
Case Number	17/01905/FUL (Formerly PP-06043934)
Application Type	Full Planning Application
Proposal	Demolition of existing building and erection of 6no apartments (Amended Plans Received 21st December 2017)
Location	Motor World 340 Lydgate Lane Sheffield S10 5FU
Date Received	05/05/2017
Team	West and North
Applicant/Agent	R Bryan Planning
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 nos.

2041 (P) 07 existing elevations

2041 (P) 08 existing layout

received on 5.5.17

Drawing nos.

2041 (P) 101 Rev F Site Layout + Landscape

2041 (P) 102 Rev F Elevations Block C

2041 (P) 103 Rev F Elevations Block A

2041 (SK) 104 Rev F Elevations Block B

2041 (P) 105 Rev F Layout Block B

2041 (P) 106 Rev F Ground Floor

2041 (P) 107 Rev F First Floor

2041 (P) 108 Rev F Second Floor

2041 (P) 109 Rev C Street View

2041 (P) 113 Rev D Car Parking
2041 (P) 114 Site Section Facing 38/40
2041 (P) 115 Vehicle Highway Entrance
all received on 21.12.17

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 which have been entered into which will secure that such improvement works will be carried out before the apartments are brought into use.

Highway Improvements:

- (i) review and provision of tactile paving and dropped kerbs either side of the vehicular access;
- (ii) review and reinstatement of the footway and grass verge fronting the site.

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. Unless shown not to be feasible and viable, no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

5. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan

showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

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

6. Before development commences, details of the existing and proposed ground levels and proposed floor levels shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

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

7. The apartments shall not be used unless the car parking accommodation for 7 cars as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

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

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

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

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

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

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

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

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

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

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

14. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been implemented and thereafter retained in accordance with the details submitted to and approved in writing by the Local Planning Authority. Such works shall:
- a) Be capable of achieving the following noise levels:
Bedrooms: Noise Rating Curve NR25 (2300 hours to 0700 hours);
Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours); Bedrooms: LAFmax 45dB (2300 to 0700 hours).
 - b) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

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

installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

16. Before the apartments are occupied details of the sites boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority, the details of which shall include the siting, height and appearance of a 3 metre length of screen fencing to be positioned at the rear of Block B alongside the eastern boundary of the site. The approved boundary treatments shall be provided prior to the first occupation of the development and thereafter retained in accordance with the approved details.

Reason: In the interests of the amenities of adjoining residents.

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

- (i) windows, window reveals and window surrounds;
- (ii) doors, door reveals and heads;
- (iii) eaves, verges and ridges;
- (iv) stonework coursing;
- (v) balconies;
- (vi) feature string courses;
- (vii) exposed deck structure;
- (viii) junctions between materials;
- (ix) railings to external steps.

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

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

18. Notwithstanding the indication given on the submitted drawings, all areas of facing stonework shall be natural stone, and the string courses and the window surrounds on the south and north elevations of Block A shall be constructed of natural stone and not K-Rend type cut render.

Reason: In the interests of the visual amenity and the quality of the development.

19. The proposed green roof(s) (vegetated roof system) shall cover a minimum area of 80% of the roof and shall be provided prior to the use of the building commencing. Full details of the green roof construction and specification, together with a maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. Unless an alternative specification is approved the green roof shall include a substrate based growing medium of 80mm minimum depth and incorporating 15 - 25% compost or other organic material and the vegetation type shall be herbaceous plants. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

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

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

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

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

Other Compliance Conditions

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

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

Attention is Drawn to the Following Directives:

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

<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

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

3. You are 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.
4. 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.

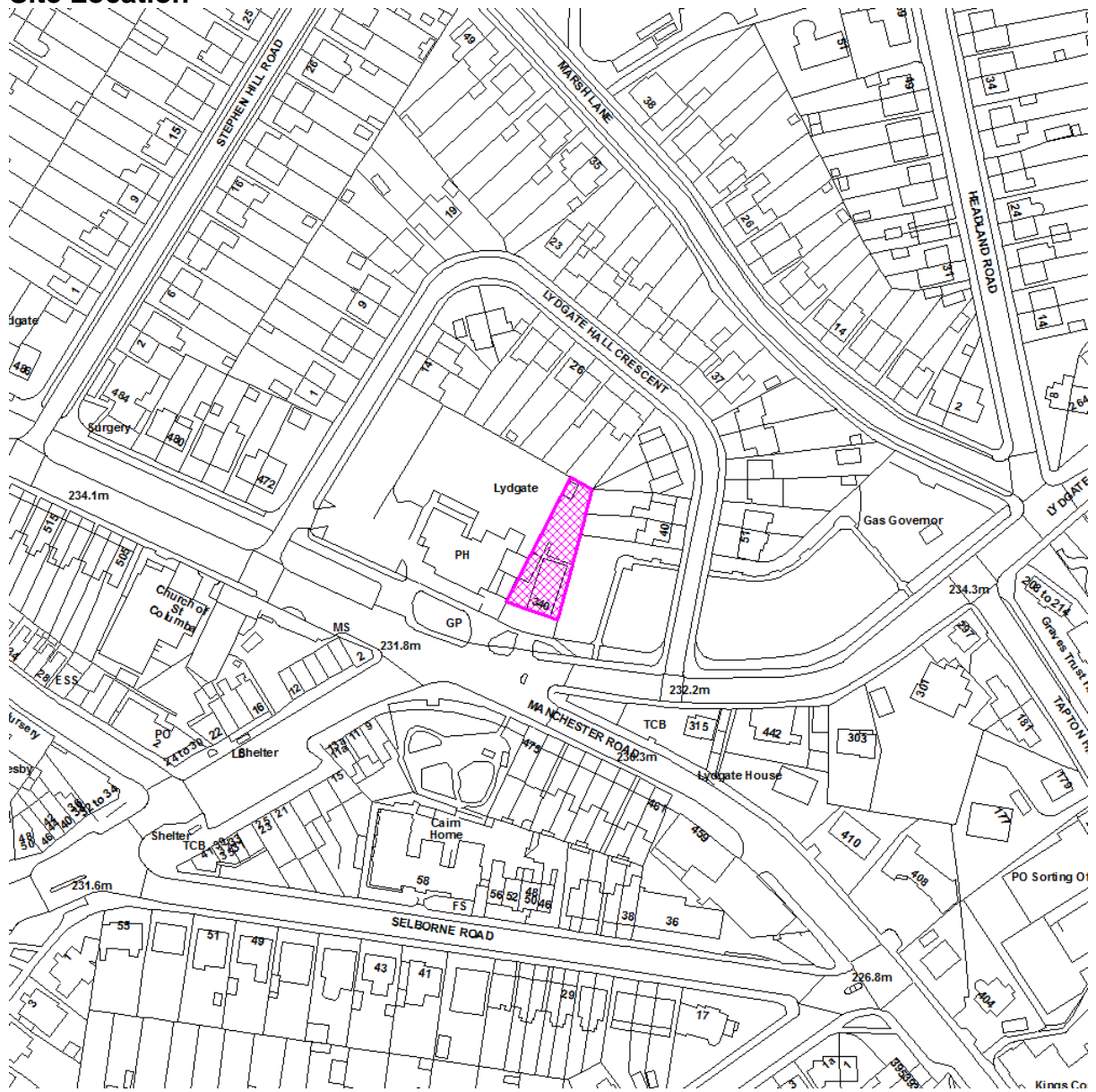
5. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition 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.
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. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
7. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

Site Location



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LOCATION

The site is located on the north side of Lydgate Lane at its junction with Manchester Road at Crosspool in a Local Shopping Centre as defined by the Unitary Development Plan (UDP) proposals map.

The site comprises an elongated plot of approximately 0.06 hectares with an 18 metre frontage narrowing to 8 metres at the rear boundary. The site is approximately 48 metres from front to rear.

A two-storey detached building with single-storey rear extension is situated towards the front of the site set back behind a short forecourt. The building was last used as a shop with a residential flat on the first floor. There is a detached garage between the shop and the western side boundary of the site. The outdoor area to the rear of the site is overgrown.

Immediately to the west of the site is the Crosspool Tavern. There are residential properties off Lydgate Hall Crescent to the rear of the site and partly wrapping round the eastern boundary of the site. The remainder of the eastern boundary adjoins a small community garden open space area.

A wide highway verge runs across the front of the site over which there are two access points onto Lydgate Lane which give access to this site and the adjacent Crosspool Tavern.

PROPOSAL

The proposal seeks full planning permission to demolish the existing buildings on the site and erect a three-storey building providing 6 apartments and the provision of car parking.

The application has been amended since its original submission. The siting, heights and massing of the proposed building remain as originally submitted.

The proposed building and parking areas would generally cover the front and middle parts of the site with gardens on the rear third of the site. The front elevation of the proposed building would be set back approximately 3 metres from the site frontage behind a front boundary wall and short front garden, and would extend across most of the site frontage with vehicle and pedestrian access into the site running alongside the western side of the site.

The proposed building would adjoin and run alongside the eastern boundary of the site, with the narrower central element orientated over the proposed driveway, and the rear elevation of the proposed building extending across the full width of the site.

The proposal would provide 3 two-bedroom apartments on the three floors of the frontage block. In the central and rear blocks, undercroft parking for 7 cars is proposed at ground floor level with 3 two-bedroom duplex apartments on the upper two floors. One of the amendments to the proposal has been to enlarge one of the

parking spaces to form a disabled person's parking space and to improve manoeuvring within the site.

The proposed building would be faced in a combination of materials. Facing stone would be the predominant external material on the visible front and east facing elevations of the building.

The front elevation consists of two main elements, a three-storey flat roof element with a predominantly glazed frontage and balconies on the first and second floor, and a larger three-storey element faced in stone with a ridged slate roof.

The courtyard elevations would be a combination of render and brick. A flat roof over the central block would have a green vegetated roof. A balcony is proposed on part of the second floor east facing side elevation overlooking the adjoining open space.

The rear block would have a slated ridged roof. The originally proposed balconies on the first floor of the rear elevation have been removed on the amended proposals and replaced with external steps. A dormer on the courtyard elevation of the rear block has also been removed from the proposals.

RELEVANT PLANNING HISTORY

In 2010 planning permission was refused and dismissed on appeal for the erection of a single/two-storey extension to retail unit and use of first floor as ancillary accommodation on grounds of the lack of adequate off street parking and servicing provision which would be likely to lead to conditions which would be prejudicial to highway safety. This proposal sought to provide 5 on-site car parking spaces whereas the council's car parking guidelines equated to the need for 19 spaces (application no. 10/02657/FUL refers).

In 2016 full planning permission was granted for alterations and extensions to building to provide extended retail unit at ground floor with three flats over including two-storey side extension with covered way and accommodation in roofspace, single-storey side extension with balconies over and alterations to roof design of existing building. This proposal would provide 4 on-site car parking spaces (application no. 15/04122/FUL refers).

SUMMARY OF REPRESENTATIONS

This application has been publicised by letters to neighbouring properties.

8 representations of objection have been received in respect of the originally submitted proposals relating to the following matters:

- Accept some redevelopment desirable, some sort of residential development would seem appropriate;
- Do not regard impact as acceptable, application is beyond a technical issue, not marginal breaches but fundamental breaches of policies;

- Contradict several policies within 2009 Sheffield Development Core Strategy;
- Policy CS26 translates to indicative 30 to 60 dwellings per hectare in wider urban Sheffield where high frequency bus services however the proposal looks to establish 120 dwellings per hectare, doubles the guide density, highly disproportionate, density out of kilter with Crosspool which is typically semi-detached houses, incompatible with lower density and sub-urban character of Crosspool, risks establishing undesirable precedent of city centre equivalent densities;
- Policy CS31 reinforces disproportionate and incompatible density;
- Fails to meet spirit of Policy CS74, developing and building the tallest building in Crosspool (with the exception of the church) in a residential garden does not positively enhance local character;
- UDP section H14, suggestion that development is of similar height to Crosspool Tavern is misleading;
- Route linked to primary school and local shopping centre accessed by busy A57 and difficult 4-arm junction, heavy footfall along pavement of children and young people at all times of day, potentially dangerous traffic implications;
- Difficult to turn right onto Lydgate Lane, cars will turn left onto Lydgate Lane then left into Lydgate Hall Crescent turning it into a rat run;
- The parking and manoeuvring plans are flawed, parking is significant underestimation, could lead to occupation rate of 24 people who may all have their own car and only 7 spaces available, insufficient space to turn unless a vacant space can be used, driver will have to reverse from the property across a pavement into a busy four-road junction, overspill onto crowded side streets, excess cars will park on Lydgate Hall Crescent which already has double parking throughout the day;
- Appeal decision established difficulties and potential dangers associated with traversing across a well-used pedestrian route in order to park vehicles;
- Lower density development would lessen highway risk;
- Out of scale and character with existing buildings, cramming too much into a small space, Block B extremely intrusive, Block B will dominate skyline;
- Does not achieve good design, glass balconies out of keeping with character of the area;
- Removal of gateposts which used to belong to Lydgate Hall removing an important piece of history;
- The building land has been a residential garden for a long time, amenity space currently acts as a buffer between existing properties, small area of garden retained, encroaches onto garden space, presumption against development of garden land highlighted in 2012 National Planning Policy Framework in paragraph 53;

- The proposed development comes right up to the boundary on all side
- Loss of light, overshadowing, Blocks A and C at the front are higher than Crosspool Tavern, Block B overlooking Lydgate Hall Crescent properties is higher still due to rising land, a pitched roof on top of Block B will overshadow adjoining properties, the nearest property (40 Lydgate hall Crescent) is 17 metres from Block B not 20 metres and 38 Lydgate Hall Crescent is 17 metres to conservatory and 22 metres to house wall not 35 metres as stated in the Design and Access Statement;
- Elevation drawings suggest property at 40 Lydgate hall Crescent is significantly elevated from the development but elevation is very slight and on same level as the proposed development;
- Overlooking, Block C will be significantly higher than Block A which is higher than the existing shop and flat, balconies to Block B would overlook properties, loss of privacy;
- no reference to screening at the rear;
- Will lighting be enclosed, night lighting in the parking area will be intrusive, create intrusive lighting for adjoining properties;
- Potential loss of rainwater drainage through removal of garden space;
- Concern as mature trees on boundary are 20 foot tall hawthorn trees;
- Plans poor, lack scale and perspective, elevation drawings of appearance from Lydgate Hall Crescent properties not included;
- the application should be considered at planning committee.

1 of the representations of objection also states:

- As Secretary of the Friends of Lydgate Green (the “community gardens”) we would be opposed to the felling or severe pruning of the mature trees and shrubs or encroachment of proposed buildings onto this green space.

Following the submission of amended proposals and additional publicity in the form of re-notification letters, 3 representations of objection have been received relating to:

- None of the concerns have been addressed, alterations appear superficial, stand by original comments;
- Style of development is not in keeping with the design of local buildings, scale is at odds with the principles of housing density, would dwarf neighbouring buildings;
- Little done to address safe access issues, still no room for cars to turnaround inside the parking area, cars would have to reverse and turn around in a pedestrian area in front of the building, proposed car parks do not seem big enough, driveway emerges onto an already difficult and dangerous junction, revised entry and exit options have

created extra driveways to be crossed by pedestrians, many school children use this route, dangerous turns to the right onto Lydgate Lane and Manchester Road and turning right off Lydgate Lane, turn Lydgate Hall Crescent into a rat run;

- Revised drawings reinforce how close and overpowering Block B would be to adjoining properties;
- Elevation relating to Block B looking eastwards seems disingenuous as indicative only, Block B will be significantly higher and more imposing;
- Will cast a shadow over garden in mid-afternoon, will degrade value of garden;
- Privacy would be lost;
- Balconies not shown on the revised drawings, plans are schematic and not definitive;
- Opaque nature of the planning process and complete lack of consultation and regard for resident's concerns has been disgraceful, letter about updated plans not received;
- Eastern boundary wall to Lydgate Green is to be removed and the proposed new building is to become the boundary, Friends of Lydgate Green object strongly to this, believed this was a protected J G Graves green space;

PLANNING ASSESSMENT

Principle of the Proposed Development

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP).

The UDP was adopted in 1998. The UDP Proposals Map identifies the site as being within the Crosspool Local Shopping Centre where housing, which includes residential apartments, is an acceptable use in principle (UDP Policy S7 refers).

The Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State. The Draft City Policies and Sites Document and Draft Proposals Map identifies the site as being within a Neighbourhood Centre where housing is an acceptable use in principle subject to various criteria (Draft CPS Policy H1 refers).

The proposal complies with UDP Policy S7.

The NPPF requires Local Planning Authorities to identify a 5-year deliverable supply of housing land (NPPF, paragraph 47). The latest Government household growth projections suggest that housing need in the city is higher than was previously planned for in the Core Strategy and as such the city has an approximate 4.1 year supply of housing land using the latest growth projections.

Paragraph 49 of the NPPF states that, planning applications for new housing should be considered in the context of the presumption in favour of sustainable development, with relevant policies for the supply of housing not being considered up-to-date if there is not a demonstrable 5-year housing land supply.

The proposal would make a net contribution to the provision and supply of housing within the city.

Core Strategy Policy CS24 relating to maximising the use of previously developed land for new housing states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on certain greenfield sites including on small sites within urban areas where it can be justified on sustainability grounds. The NPPF clarifies that previously developed land is land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure adding that it should not be assumed that the whole of the curtilage should be developed. The NPPF also states that this excludes land in built-up areas such as private residential gardens.

In this instance, the existing building (shop with flat above), garage and hard standings comprise previously developed land. The rear half of the site however has the characteristics of a private residential garden. The proposed development retains part of this rear garden area and as such the whole of the curtilage would not be redeveloped. The application site is also a small site within the urban area in a sustainable location close to local services and a bus route. It is considered that the proposal complies with the aims of Core Strategy Policy CS24.

Impact on the Local Shopping Centre

UDP Policy S10(a) seeks to ensure that new development in shopping areas would not lead to a concentration of uses which would prejudice the dominance of preferred uses in the area or its principle role as a shopping centre.

The majority of the premises within the Crosspool Local Shopping Centre are on the west side of Manchester Road. The application site and the adjacent Crosspool Tavern are the only commercial premises within the Local Shopping Centre that lie on the north side of Manchester Road.

The Crosspool Local Shopping Centre currently has a dominance of shops. Whilst the proposal would result in the loss of a shop unit, the current dominance of shops within the Local Shopping Area would be maintained.

The proposal complies with UDP Policy S10(a).

Highway and Transportation Issues

UDP Policy S10(f) seeks to ensure that new development in shopping areas would be served adequately by transport facilities and provide safe access to the highway network and appropriate off-street car parking and not endanger pedestrians.

The site is currently accessed from Lydgate Lane close to its junction with the A57 Manchester Road. A footpath runs alongside the carriageway and a second footpath set back behind the highway verge runs across the front boundary of this site and the adjacent Crosspool Tavern.

The proposal would continue to gain access from Lydgate Lane with some minor changes to slightly adjust the alignment of the vehicle crossover and highway verge. The proposal would provide 7 undercroft on-site car parking spaces including one parking space designed to be used by people with disabilities. The proposal includes sufficient space for on-site turning enabling cars to enter and leave the site in forward gear. A secure and covered bike store is included within the proposals.

The application site is within easy walking distance of bus stops which serve bus routes 51, 273, 274, 275. Bus route 51 links the site to the city centre and has a frequency of service mainly every 10 minutes during daytime on Mondays to Fridays, every 12 minutes during daytime on Saturdays, and every 30 minutes on evenings and Sundays. The 273, 274 and 275 routes provide a mainly 2 hour frequency daytime service which also link to the city centre. It is considered that 6 buses an hour is sufficient to provide a high frequency service. The site is also located in close proximity to local shopping facilities.

It is considered that the proposed access and parking arrangements are satisfactory. There are no highway objections to the proposal subject to condition to secure the provision of the on-site car parking.

The proposal complies with UDP Policy S10(f).

Density

Core Strategy Policy CS26 relating to the efficient use of housing land and accessibility states that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and supports the development of sustainable balanced communities. It states that densities will vary according to the accessibility of locations and identifies density ranges of development near high frequency bus routes in the urban area as 40 to 60 dwellings per hectare, and in the remaining parts of the urban area as 30 to 50 dwellings per hectare. It also states that densities outside the ranges will be allowed where they achieve good design, reflect the character of the area or protect a sensitive area.

In this instance the application site is within easy walking distance of bus stops which provide a high frequency service to the city centre. The proposed development of 6 apartments on 0.06 hectares would result in a density equivalent to 100 dwellings per hectare. Whilst this achieves a highly efficient use of land significantly above the ranges in Policy CS26, it is necessary to consider the quality of the proposed development and the character of the area.

Design and the Effect on the Character of the Locality

UDP Policy S10(d) relating to conditions on development in shopping areas states that new development will be permitted provided that, amongst other matters, it would be well designed and of a scale and nature appropriate to the site. UDP Policy BE5 and Core Strategy Policy CS74 seek good design in new development.

Core Strategy Policy CS31 relates to housing in the southwest area of the city which is identified as the sector between the Manchester Road (A57) and Abbeydale Road (A621) corridors. The application site adjoins the north side of the A57 Manchester Road corridor.

Policy CS31 gives priority to safeguarding and enhancing its areas of character and states that the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

The Crosspool Local Shopping Centre on the southwest side of Manchester Road is characterised by generally two-storey terraced and linked commercial buildings with some having second floor accommodation within their roofspace, although there are flat roofed and mansard roofed buildings within this streetscene. The two commercial properties comprising the application site and the Crosspool Tavern are both detached buildings of different scales and set slightly further back from the street frontage. The buildings in the shopping area are mainly stone fronted. There are terraces of residential properties either side of the shopping area fronting Manchester Road. The surrounding housing area is generally of two-storey semi-detached dwellings with short front gardens and larger rear gardens and faced in brick and render.

The existing building, garage, and its boundary walls and gate posts are not listed and it is considered that their demolition would not harm the appearance of the streetscene subject to a satisfactory scheme for the redevelopment of the site.

The proposal redevelopment of the application site would result in a building of greater mass, height and footprint compared to the existing building on the site and would extend further forward and further to the rear than the existing building on the site. The proposed building would have a three-storey front elevation, partly ridged and partly flat roof. As the front and rear blocks would have a ridged roof, the side elevation of the proposed building immediately alongside the adjacent community open space area would have two gables, with a lower flat vegetated roof in the middle section between them. The ridge of the frontage block would be approximately 0.9 metres higher than the ridge of the adjacent Crosspool Tavern. The ridge of the rear block would be approximately 1.3 metres higher than that of the Crosspool Tavern.

Nevertheless, the design of the front elevation consisting of a part traditional and part contemporary appearance would provide a good quality of design which in the context of its setting alongside the open space and the Crosspool Tavern would be dominant but not unduly intrusive within the streetscene. It is considered that subject to achieving appropriate quality of facing materials the proposed building would make a positive contribution to the streetscene. Whilst it would appear taller and more visible than the existing building when viewed from the open space area, it

would not be over-dominant and its impact would be further softened by the trees within the open space area. The proposal would provide a small garden area to the front and a larger garden area to the rear which whilst smaller than the existing rear garden would nevertheless ensure that the site would not appear overdeveloped. The proposed on-site parking areas would be mainly screened from the street frontage and adjacent residential properties by the proposed built form.

The proposed building would be faced in a combination of materials including facing stone and glazing to the front, stone to the eastern side with a contrasting render panel, render to the rear, and brick and render to the courtyard. It is considered that the proposed materials would be in keeping with those in the locality.

Overall, whilst the proposed redevelopment of the site would result in a larger and higher building it is considered that its design and massing would make a positive contribution to the streetscene and would not appear unduly out of character with the locality.

The proposed landscaping scheme seeks to provide soft planting (shrubs) to the front garden applicant and a garden area to the rear. The applicant has also indicated that there is the possible addition of a green wall on the west facing side elevation of the frontage block alongside the driveway. A condition would be required to secure details of the proposed planting scheme.

Whilst the trees on the adjacent community open space are outside the application site, the proposal would require any overhanging branches to be pruned back to the boundary. A condition to secure appropriate protection to these trees during construction works is recommended.

The proposal complies with UDP Policies, S10(d) and (e), BE5 and Core Strategy Policy CS74.

Sustainability

Core Strategy Policies CS63 to CS65 relate to climate change and seek to ensure that developments reduce the impact of climate change.

The site is sustainably located close to local services and public transport routes.

The proposal includes a vegetated roof over the middle block of the proposed building and will use a semi-porous finish to the courtyard and utilise a sustainable urban drainage approach to limit surface water run-off.

The applicant has stated that the proposal will provide a package of renewables including a building fabric thermal performance approach to minimise heating demand, a mechanical ventilation and heat recovery system (which is a whole house ventilation system that supplies and extracts air throughout a property in a balanced and low energy manner) and where possible photo voltaic panels to ensure a minimum of 10% of the developments predicted energy needs from renewable sources.

A condition will be required to secure satisfactory details of the package of sustainable measures.

Effect on the Amenities of Residents

UDP Policy S10 also seeks to ensure that new development does not cause residents or visitors to suffer from unacceptable living conditions.

There are residential properties to the east and north side of the site off Lydgate Hall Crescent. Lydgate Hall Crescent gradually rises to the north.

The proposed development includes a three-storey apartment building immediately alongside the eastern boundary of the site. The side elevation of the proposed apartments runs alongside the community open space area. One of the second floor apartments includes a recessed balcony on this eastern elevation which faces over the open space. This balcony is offset from the rear garden of the nearest residential property at no. 40 Lydgate Hall Crescent by approximately 12 metres and would have a 21 metre separation between the proposed balcony and the single-storey rear extension at no. 40.

The north facing elevation of the proposed apartments has windows on the first and second floors. Due to the rising ground levels towards the north part of the site, the ground level undercroft parking would be cut into the rising ground such that the first floor level of the rear elevation is just above the natural ground level. A landing and flight of steps is proposed to the glazed doors on the rear elevation of the proposed apartments.

There would be a separation of between 29 and 32 metres between the rear elevation of the proposed apartments and the opposing houses at nos. 30 to 36 Lydgate Hall Crescent. The houses at nos. 38 and 40 Lydgate Hall Crescent are orientated at right angles to the rear elevation of the proposed apartments with a 16 metre separation from the proposed apartments.

It is considered that there would be sufficient separation between the proposed apartment building and these adjacent dwellings to ensure there would be no significant overbearing, overshadowing or overlooking.

The proposed siting of the development would result in the northeast corner of the proposed apartment building being close to the southwest corner of the rear garden of no. 40.

It is considered that the respective orientation of the rear elevations of the proposed and existing dwellings at nos. 38 and 40 would ensure that there would be no significant overlooking between these properties. To ensure there would be no significant overlooking from the proposed landing and flight of steps to the rear elevation a condition is recommended to secure a 3 metre length of screen fencing alongside the eastern boundary immediately to the rear of the proposed apartments.

Whilst the proposed apartment building would be sited close to the bottom corner of the rear garden of no. 40 it is considered that the proposed building would not

significantly overbear or overshadow the garden and dwelling at no. 40 and no. 38 Lydgate Hall Crescent.

The Crosspool Tavern immediately to the west of the site has an outdoor customer area at the rear. The movements of customers and service vehicles to and from the Crosspool Tavern and external plant and equipment is a potential source of noise and disturbance to the future occupiers of the proposed apartments. The kitchen extraction system is a potential for odour disamenity. Given the layout of the proposed development, the main windows of the proposed apartments are a sufficient distance away from the adjacent commercial premises at the Crosspool Tavern to ensure there would be no adverse impact on the future occupants of the proposed apartments. The proposed design minimises the potential for activities associated with the Crosspool Tavern from affecting future residents from noise and odour. Conditions to secure appropriate glazing specifications in the apartments are recommended.

The proposal complies with UDP Policy S10(b) and (c).

As noted above, in 2010 planning permission (10/02657/FUL) was refused and dismissed on appeal for the erection of a single/two-storey extension to retail unit and use of first floor as ancillary accommodation on grounds of the lack of adequate off street parking and servicing provision which would be likely to lead to conditions which would be prejudicial to highway safety. The Inspector's decision letter noted that the location is likely to attract passing trade from motorists and that there was no evidence that there was sufficient [parking] capacity available.

This decision highlighted the problems of a more intensive retail development on the site.

It is recognised that the proposed density is significantly greater than that in Core Strategy Policy CS26, however its location in the local centre and its setting alongside the Crosspool Tavern can accommodate a higher density without causing undue harm to the character of the locality. The proposal which has 3 apartments to the frontage and the other 3 apartments over the courtyard parking area provide an enclosure to the site whilst retaining sufficient garden space to the rear. In this instance it is considered that given the sustainable location of the site and the quality of the scheme proposed, the development would not significantly harm the character of the locality and would enable the higher density achieved by this proposal to be satisfactorily accommodated on the site.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development. The site lies within CIL Zone 3 where there the contribution is £30 per sq m. The funds generated through CIL will be used in connection with strategic infrastructure needs.

SUMMARY

The UDP Proposals Map identifies the site as being within the Crosspool Local Shopping Centre where housing, which includes residential apartments, is an acceptable use in principle.

The Crosspool Local Shopping Area currently has a dominance of shops. Whilst the proposal would result in the loss of a shop unit, the current dominance of shops within the local shopping centre would be maintained.

It is considered that the proposed access and parking arrangements are satisfactory. There are no highway objections to the proposal subject to condition to secure the provision of the on-site car parking.

It is considered that there would be sufficient separation between the proposed apartment building and adjacent dwellings to ensure there would be no significant overbearing, overshadowing or overlooking of those properties.

Whilst the proposed redevelopment of the site would result in a larger and higher building it is considered that its design and massing would make a positive contribution to the streetscene and would not appear unduly out of character with the locality.

The proposal complies with UDP Policies S7, S10, BE5 and Core Strategy Policies CS24, CS63 to CS65, CS74 and the NPPF.

It is recognised that the proposed density is significantly greater than that recommended in Core Strategy Policy CS26, however its location in the Local Shopping Area and its setting alongside the Crosspool Tavern can accommodate a higher density without causing undue harm to the character of the locality. In this instance it is considered that the quality of the development proposed, and that the scheme would not significantly harm the character of the area would enable the higher density achieved by this proposal to be satisfactorily accommodated on the site.

RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.