
Case Number	18/00976/FUL (Formerly PP-06773533)
Application Type	Full Planning Application
Proposal	Erection of a three-storey block comprising 5no apartments with parking and amenity space (Amended Plans received by e-mail on the 9 September 2018)
Location	Land Between 13 And 15 Greenwood Road High Green Sheffield S35 3GU
Date Received	10/03/2018
Team	West and North
Applicant/Agent	Connect 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 shall be carried out in accordance with the following drawings:-

- JCA-1048-003 Rev P02 (Site Location Plan);
- JCA-1048-010 Rev P02 (Proposed Ground and First Floor Plans);
- JCA-1048-011 Rev P02 (Proposed Second and Roof Level Plans);
- JCA-1048-020 Rev P02 (Proposed North and South Elevations); and
- JCA-1048-021 Rev P02 (Proposed East and West Elevations);

Received on the 8 September 2018.

Reason: In order to define the permission

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

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

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

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

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

5. Any 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. 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 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. Prior to construction, full details (including cross-sectional drawings and calculations) of the proposed retaining structure supporting the public footpath flanking the development site shall have been submitted to and approved in writing by the Local Planning Authority. The structure shall have been provided in accordance with the above-mentioned approved details prior to occupation of the dwellings.

Reason: In the interest of pedestrian safety.

8. Prior to construction, full details shall have been submitted to and approved in writing by the Local Planning Authority of arrangements that shall have been entered into

securing the future maintenance of the retaining structure supporting the public footpath flanking the development site. Thereafter, the structure will be maintained in accordance with the above-mentioned approved details.

Reason: In the interest of pedestrian safety

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

9. 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.

10. 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.

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

Reason: In order to ensure an appropriate quality of development

12. Notwithstanding the submitted details, prior to construction, full details shall have been submitted to and approved in writing by the Local Planning Authority of the wall/fence being provided on top of the retaining structure in the vicinity of the bend in the public footpath ensuring good intervisibility for users of the path.

Reason: In the interest of pedestrian safety

13. The development 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 development commencing, and shall thereafter be retained.

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

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

Reason: In the interests of the safety of road users

15. 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 any above ground works commence, 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.

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 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.

Other Compliance Conditions

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

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

18. 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.

Attention is Drawn to the Following Directives:

1. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

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

Development Services

Howden House
1 Union Street
Sheffield S1 2SH

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

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

You should apply for a consent to: -

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

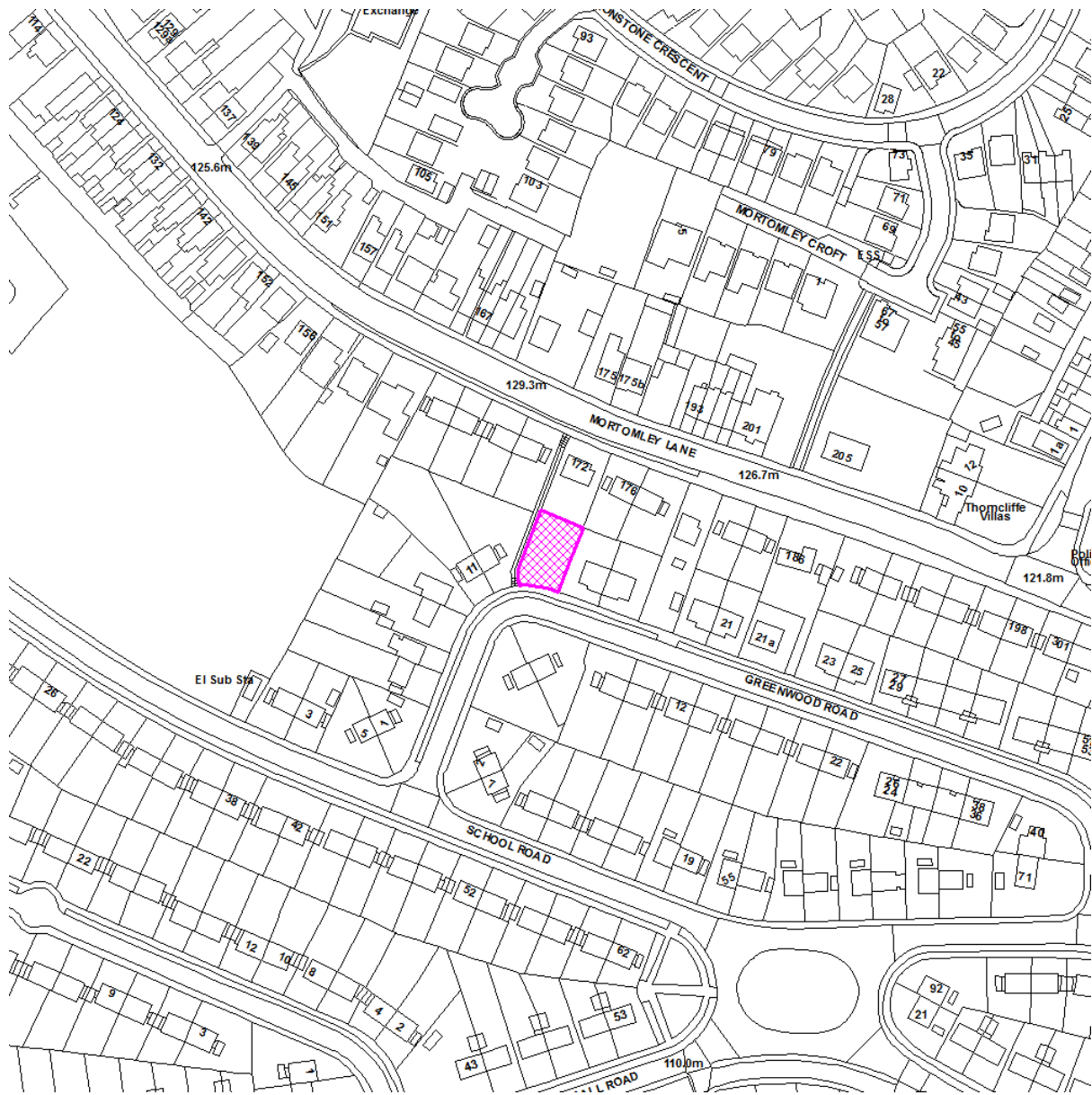
or the attention of Mr S Turner
Tel: (0114) 27 34383

3. 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 precommencement condition surveys, permits, permissions or licences you may require in order to carry out your works
4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website.

For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties

5. 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.
6. 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.

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

INTRODUCTION

The application relates to a small parcel of land that is situated between 13 and 15 Greenwood Road in High Green.

A pre-application enquiry (17/04854/FUL) was submitted for this site in November 2017 seeking informal officer advice on a proposal to erect a two-storey apartment block to provide 6 apartments. The applicant's agent was advised by officers that the proposal to erect an apartment block on this site was acceptable in principle but the scale of the development should be reduced in the interests of protecting the residential amenity of neighbouring properties from unacceptable overlooking, and in the interests of highway safety.

Planning permission was granted to erect a pair of two-storey semi-detached dwellinghouses on this site in 2014, under 14/03894/FUL. No work on site commenced within 3 years of the date of the decision and the permission has now lapsed.

LOCATION AND PROPOSAL

The application site is greenfield (currently grassed) that is situated along the northern side of Greenwood Road; a residential street that is made up of red brick two-storey semi-detached dwellinghouses and bungalows. The site covers an area of some 0.03 hectares, measuring approximately 12.2m by 21.3m. The site slopes up from Greenwood Road with the ground levels approximately 1.5m higher at its northern end. The application site is enclosed by a timber fence with hedgerow along its northern boundary, a dense 1.5m high hedgerow along its eastern boundary and a low brick wall to Greenwood Road. Along its western boundary is a small flight of steps and footpath that links Greenwood Road with Mortomley Lane.

The application site is situated in a Housing Area and lies within a defined Development High risk Area for former coal mining activities. To the north of the site is a detached dwellinghouse (172 Mortomley Lane), to its east is a red brick bungalow (15 Greenwood Lane), and to its west is a pair of two-storey semis (11-13 Greenwood Lane).

The applicant is seeking full planning permission to erect a two-storey apartment block with rear dormers comprising five apartments with off-street parking and amenity space. The application has been amended by drawings received on the 9 September 2018.

RELEVANT PLANNING HISTORY

17/04854/FUL - Pre-application advice for the erection of a two/three storey apartment block comprising six apartments – Closed

14/03894/FUL - Erection of 2 x two-storey, semi-detached dwellinghouses with off street parking (as amended 1.10.15) – Approved 31 May 2014

SUMMARY OF REPRESENTATIONS

Objections have been received from eight neighbouring properties in response to neighbour notification.

These are summarised below:-

- Highway safety issues: Extra traffic on an already congested road and parking difficulties. Development could lead to overspill parking on Mortomley Lane;
- Overdevelopment of the Site: The proposed building is too large for the plot;
- Loss of Privacy;
- Loss of light/overshadowing;
- The finished development is likely to be significantly higher than shown on the supporting plans. If the ground levels are correct, the development will require significant excavation work;
- Out of character with the surrounding area;
- Bin store located very close to a neighbouring property (172 Mortomley Lane);
- Ground subsidence due to former underground workings; and
- Noise disturbance

PLANNING ASSESSMENT

It is considered that the main issues relevant to this application are as follows:-

- i. The Principle of Development – Policy and Land Use
- ii. Highway Issues;
- iii. Design Issues and its effect on the character and appearance of the surrounding area;
- iv. Effect on the residential amenity of neighbouring properties;
- v. Ground Conditions and Coal Mining Legacy Issues; and
- vi. Community Infrastructure Levy

i. Principle of Development – Policy and Land Use

The application site is situated in an area where housing is acceptable under UDP Policy H10. It is also considered that the proposal would not conflict with Core Strategy Policy CS24, which seeks that 88% of all new developments be built on previously developed land (brownfield land). While it is noted that the site is greenfield, the Council is currently achieving a build rate on previously developed land of approximately 95%, meaning that the development of this greenfield site for housing would not conflict with this policy.

Also of relevance is Policy CS26, which seeks the efficient use of housing land. With regard to this policy, the site is located in an area where a density in the order of 30 to 50 dwellinghouse per hectare should be achieved. The policy does allow development outside these ranges but only where they achieve good design, reflect the character of an area or protect a sensitive site.

The proposed development of 5 apartments on this 0.03 hectare site equates to a density of 167 dwellinghouses per hectare. While this amount significantly higher than the density range set out in Policy CS26, it is considered that the density of the development is

acceptable given that the proposal is an apartment scheme where a higher density is expected.

Paragraph 49 of National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development. It goes on to state that where an LPA cannot demonstrate a five year housing supply, relevant policies for the supply of housing should not be considered up-to-date.

With regard to this, Sheffield currently can only demonstrate a 4.5 year housing supply of deliverable housing sites across the city. While less weight can be given to housing supply policies in the development plan as detailed in the NPPF, it is considered that the proposed development of this site to provide 5 apartments would make a small but positive contribution to housing land supply across the city and should be given weight.

The development of this site would accord with UDP Policy H10 and be in general accordance with Core Strategy Policies CS24 and CS26. The principle of erecting an apartment block to provide four dwellinghouses on this site should therefore be viewed acceptable.

ii Highway Issues

The application was amended on the advice of officers following concerns with the proposed car parking arrangement. The scheme as initially submitted showed provision for five off-street car parking spaces along its forecourt, which officers considered was not practicable as this would have resulted in great difficulty for users to egress and ingress their vehicles as well as preventing bins to be taken from the store area to the highway. The amended parking layout now shows four spaces only, all of which now being properly accessible and space to allow bins to be moved to the adjacent highway.

From a highway perspective, it is considered that the proposal is acceptable and would not result in any significant demand for on-street parking that would be prejudicial to highway safety. While the development proposes four off-street parking spaces, it is considered that any overspill parking can be adequately accommodated along the adjoining highway with evidence provided by the applicant's agent that at a time when most people would be at home (after 6pm), the street benefited from a good amount of available on-street parking. Highways Section has raised no objection to the development subject to conditions.

iii Design Issues

Policy H14 of the UDP relates to conditions on development in housing areas including matters of design, amenity and highway safety.

Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. The principles that should be followed include encouraging original architecture where this does not detract from the scale, form and style of surrounding buildings, the use of special architectural treatment be given to corner sites and that designs should take advantage of the site's natural features.

The proposed apartment block is a two storey building with dormer accommodation taken in the rear roof slope. The proposed building would be situated relatively central on site to

provide hardstanding for four vehicles to the front of the building and a rear garden of some 105 square metres. To the north-eastern corner of the plot would be a bin store.

The submitted drawings show that the building would measure 12.4m by 8.2m (at its widest points) with an eaves height of 5.3m and ridge height of 8.55m. It would be constructed with a dual pitched roof and designed with a centralised recess that would have to break up the overall massing of the new building with the building's eastern side set approximately 0.8m behind the western side and having a subservient pitched roof 350mm below the main ridge. It would be constructed in red brick with a concrete tiled roof. Features of the building would include a recessed entrance porch, soldier course heads, subservient western section, rooflights and pitched roof rear dormer windows.

It is considered that the development is of an acceptable design quality that would not detract from the character or appearance of the surrounding area. The scale and massing of the development has been reduced on the advice of officers, with the amended scheme designed to read like a pair of semi-detached dwellinghouses, not too unlike the pairs of semi-detached dwellinghouses situated along Greenwood Road. To reduce the overall height of the building, the site's existing site levels would be lowered to 'bed down' the building. The amended scheme shows that the building's eaves would be set below the eaves height of the western property (No. 13) and have its ridge at the same height.

While it is accepted that the proposed building would be situated adjacent to a bungalow, it is not considered that it would have an overly dominating appearance on this smaller property that would be harmful to the character of the street. In coming to this view, officers have given weight to the supporting plan (Drawing No. JCA-1048-020 Rev P02), which shows the two buildings in context, and while the proposed building would be some 2.25m higher, it is not considered that it would dwarf the neighbouring property that would justify seeking a smaller build. It is also material in officers' opinion that the proposed building is not dissimilar to the 2014 approved scheme in terms of its scale and massing, both being two storey in height and consisting of side gabled walls.

Following the revisions sought by officers, it is considered that the proposed development is acceptable from a design perspective and would be in general accordance with UDP Policies H14 (a) and BE5.

iv Effect on the residential amenity of neighbouring properties

It is considered that the only properties likely to be affected by the development would be 172 Mortomley Lane to its north and No. 15 Greenwood Road to its east. All other properties are considered to be adequately distanced from the site to prevent any unacceptable loss of privacy, outlook or overshadowing that would be harmful to their residential amenity.

In terms of No. 172 Mortomley Lane, this property is situated to the north of the site and has its rear elevation facing the application site. The property is two-storey in height and is set back from the shared boundary by approximately 12m. Due to the higher ground levels of Mortomley Lane, this property is significantly elevated to the application site.

The amended plans show that the separation distance between the proposed building and this neighbouring property would be 21m. This separation distance is considered to be

acceptable and should prevent any unacceptable loss of privacy between the two properties. Although it is acknowledged that SPG Designing House Extensions recommends that the separation distance between properties should be increased when there is a difference in ground levels, it is not considered to be necessary in this instance. Cross section drawings submitted with the application shows that views from this neighbouring property's upper floor windows would be mainly taken above the roof top of the proposed building. In addition to this, the applicant has agreed to plant a series of trees along the northern boundary, which in time should provide a high level of privacy that would protect both properties. A condition is recommended that would require the planting of six extra heavy standards to be planted along the northern boundary within the first planting season before occupation.

In terms of No. 15 Greenwood Road, this property is situated to its west and comprises no main windows within its side elevation facing the application site. Given this and the proposed building not having any windows within its side elevation should prevent this neighbouring property being unduly harmed from any loss of privacy or loss of outlook. It is also considered that this neighbouring property would not be subject to any significant overshadowing owing to the proposed building being situated on the eastern side of No. 15.

v. Ground Conditions and Coal Mining Legacy Issues.

Environmental Protection Services (EPS) has recommended that the usual suite of ground contamination conditions be attached to any grant of planning.

In terms of coal mining legacy, the applicant has not undertaken a Coal Mining Risk Assessment (CMRA) as part of this application. However, a CMRA was submitted as part of the 2014 application, which was inspected and found to be acceptable by the Coal Authority. In response to this 2014 CMRA, The Coal Authority detailed that the site is likely to have been subject to historic underground coal mining at shallow depth associated with coal which outcropped across the site and agreed with the report's findings that bell-pits may pose a risk to the stability of the proposed development. They recommended that a condition be attached to the grant of planning permission that required site investigation works to be carried out prior to commencement of development, and that in the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works/foundations identified by the site investigation are either undertaken prior to commencement of the development or are integral to it.

It is not considered that there have been any material changes between now and the time of the previous CMRA. It is therefore recommended that a condition be attached in line with the recommendations of The Coal Authority as recorded in 2014.

vi. Community Infrastructure Levy

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

The applicant has completed and signed the CIL form stating that the development is CIL liable.

vii. Other Issues

Environmental Protection Services (EPS) has stated that the application site is located in a predominately residential area with low background noise levels. It is not considered that the development raises any significant issues in terms of noise disturbance.

SUMMARY AND RECOMMENDATION

The application relates to a greenfield site that is situated along the northern side of Greenwood Road in High Green. The application site has benefited from pre-application discussions and previously was granted planning permission for two 2-storey semi-detached dwellinghouses.

The applicant is seeking full planning permission to erect a two-storey apartment block with rear dormers comprising five apartments with off-street parking and amenity space.

It is considered that the apartment block is of acceptable design quality that would not result in any demonstrable harm to the character and appearance of the surrounding area. Due care has been given to the scale and massing of the building, which has been designed to read as a pair of semi-detached dwellinghouses, and not too dissimilar to the scheme approved in 2014.

The proposals raise no significant residential amenity issues with neighbouring properties unlikely to be subject to any significant overlooking, loss of outlook or overshadowing that harm to their residential amenity.

For the reasons given in the report and having regard to all other matters raised, it is considered that the development accords with UDP Policies H10, H14 (a) BE5 and Core Strategy Policies CS24, and CS26, and guidance contained in the National Planning Policy Framework (NPPF).

It is therefore recommended for approval subject to the conditions listed.