
Case Number	17/05131/FUL (Formerly PP-06616955)
Application Type	Full Planning Application
Proposal	Erection of 10no dwellings with ancillary parking and access works
Location	Enterprise House Site Adjacent To 1 Hunshelf Park Sheffield S36 2BT
Date Received	19/12/2017
Team	West and North
Applicant/Agent	Crowley Associates
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Drawing PT118-101 Rev PL01 Site Location Plan
Drawing PT118-103 Rev PL06 Proposed Site Block Plan - received 18/7/18
Drawing PT118-104 Rev PL07 Proposed Site Plan - received 18/7/18
Drawing PT118-105 Rev PL01 Proposed Typical Section
Drawing PT118-106 Rev PL02 Proposed Site Elevations
Drawing PT118-107 Rev PL01 Acoustic Section

Drawing PT118-110 Rev PL01 Internal Layout Options
Drawing PT118-111 Rev PL01 Garden _Town Living
Drawing PT118-112 Rev PL01 Double Height Space
Drawing PT118-113 Rev PL01 3 Bed Options Garden
Drawing PT118-114 Rev PL01 3 Bed Options Town
Drawing PT118-115 Rev PL01 4 Bed Options Garden
Drawing PT118-116 Rev PL01 4 Bed Options Town
Drawing PT118-117 Rev PL01 5 Bed Options

Drawing PT118-118 Rev PL01 Kitchen Options

Drawing PT118-121 Rev PL02 Proposed Elevation Detail

Drawing PT118-122 Rev PL02 Proposed Elevations Permutations

Drawing PT118-131 Rev PL05 View of Frontages (horizontal boarding) - received 9/11/18

Drawing PT118-132 Rev PL05 View of From the Entrance (horizontal boarding) - received 9/11/18

Drawing PT118-134 Rev PL05 View of From Site (horizontal boarding) - received 9/11/18

Drawing PT118-151 Rev PL05 Long View 1 - received 9/11/18

Drawing PT118-152 Rev PL04 Long View 2 - received 9/11/18

Drawing PT118-153 Rev PL04 Long View 3 - received 9/11/18

Drawing PT118-154 Rev PL05 Long View 4 - received 9/11/18

Drawing PT118-155 Rev PL05 Long View 5 - received 9/11/18

Drawing PT118-156 Rev PL07 Long View 6 - received 9/11/18

Drawing 100 P 007 Rev B Autotrack Analysis Refuse Servicing Arrangement - received 19/9/18

Drawing 100 P 001 Rev C Proposed Access Arrangements onto Hunshelf Road - received 16/7/18

Indicative Surface Water Drainage Strategy - received 25/7/18

Reason: In order to define the permission.

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

3. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report, referenced BNF 3227, 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.

4. 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.

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

6. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

7. No development shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar based on the area of the development. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site.

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

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

8. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

9. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:
- a) Window reveals
 - b) Cladding (unit sizes, setting out, method of fixing)
 - c) Eaves and verges
 - d) Rainwater goods
 - e) Windows
 - f) Entrance canopies / porches

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

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

10. Prior to the commencement of development details of the finished floor and plot levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reasons: In the interests of the appropriate development and the interests of the amenities of residential amenity.

11. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

12. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

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

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

14. The Local Planning Authority shall be notified in writing when the landscape works are completed.

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

15. Details of all types of site boundary treatment, including detailed design, materials and specifications of the gabion retaining structures shall have been submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority. The development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

16. 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.

17. 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.

18. The development shall not be used unless the widening of Hunshelf Park (minimum width 5.5 metres), provision of gabion baskets or similar, resurfacing of Hunshelf Park in bituminous tarmac from Hunshelf Road to the eastern boundary of the development site and marking out of eight longitudinal car parking spaces in Hunshelf Park has been provided in accordance with full construction details that shall first have been submitted to and approved in writing by the Planning Authority.

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

19. The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water from within the development site will be prevented from spilling into Hunshelf Park. Once agreed, the measures shall be put in place prior to the use of the development commencing, and shall thereafter be retained.

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

20. The development shall not be used until either:
- a) improvement works to the highways specified below have been carried out to enable such highways to perform safely when subjected to the traffic which in the opinion of the Local Planning Authority will be generated by the development,
 - or
 - b) details have been submitted to and approved by the Local Planning Authority or arrangements which will have been entered into which will secure that such improvement works will be carried out before the development is brought into use, or alternatively for the improvement works to be constructed in accordance with a timeline that shall first have been submitted to and approved in writing by the Local Planning Authority.

The Works:

- i) Reduction of the width of Hunshelf Road by physical kerb works to bring the give way marking out into the main carriageway, thereby improving visibility from Hunshelf Park.
- ii) Promotion of a Traffic Regulation Order aimed at increasing the length of the existing waiting/loading restrictions uphill along Hunshelf Road by approximately 40 metres.
- iii) Any other accommodation works to traffic signs, road markings, lighting columns, and general street furniture deemed necessary as a consequence of the development.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which in the opinion of the Local Planning Authority will be generated by the development.

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

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

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

- a) Be based on the findings of approved Environmental Noise Impact Assessment report (ADT, ref. 2244; 02/05/2017).
- b) Be capable of achieving the following noise levels:
 - Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - Bedrooms: LAFmax 45dB (2300 to 0700 hours - not normally exceeded);
 - Outdoor Amenity Areas (rear): LAeq (16 hour) 50dB (0700 to 2300 hours)

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation and a scheme of works designed to mitigate solar gain to all habitable rooms. Before the works are installed, full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority. [Noise Rating Curves should be measured as an LZeq (1 hour) at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

23. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:
- a) Be carried out in accordance with an approved method statement.
 - b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

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

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

25. The development shall not be used unless that part of the road providing access thereto has been provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority (including full details of drainage, construction details/materials and lighting).

Reason: In the interest of highway safety.

Other Compliance Conditions

26. The development shall be carried out in accordance with the details shown on the submitted Flood Risk and SuDS Statement prepared by Civic Engineers (Report 17013 dated April 2017), unless otherwise agreed in writing with the Local Planning Authority .

Reason: In the interest of satisfactory and sustainable drainage.

27. 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 which materially affect the external appearance of the development 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 steep nature of the curtilage and to ensure that there is no visual intrusion which would be detrimental to the amenities of the locality.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

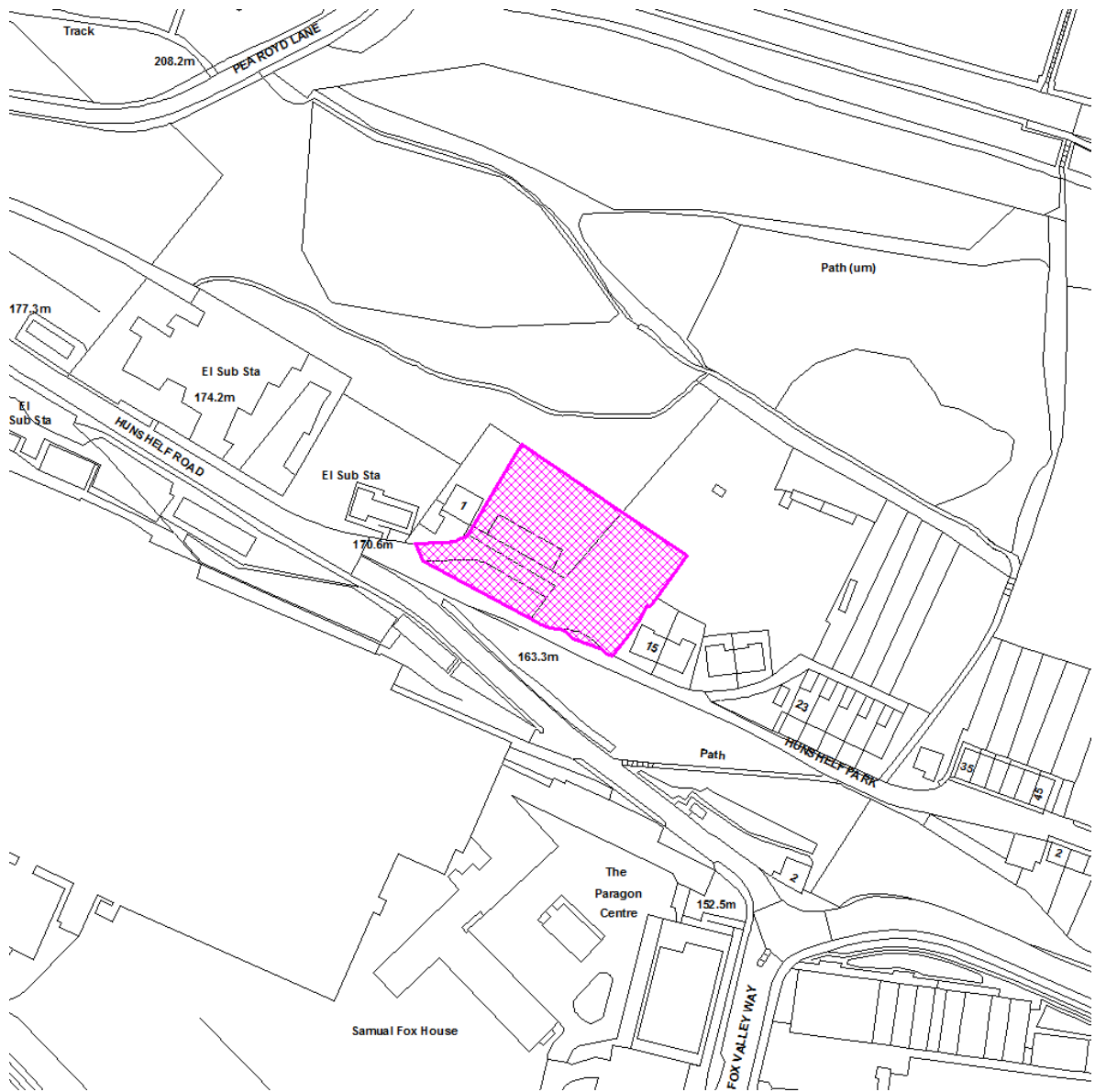
<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

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

5. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
6. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

Site Location



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LOCATION AND PROPOSAL

The application relates to a vacant piece of land that has previously been occupied by a flat roofed building which was used for industrial / business purposes.

The building has been removed as it was frequently broken into and became the subject the anti-social behaviour.

To either side of the site are residential properties and to the south is the Stocksbridge steel works. The site is in an elevated position as the land rises to the north.

The site is identified on the Unitary Development Plan Proposals Map as being within a General Industry Area with Special Industries.

Planning permission is sought for the erection of 10 dwellings with associated parking and amenity space to the rear. Improvements are also sought to the access onto Hunshelf Park. The properties have been designed to Passivhaus energy standards and would be custom build, where each property could be customised to a certain extent by the intended occupier.

The properties would be in the form of 2 runs of 5 dwellings with charred timber boarding and eternit cladding panels being the main external materials.

RELEVANT PLANNING HISTORY

Outline planning permission has previously been sought for the erection of 9, 3 storey town houses by application 05/01648/OUT. This application was withdrawn.

A further application was submitted for 10 no 2 storey town houses and garages. Application 15/03418/OUT refers. This application was refused as it was considered to be a departure from the adopted development plan. The application failed to demonstrate that occupiers of the dwellings would be afforded satisfactory living conditions and it was considered that residents would be disturbed by noise from the neighbouring steel works. In addition the proposed design of the development, having a large garage block to the front of the site, would be injurious to the visual amenities of the locality.

SUMMARY OF REPRESENTATIONS

26 representations have been received. 12 are in support of the development and make the following comments:

- The development will enhance the area.
- The proposed development has strong green credentials and people living there would be unlikely to have more than one car.
- The development will provide low cost homes, utilising a brownfield site and would have low running costs.
- The existing roads are more than capable of coping with a small increase in traffic.

- The development would mean fewer houses are built in the Green Belt.
- The development of low cost, low carbon housing such as this should be encouraged.

One letter has been received from the steel works. This does not object or support the development but does raise concerns that the proposal may result in increased parking on surrounding roads which could cause problems with HGV's using the surrounding road network.

The letter also sets out that the steel works would be willing to allow the applicant to install attenuation measures on the works, at their own cost; however the properties should be designed to minimise noise based on a worst case scenario. The steel works would not wish to be source of neighbour complaints.

13 representations have also been received objecting to the proposed development. These raise the following concerns:

- 10 houses are too many for the space available and this will create further pressure on parking on Hunshelf Park. It is unlikely that each property would only have one car and the proposed development does not indicate that sufficient parking can be provided.
- The junction of Hunshelf Park with Hunshelf Road is dangerous.
- The site could be contaminated and this should be taken into account when developed.
- The water tanks could become smelly with stagnant water.
- Vehicles often have to reverse along Hunshelf Park as there is nowhere to turn.
- Adding further traffic would make this more dangerous.
- Ambulances, refuse lorries etc. find it difficult to negotiate the junction.
- The properties would be out of keeping with the street and would be built close to No.1.

Many of the representations in support are not from local residents.

- Concerns are raised that the measures taken to mitigate the noise generated by the rolling mill directly opposite the new development are inadequate and will cause future problems and conflict between new residents and Liberty steel.

- Hunshelf Park is an unadopted Road, maintained by local residents. Further traffic would result in the road falling into a greater state of disrepair.

- The development would pose a danger to pedestrians and children who play on the street.

- Infrastructure such as drains, electricity etc. may not be capable of accommodating the extra pressures 10 dwellings would add.

- The development would displace 4-5 vehicles which currently informally use the site for parking and turning.

PLANNING ASSESSMENT

Principle of Development

The site is identified on the Unitary Development Plan Proposals Map as being largely within a General Industry Area with Special Industries. Within such areas UDP Policy IB5 sets out that general industry and warehousing are the preferred use and lists a number of other uses as being acceptable. The policy also sets out that housing is not considered to be an acceptable use within such areas. In the policy reasoning it sets out that 'Residential institutions and houses are not allowed as living conditions would generally not be satisfactory for living there permanently.'

The development has been advertised as a departure by way of a site notice and an advert published in the Sheffield Telegraph on 25th July 2018.

Core Strategy Policy CS33 has recognised that there may be surplus industrial land in the area and the UDP designations may now be considered to be too extensive. Paragraph 8.53 of the Core Strategy recognises that some former industrial land will be made available for housing as long as it is limited to previously developed land. This was reflected in the proposal to designate the area as a Flexible Use Area in the draft City Policies and Sites document (although this carries limited weight). The character of the area has changed since the UDP was adopted with the Fox Valley retail park having been constructed as well as more housing, setting a precedent for allowing housing within the Industrial Area.

The site has been previously developed and there are residential properties to either side of the site (which are of some age and were erected before the current UDP designation as an Industrial Area). Although a departure from policy contained within the UDP, the principle of housing on this site would accord with Policy CS33 of the Core Strategy. Never the less, the steel works is still present within close proximity to the site and is active. As such, for housing to be considered to be appropriate the Local Planning Authority need to be satisfied that adequate living conditions would be afforded to future occupiers of the development. This will be dealt with later in the Committee report.

Housing Supply

The NPPF 2018 requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer (paragraph 73). In addition, Policy CS22 - Scale for the Requirement for New Housing of the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026.

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

The latest Government household growth projections suggest that housing need in the city is higher than was previously planned for in the CS and, as such, the city has an approximate 4.5 year supply of housing using the latest growth projections.

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

Core Strategy Policy CS23 emphasises concentrating new housing development within or adjoining the main urban area of Sheffield, and the urban areas of Stocksbridge/Deepcar.

Paragraph 68 of the revised NPPF also sets out that 'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.

Policy CS24 seeks to prioritise the redevelopment of previously developed sites. The site is previously developed and therefore compliant with the aims of policy CS24.

The proposal would make a positive contribution to the supply of housing and is considered to be within a sustainable location, relatively close to local shops and services. In this respect the development would accord with Core Strategy Policy CS22, CS23, CS24 and paragraph 68 and 73 of the NPPF (2018).

Density of Development

The submitted plans seek to develop the site with 10 dwellings. The density of development would equate to around 38 dwellings per hectare. This is in line with the aspirations of Core Strategy Policy CS26 which sets an appropriate density range for this location of between 30 -50 dwellings per hectare.

Para123 of the NPPF identifies that where there is an existing shortage of land for meeting identified housing needs (as is the case in Sheffield) it is especially important that planning decisions avoid development from being built at low densities and ensure that developments make optimal use of the potential of each site.

As such it is considered that the development would comply with Core Strategy Policy CS26 and the NPPF, resulting in an efficient use of the land.

Affect Upon Character and Appearance

The proposed development would take the form of two terraced runs of 5 dwellings. The proposed dwellings would be two storeys in height (with accommodation within the roof space) and so would be of a similar scale and massing to existing terraced properties along the street. The terrace would have a

kink (dog leg) so that the new dwellings would roughly line through with the properties to either side.

The properties would be set back from Hunshelf Park on an elevated terrace with parking to the front as well as open front garden areas. A new retaining wall would be built adjacent to the road. To the rear each property would have a private garden area.

The properties would be of modern design, using modern materials. The applicant is keen to eliminate 'wet trades', allowing the properties to be built quickly and efficiently and also in an environmentally friendly manner.

The dwellings would be constructed using a lightweight cladding structure with charred timber cladding breaking up the elevations. The applicant has set out that this would read like bricks at a distance as the charred timber would be laid horizontally. Visuals have also been provided to assist in assessing how the development would look from various vantage points.

The parking area to the front of the properties would be partially screened from Hunshelf Park by a low stone wall which would help to 'ground' the development within its surroundings, stone walls being a common feature within the area.

The properties would be 'custom build' whereby future occupiers can choose the internal configuration so the properties could provide between 3 – 5 bedrooms. Regardless of the internal configuration the properties would still have much the same external appearance, and windows / doors would remain in the same position.

It is considered that the proposed design of the development is acceptable. The proposed development would make a positive contribution to character and appearance of Hunshelf Park and the wider area. Being set on the hillside the site is prominent and will be seen from the opposite side of the valley.

It is considered that the development would conform with UDP Policy BE5 which sets out that 'Good design and the use of good quality materials will be expected in all new developments. The development would also be in accordance with Core Strategy Policy CS74 which sets out that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city.

In terms of design it is also considered that the development would satisfy the NPPF. Paragraph 127 of the revised NPPF sets out that decision should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Impact Upon Residential Amenity

UDP Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met. It also expects that walls or fences are provided around rear garden areas next to roads, footpaths or other open areas.

The proposed development would be sited to roughly line through with the existing residential properties to either side. As such the development would not give rise to unacceptable levels of overshadowing or loss of light that would affect occupiers of neighbouring dwellings. Main windows in the properties would look out onto Hunshelf Park to the front and onto the rear gardens of the properties and communal orchard to the rear. The development would not result in a significant loss of privacy to existing residents.

Each of the new dwellings would have a small rear patio and a terraced garden, retained with gabion walling, leading to a communal orchard at the top of the site. The patio areas and gardens would have fencing to the sides. Given the sloping nature of the site the higher portions of the gardens would be able to be overlooked; however occupiers of the property would be aware of this when making a purchase. The patio areas would remain private and it is considered that each property would have adequate private amenity space.

Noise Issues

As already discussed, the site is close to the steel works which can at times be noisy. Historically, the noise associated with the steelworks was generally tolerated as the steel works was often the employer of those affected. However, people unfamiliar with the area have complained (to the steel works directly as well as to the Council's Environmental Protection Service) regarding noise associated with activities carried out at the steelworks. Activities at the site (and so noise) can and do occur at all times of the day and night.

A noise report by Acoustic Design Technology, reference ADT2244/ENS, dated 2.5.17 has been submitted in support of the application. The report identifies that the site is significantly affected by intermittent noise breakout from the steelworks, ranging from low frequency noise from the fan to high frequency noise from the cutting of steel within the steelworks. An LA Max of 85dB(A) has been measured on the application site with general noise levels ranging from 55-60dB(A) on the site.

More recently the steel works have carried out measures to attenuate noise from the fan and further survey work has been undertaken by the applicant (ADT noise report ref: 2244/AML; 14/01/2019). This shows that noise on the site has been reduced by at least 8dB and the noise that is emitted is no longer tonal in nature. As a consequence of the attenuation works, the character of the noise experienced within the application site has been significantly improved.

The proposed dwellings have been designed with energy efficiency as one of the driving principles, with Passivhaus certification being the eventual aim. This is to be

achieved by constructing the external building fabric out of materials with extremely high thermal insulation values, and with very good airtightness. This assists with acoustic performance and the submitted report demonstrates that acceptable living conditions (in terms of noise) can be provided internally. The report predicts that the proposed construction materials / methods would reduce noise internally to dB24.

As airtightness is a key to achieving the Passivhaus standards, regardless of noise, the development would not have openable windows as this can compromise thermal efficiency. Passivhaus incorporates measures to ensure that fresh air is circulated as part of a ventilation system and properties are designed so that overheating in summer is not an issue. The fact that windows will not be opening weighs in favour of reducing any adverse impact from noise. The properties themselves also provide a degree of additional attenuation, lowering noise levels in the rear garden areas immediately behind the properties.

Planning Policy Guidance Note 24 – Planning and Noise, sets out how noise can affect residential development. At Annex 1 it sets out that where noise levels are between 55-63dB noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.

The applicant has demonstrated that with the intended building materials and constructed methods noise can be significantly reduced internally and the proposed development can provide adequate living conditions for future occupiers. It is thereby considered that, subject to the imposition of suitably worded conditions to ensure that the measures detailed are implemented, the development would be acceptable. Occupiers of the proposed development would not suffer disamenity through noise, satisfactory living conditions can be provided for future occupiers of the scheme in terms of light, outlook and amenity space and the development would not have an adverse impact upon the amenity of existing local residents. It is considered that the development would accord with UDP Policy BE5 and Core Strategy Policy CS74.

Land Contamination Issues

The application site falls within the Coal Mining High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered.

The planning application is supported by a Phase 1 Desk Study, dated September 2015, prepared by Ashton Bennett Limited. The report concludes that there is a potential risk posed to the development by past coal mining activity. The report therefore recommends that intrusive site investigations should be carried out on site in order to establish the exact situation in respect of coal mining legacy issues. The report also recommends that gas monitoring is carried out on site.

The Coal Authority have commented that they agree with the findings of the Coal Mining Risk Assessment Report and are recommending that intrusive site

investigation works be undertaken before development is commenced. It is recommended that this be made a condition of any consent.

Given the previous use of the site for commercial purposes there may be a degree of land contamination and this would also be picked up through intrusive site investigations.

Land Drainage

The Flood Risk and SuDS Statement (prepared by Civic Engineers - Report 17013 dated April 2017) is considered to be acceptable to both Yorkshire Water and the Local Lead Flood Authority. Conditions are recommended to limit the rate of surface water run-off and to ensure that development is carried out in accordance with the measures set out in the report.

Highways

Core Strategy Policy CS53 'Management of Demand for Travel' sets out a variety of ways in which the increased demand for travel will be managed across the city including applying maximum parking standards to all new developments to manage the provision of private parking spaces.

The original drawings submitted with the planning application attracted a reasonable amount of both online support and objection. Focussing on the objection, the main concerns were of over-spill parking generated by the development causing obstructions in Hunshelf Park that would hinder the passage of existing residential traffic and service vehicles; of the poor condition of the surfacing of Hunshelf Park (an unadopted public highway) which it was felt would deteriorate further during construction of the proposed houses and by the increased residential use; and lastly, of safety concerns relating to poor visibility out onto Hunshelf Road from Hunshelf Park.

In addition to the online objections, the proposed layout was the subject of an independent Stage 1 Road Safety Audit (RSA1) which highlighted the following six problems:

- The submitted drawings indicated a lowering of the Hunshelf Road retaining structure to improve sight-lines towards Fox Valley Way from Hunshelf Park. The audit team were concerned that lowering the height of the structure might result in children or the visually impaired falling from Hunshelf Park down onto Hunshelf Road, possibly cars too.
- The audit team noticed the loss of some informal parking that would be subsumed into the development proposal and lost to the existing residents of Hunshelf Park, which they felt may cause local residents to park in alternative unsafe locations.
- The audit team recommend checking the swept-path analysis of service vehicles turning into the site to ensure they don't collide with the first of the 10 residential car parking spaces.
- The audit team had concerns about the ability of a refuse vehicle to join Hunshelf Road from Hunshelf Park in a forward gear and to turn left towards

Fox Valley Way, stating that the resulting awkward manoeuvre might lead to collision and injury.

- The audit team noticed that motorists currently joining Hunshelf Road from Hunshelf Park poke their bonnets into the main carriageway over the give way marking before pulling out owing to the substandard visibility, which they feel might result in collision/injury.

- The audit team raised concerns of conflict within the development site between vehicles and pedestrians owing to a lack of distinction between vehicle areas and pedestrian areas.

As a consequence of the online objection and RSA1 concerns, further meetings have taken place with the developer's planning consultant which has resulted in the submission of amended drawing numbers PT188-103 revision PL06 and 100 P 007 revision B. The drawings respond to the various issues raised as follows:

- i) The existing Hunshelf Road retaining structure will not be lowered to achieve the appropriate standard of visibility out onto Hunshelf Road from Hunshelf Park (resolving the concern of pedestrians falling down onto Hunshelf Road). Instead, the width of Hunshelf Road will be reduced to 5.5 metres by introducing physical kerbing which will allow the give way road marking to be pulled out into the main carriageway (thereby achieving improved visibility for all). Waiting and loading restrictions will be promoted on Hunshelf Road, extending the existing double yellow lines up the hill a further 40 metres or so.
- ii) The width of Hunshelf Park will be widened across the development site frontage by converting some of the northern grass verge into carriageway (minimum overall width 5.5 metres). The verge slopes gently upwards away from Hunshelf Park, so a new retaining structure will be required, possibly gabion baskets / dry stone walling. Hunshelf Park will be completely resurfaced (bituminous tarmac) from Hunshelf Road to the far eastern boundary of the development site. Eight longitudinal car parking spaces will be marked out (2 metres wide) next to the retaining wall. These spaces will be available for new residents of the development to use, as well as existing residents of Hunshelf Park. The increased width of Hunshelf Park will allow cars and service vehicles to pass parked cars. The resurfacing will take place at the end of construction so as not to become damaged.
- iii) The swept-path analysis for refuse vehicles entering the site has been checked and clearances of 1.5 metres are available on both sides of the vehicle. The routing of refuse vehicles has also been checked. They drive up to the site from Fox Valley Way, reverse into Hunshelf Park from Hunshelf Road, collect waste, re-joining Hunshelf Road in a forward gear, turning right towards Pea Royd Lane. These arrangements wouldn't be compromised by the granting of planning permission.
- iv) Within the development site, different materials would be used for parking areas and shared surfaces.

The above amendments to the original scheme address the aforementioned highways concerns.

The scheme would provide 10 spaces for occupiers of the development, as well as a further 8 spaces on Hunshelf Park for use by existing and proposed residents. This level of parking is considered to be adequate and in the spirit of Core Strategy Policy CS53.

The development would be in accordance with paragraph 109 of the revised NPPF which sets out 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. As such it is considered that a highways based refusal cannot be justified.

Sustainability

Policy CS63, 64 and 65 sets out the Councils sustainability objectives with regard to new development.

The applicants have indicated that the proposed development would be built to achieve Passivhaus standards. This is an energy standard which seeks to significantly reduce the amount of energy needed to heat / cool properties whilst maintaining an ambient living temperature.

The site will make the most of passive solar gain, the properties being aligned along an east – west axis. Windows in the property will be triple glazed and carefully positioned to minimise summer overheating risk. Each property would have an array of 9 'in roof' photovoltaic panels to provide energy for the development.

In addition the scheme will incorporate a small district heating network, with energy being supplied by a groundwater source heat pump and associated equipment which would be located within the plant room that links the two terraced runs.

Surface water is proposed to be stored and managed in underground tanks. Not only would this provide attenuation in storm situations, the tanks would incorporate additional capacity to facilitate a rainwater harvesting system which would then be used for toilets, washing machines and garden irrigation.

The site is in a sustainable location within walking distance of the Fox Valley shopping centre as well as being within 400m of the nearest bus stop. Furthermore the development makes efficient use of a brownfield site.

The proposal is considered to be acceptable from a sustainability perspective. Whilst the information provided demonstrates that the development would be compliant with Core Strategy Policy CS 63 and CS64; it is considered that the final method of achieving the 10% reduction in energy demand should be controlled by condition to allow flexibility should the identified measures not be possible or alternatives are considered to be more appropriate.

Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) is applicable to this development. The site lies within CIL Zone 3 where the contribution is £30 per sqm. The funds generated through CIL will be used in connection with strategic infrastructure needs. The applicant is proposing around 1286sqm of residential floor space.

Response to Representations

The issues raised by objectors have been dealt with in the main body of the report. Concerns largely surrounded highway safety and the level of proposed parking for the development.

One representation raised concerns that the water storage tanks could create areas of stagnant water which would give off odours. The storage tanks would be underground and so would not result in odours.

In terms of cars that informally park on the site being displaced, people parking on the site are doing so without permission. The applicant would be able to fence off the site / erect bollards without the need for planning permission thereby taking away these parking spaces.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the erection of 10 dwellings on a previously developed site.

The site is identified on the Unitary Development Plan Proposals Map as being within a General Industrial Area and is also within a Coal Mining High Risk Area.

The site is within a sustainable location and the development would have strong green credentials, providing much needed housing on a brownfield site.

The development would be a departure from UDP Policy IB5, which sets out that housing within General Industrial Area's should not be considered to be acceptable; however the site is surrounded by residential properties and the applicant has demonstrated that occupiers of the development would not suffer unduly from noise as the development would incorporate acoustic attenuation measures.

In principle the development would be in accordance with Core Strategy Policy CS22, CS23, CS24, CS33 and CS26 which deal with the scale and location of housing along with density of development as well as guidelines contained within the NPPF (para's 68, 73, 118 and 123) which seeks to encourage sustainable development and the provision of suitable sites for housing. These policies are more up to date than the UDP and so, when weighed in the balance are considered to carry more weight.

It is considered that the development would not be harmful to the character and appearance of the area and would accord with UDP Policy BE5, H15 and Core Strategy Policy CS74 as well as the NPPF (para 127).

The development would not result in unacceptable levels of overlooking or loss of light to neighbouring dwellings and adequate outdoor amenity space would be provided. In this respect the development would accord with UDP Policy BE5 and H15 as well as Core Strategy Policy CS74.

Subject to the highways improvements works that have been agreed being implemented, the development does not pose any highway safety concerns. Adequate parking for the development can be provided within the curtilage of the site and an additional parking area would be provided on Hunshelf Park for existing local residents as well as future occupiers.

The development would accord with Core Strategy Policy CS53 and guidance contained within the NPPF, notably at para 109 which sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

The development would incorporate energy efficiencies through the design and orientation of the development as well as proposed materials and construction methods. In addition the development would incorporate a small district heating network with energy provided by way of a ground source heat pump and solar panels. The proposed development also intends to utilise rainwater for toilet flushing, watering gardens etc. thereby reducing surface water run-off. This would be complicit with Core Strategy Policy CS64 and CS65 as well as the revised NPPF (para 131, 150 and 151).

It is recommended that the application be granted with conditions.