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Case Number	17/04741/FUL (Formerly PP-06546431)
Application Type	Full Planning Application
Proposal	Demolition of extension and internal/external alterations to Mansion building to create 1no. dwellinghouse, conversion of Coachhouse building, including the erection of extensions, in order to create 3no. dwellinghouses, and the erection of 3no. detached dwellinghouses (amended plans and information published on 02 August 2018).
Location	Brincliffe Towers Former Old Peoples Home Brincliffe Edge Road Sheffield S11 9BZ
Date Received	18/11/2017
Team	South
Applicant/Agent	EDGE AD Ltd
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:

NB: FINAL DRAWING NUMBERS TO FOLLOW IN SUPPLEMENTARY REPORT

Reason: In order to define the permission.

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

3. No development shall commence until a Construction Vehicle Management Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include:
  1. Information to demonstrate that construction vehicles can ingress and egress the site in a safe manner, including any measures needed to facilitate this.
  2. If a particular size of vehicle cannot access the site, measures to limit this type of vehicle visiting the site and details of how such vehicles will be managed/unloaded on the occasions when there is no alternative.
  3. Measures taken to ensure construction vehicles are not causing obstruction on public highways surrounding the site.
  4. 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.

Once agreed, the Construction Vehicle Management Plan shall be implemented for the duration of the construction phase.

Reason: Given the restricted access and in the interests of highway safety and to protect the amenity of surrounding residents it is essential that this condition is complied with before the development commences.

4. 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.

5. 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.

6. No development shall commence until final details of measures to protect the existing trees, shrubs or hedges that are to be retained and that sit within and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. These measures shall include a construction methodology statement detailing how any works within the root protection areas of these trees will be implemented, including a plan showing these accurate root protection areas. 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 hedges be damaged in any way. The Local Planning Authority shall be notified in writing when the protection

measures are in place and they shall thereafter be implemented until the completion of the development.

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

7. 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 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.

8. 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.

9. 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.

10. 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.

11. No works, which include the creation of trenches or culverts or the presence of pipes, shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:

a) Creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and

b) Open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Once agreed the development shall be carried out in accordance with these details.

Reason: In the interests of ecology and protected species.

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

12. 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 corresponding part of the development commences:

a) Windows, including reveals and any new/replacement windows within the retained buildings.

b) Doors, including any new/replacement doors within the retained buildings.

c) Eaves, verges and parapets.

d) Garage Doors.

e) Soffits.

f) Rainwater Goods.

g) Canopies.

h) Cladding Patterns.

i) Balustrades.

j) Rooflights, which should be conservation style.

k) External services, including vents, pipes and cabling, including locations.

l) Boundary walls.

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

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

13. Sample panels of proposed masonry, including for any repair works to the existing buildings, 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 corresponding part of the development commencing and shall be retained for verification purposes until the completion of relevant section of the development.

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

14. 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 corresponding 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.

15. Before any development commences a schedule of works designed to restore the existing buildings on site, including a timeframe for carrying out these works, shall have been submitted to and approved in writing by the local planning authority. The agreed works shall be carried out in accordance with the approved details and timeframe's thereafter.

Reason: In the interests of protecting the historic buildings on the site.

16. 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 within three months of the development commencing.

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 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.

17. The proposed green/brown roof(s) (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 for the corresponding dwellinghouse. The green/brown roof(s) shall be provided prior to the occupation of the corresponding dwellinghouse. 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.

18. A Landscape and Ecological Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The Landscape and Ecological Management Plan shall be implemented as approved thereafter.

Reason: To ensure the appropriate maintenance and management of the open space areas given the site is part of a Historic Park and Garden.

19. Within three months of any development commencing, final details of any proposed alterations to existing external land levels on the site, which shall be in substantial

accordance with the approved plans, and any new retaining features, including construction details, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with these approved details thereafter.

Reason: In the interests of the amenities of the locality and to ensure the retained trees on the site are not threatened.

20. 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.

21. 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.

22. No removal of hedgerows, trees or shrubs, or the demolition of structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a qualified ecologist has undertaken a detailed check for active birds' nests immediately before the vegetation is cleared, or demolition works commence, and provided written confirmation that has been approved by the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds.

Reason: In the interests of ecology.

23. The development shall be carried out in accordance with the recommendations set out in Sections 6 & 7 of the Preliminary Bat Roost Assessment dated November 2016 and prepared by Weddle Landscape Design. These include:

a) Buildings affected by the development should have further survey work undertaken to ascertain the presence or absence of bats prior to any works commencing.

b) All tree works or felling should be undertaken with caution by an Arboriculturalist experienced in working on trees with bat roost potential. If any elevated survey by the Arboriculturalist finds further evidence of bats roosts then all works should cease and further advice sought from the ecologist.

c) Any proposed new external lighting for the development should be designed to ensure that lights are angled downward and that night time light levels remain relatively low.

d) The provision of bird and bat boxes and, within three months of any development commencing, full details of these bird and bat boxes, including locations, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these agreed details thereafter.

Reason: In the interests of ecology.

24. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the ecological measures secured through the planning conditions shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected species and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the recommencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: In the interests of ecology.

25. 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

26. 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.

27. 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 of the corresponding unit the approved details relating to that unit 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

28. No development shall take place until details of the proposed means of disposal of surface water drainage, including but not exclusive to the following, have been submitted to and approved in writing by the local planning authority:
- a) Evidence to demonstrate that surface water disposal via infiltration or watercourse is not reasonably practical;
  - b) Evidence of existing positive drainage to public sewer and the current points of connection; and
  - c) The means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

#### **Other Compliance Conditions**

29. The existing stone boundary walls shall at all times remain intact and any proposed works to these walls shall receive the written approval of the Local Planning Authority before these works commence.

Reason: In order to ensure the architectural character of the conservation area is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

30. The hereby approved car parking accommodation within the site, as indicated on the approved plans, shall be provided before the corresponding unit is occupied and shall thereafter be retained for the sole use of the occupiers of the corresponding unit.

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

31. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

32. 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 dwellinghouses shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage for the coach house properties,



to ensure a suitable standoff distance is kept with respect to the retained trees 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.

Attention is Drawn to the Following Directives:

1. 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.
2. 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.
3. 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.
4. The applicant is advised that future residents should be informed that:
  - a) Although limited in number, public events do take place within the adjacent Chelsea Park. Future residents should be aware that the Local Authority is unlikely to take action against such events if future complaints are received in respect to associated noise and disturbance.
  - b) As the site forms part of a Historic Park and Garden there will be a presumption in favour of resisting any further works or removal of trees within the site.
5. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:

Ecology Team  
Sheffield City Council  
Meersbrook Park  
Brook Road  
Sheffield  
S8 9FL  
Tel: 0114 2734481

6. 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.
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. 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.
9. 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.

10. 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.

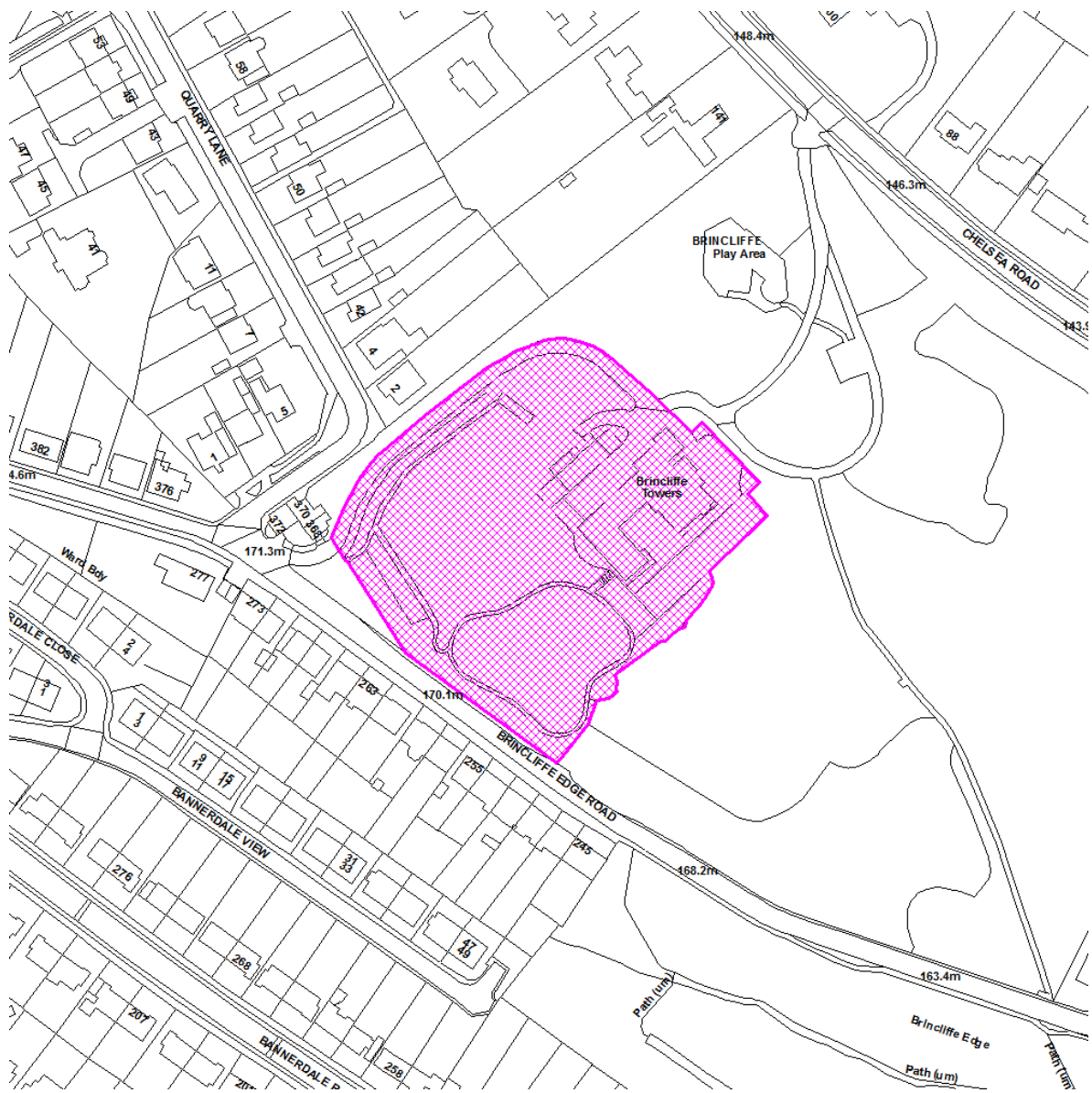
You should apply for a consent to: -

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

11. The applicant is advised that all construction drawings relating to works within the Root Protection Areas of the retained trees should clearly identify the level of excavation required for any associated structures, rather than just the structure itself.

# Site Location



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## INTRODUCTION

Members should note that planning permission was refused on this site for a residential scheme in September 2015 on conservation, design and landscape grounds under reference number 15/00740/FUL (please see Relevant Planning History Section below for more details).

The applicant's newly appointed team have subsequently re-engaged with officers of the council, with the aim of realising a scheme that addresses the original refusal reasons.

## LOCATION AND PROPOSAL

Brincliffe Towers is a site that sits adjacent to Chelsea Park and houses a vacant former residential care home. It is set entirely within the Nether Edge Conservation Area, covers approximately 0.795 hectares and is virtually fully enclosed.

A large scale detached building (Brincliffe Tower) occupies the north east section of the site and is Victorian in Gothic Revival style. This building was substantially and unsympathetically extended in the 1950's.

The site also includes a large two storey coach house with single storey elements to the end elevations. The coach house and the main building are separated by an informal driveway/courtyard of approximately 7.5 metres in width.

The majority of the site comprises overgrown former gardens to the main building, which rise to the south-west boundary with Brincliffe Edge Road, which sits beyond the courtyard wall. Chelsea Park slopes away from the site to the north-east and south-east to entrances in Chelsea Road and further along Brincliffe Edge Road, respectively.

A low stone wall with railings forms part of the boundary with the main body of Chelsea Park. This treatment allows views of the principal elevation of the main building and its small, lawned garden from the park. The main two storey 1950's extension can also be seen, but views are restricted such that it is not prominent.

The remainder of the site boundary is densely vegetated with a number of trees and overgrown shrubs. A natural stone wall forms the boundary with Brincliffe Edge Road and this wall continues along the north-west boundary to separate the site from a tree-lined driveway that gives access to the site and also into Chelsea Park. This driveway is outside the boundary of the application and its entrance is splayed from the main carriageway (Brincliffe Edge Road) close to the junction with Quarry Lane.

Inter-war semi-detached dwellings predominate on the opposite side of Brincliffe Edge Road, while the majority of dwellings in Quarry Lane are detached and circa 1970, although there is a detached 1.5 storey dwelling (former lodge) between the access drive and the entrance to Quarry Lane which is much older.

The application proposes the following works:

- Conversion of Brincliffe Towers to a large six bedroom dwellinghouse, including the demolition of previous extensions.
- The conversion of the existing coach house to form 3 dwellinghouses, with each providing three bedrooms. This involves the erection of two single storey rear extensions and several alterations, including the insertion of new windows. A new eight space car park would serve the coach house dwellings.
- The erection of three detached dwellinghouses, each providing five bedrooms. These houses would benefit from detached garages, be three storeys in height and be built principally in natural stone.
- External works to facilitate the proposals, including the erection of retaining structures, creation of new access road and removal of several trees.

The site is located within a Housing Area and an Area of Special Character, as defined by the adopted Sheffield Unitary Development Plan (UDP). Members should note that the designation as an Area of Special Character is superseded by the Conservation Area designation which was declared after the adoption of the UDP. In addition, the site also forms part of a historic park and garden, with Brincliffe Towers and Chelsea Park being historically a single unit. A Green Link also runs through the site ultimately linking Brincliffe Edge and Brincliffe Plantation.

#### RELEVANT PLANNING HISTORY

An application was refused at the Planning Committee meeting held on 10 November 2015 (Ref: 15/00740/FUL) for:

- (a) Removal of extensions to the main building and conversion to form a dwellinghouse.
- (b) Two rear extensions to the coach house and conversion to form three dwellinghouses.
- (c) Erection of 3 detached dwellinghouses.

This application was refused for the following three reasons:

1. The Local Planning Authority considers that the height of the proposed 3 dwellinghouses would over-dominate Brincliffe Towers and the proposed extensions to the coach house would result in an unco-ordinated built form, with a variety of roof pitches and opening treatments which would detract from the original character of the coach house and would result in the building being less subservient to Brincliffe Towers. The proposed 1800mm boundary wall between Brincliffe Towers and the coach house would further erode the historic relationship between the two buildings. Overall, the proposed development would be detrimental to the setting of Brincliffe Towers and would result in substantial harm to the character and appearance of Chelsea Park and the Nether Edge Conservation Area. The proposed development is thereby contrary to Unitary Development Plan and

Core Strategy Policies BE15, BE16, BE19 and CS74 and is unjustified in the context of paragraph 133 of the National Planning Policy Framework.

2. The Local Planning Authority considers that the proposals would be likely to result in the decline or loss of up to 4 trees in the adjoining avenue of Lime trees which is noted as a feature of Chelsea Park in the Local Schedule of Historic Parks and Gardens owing to the excavations required in the root protection zones of those trees in order to accommodate the proposed car parking court to the rear of the coach house. In addition, the Local Planning Authority consider that there would be likely to be future pressure for the removal or significant pruning of trees within the south-west and south-east facing gardens of the new-build dwellinghouses to improve the light and utility of those gardens which would result in a loss of tree cover to the detriment of the landscape character of the site and the setting of Chelsea Park and the Nether Edge Conservation Area which would be contrary to Unitary Development Plan Policies BE6(c), BE15, BE16, BE21, GE15(b) and Core Strategy CS74.
3. The Local Planning Authority considers that the mixture of traditional and contemporary architecture and materials in the design of the new dwellings does not reinforce local distinctiveness within the Nether Edge Conservation Area and is thereby contrary to Unitary Development Plan Policies H14(a), BE5(a) and (c), BE15, BE16 and BE17 and Core Strategy Policy CS74, and is unjustified in the context of paragraph 60 of the National Planning Policy Framework.

## SUMMARY OF REPRESENTATIONS

### Representation from Historic England

Historic England have offered support for the repair and conversion of Brincliffe Towers, but expressed concern about the impact of the proposed new build housing on the character of the conservation area and on an area of the site which was historically gardens.

Historic England go on to state that in determining this application the authority needs to be satisfied that the construction of the houses is necessary to secure the repair and refurbishment of the historic buildings, and that the proposals are the minimum necessary to achieve this.

### Representations from Local Residents and Local Community Groups

In response to the neighbour notification process 36 letters of representation have been received from 24 contributors objecting to the scheme.

#### (a) Highway Matters

- The narrow single lane from Brincliffe Edge Road to Brincliffe Towers was built for pedestrians and horse drawn transport. People wishing enjoy the park will have to negotiate service vehicles and cars sharing this lane, which

represents a major safety issue as there is no segregated footway. Mitigation should be explored.

- Could a breach in the boundary wall at the top of the drive be explored to ease concerns about the safety of pedestrians?
- The parking provision, including for visitors, is insufficient so cars will park on the access lane and this will be extremely problematic.
- Increasing on street car parking would hamper the ability of emergency services to manoeuvre around the area, in particular fire engines.
- Who would have priority when vehicles are exiting both Quarry Hill and the access lane at the same time?
- The traffic associated with the development will be much more than that generated by the former nursing home use.
- Comparing the previous nursing home use to the proposed residential use for the purposes of traffic generation is not appropriate as the site has been vacant for a considerable period.
- How will construction traffic access the site, if it is via the access lane this will lead to significant safety issues?
- There is no assurance that the access lane will remain as a public route to Chelsea Park.
- Parking on Brincliffe Edge Road is already very difficult, with this being restricted to one side of the road.
- The access lane joins Brincliffe Edge Road at an angle. Traffic exiting the proposed development will have no visibility left and will be unsighted by and therefore dangerous to traffic traveling west along Brincliffe Edge Road.
- The junction of Brincliffe Edge Road and Ecclesall Road is very dangerous, and wider road improvements need exploring before large scale development is approved.

#### (b) Amenity Considerations

- The proposed scheme will lead to negative impacts on surrounding amenity/residents with regard to matters such as dust, light pollution, air pollution and noise.
- The new properties would impact considerably on the privacy of existing residents.
- The occupiers of the new houses will hold events and will also create noise on a day to day basis, including for the elevated terraces. This will create noise and disturbance for surrounding residents.
- Who will monitor and police the demolition and building work from a health and safety perspective.

#### (c) Drainage Considerations

- There appears to be a lot of proposed paving for the coach houses rather than garden areas. How will this impact on site drainage & surface water run-off into Chelsea Park?

#### (d) Design/Conservation Considerations

- The new build houses are completely inappropriate for the conservation area. They would be excessively tall and would dominate the historic buildings.
- The top roof line of the new houses is the same height as the top of the chimney stack on the existing house, not the top of the roof line of the house. This extra height is likely to be overbearing & disproportionate to the current buildings.
- If these dwellings are the price to pay for conserving a heritage asset (the old house), it is not a price worth paying as this development will not conserve and enhance the historic environment and is not of good design.
- Inevitably the new housing would be visible from Brincliffe Edge Road, particularly during winter months. This would include in the evening when the lights are on within these properties.
- The proposed new buildings should be built in stone and with pitched roofs as the contemporary design approach is out of keeping with the area.
- The extensions to the coach house are still very large and would not fit in with the main house or the wider heritage context.
- The submitted information is contradictory about the potential to breach/removal elements of the existing boundary walls. Clarity is required and the wall should not be altered.
- The new houses should be constructed in natural stone.
- The Heritage Statement (as originally submitted) is invalid and refers to a previous scheme on the site.
- The harm created to the heritage assets is not outweighed by the public benefits the scheme offers.

(e) Ecology & Landscape Considerations

- There are no assurances about the ecological impact of the development in general.
- The site has a significant bat population and appropriate measures need to be taken to ensure any impacts are managed/mitigated appropriately.
- The proposed development will result in the loss of a number of trees and this should be resisted as it would have a harmful impact on the setting of Chelsea Park and the Nether Edge Conservation Area.
- The destruction of trees, the building of houses, the provision of car parks will lead to serious detriment to this eco-system as wildlife 'corridors' would be destroyed. The loss of trees also has negative impacts in areas such as filtering road traffic pollution, countering social isolation and enhancing physical/mental health.
- Pressure could be placed by future residents to remove future trees in order to get light into their new houses.
- The retained trees should be protected by covenant that ensures any future residents cannot chop them down.
- There should be an element within the proposal to reinforce the tree boundary between the new development and Chelsea Park.
- The Tree Protection Plan submitted shows the removal of several established trees along the boundary wall with Brincliffe Edge Road which would be of detriment to the area and should be resisted.



- Who would be responsible for the maintenance of the shared grounds and how long would this be for.
- Is the scaffold fence shown on the tree protection plan a temporary measure?

(f) Other Considerations

- The application has not been accompanied by financial evidence of the necessity of the enabling development that justifies the harm to the setting of the heritage assets. This should be provided and checked impartially.
- There is very little change from the previously refused scheme.
- The proposals do not represent any notable public benefit.
- The owners have deliberately allowed the buildings and the site to deteriorate over many years.
- The Brincliffe Tower & Chelsea Parkland were a gift to the City of Sheffield and its people, for community use. Whilst the former use as a nursing home could have been viewed within the spirit of this, commercial housing development does not abide by these community gift rules and should not therefore be developed for private gain and profit. Evidence should be provided that the transfer of deeds to private ownership was done legally.
- If the proposals were allowed to proceed there could be a conflict of interest between the prospective new owners and the public users of the park, including during community events, which aid in social cohesion.
- Some of the existing site should be offered as an extension to the existing park.
- Good quality affordable housing (for sale, rent or community use) is needed.
- In the past few years there has been a massive overdevelopment in this area and there must be a limit for a Conservation Area.
- If planning permission is granted then the existing house could be converted into separate flats or used for multiple occupancy purposes.
- There is no clarity about the longevity of the construction works.
- The regulatory status of the Landscape Masterplan, Tree Constraints Plan and Tree Protection Plan is unclear.
- Historical facts are being used selectively and opportunistically to support the application (e.g. around road-traffic flow, and historical value).
- Public consultation around the proposal has become tokenistic with invitations to participate ad hoc.
- There should be an extension in the time for public comments as the submission was carefully timed to take account of the Christmas (2017) and the time period for comment is very short in any case.
- Public notices have not been erected around the application site or within the park itself.
- The public notices on Brincliffe Edge Road for the amended plans are illegible.
- The approval of this application would set a precedent for the sale of the rest of the park.
- The local planning authority will not be able to effectively enforce the development if it is approved. As such, factors such as inappropriate materials come into play.

- The applicant should be required to provide improvement works within the wider park.
- There should be a visit to the site, including from planning committee members.

(g) Positive Comments

- The existing historic buildings are being preserved.
- In comparison to the previous scheme the superficial look of the new houses is better, moving away from pastiche and being set into the slope, rather than on it.

## PLANNING ASSESSMENT

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government 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 site is entirely within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP).

Housing (Use Class C3) is listed as the preferred use in such areas in accordance with the UDP Policy H11 (Development in Housing Areas in Nether Edge and Broomhill).

### Open Space

As the southern section of the site is undeveloped it would fall into the definition of open space. In this respect Policy CS47 (Safeguarding Open Space) within the Sheffield Development Framework Core Strategy (CS) sets out the parameters against which the loss of open space should be considered.

In this specific case there is no legitimate public access to the application site and little potential for such access as the site has long been in private ownership. Furthermore, a Green Link is retained within the site and the proposals do not prevent easy or safe access to a local park, which in this case is Chelsea Park.

In these circumstances, the principle of development of the site can be accepted in the context of Policy CS47.

### Housing Land Supply

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 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 revised 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 Core Strategy and, as such, the city has an approximate 4.5 year supply of housing using the latest growth projections.

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

#### Development of Brownfield/Greenfield Land

The elements of the site that house the existing buildings and associated hardstanding are classed as previously development (brownfield) land and the Council's Core Strategy prioritises development in such areas.

The remaining undeveloped sections of the site are classed as greenfield land and therefore Core Strategy Policy CS24 (Maximising the Use of Previously Developed Land for New Housing) requires additional consideration.

This policy states that no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26. It goes on to state that housing on greenfield sites will only be developed in certain circumstances, including within or adjoining urban areas, as long as annual monitoring shows that there is less than a five year supply of deliverable sites.

Completions of properties have not reached the stated 12% and are closer to 5%. In addition, it is recognised that the site is within an existing urban area and there is also not currently a five year supply of deliverable sites.

For the reasons above, the development is considered to comply with Policy CS24.

#### 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.

Policy CS31 (Housing in the South West) within the CS states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, 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 density of the proposed scheme equates to approximately 8.8 units per hectare and this is significantly below the 30-50 density normally expected within this urban area.

However, the policy provides scope for densities outside this range where they achieve good design, reflect the character of an area or protect a sensitive area. Policy CS31 (Housing in the South West Area) reinforces the need to respect the character of attractive and distinctive neighbourhoods in the south west of the City and requires the density of new developments to be in keeping with them.

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

In these circumstances, it is considered that a lower density scheme here is justified.

#### Design and Conservation

UDP Policy BE1 (Townscape Design) 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) 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) states that new development that affects the setting of a conservation area should preserve or enhance the character of that conservation area.

Policy BE21 (Historic Parks and Gardens) within the UDP states that the character, setting and appearance of Historic Parks and Gardens will be protected.

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.

Brincliffe Towers is identified as a building of townscape merit in the Nether Edge Conservation Area Appraisal. The Appraisal (para. 11.15) considers Brincliffe

Towers to be 'one of the grandest of the unlisted buildings...particularly notable for its impressive tower and crenelated form.'

In accordance with Paragraph 193 of the NPPF, '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 (and the more important the asset, the greater the weight should be)'

Paragraph 196 of the NPPF 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 including, where appropriate, securing its optimum viable use.'

Paragraph 202 of the NPPF states that 'Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.'

With the above policy context noted, consideration has to be given to the proposals in terms of the impact on the character and appearance of the heritage assets comprising the Nether Edge Conservation Area, the Historic Park and Gardens and the buildings of townscape merit (Brincliffe Towers and its associated coach house), including the setting of these assets.

#### - Alterations to Brincliffe Towers

Whilst Brincliffe Towers technically forms part of Chelsea Park there is a clear boundary between the curtilage of the building and the public park area. The building is at the highest point of the park with the principal elevation of the villa and the balustrade terrace being clearly visible from the park.

The two storey 1950's extension is also visible, but to a lesser extent due to it being set away from the boundary and partly obscured by boundary planting, while the single storey flat roof extension, which faces the coach house, is visible on the approach to the park from the Lime Avenue, but is not particularly prominent.

There is no doubt that the removal of these unsympathetic extensions, together with the sensitive restoration of the imposing villa to its original form, would be a notable enhancement of the character and appearance of all the relevant heritage assets. This should be afforded significant weight.

#### - Alterations to the Coach House

The coach house is relatively large with a two storey central portion and single storey elements at each end. Similar to Brincliffe Towers, this building will also benefit hugely from being brought back into use.

Part of the first reason for refusal associated with the 2015 scheme was that the proposed extensions to the coach house would result in an unco-ordinated built

form, with a variety of roof pitches and opening treatments that would detract from the original character of the coach house and result in the building being less subservient to Brincliffe Towers.

In this respect, it must firstly be noted that the proposed extensions remain, but the length of the larger extension has been reduced to 6.95 metres, in comparison to the refused scheme in which it was 8.5 metres long.

In addition, several further notable steps have been taken to make the alterations appear both sympathetic and subservient to the original coach house. To help demonstrate this, when comparing the refused scheme with the current proposals the following changes are of most note:

- The ridge height of the smaller extension sits lower than the adjacent ridge of the coach house by approximately 2.5 metres. In comparison there was a gap of only approximately 19 centimetres in the refused scheme.
- The new opening treatments being proposed now have a uniformed and traditional appearance, which ensures the elevational changes are both legible and respectful. In addition, the proposed scheme works with the existing window and door openings, rather than reducing these and this is welcomed.
- The roof pitches of the extensions are now reflective of the existing roof pitch on the original gable feature evident on the rear elevation. In the refused scheme these features created a variety of roof pitches, which was felt to represent unco-ordinated built form.
- The alterations now proposed to the coach house are considered to strike the correct balance between conservation and facilitating a conversion that brings the building back into active use.

#### - Boundary Wall

A further element of the first reason for refusal of the 2015 scheme related to the proposed erection of a 1.8 metre high boundary wall between Brincliffe Towers and the coach house, as this was felt to erode the historic relationship between the two buildings.

This element of the proposal has also been reconsidered with a new hedge now proposed to replace this wall. Whilst this is still not a traditional solution, there does need to be an element of practicality applied given that Brincliffe Towers is to be occupied as a private residence.

The hedge is the preferred option as this will offer a softer solution that feels semi-permanent and allows glimpses through. It is also considered to be more sympathetic to the parkland setting.

#### - Scale of the Proposed Dwellings

The remaining part of the first reason for refusal within the 2015 scheme related to the scale of the new dwellinghouses and their lack of subservience to Brincliffe Towers. As a result of their over dominant presence they were considered to have a detrimental impact on the setting of this building resulting in substantial harm to the conversation area and Chelsea Park.

Whilst three large dwellinghouses are still proposed various steps have been taken to reduce the impact on Brincliffe Towers and the setting more generally. The following are the more notable examples of these measures:

- The original houses were two storeys high with additional living accommodation in the roofspace resulting in an approximate height of 10.7 metres. By comparison, the height of the new houses is generally between 8 and 8.5 metres.
- By swapping the position of the garage, the gable wall of the new house that sits closest to Brincliffe Towers will now be approximately 34 metres away from this existing building, in comparison to 28 metres in the refused scheme.
- The new house that sits centrally within the site is now set approximately 50 metres away from Brincliffe Towers, compared to approximately 42 metres within the refused scheme.
- Discounting the garages, the new houses would individually have a footprint of approximately 166 square metres, in comparison to the retained Brincliffe Towers building, which has a footprint of approximately 303 square metres. The new dwellings would therefore have a footprint 45.3% smaller than Brincliffe Towers.

As a result of these changes the ridge height of the closest dwellinghouse will be approximately 47 centimetres above the ridge of Brincliffe Towers at a distance of 34.3 metres, while the ridge height of the central dwellinghouse would be 1.481 metres above the ridge of Brincliffe Towers at a distance of approximately 50 metres. It must be also noted that the land naturally slopes from north to south and therefore a slight increase in ridge heights towards Brincliffe Edge Road also reflects the topography.

By comparison, the coach house has a footprint of 223 square metres, reaches a height of approximately 9.62 metres and sits only a distance of 11.59 metres away from the principal building (Brincliffe Towers). This coach house, which by definition is subordinate to the main house, therefore occupies a larger footprint and is taller than the proposed new dwellinghouses, whilst also enjoying a much closer proximity.

With the above accounted for, including the reduced height of the proposed dwellinghouses in comparison to the refused scheme and separation distances, the proposed dwellinghouses are of a scale that can reasonably be considered as subservient to and respectful of Brincliffe Towers.

In terms of the presence of the new houses in the conservation area, the section plans associated with the originally refused scheme showed the ridge height of the central dwellinghouses being approximately 3.69 metres above the boundary wall that borders Brincliffe Edge Road.

By comparison, owing to their reduced scale, the section plans show none of the new dwellinghouses sitting above the adjacent section of the boundary wall along Brincliffe Edge Road. They are on average 30 centimetres below the top of the relevant section of this wall.

The substantial planted boundaries, including a number of mature trees, and high boundary walls must be taken account of when considering the potential prominence of the development within the conservation area and Chelsea Park itself.

When all these factors are considered it is felt that, with one exception, the proposed houses would be barely visible from the wider Nether Edge Conservation Area and Chelsea Park.

The exception would be a view of the new houses in the context of Brincliffe Towers from a vantage point within Chelsea Park, when standing facing the north-east corner of the site. At present this vantage point allows a view of the unsympathetic extension to Brincliffe Towers.

As these new dwellinghouses will reach a similar height to the existing extension and will have a minimum separation distance of approximately 34 metres from Brincliffe Towers, it is concluded that the proposals will offer an improved view from this vantage point than the present situation.

#### - Architectural Style of the proposed dwellinghouses

The third reason for refusal of the previous scheme stated that the mixture of traditional and contemporary architecture and materials in the design of the new dwellinghouses failed to reinforce local distinctiveness within the Nether Edge Conservation Area.

To expand on this it was considered that the houses appeared somewhat of a hybrid between contemporary and traditional architectural treatments. One example given was the rendered elevations having a contemporary appearance with large openings with both horizontal and vertical emphasis, whilst the stone elevations were more traditional, with mullioned windows and stone heads and cills.

At that time officers suggested the architectural approach should follow a more contemporary form, which could allow for flat, preferably 'green' roofs, which would also serve to reduce the impact on the main building.

It is considered that the principle of contemporary architecture, which includes flat roofed buildings, is both long established and acceptable. Indeed, such



architecture, if of an appropriate quality, is accepted on other sensitive sites, including elsewhere within Sheffield's conservation areas.

The new dwellings have followed this previous advice and are proposed to be in a contemporary manner with flat roofs and principally in a natural stone, with other high quality finishes such as aluminium windows and seamless glazed balustrades. These natural high quality materials are appropriate in the setting.

The window openings in the front elevation will reduce in height on the upper floor to create hierarchy in a nod to the more historic buildings on site, while suitable modelling will be created by through features such as a staggered front elevation and crisp detailing.

From the above, it is clear that notable steps have been taken to address the unacceptable architectural style of the previous scheme, and this has been achieved by committing to a wholly contemporary approach that now offers a welcome response to the conservation setting.

#### - Historic England Comments

Historic England offer support for the repair and conversion of the historic buildings, but do express concern about the impact of the proposed new-build housing on the openness and development pattern within the conservation area.

Historic England go on to state that in determining this application the authority needs to be satisfied that the construction of the houses is necessary to secure the repair and refurbishment of the historic buildings, and that the proposals are the minimum necessary to achieve this.

The Historic England representation concludes by stating that the harm the proposals would cause should be weighed against the public benefits of the scheme.

In response, it must be noted that the previous scheme was not refused based specifically on the impact on the openness and development pattern of the conservation area, but rather the impact on the historic buildings within the site, given that the proposals will have a very limited presence from public vistas.

Inherently the majority of new development will have an impact on the openness and development pattern of an area, be that a conservation area or otherwise, and that in itself is not a reason resist it in principle.

Furthermore, within this assessment it has been made clear the numerous steps that have been taken by the applicant to reduce the impact in comparison to the previous scheme and local authority conservation officers are now satisfied that the development is suitably sympathetic to its setting.

It is not considered proportionate or consistent with other similar schemes across the city to insist that the applicant produce evidence that the construction of the houses is the minimum necessary to secure the repair and refurbishment of the

historic buildings. It is accepted however that enabling development is needed given the dilapidated state of the existing buildings/site. In its present state the site is becoming a blight on the conservation area.

#### - Design and conservation conclusions

Given the design and conservation commentary above it is concluded that the development will not create substantial harm to the conservation area/heritage assets. It does however create less than substantial harm and in such circumstances this impact should be weighed against the public benefits.

This planning assessment overall has identified that the scheme would regenerate a vacant site, bringing historic buildings of note back into use, represent investment and employment for the city, and result in a small but positive contribution to the shortfall in Sheffield's housing land supply. The site is also within a sustainable location.

When weighed 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.

#### Landscape/Trees & the Historic Park and Gardens

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

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

- The villa (Brincliffe Towers).
- The balustrade terrace (to Brincliffe Towers, facing the park).
- A Lime avenue (access drive/lane from Brincliffe Edge Road).
- Lodge (between access drive entrance and Quarry Lane).
- Specimen trees and evergreen shrubberies (south-east corner of site behind boundary wall to Brincliffe Edge Road).

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

Policy BE6 (Landscape Design) of the UDP states that landscape schemes should integrate existing features into the development, including mature trees and hedges.

Policy GE15 (Trees and Woodlands) states that trees and woodlands will be encouraged and protected. This is to be achieved in part by requiring developers to

retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

Policy BE21 (Historic Parks and Gardens) states that the character, setting and appearance of Historic Parks and Gardens will be protected.

This application has been supplemented with a significant amount of information in relation to matters such as land levels, retaining features and the condition of trees in and around the site. Landscape officers are therefore satisfied that an informed assessment of the relative impacts can be completed.

It is firstly noted that the second reason for refusal within the 2015 scheme relates to the potential decline or loss of up to 4 trees in the adjoining avenue of Lime trees, which is noted as a feature of Chelsea Park in the Local Schedule of Historic Parks and Gardens, owing to the excavations required in the root protection zones of those trees in order to accommodate the proposed car parking court to the rear of the coach house.

In addition, it was felt that there would be future pressure for the removal or significant pruning of trees within the south-west and south-east facing gardens of the new-build dwellinghouses to improve the light and utility of those gardens, which would result in a loss of tree cover to the detriment of the landscape character of the site and the setting of Chelsea Park and the Nether Edge Conservation Area.

The location of the coach house car park has also been adjusted so it now sits outside the canopy of the retained Lime trees. It is noted however that the access road to the new car park does sit partly within the Root Protection Area of some of these trees. However, landscape officers are now satisfied that a suitably sensitive construction method, such as excavating the ground by hand with a qualified arboriculturalist on site, will allow works to create this road without threatening the long term health of these trees.

Whilst there is a varying standoff distance between the new dwellinghouses, their associated gardens, and the retained trees, there will always be the potential for pressure from future residents for works such as pruning and possibly even felling of some tree on amenity grounds.

It should be noted however that this is not likely to impact on the trees on the boundaries of the site and each case would have to be considered on its individual merits, with a mind to the historic character of the site.

A directive is proposed, should Members be minded to approve the scheme, to inform future residents that there will be a presumption against doing further works that impact on retained trees. Taken as an issue in isolation it is not felt this would warrant the refusal of the scheme.

Looking at the landscaping proposals more generally, the new dwellings are sited to retain the vast majority of perimeter trees and therefore protect the appearance of the boundaries of the site. In total 29 individual trees and 7 groupings of the 125

surveyed trees are proposed for removal. All of the trees listed for removal are noted as poor specimens (Category C2 or U) and six heavy standard replacement trees are proposed in compensation.

The amount of hardstanding proposed within the site is limited and utilising the existing hardstanding route between the two existing buildings on site aids with this.

In conclusion, the landscaping scheme is considered to be suitably sympathetic with features such as green roofs to help soften the new buildings together with new areas of planting, including native shrubs, to reinforce the character of the gardens.

This scheme has also been designed to ensure the special features noted in the Historic Park and Gardens listing are successfully integrated and will most importantly bring an active use back onto the site, ensuring the reversal of the decay in the character of the original grounds.

Based on these circumstances, the proposals are considered to be acceptable from a landscape perspective.

### Sustainability

Policy CS63 (Responses to Climate Change) of 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.

The site is in a fairly sustainable location in respect of access to local amenities and public transport. For example, it is within a reasonable walking distance (480 metres) of the multitude of amenities available within the Banner Cross District Shopping Centre, which is also served by a high frequency bus route.

In addition, parts of the site are previously developed and the scheme will incorporate sustainable drainage systems, including green roofs, which will result in reduced surface water run-off rate (see Drainage Section below).

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

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

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

New developments are 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 where this is deemed to be feasible and viable.

The applicant has confirmed that the 10% target will be achieved across scheme if further assessment deems this to be feasible and viable. This will be a pre-commencement requirement within the planning conditions.

The scheme also includes a number of further features that add to its sustainability credentials, including the re-use of the existing vacant buildings and the provision of several areas of green/brown roofs. The location at the edge of Chelsea Park also ensures access to good quality informal recreation space.

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

#### Highways

Paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

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

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

#### - Vehicle Access

The vehicular access to the site from Brincliffe Edge Road is less than ideal as, for example, this entrance point is at an approximate 45° angle to the main carriageway and visibility for any vehicles attempting to turn left upon leaving the site is severely restricted by the historic gatepost and boundary wall. Additionally, car parking on the opposite side of Brincliffe Edge Road prevents two way traffic flow and there is no footway along the site boundary.

The single width driveway/lane leading to the site from Brincliffe Edge Road is also problematic, not least because this is used by pedestrians and cyclists to access Chelsea Park and there is no segregation.

In respect of this driveway, while this does benefit from lighting columns along its length, due to its alignment, visibility is restricted with a sweeping 90° turn at the

entrance into the site and a curve obscured by trees towards the Brincliffe Edge Road entrance.

Whilst it is acknowledged that the driveway would benefit from widening and the access realigning in order to improve highway safety, this would involve land outside the applicant's control and any such measures would require the removal or realignment of the historic gateposts and boundary wall, together with the removal of mature trees and shrubs, impacting on the Lime avenue which is noted as an important feature in the Historic Parks and Gardens listing. As such, putting aside the issue of ownership, these changes are not desirable from a heritage perspective.

Whilst noting the above, significant weight needs to be afforded to the fact that this vehicular access arrangement is long established and has previously served a substantially sized care home accommodating approximately 35 residents and associated staff. As such, this previous use can reasonably be expected to have involved a significant number of vehicles used by staff, visitors, deliveries etc. The application proposals by comparison would be expected to generate vehicle traffic equal to or lesser than this previous use.

From a highway perspective it is concluded that owing to the low anticipated trip generation figures and the vehicle movements associated with the previous use of the site as a large care home, the scheme would have a negligible comparative impact on the existing highway network and would certainly not create unacceptable highway safety issues, or residual cumulative impacts on the road network that would be severe, which are the acceptability tests set out within the NPPF.

#### - Car Parking

The three new dwellinghouses would each have five bedrooms and be provided with a garage and large driveway. Each unit would therefore provide space for between four and five vehicles.

It is noted that the maximum parking spaces for this size of unit would normally be three, with an additional space per four houses. In this instance however it is felt there is discretion to improve on this maximum standard, not least to provide additional visitor parking to help appease residents' concerns about displaced parking using the adjacent highways.

Eight car parking spaces would be provided for the three apartments within the converted coach house, each of which would have three bedrooms. Sheffield City Council Information Sheet Three: Car Parking Guidelines, identifies that the maximum parking standards for a three bedroom unit would be two parking spaces, with a further visitor space for every four apartments.

The overall maximum car parking spaces for the coach house would therefore be seven, but again the provision of an additional space is seen as a positive as it will ease any pressure on the surrounding highway network.

The converted Brincliffe House will provide six bedrooms with four car parking spaces being able to comfortably fit on the driveway. This is suitable provision for a unit of this size.

#### - Tracking/Servicing

Tracking information has been provided which demonstrates that both a refuse vehicle and a fire tender can enter the site from Brincliffe Edge Road, turn within the site, and exit in a forward gear.

#### Drainage/Flood Risk

Policy CS67 (Flood Risk Management) 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.

The site itself is located within Flood Zone 1 and therefore not at any significant risk of flooding. However, several measures will be incorporated to reduce surface water runoff by 30%, including the incorporation of large areas of green roof and the use of permeable paving.

Subject to complying with conditions, Yorkshire Water and the Land Drainage section consider these proposals as acceptable in principle and the scheme is therefore in accordance with Policy CS67.

#### Access

The requirements of Policy H7 (Mobility Housing) of the UDP have been superseded by the Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time as these standards are not part of an up to date local plan.

#### Affordable Housing

In this case the scheme is for seven units such that it falls below the 15 unit threshold for which affordable housing would be required.

#### Amenity

Paragraph 127 within the NPPF states that the planning system should always seek to secure a high standard of amenity for existing and future users.

Policy H5 (Flats, Bed-sitters and Shared Housing) of the UDP states that planning permission will be granted only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

H15 (Design of New Housing Developments) states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

#### - Future Occupiers

In relation to noise, the site sits adjacent to Chelsea Park and several representations have expressed concerns that the creation of residential accommodation on the site could threaten the ability to hold public events, including the annual bonfire/fireworks.

The presence of residential accommodation on the site is not considered to be any more restricting than the previous use of the site as a care home. In addition, a directive is recommended to forewarn future residents that such events will occur.

Owing to the historic land use of the site as a plant nursery there are land contamination matters that would need to be tackled as part of the construction phase. The relevant planning conditions are therefore proposed in this case.

Having assessed the submitted information in terms of internal layouts and the positioning of buildings, it is considered that occupiers will be afforded good living conditions in terms of space standards, outlook, light and privacy.

In relation to external amenity space the 3 dwellinghouses within the coach house will be provided with a small garden area each, while the new dwellinghouses and Brincliffe Towers will be provided with large garden areas and external terraces. Chelsea Park is also on the doorstep of the site.

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

#### - Surrounding Residents

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

In this particular case the proposed residential buildings are set a good distance from surrounding residential uses and the boundary treatments, including mature trees, will also offer an element of screening. By way of an example, the closest point of the new dwellinghouses is in excess of 35 metres from the front elevation of the properties on Brincliffe Hill Road. The land level also falls away into the site from Brincliffe Edge Road so any amenity impact is further reduced.

The new dwellinghouses will also be set in excess of 23 metres from the eastern boundary shared with Chelsea Park, which is ample distance to ensure no amenity impact is created for users of this public space, even before the presence of the substantial tree boundary is accounted for.



As the scheme includes demolition a planning condition is recommended to control any dust created during the construction phase to ensure this does not become a nuisance for surrounding residents.

Given the above, with a particular note to separation distances, the proposals will not create unacceptable amenity impacts on surrounding sensitive uses in respect to issues such as privacy, shadowing or dominating.

### Archaeology

The South Yorkshire Archaeology Service have confirmed that the application does not have any archaeological implications and as such no further investigation is required.

### Ecology Considerations

Policy GE11 (Nature Conservation and Development) requires development to respect and promote nature conservation.

The application has been accompanied by information that considers in detail the ecological implications of the development and it is accepted and welcomed that the proposals maintain sufficient landscape to retain the existing green link in the site.

The main points of note in relation to ecology is summarised as follows:

#### - Bats

Surveys looking for evidence of bats/roosts have been carried out with respect to the existing buildings and trees. This included a thorough external and internal inspection of buildings and emergence surveys.

In the emergence surveys the level of bat activity identified was very low and confined to occasional Common Pipistrelles foraging over the trees and woodlands around the site.

The original mansion house was the only building on the site that showed a moderate potential for bat roosts, although no evidence of bats was found during an inspection of this building. The remaining buildings on the site show either low or negligible potential for bat roosts, which includes the modern extension to the mansion house, which is proposed for demolition.

No direct evidence of bats in the trees was found during the roost assessment process with the vast majority of trees found to fall into the negligible category and only three trees being shown to have a low potential for bat roosts.

It is also noted that a previous Preliminary Roost Assessment of Trees and Buildings carried out in 2014 also found no evidence of bats roosting in building or trees across the site, which reinforces the findings of the more recent survey work.

The assessment concludes by making several recommendations, these being:

- Further surveys are carried out in relation to the buildings before any works commence on site.
- All tree works or felling should be undertaken with caution by an Arboriculturalist experienced in working on trees with bat roost potential. If further evidence of bat roosts is discovered then all works should cease and further advice sought from an ecologist.
- The final scheme should include features such as bat boxes/tubes to encourage activity.
- Any new external lighting should be designed sensitively.

#### - Other Protected Species

Both a desk top and walkover survey have been carried out to search for evidence of other protected species on the site.

In respect to badgers, the site was searched for evidence of setts, paths etc and none were found. Indeed, with the exception of some tracks most likely associated with cats and foxes, no other evidence of small mammals was found on the site.

Five species of birds were identified during the survey work, all of which are green list status, meaning there is no identified threat to their population status.

#### - Ecology Summary

The various surveys carried out did not record the presence of any protected species on the site and mitigation measures are also proposed, including the provision of bat boxes/tubes and further survey work.

The submitted reporting has been assessed by the Ecology Unit who considers the level of information provided to be reasonable and proportionate and the conclusions to be acceptable.

#### Areas of Natural History Interest (ANHI)

The proposals are not within an ANHI and will have no adverse impact on the adjoining ANHI in Chelsea Park.

#### Air Quality

It is not considered that the proposed use will have an adverse air quality impact.

Pollutants and particulates are only likely to result from residents vehicular movements and, as identified in the above Highways Section, vehicle movements associated with the development will be low and would not be notably different from the previous use.

A further consideration in respect of air quality relates to dust and in order to tackle this, a planning condition is proposed to secure dust suppression measures for both the demolition and construction phases.

#### Community Asset

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

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

#### Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £30 per square metre.

#### RESPONSE TO REPRESENTATIONS

A number of the points made within the representations have been addressed in the above assessment. The outstanding points are responded to as follows.

- Comparing the previous nursing home use to the proposed residential use for the purposes of traffic generation is not appropriate as the site has been vacant for a considerable period.

In response, this remains the lawful and most recent use of the site and as such it is an appropriate comparison.

- How will construction traffic access the site, if it is via the access lane this will lead to significant safety issues?

In response, construction vehicles will utilise the access lane and this will of course create logistical issues, but these can be managed with a comprehensive construction vehicle management plan, which any contractor will be required to adhere to.

It must also be noted that there are three other access points into Chelsea Park, including one a little further along Brincliffe Edge Road, so users do have other options during the construction phase.

- There is no assurance that the access lane will remain as a public route to Chelsea Park.

In response, this access lane is not within the ownership of the applicant and there is absolutely no suggestion this would not be retained for use by members of the public.

- The junction of Brincliffe Edge Road and Ecclesall Road is very dangerous, and wider road improvements need exploring before large scale development is approved.

In response, this junction is in excess of 300 metres from the application site and a proposal for seven dwellinghouses would not warrant a review of this junction.

- The occupiers of the new houses will hold events and will also create noise on a day to day basis, including from the elevated terraces. This will create noise and disturbance for surrounding residents.

In response, this potential would be no different than for other residential units.

- Who will monitor and police the demolition and building work from a health and safety perspective.

In response, this will be governed by various bodies as and when required, including Building Control, the Planning Service and the Health and Safety Executive.

- The submitted information is contradictory about the potential to breach/remove elements of the existing boundary walls. Clarity is required and the wall should not be altered.

In response, it has been clarified through the course of this application that no walls are proposed to be breached.

- The Heritage Statement (as originally submitted) is invalid and refers to a previous scheme on the site.

In response, an updated and correct Heritage Statement now accompanies the application.

- The loss of trees has negative impacts in areas such as filtering road traffic pollution, countering social isolation and enhancing physical/mental health.

In response, this is accepted and must be balanced against other material considerations as set out in this assessment. Also in this case a number of trees are retained on the site, including those on the boundaries, which offer the most public benefit.

- Who would be responsible for the maintenance of the shared grounds and how long would this be for.

In response, this would be controlled by the conditioning of a landscape management plan should the scheme be approved.

- Is the scaffold fence shown on the tree protection plan a temporary measure?

In response, yes this would form a temporary measure to protect the tree(s) during the construction phase.

- The owners have deliberately allowed the buildings and the site to deteriorate over many years.

In response, there is no dispute that the building are in a poor state and do urgently need investment.

- If planning permission is granted then the existing house could be converted into separate flats or used for multiple occupancy purposes.

In response, such an alteration requires planning permission and would be judged on its own merits at that time.

- There is no clarity about the longevity of the construction works.

In response, this is correct and it is common for this information not to be available at this stage of the development process. It is not in itself a planning consideration.

- The regulatory status of the Landscape Masterplan, Tree Constraints Plan and Tree Protection Plan is unclear.

In response, these form part of the package of plans used to determine the impact of the development and, when appropriate, would constitute an approved plan for the purposes of the planning conditions.

- There should be an extension in the time for public comments as the submission was carefully timed to take account of the Christmas (2017).

In response, this application has been live for many months and a further neighbour consultation was carried out, most recently in August 2018.

- Public notices have not been erected around the application site or within the park itself.

In response, public notices have been placed around the site, including at the entrances into the park on three separate occasions during the application.

- The public notices on Brincliffe Edge Road for the amended plans are illegible.

In response, this is not the case and the site notices placed around the site are legible. This has been double checked by officers on site.

- The approval of this application would set a precedent for the sale of the rest of the park.

In response, this is incorrect, not least because this application site has been in private ownership for a number of years.

- The applicant should be required to provide improvement works within the wider park.

In response, this is not considered to be proportionate or necessary to make the development acceptable.

- There should be a visit to the site, including from planning committee members.

In response, officers have visited the site on a number of occasions and Members of the committee will carry out a formal site visit ahead of them considering the scheme.

## SUMMARY AND RECOMMENDATION

The proposal represents a development of seven private residential units, which is facilitated by three new build properties, the conversion of the existing principle building on the site (Brincliffe Towers) and the extension and conversion of the associated coach house.

The application site itself is within the Nether Edge Conservation Area and forms part of a Historic Park and Garden.

The scheme follows on from a previously refused application (see 15/00740/FUL) with adjustments made in order to overcome the reasons for refusal. In brief, these are highlighted below, together with how they have been overcome:

1. The proposed extensions to the coach house were considered to result in an uncoordinated built form, with a variety of roof pitches and fenestration that would detract from the original character of the coach house and result in the building being less subservient to Brincliffe Towers.

The more notable changes to address this matter have seen a reduction in the length of the larger extension by 1.65 metres, a lowering of the ridge for the smaller extension and revised fenestration and roof pitches to make these sympathetic to the original building.

The alterations now proposed to the coach house are considered to strike the correct balance between conservation and facilitating a conversion that brings the building back into viable use.

2. The proposed erection of a 1.8 metre high boundary wall between Brincliffe Towers and the coach house was felt to erode the historic relationship between the two buildings.

This element has been reconsidered with a new hedge now proposed to replace this wall. The hedge is the preferred option as this will offer a softer solution that feels semi-permanent and is also more sympathetic to the parkland setting.

3. The scale of the new dwellinghouses and the lack of subservience they had in respect to Brincliffe Towers was considered to result in an over dominant presence.

Whilst three large dwellinghouses are still proposed various steps have been taken to reduce their impact on Brincliffe Towers and the setting more generally. This has included reducing the height of the houses by a minimum of two metres and increasing the separation distances to Brincliffe Towers. As such, the proposed dwellinghouses are of a scale that can reasonably be considered as subservient to Brincliffe Towers.

4. The mixture of traditional and contemporary architecture and materials in the design of the new dwellinghouses was not considered to reinforce local distinctiveness.

The new design approach has followed previous advice with the units designed in a wholly contemporary manner that now offers a welcome response to the conservation setting through, for example, the use of natural stone and appropriate modelling.

5. There was concern that the previous scheme could result in the potential decline or loss of up to 4 trees in the adjoining avenue of Lime trees owing to the excavations needed to accommodate the proposed car parking court to the rear of the coach house. In addition, it was felt that there would be likely to be future pressure for the removal or significant pruning of trees within the gardens of the new-build dwellinghouses to improve the light and utility of those gardens.

In response, the location of the coach house car park has been adjusted so it now sits outside the canopy of the retained Lime trees. It is noted that the access road to the new car park does sit partly within the Root Protection Area of some of these trees. However, landscape officers are now satisfied that a suitably sensitive construction method will allow works to create this road to be carried out without threatening the long term health of these trees.

There will always be the potential for pressure from future residents to carry out pruning works on retained trees on amenity grounds. It should be noted however that this is not likely to impact on the trees set on the boundaries of the site and each case would have to be considered on its individual merits, with a mind to the historic character of the site. Taken as an issue in isolation it is not felt this would warrant the refusal of the scheme.

Beyond the original reasons for refusal, from a land use perspective housing is the preferred use in this area and the low development density responds to the conservation setting.

The scheme would regenerate a vacant site, bringing back into use historic buildings of note, represent investment and employment for the city, and help towards Sheffield's housing land supply. The site is also within a sustainable location. These benefits are considered to outweigh the less than substantial harm to the conservation area.

The landscaping scheme is considered to be sympathetic with features such as green roofs to help soften the new buildings together with new areas of planting, including native shrubs, to reinforce the character of the gardens. This scheme has also been designed to ensure the special features noted in the Historic Park and Gardens listing are successfully integrated.

Whilst the vehicle access arrangements into the site are not ideal, this has to be considered in the context of the established use as a care home, which would have generated a comparable amount of day to day traffic. In addition, the slight over provision of car parking is supported as this will ease any future pressure on surrounding highways.

Given the separation distances, the proposals would have an acceptable impact upon the amenities of neighbouring occupiers in respect of privacy, dominance and shadowing.

The proposed scheme would supply 10% of its energy from renewable sources, or via a fabric first approach, and includes features such as green/brown roofs, ensuring this is a sustainable form of development.

Future occupiers will be provided with good levels of amenity and the submitted information has demonstrated that the ecology impact can be mitigated, as can the loss of trees. Such mitigation includes the provision of new habitats.

In conclusion proposals are considered to be acceptable and in compliance with the adopted local plan and the National Planning Policy Framework. The application is therefore recommended for approval subject to the listed conditions.