaptation features that should increasingly become standard in what will no doubt be marketed as a high quality development.

Once again, I need to side with residents and request that the application is withdrawn.

#### Neighbour Representations

There have been 35 representations from 27 different individuals that raise a number of issues in relation to the scheme. These comments are summarised as follows:

- This scheme is barely a change from the previously rejected design and fails to reflect concerns expressed by surrounding residents.
- The design of the new build elements takes no account of surrounding buildings with for example its oversized dominating windows, square box-like structure, the use of zinc and flat roofs. As such it does not enhance or preserve the conservation area. It is described as appearing more like an office building in several of the representations.
- The new build elements are of a brutalist design and are totally out of character and sympathy with the surrounding houses.
- The detailing of the stone work and other material for windows is inadequate.
- Given the design and heritage impact the scheme would not accord with the goals of the National Planning Policy Framework.

- The new build elements would not be appropriate given the listed buildings associated with the Botanical Gardens are in close proximity.
- The proposed conversion to the existing Clarkehouse Road building and the removal of the existing extension is generally supported, however the proposed new roof lights in the front elevation appear unnecessarily large and not in keeping with the existing building.
- Following the previous failed application, the planning officer noted that one dwelling would be more appropriate onto Southbourne Road. This would allow adequate space between buildings which is an existing feature.
- The parking on Rutland Park with four spaces proposed adjacent to the pavement is of poor design and fails to reflect the existing area.
- The scheme represents overdevelopment and provides only minimal green space.
- The Southbourne Road development would not leave a sufficient gap in relation to 8 Southbourne Road, which does not reflect the space between houses seen elsewhere in the vicinity.
- The Southbourne Road block is four storeys, while the existing scale along this road is three storeys.
- The proposed smooth reconstituted stone would be out of keeping with the area.
- The stonework courses should reduce in size the higher up the building they are to reflect the design of other properties.
- The lack of front boundary walls to Southbourne Road is not appropriate.
- Clearer details need to be provided in relation to materials to ensure the quality is correct.
- Altering the Southbourne Road element to one dwellinghouse creates an unbalanced design that does nothing to protect the character of the conservation area. This element is not very well thought out.
- Altering the Southbourne Road element to one dwellinghouse shows the front garden area given over almost entirely to parking and this is not in keeping with other plots on the road, which for example have much more substantial landscaping. In a case on an adjacent property a straight drive was approved to ensure a good sized garden was retained.
- To the rear of the house there is an oversized extension with a completely unnecessarily high parapet and combined with the large windows the concern is these are being designed with the aim of creating a roof terrace which will severely compromise the privacy of houses to the side and rear.

- Privacy is compromised with the proposed walk way terrace that encircles the 'penthouse' on Rutland Park.
- The Southbourne Road property would be built very close to numbers 2 & 8 Southbourne Road and would have a negative impact in terms of shadowing and dominance.
- There is only limited amenity space for such a large development.
- The proposed car parking provision is inadequate, particularly when the likely high car ownership is considered.
- In relation to the Southbourne Road block the development proposes two parking spaces side by side with a token tree or bush. More landscaping should be provided.
- Car parking should be limited to one space per property.
- The removal of the high wall fronting Southbourne Road should be resisted as it is a positive addition to the conservation area.
- The proposals will create issues of access and congestion, including in the morning when the road is at its busiest with Sheffield High School and Birkdale School drop offs and pickups. Parking demand is also high owing to the proximity to hospitals, the Botanical Gardens and the universities.
- The area suffers from speeding cars, 'rat running' and poor road surfaces and this proposal will make things worse.
- Future tenants should not be allowed to join the existing resident's car parking scheme.
- Who will use the mobility parking spaces if they are not required by tenants?
- The proposals will remove two existing on-street parking spaces in an area that suffers from high car parking demands.
- Stating that the removal in the car parking demands associated with the former commercial use will compensate for the car parking associated with this development is incorrect. For example this car parking would take place at different times of day.
- The applicant's assertion that existing bus routes are frequent is incorrect.
- Limited attention has been offered to matters of sustainability, such as rainwater run-off, green spaces, renewable energy or even green roofs.
- The size of the sustainability statement is inadequate and the scheme fails to comply with the relevant policies in this regard.

- Greater attempts should be made to mitigate water run-off from the site and examples given include seasonal ponds.
- Southbourne Road has an underground stream flowing along the same side of the road as the development and at certain times of the year many of the properties cellars flood. Therefore digging down to build basement level accommodation on the scale proposed may worsen the problem for neighbouring properties.
- At no time has the developer engaged with the neighbours, sort their opinion or shared information.
- The developer has failed to correct factual inaccuracies relating to statements made within the application and this undermines confidence in other statements. For example statements relating to the benefits to the local economy are questioned.
- The viability of a scheme should not be an influencing factor when the local planning authority is determining acceptability.
- A party wall agreement would need to be in place before some elements of the scheme are constructed.
- The development does not contribute towards affordable housing.
- The scheme does not make a significant contribution to the five year housing land supply.
- The scheme will lead to increased pollution and poor air quality.
- It is not clear if the scheme is providing 13 or 14 units.
- The fence shown on the boundary with 8 Southbourne Road is not drawn accurately. It is 1.5 metres in height, not 2.5 metres.
- The Sheffield Development Framework Core Strategy states that in the south and west of the city the main housing areas are relatively stable and the emphasis will be on safeguarding their residential character as new proposals come through.

Rather than referencing the Council's Core Strategy document, the applicant really ought to be focusing on the Councils more recent Housing Strategy Action Plan which, appears to be more focused on creating affordable housing to not only buy but to rent.

- The scheme will devalue surrounding properties.

## PLANNING ASSESSMENT

### National Planning Policy Framework

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

### Land Use

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer.

In addition, Policy CS22 (Scale for the Requirement for New Housing) within the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026.

In relation to Sheffield's current housing land supply position, although the latest monitoring shows in excess of a 5-year supply of housing sites against the CS targets, these targets pre-date the National Planning Policy Framework and should now be considered out of date.

The latest Government household growth projections suggest that housing need in the city is higher than was previously planned for in the CS and, as such, the city has an approximate 4.1 year supply of housing using the latest growth projections.

It is clear that a residential proposal such as this would make a positive contribution towards the identified housing supply shortfall and this should be offered appropriate weight as a material consideration.

The NPPF and the Council's Core Strategy prioritise the development of previously developed (brownfield) sites, such as the application site.

The application site lies within a Housing Area as defined within the Sheffield Unitary Development Plan (UDP) and Policy H10 (Development in Housing Areas) states that housing (Use Class C3) is the preferred use in such areas.

It is therefore considered that the proposed land use is supported in principle by the relevant local and national policy documents.

### Housing Density

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land.

The recommended density for a site such as this, which is within 400 metres of the Broomhill District Shopping Centre, is between 50-80 dwellings per hectare.



This scheme achieves 57 dwellings per hectare and therefore accords with Policy CS26.

#### Design/Conservation

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

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

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy BE16 (Development in Conservation Areas) within the UDP states that new development that affects the setting of a conservation area should preserve or enhance the character of that conservation area.

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings.

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

#### Conversion Works and Demolition

It is firstly noted that the removal of the existing large and rather unsympathetic rear extension offers the opportunity to improve this section of the conservation area. The proposed demolition is therefore supported in principle.

In relation to the conversion works, as the building is not listed the internal alterations, which are reasonably extensive, do not cause any concern in principle. It is also noted that these internal works have been carefully considered and this is evidenced by the new partitions not cutting across any key feature such as windows.

The external alterations to the existing building largely impact on the roof form and would result in the existing flat roofed central extension presenting a pitched roof on the outward facing elevations. It is considered that this will create a more cohesive appearance when viewed from the surrounding highways and the approach of matching in with the existing ridge line is supported.

There has been concern expressed from Historic England about the size and appropriateness of the two new velux windows within the front roofslope of the retained building. In response the applicant has now reduced the size of these

windows, which, although still reasonably large, now sit much more comfortably in the setting.

Given that these windows will follow a conservation style design, line through with the first floor windows below and are now smaller in scale than these existing first floor windows, which reinforces the established window hierarchy, they are considered to be acceptable.

Any new or replacement windows on the retained building will be timber and will match the existing in relation to matters such as frame profile.

### Contemporary Approach

It is considered that the principle of contemporary architecture, which includes flat roofed buildings, within a conservation area is both long established and acceptable and this stance is also reflected by Historic England in their comments.

The quality of the architecture in the case of the new buildings is considered further below.

### Scale and Siting

In relation to scale, the Rutland Park extension will be three storeys with a flat roof and is to be attached to the main building via a glazed link that ranges between one and two storeys.

Although slightly taller than the extension proposed for demolition, which is two storeys with a pitched roof, the new block occupies a much reduced footprint and will be lower than the retained building, ensuring it appears subordinate. The principle of the proposed scale is therefore considered appropriate for this block.

The Southbourne Road dwelling will be four storeys in height with a flat roof, in comparison to the adjacent Southbourne Road properties that utilise front and rear gable features to provide three full storeys of accommodation. However, by utilising lower floor to ceiling heights and a flat roof the proposed building will sit a good distance below the ridge of the property to the immediate north (8 Southbourne Road).

It is also noted that the ridge of this new Southbourne Road property will be set above the corresponding feature of the property to the immediate south (2 Southbourne Road). As such the sloping topography of the land will be reflected in these ridge heights. The scale of this unit is therefore considered appropriate.

The large footprint of the Southbourne Road property created by the single storey element results in an overall footprint akin to the larger detached properties in the area, including number 8 Southbourne Road, and this therefore raises no objections.

In relation to siting, as originally submitted the Rutland Park block was detached and sat adjacent to the end terrace property that fronts Rutland Park (40 Rutland

Park). It was felt that this was too prominent a position within the conservation area and also interrupted the impressive appearance of the established crescent the runs along the west side of this street.

The relocated position of the Rutland Park block is viewed as wholly more appropriate, as for example this is set much further away from the end of the crescent and also reflects the position of the existing extension.

This extension is also recessed slightly back from the Rutland Park elevation of the retained building, which further reduces any prominence and also helps create subservience. The siting of this block is therefore supported.

Looking at the existing street pattern, the section of the site that is located between 2 & 8 Southbourne Road currently consists of an unattractive area of tarmac reflecting its former use as a car park for the offices, and clearly lends itself to being developed as a dwellinghouse and as such there is no objection to the principle of siting the proposed unit here. In addition, utilising the front building line set by the Southbourne Road properties to the north is accepted.

It has been raised in the neighbour representations that the taller element of the proposed dwellinghouse is too close to the neighbouring property (8 Southbourne Road) and this proximity is not reflective of the established urban grain.

The position of the taller element of the proposed dwellinghouse is defined by other site constraints, most notably the need to ensure it does not have an unacceptable dominating impact on the garden of 2 Southbourne Road, and whilst it is accepted that the proposed three metre gap between the properties is smaller than in many cases along Southbourne Road, this is not considered to be out of context to an extent that it is deemed unacceptable for the following reasons:

- Three metres is still a reasonable gap and would certainly not present a feeling of the properties being attached.
- The proposed unit would be set a similar distance from the common boundary as 8 Southbourne Road.
- The new property would not project beyond the front elevation of this neighbouring dwelling.
- Within the immediate conservation area there is a mixture of dwelling types, which includes semi-detached and terraced units.

As such, the proposed scale and siting of the new build elements is supported.

## Layout/External Areas

The Southbourne Road property follows a fairly typical layout, with a front garden/parking area and a rear garden.

The proposal would be to retain the majority of the existing stonewall to the Southbourne Road frontage, although this may be lowered slightly to create a more inviting appearance, while the front garden area would utilise resin bound gravel for the parking areas and includes planting areas to the street frontage and along the borders.

The layout of the external areas associated with the apartments shows the grassed/landscaped areas to the frontage and adjacent the existing Rutland Park elevation retained and this is welcomed. The new pedestrian entrance from Rutland Park will also have planted borders.

The remainder of the external area is however a car park with some minor border planting and this is regrettable as additional soft landscaping would have been desirable. The applicant's team have however pointed out several factors that do ultimately make this acceptable, these being:

- The existing sections of the site that sit adjacent to Rutland Park are already in use as car parking.
- Overall the proposals do represent an improvement to the Rutland Park frontage with the removal of the existing extension for example.
- On-street parking is a major problem in the area and therefore the provision of parking within the site needs to be maximised.

## Detailing and Materials

The materials being proposed for the new buildings include natural stone, zinc cladding and aluminium windows, with the final samples being conditioned should Members be minded to approve the scheme.

The use of textured stone is an appropriate response to the context given that stone is the dominant material across this section of the conservation area, while zinc cladding is an established high quality cladding material in sensitive locations.

The new build elements will be well articulated with a number of features that add interest, including the top floor being recessed, stone bay window features and generous areas of glazing. This will ensure the final new build elements are appropriately modelled.

There are also elements within the elevations that are included to suitably reflect some of the detail within the elevations of the neighbouring units. The most

noteworthy being the gradual reduction in the scale of window openings as the elevation is ascended and the use of the bay window features.

Overall the combination of the high quality materials and rich detailing will ensure an appropriate quality and appearance.

#### Impact on Heritage Asset

Paragraphs 132 to 134 of the NPPF state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 134 also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In this case the relevant heritage asset is the Broomhill Conservation Area.

Given the design commentary above it is concluded that the proposal will not create substantial harm to the conservation area/heritage asset. However, owing to the scale the proposals would create less than substantial harm. In such circumstances this impact should be weighed against the public benefits.

This planning assessment overall identifies that the scheme would regenerate a prominent vacant brownfield site, represents investment and employment for the city, and helps toward the shortfall in respect to Sheffield's housing land supply. The site is also within a sustainable location, being within reasonable walking distance to Broomhill District Shopping Centre for example.

When weighted against the less than substantial harm position, these associated benefits of the scheme ensure it is not in itself so harmful as to warrant the refusal of the application on design and conservation grounds.

In addition, it is considered that the new build elements will be a suitable distance away from the listed structures associated with the Botanical Gardens to ensure they do not impact on their setting.

#### Sustainability

Policy CS63 (Responses to Climate Change) within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

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

In relation to the requirements of CS63, the site is in a sustainable location in respect of access to local amenities and public transport. For example, the site is within a reasonable walking distance of the multitude of amenities available along Ecclesall Road and within Broomhill District Shopping Centre.

In addition, the site is previously developed and the scheme will incorporate sustainable drainage systems that will result in a reduced surface water run-off rate (see Drainage Section below).

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

Until recently residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This section of CS64 has however been superseded by recently introduced Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments.

The proposed scheme does achieve elements of Policy CS64 when taken individually and this includes the reuse of existing buildings.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

The applicant has confirmed that the 10% target will be achieved for the new build elements and a condition will be attached to ensure this is achieved. It is also noted that some fabric improvements will be taking place to the retained building, including improved glazing and insulation, which will improve energy efficiencies.

Although green roofs would have been welcomed the applicant has stated that this would not be viable on this scheme and this is accepted.

Overall, it is considered that the proposal meets the local sustainability policy requirements.

## Highways

Section d) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

The information provided shows three car parking spaces within the front garden area of the single dwellinghouse and this is considered to be acceptable provision for a five bedroom unit.

The 20 car parking spaces for the apartments would be in accordance with Sheffield City Council Information Sheet Three: Car Parking Guidelines. This document identifies that when the mobility spaces are discounted, the scheme should have a maximum car parking provision of 18 spaces, which is the exact amount provided.

A slight reduction in the maximum parking provision could be reasonably justified given the easy walking distance to Broomhill District Shopping Centre and Ecclesall Road. However, given that on-street car parking capacity has been identified as a significant issue within the neighbour representations the maximum provision is deemed as acceptable in this case.

As the scheme does achieve the maximum parking provision, and given the aforementioned on-street car parking capacity issues, a planning condition is recommended, should Members be minded to approve the scheme, to prevent future residents having access to the existing residents parking scheme.

The access points proposed are in similar locations to the existing and vehicles will be able to ingress and egress the car parking that serves the apartments in a forward gear. It is noted that turning is not provided for vehicles using the dwellinghouse, but this is not a concern as the access point is located away from the road junction with Clarkehouse Road.

Space is provided within the basement area of the retained building and within the garage of the proposed dwellinghouse that could be utilised for the storage of bicycles. In addition, the units being proposed are spacious and there would also be room for cycles to be stored in hallways for example.

A condition will also be imposed, should Members be minded to approve the scheme, to provide some additional cycle parking within the external section of the apartment site.

Given the relatively limited scale of the development and the vehicle movements associated with the sites former office use, the proposal is not considered to place undue pressure on the highway network.

Overall therefore the scheme is considered to be in compliance with the above highway policies.

#### Flood Risk/Drainage

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

- Requiring the new development to limit surface water run-off.

- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.
- Developing areas with high probability of flooding only for water compatible uses unless an overriding case can be made and adequate mitigation measures are proposed.
- Not increasing and, where possible reducing the building footprint in areas of developed functional floodplain.

The application has been accompanied by a Sustainable Urban Drainage Strategy, which lists a range of proposals that could potentially reduce and/or mitigate the impact of flooding.

This document identifies that the current site comprises approximately 85% of impermeable surfacing and this will be improved upon by the application, which does include increased permeable paving and additional areas of soft landscaping.

The document then goes on to recommend further investigation into the potential for features such as soakaways to be incorporated, but concludes that underground attenuation tanks may be the most successful way to reduce the surface water run-off rates.

Subject to conditions, Yorkshire Water and the Lead Local Flood Authority have confirmed that these proposals are acceptable in principle and the scheme is therefore in accordance with Policy CS67 within the CS.

#### Access

Policy H7 (Mobility Housing) of the UDP has set standards for acceptable quantum's of mobility housing within residential development. However, as these standards are not part of an up to date local plan they have been superseded by the recently introduced Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time.

In relation to the apartment block, two mobility spaces are provided, as is level access into the building and a lift to all floors.

#### Affordable Housing

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

As this scheme is for 14 units Policy CS40 does not apply and the scheme is not required to provide an affordable housing contribution.

#### Amenity of Future Occupiers



Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

In relation to noise, the main source of potential disturbance is road traffic created by vehicles moving along Clarkehouse Road. In this regard the Environmental Protection Service (EPS) are satisfied that with the imposition of a planning condition that secures the correct specification of glazing and acoustically treated ventilation if appropriate, any possible external noise nuisance can be mitigated.

Owing to past land use(s) there is not likely to be land contamination that would require remediation.

Having assessed the submitted information in terms of internal layouts and the positioning of buildings, it is considered that future occupiers will generally be afforded good living conditions in terms of outlook, light and privacy. There are a couple of units that do require a bit more consideration in relation to this however.

Apartments 4 and 8 have one bedroom each in which the only window faces onto the gable wall of the extension with a separation distance of approximately 2.4 metres. Whilst not ideal, this is the consequence of the new build element now being attached to the existing building, which offers a much more appropriate response in relation to the conservation setting. As such, given the balance of priorities, this is accepted in this instance.

There are several existing windows within the gable wall of the retained building facing west towards 70 Clarkehouse Road, which is in use as an office.

One of these windows is proposed to be the only source of light to a bedroom serving apartment six and there is a question that, given the reliance on this window for natural light and outlook, whether this would hinder any potential extension of the neighbouring building going forward. Having given this consideration this arrangement is viewed as acceptable for the following reasons:

- This window will not be set directly onto the boundary and the separation distance is approximately 4.4 metres.
- This window is set at first floor so any impact would not be as significant compared to a ground floor window for example.
- The window/relationship between the plots does already exist.

All other windows within this gable elevation will be secondary or would not serve main habitable rooms.

In relation to external amenity space, the rear garden area for the new Southbourne Road property is in excess of 100 square metres, which is considered as ample.

The residents of the Rutland Park apartments would be able to use the existing lawn areas. However, as these front onto existing highways they only offer a limited amount of amenity. It would therefore have been preferable for additional private amenity space to have been accommodated to the rear of the apartment building, but for reasons already discussed above there is a strong desire to maximise on site car parking.

Given the close proximity of the Botanical Gardens and, to a lesser extent, Endcliffe Park, it would on balance be unreasonable to resist the scheme on the grounds of limited amenity space for future residents.

Based on the above the proposal is considered to offer an acceptable level of amenity for future occupiers.

#### Amenity of Surrounding Uses

Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

When approving new buildings an assessment needs to be made as to the impact on surrounding uses/buildings in relation to matters such as over shadowing, over dominating and privacy infringements.

The only windows in the gable walls of the new dwellinghouse will be secondary or will serve bathrooms. This is also the case for the north facing elevation of the extension and ensures these windows can be obscured. In addition, there are no external balconies, terraces or roof gardens.

The windows within the front elevation of the new dwellinghouse will face onto the associated front garden and highway, while the windows in the rear elevation face onto the proposed rear garden and the new car parking associated with the apartments.

The windows within the south and east elevation of the apartments will also face onto highways and therefore cause no privacy issues. The windows within the north facing elevation of the retained building will look towards the gable wall and garden of 40 Rutland Park. These windows will be set approximately 21 metres away for the common boundary, which is a suitable separation distance to retain acceptable privacy levels.

The windows within the west elevation of the retained building will be set close to the common boundary, but face onto a commercial use and its associated car park. Given this use is not sensitive to overlooking and there is an element of separation, this situation can be tolerated from a privacy perspective.

The above ensures there is no unacceptable overlooking of the surrounding properties from the new build elements.

In relation to dominance and shadowing, the new detached dwellinghouse fronting Southbourne Road was originally proposed as a pair of semi-detached houses located much closer to the common boundary with the property to the south (2 Southbourne Road). Given that this neighbour is set further forward than the Southbourne Road properties to the north, this resulted in a very tall gable feature in too close a proximity to the existing garden of number 2.

The taller element of this revised detached property is now set a suitable distance away from the boundary of 2 Southbourne Road, that being approximately 8.7 metres, to ensure the existing residents do not feel unduly dominated by the new structure, even when the slightly lower ground level of this neighbour is accounted for. In addition, as the new property is set to the north of 2 Southbourne Road it will not have a shadowing impact.

Although set closer to the boundary of number 2 Southbourne Road, the single storey element will still be separated by approximately 4.8 metres, which, coupled with the scale, will ensure this feature does not have any undue impact on these neighbouring residents from a dominance perspective.

The new dwellinghouse will be set approximately 1.2 metres away from the common boundary with 8 Southbourne Road and this neighbouring property has recently constructed a single storey rear extension that has clear glazed windows facing onto the application site. These windows are however secondary and larger windows that also serve this extension face up the existing garden. None of the other windows in the gable wall of number 8 Southbourne Road could be classed as main windows to habitable rooms.

As the taller element of the new dwellinghouse will not project along the main rear garden area of number 8 Southbourne Road and shadowing impact on this garden must be tolerated.

The new extension will be set approximately 12 metres away from the common boundary with 40 Rutland Park, which is a sufficient distance to ensure unacceptable shadowing and dominating does not occur. In addition, it must be remembered that a building of a similar scale is currently located in even closer proximity than the proposed extension, so the situation will in fact be improved.

As evidenced from a site visit, sufficient boundary treatments are either in place or proposed to ensure that no unacceptable overlooking into existing residential gardens would occur when the new residents are using the external spaces.

The proposed scheme is therefore considered to have an acceptable impact on the amenity of surrounding residential uses and is in accordance with the relevant listed policies.

#### Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

The South Yorkshire Archaeology Service has confirmed that the site has no significant archaeological potential and further investigative work is not required.

## Trees

There are two existing street trees on Rutland Park that overhang the site and some work may be required to resurface the existing car parking spaces that are located underneath the respective canopies. Planning conditions are recommended to limit the type of works/excavation underneath this canopy to ensure these trees are protected.

## Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £30 per square metre. The application has been accompanied by the CIL Additional Information Forms.

## RESPONSE TO REPRESENTATIONS

The majority of the issues raised in the representation have been addressed in the above assessment and the remaining issues are addressed as follows:

- This scheme has hardly changed from the previously rejected design and fails to reflect concerns expressed by surrounding residents.

In response, the scheme has now changed notably from the original proposal and this includes reducing the Southbourne Road block from a pair of semi-detached units into one detached property. In addition, the Rutland Park block, which was originally detached and located much closer to no.40 Rutland Park, is now an extension to the existing building.

- The new build elements would not be appropriate given the listed buildings associated with the Botanical Gardens are in close proximity.

In response, the new build elements will be set a reasonable distance from the Botanical Gardens and will not be sited in a prominent position when the orientation of the existing buildings are accounted for.

- The stonework courses should reduce in size the higher up the building they are to reflect the design of other properties.

In response, it is not felt that this is essential for these contemporary additions, which are considered to suitably respect the established character.

- The lack of front boundary walls to Southbourne Road is not appropriate.

In response, the scheme has been amended and now retains the wall to Southbourne Road.

- Clearer details need to be provided in relation to materials to ensure the quality is correct.

In response, samples will be secured by planning condition should Members be minded to approve the application and a directive is recommended to ensure any future developer is aware that the highest quality materials would be expected.

- To the rear of the house there is an oversized extension with a completely unnecessarily high parapet and combined with the large windows the concern is these are being designed with the aim of creating a roof terrace which will severely compromise the privacy of houses to the side and rear.

In response, the above assessment has concluded that the height and design of the proposed dwellinghouse, including the single storey rear element, is appropriate and a condition will be imposed to ensure the flat roof is not used as amenity space going forward.

- Privacy is compromised with the proposed walk way terrace that encircles the 'penthouse' on Rutland Park.

In response, this has been removed from the scheme and this block has been relocated.

- Who will use the mobility parking spaces if they are not required by tenants?

In response, this would be an issue for the site operator and is not a planning matter.

- The proposals will remove two existing on-street parking spaces in an area that suffers from high car parking demands.

In response, it is more likely that only one space would be lost and, although regrettable, it would be entirely unreasonable in such an instance to deny access onto private land to retain on-street car parking.

- The applicant's assertion that existing bus routes are frequent is incorrect.

In response, this maybe a point of debate, but it has no real bearing on the outcome of this application given the proximity to Broomhill District Shopping Centre and Ecclesall Road.

- Southbourne Road has an underground stream flowing along the same side of the road as the development and at certain times of the year many of the properties cellars flood. Therefore digging down to build basement accommodation on the scale proposed may worsen the problem for neighbouring properties.

In response, no basement accommodation is now being proposed as part of the development.

- At no time has the developer engaged with the neighbours, sought their opinion or shared information.

In response, this is a point that the developer's team would dispute. Even so, whilst such engagement is desirable, in a case such as this, where the development is fairly modest, this would not have any material bearing on the outcome of the application

It is also noted that neighbours have had the opportunity to comment through the application process and indeed the scheme has been altered to resolve several of the concerns expressed.

- The developer has failed to correct factual inaccuracies relating to statements made within the application and this undermines confidence in other statements. For example statements relating to the benefits to the local economy are questioned.

In response, this also maybe a point that could be countered by the developer's team, but again is a matter that has no significant bearing on the outcome of the application. The above assessment has set out the pertinent material considerations and how these have been balanced in order to reach a recommendation.

- The viability of a scheme should not be an influencing factor when the local planning authority is determining acceptability.

In response, the viability of a scheme is one of several material considerations when assessing a planning application and the weight given to viability matters in this case has been discussed in the above assessment.

- A party wall agreement would need to be in place before some elements of the scheme are constructed.

In response, this may well be the case but it is not a material planning consideration.

- The scheme will lead to increased pollution and poor air quality.

In response, the scheme is not of a scale that would require an Air Quality Assessment to be provided. Furthermore, it must be noted that the site does already benefit from an established use that generates traffic.

- The accuracy of the plans relating to 8 Southbourne Road is disputed by these residents, including the height of the boundary.

In response, the particular matters raised in relation to such issues as fence and roof heights do not have a notable bearing on the applications outcome in this instance, as sufficient evidence has been gathered through a combination of site visits, the submitted plans and the neighbour representations to satisfy the local

planning authority that there would be no unacceptable amenity impact on the residents of 8 Southbourne Road.

- The scheme will devalue surrounding properties.

In response, the impact of a scheme on property values is not a material planning consideration.

## SUMMARY AND RECOMMENDATION

The proposal represents a substantial residential development within the Broomhill Conservation Area and includes the conversion and extension of an existing character building and the erection of a detached dwellinghouse.

The site is located within a Housing Area and redevelops a vacant brownfield site. Therefore the residential use proposed is supported in principle from a local and national policy context. The new residential units will also make a positive contribution to Sheffield's five year housing land supply targets.

Given the proximity to the Broomhill District Shopping Centre and Ecclesall Road the proposed housing destiny is considered appropriate.

The scheme will be orientated and separated suitably from surrounding uses so as to ensure the amenity of said uses/occupiers is not unduly harmed.

The conversion of the retained building is to be carried out in a sensitive manner and the removal of the existing unsightly extension is supported, as is the contemporary approach to the new build elements.

The scale and siting of the new buildings are suitably sympathetic to the context and these blocks incorporate a number of design features to create meaningful articulation and visual interest. This includes incorporating generous amounts of glazing and extensive modelling in the elevations.

The scheme will introduce several features to ensure the sustainability credentials of the development are acceptable. This includes utilising renewable energy, converting an existing building and reducing surface water run-off rates.

The car parking provision is acceptable given the acute on-street parking problems experienced in the area, while the vehicle access points are appropriate from a highway safety perspective.

Future occupiers will be provided with suitable amenity when the close proximity to public open spaces is accounted for.

Need an element in here reflecting Conservation Area/Heritage Asset impact – perhaps reiterating less than substantial harm vs public benefit.

As such the proposals are considered to be acceptable and the scheme is recommended for conditional approval.

RECOMMENDATION

Grant Conditionally.