
Case Number	18/04104/FUL (Formerly PP-07362007)
Application Type	Full Planning Application
Proposal	Alterations to car showroom and workshop (Use Class Sui Generis) to allow use as two commercial units (A1/A3), gym (D2) and offices (B1), erection of 8 dwellings (C3), provision of associated parking for all uses, landscaping and access works (AS PER AMENDED DRAWINGS)
Location	1 Ecclesall Road South Sheffield S11 9PA
Date Received	30/10/2018
Team	South
Applicant/Agent	Coda Planning 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:

- Location Plan / 823-CPA-ZZ-ZZ-DR-A-0001 Revision B
- Site Layout Site Plan As Proposed / 823-CPA-ZZ-ZZ-DR-A-0011 Revision C (As received on 13/2/19)

- SHOWROOM- First Floor Plan & Roof Plan As Proposed / 823-CPA-ZA-ZZ-DR-A-0201 Revision -

- SHOWROOM- Ground Floor Plan As Proposed / 823-CPA-ZA-GF-DR-A-0200 Revision -

- SHOWROOM- Elevations as Proposed / 831-CPA-ZA-ZZ-DR-A-0600 Revision -

- WORKSHOP- Lower & Upper Ground Floor Plans as Proposed / 823-CPA-ZB-ZZ-DR-A-0202 Revision B (As received on 13/2/19)

- WORKSHOP- Mezzanine and First Floor Plans as Proposed / 831-CPA-ZB-ZZ-DR-A-0203 Revision A (As received on 29/1/19)
- WORKSHOP- Second Floor Plan as Proposed / 823-CPA-ZB-RF-DR-A-0204 Revision B (As received on 13/2/19)
- WORKSHOP- Elevations as Proposed / 823-CPA-ZB-ZZ-DR-A-0601 Revision C (As received on 13/2/19)

- Ecclesall Townhouses- Townhouse Ground Floor As Proposed / 823-CPA-ZC-GF-DR-A-0210 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Townhouse First Floor As Proposed / 823-CPA-ZC-01-DR-A-0211 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Townhouse Second Floor As Proposed / 823-CPA-ZC-02-DR-A-0212 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Townhouse Third Floor As Proposed / 823-CPA-ZC-03-DR-A-0213 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Roof Level As Proposed / 823-CPA-ZC-04-DR-A-0214 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Front Elevation As Proposed / 823-CPA-ZC-ZZ-DR-A-0610 Revision -
- Ecclesall Townhouses- Rear Elevation Courtyard Section / 823-CPA-ZC-ZZ-DR-A-0612 Revision -
- Ecclesall Townhouses- Rear Elevations / 823-CPA-ZC-ZZ-DR-A-0611 Revision -
- Ecclesall Townhouses- End Terrace Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0613 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- End Terrace Courtyard Section / 823-CPA-ZC-ZZ-DR-A-0614 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Section AA Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0710 Revision -
- Ecclesall Townhouses- Section BB Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0711 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Section CC Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0712 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Section DD Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0713 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Town House- Proposed Visitor Parking / 823-CPA-ZZ-ZZ-DR-A-0016 Revision A (As received on 13/2/19)

- Ecclesall Townhouses- Site Section Existing/Proposed / 823-CPA-ZZ-ZZ-DR-A-0700 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Site Sections Sh2 / 823-CPA-ZZ-ZZ-DR-A-0714 Revision B (as received on 31/1/19)
- Ecclesall Townhouses- Street Elevation Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0605 Revision -
- Ecclesall Townhouses- Street elevation with Context Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0606 Revision A (As received on 29/1/19)

- Tree Impact Appraisal and Tree impact appraisal: revised list of tree work / dated January 31st 2019

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 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.

4. No development shall commence until details of a Site Environmental Management Plan have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall identify measures to evaluate and manage dust emissions during the construction phase. The agreed measures shall be implemented throughout the course of construction works relating to the approval hereby granted.

Reason: To ensure that construction works have an acceptable impact upon local air quality.

5. 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.

6. 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.

7. 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.

8. No development shall commence until full details of measures to protect the existing trees adjacent to the site, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

9. 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.

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

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

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

construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

Reason: In the interests of 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.

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

12. 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.

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

Windows
Window reveals
Doors
External wall construction
Brickwork detailing

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

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

14. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies T1, T7, CS51 and CS66.

15. Prior to the occupation of Plot 1 of the Townhouses hereby approved, details of solid screening along the side perimeter of the Terrace area at Level Two shall be submitted to and approved in writing by the Local Planning Authority. The approved screen details shall be implemented prior to the occupation of Plot 1 and be permanently retained as such thereafter.

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

16. 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 an approved noise survey of the application site, including an approved method statement for the noise survey,
- b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

17. 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 the interests of the amenities of the future occupiers of the building.

18. Before the commercial uses hereby permitted commence, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
 - b) Be capable of restricting noise breakout from the buildings to the street to levels not exceeding the prevailing ambient noise level when measured;
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as an 15 minute LZeq.
- Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.

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

19. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall be in accordance with Defra document; Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems and) shall include:

- a) Plans showing the location of the fume extract terminating and including a low resistance cowl.
- b) Acoustic emissions data.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the systems required cleaning and maintenance schedule.

The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

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

20. 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.

21. 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.

22. 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.

23. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

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

24. 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.

25. The proposed green wall shall be provided on the wall 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 works to the workshop building commencing on site. The green wall shall be provided prior to the use of the building commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

26. Prior to occupation of the development hereby approved, details of five bat boxes to be erected/installed on the buildings within the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of bio-diversity.

27. Use of the A1/A3 units hereby approved shall not commence until a Service Management Plan has been submitted to and approved in writing by the Local Planning Authority. The servicing of the A1/A3 units shall permanently operate in accordance with the approved Service Management Plan.

Reason: In the interests of traffic safety.

28. The A1 or A3, D2 and B1 accommodation hereby approved shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport it is essential for these works to have been carried out before the use commences.

29. No above ground works shall commence until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site

before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

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

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

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

31. The A1 or A3, D2, B1 and C3 accommodation hereby approved shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

32. 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.

Other Compliance Conditions

33. The non-residential components of the development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change in accordance with Sheffield Development Framework Core Strategy Policy CS64.

34. No customer shall be permitted to be on the premises outside the following times: 0730 hours and 2300 hours.

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

35. The A1/A3, D2 and B1 uses hereby approved shall not be occupied until the parking spaces reserved for low-emission vehicles as shown on the drawings hereby approved have been provided. Such car parking shall only be used by low emission vehicles, and thereafter such car parking accommodation shall be retained for the sole use of such vehicles.

Reason: In the interests of local air quality.

36. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0730 to 2000 on Mondays to Saturdays and between the hours of 0900 to 2000 on Sundays and Public Holidays.

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

37. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, Commercial Unit 03 as identified on the drawings hereby approved shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class D2.

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

38. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 0730 to 2100 Mondays to Saturdays and between the hours of 0900 to 2100 on Sundays and Public Holidays.

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

39. The WC windows at Level One and Level Two in the south facing elevations of Plot 1 of the approved Townhouses shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

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

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

41. The south facing windows to the approved office space shall be glazed with obscure glass to a minimum privacy standard of Level 4 obscurity up to a height of 1.8metres above internal floor level and no part of the windows shall at any time be glazed with clear glass or glass of a lesser obscurity level.

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

42. The parts of the north facing windows to the approved office space as shown on the approved elevation drawings shall be glazed with obscure glass to a minimum privacy standard of Level 4 obscurity and no part of these areas of obscure glazing shall at any time be glazed with clear glass or glass of a lesser obscurity level.

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

43. 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.

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

44. 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.

45. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 19 litres per second.

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

46. Works to the trees covered by the adjoining Tree Preservation Order shall be in accordance with the Tree Impact Appraisal / dated January 31st 2019.

Reason: In the interests of protecting the trees covered by Tree Preservation Order adjacent to the site.

47. The A1/A3 uses hereby approved shall only operate as per the approved floor layout/s, and at no time shall the units be either joined together or one enlarged into the other.

Reason: In the interests of local highway safety.

48. Deliveries within the site shall be restricted to vehicles of a size not in excess of 8.01m in length.

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

49. No deliveries of goods shall be accepted by the A1/A3 and D2 units hereby approved (either through the service area or public entrance) from any vehicle which has unloaded whilst parked on the public highway.

Reason: In the interests of traffic safety and 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 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. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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. 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.

6. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

Site Location



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LOCATION AND PROPOSAL

The application site is located to the east of Ecclesall Road South, immediately to the south of the junction with Psalter Lane. It is allocated as being within a Housing Area, under the provisions of the adopted Unitary Development Plan (UDP).

The site was previously premises for the Gilders car dealership. It currently includes the vacant showroom and workshop buildings. The showroom building is two storeys in height and fronts onto Ecclesall Road. The workshop building is in the centre of the site, and includes three levels including a roof-top car park. An external, ground level car park exists at the upper portion of the site.

The immediate surroundings on the eastern side of Ecclesall Road South have a strong residential character. Banner Cross District Shopping Centre is on the opposite side of Ecclesall Road South, running northwards along Ecclesall Road.

There is a group Tree Preservation Order (TPO) to the east and north of the site, all within land falling under the applicant's ownership.

The application seeks permission for conversion of the ex-showroom buildings to provide two A1/A3 units, and a D2 Gym. The workshop building would include car parking at the ground level, a B1 office space at the 1st floor level and the continuation of use of the roof top car park. These uses would be accessed from the current, Banner Cross Drive access point. The area currently occupied by the upper, external car park would accommodate 8No x 4 bedroomed townhouses. These would be accessed via an extension of Talmont Road, from the south of the site.

RELEVANT PLANNING HISTORY

08/04852/FUL; Demolition of existing buildings and erection of mixed use development comprising food retail unit (outline planning permission) and 16 no. dwellinghouses
Refused – 12.8.09

The retail unit was proposed in outline form to be approximately 1,300sqm. The application was refused on the basis of:

- Over-intensification of Talmont Road/Brincliffe Edge Road access, and detrimental impacts on safety and traffic flow,
- Insufficient car-parking for retail unit,
- Delays caused by proposed highways reconfiguration,
- Insufficient information regarding affordable housing, &
- Lack of evidence that a high standard of energy efficiency and decentralised energy would be achieved.

10/01942/FUL; Mixed use development comprising alterations and extensions to existing disused car showroom and workshop buildings to form retail accommodation, bar/restaurant and 7 apartments, and erection of 7 dwellinghouses
Approved – 9.9.11

SUMMARY OF REPRESENTATIONS

34 neighbour representations have been received, including 1 from Banner Cross Neighbourhood Group. The comments are summarised as:

Design

- Over-development of site.
- Townhouses are inconsistent with local dwellings (one or two storeys), and don't allow for a transition to current bungalows. Will be viewed from Ecclesall Road / Psalter Lane. They exceed the height and proximity to existing Talmont Road dwellings of the previously approved scheme.
- Brownfield sites should be developed instead.
- Structural queries and questions of sustainability value of townhouse design.

Living Conditions

- Roof terraces lead to overlooking and invasion of privacy (to No 16 Talmont Road and Quarry Lane dwellings). Screening of roof terraces will increase loss of light (and could be removed).
- Building conversion/s lead to loss of privacy (to No 16 Talmont Road, No 3 Banner Cross Drive and Psalter Lane houses).
- Loss of light and overshadowing to majority of surrounding gardens.
- Dominant impact of houses. Will be overbearing from rear of Psalter Lane houses and adjacent Talmont Road dwellings.
- Retention of turning head in current location would ease impacts on No 16
- Roof terraces will lead to noise impacts.
- Noise pollution.
- Gym will operate on a 24 hour basis, would disturb adjoining neighbours.
- Rooftop parking will cause disturbances, and will lead to overlooking. Previous use of this space was minimal.
- Any screening to safeguard privacy could affect water table and cause structural damage. Would also need maintenance and cause shading.

Highways

- Crossing Psalter Lane (with small pedestrian island) and other nearby roads is currently dangerous.
- Excessive traffic currently. Surrounding junctions are congested at peak hours.
- Vehicles are prohibited from turning right into Banner Cross Drive, and those exiting Banner Cross Drive are required to turn left. Some vehicles use Brincliffe Edge Road for U-turns, causing only small numbers of accidents but many near-misses etc. Scheme would increase these manoeuvres, increasing danger.
- Additional movements will cause queuing on Ecclesall Road South and on Banner Cross Drive. This will affect safety and residents.

- Current parking situation is difficult, i.e. on Psalter Lane and Banner Cross Drive. Any overflow from development will make this worse. Situation not helped by poor enforcement of restrictions.
- Proposed turning head at end of Talmont Road will cause movements that will be a nuisance to new residents.
- Delivery vehicles will prove a hazard, as did car transporters previously.
- Concerns vehicles will cut through between commercial and residential parts of the site.
- Gilders previously generated very little traffic movement/s.
- Traffic levels have increased since 2010 and bus services have decreased (2010 seems to be a base year for the studies).
- Projected traffic movements are based upon guess-work.
- Full traffic assessment not provided (as requested at the pre-application stage), and the supplied transport statement is not to the same level of scrutiny.
- Absence of trees at front of plot 8 is only to allow successful tracking analysis.
- Inconsistencies within the Transport Assessment

Air Quality

- Currently poor, and will be made worse
- Air pollution report doesn't consider car engines idling, whilst waiting at junction.

Landscaping Issues

- Damage to adjacent woodland and loss of its ecological value.
- Proximity of houses to woodland will lead to pressure for trees to be cut down.
- Excessive rain and proximity of houses to embankment will lead to drainage issues, and potentially cause land slippage.
- Concern about woodland becoming a communal garden.
- Tree removal would lead to structural issues relating to the steep embankment.

Retail Issues

- Impact on local, independent businesses.

Other Issues

- Residents should be consulted about hazards and nuisance during the construction phase, with conditions applied to minimise impacts.
- Query how long construction process will take.
- Not all neighbours have received written notification. Inadequate consultation with neighbourhood.
- Notices are either very low-key or have been removed.
- Submission includes many complex documents. Difficulties in commenting on-line.
- Proposal drawings include land registered to a neighbour, and proposed works to a wall owned by neighbour.
- Drawings show insufficient context.

- Design and Access Statement suggests a pedestrian route from Psalter Lane to Talmont Road. This does not exist.
- No 16 Talmont Road would most likely serve a notice in respect of right to light, preventing completion of the build.
- Proximity of townhouses to No16's open fire chimney.
- Land Registry deeds appear to allow Talmont Road to be extended for the construction of similar dwellings. Also restrict businesses which are noisy, noxious or offensive, and precludes sale of beer, wine or spirits which could apply to the 24 hour gym, and cafes/restaurants.
- Implications of internal works at site connected to noise, debris, parking and damage to a neighbour's wall.
- Any path / thoroughfare would lessen security of neighbouring houses.

Comments of Support

- Rejuvenation impacts, by bringing new people, and will bring activity to a 'dead site'.

A representation has been submitted on behalf of Sheffield Green Party, which is summarised as follows:

- Proposal includes land and details incorrectly, and excludes other required information (i.e. construction vehicle access, and integration of woodland into site).
- Harm to woodland, and potential undermining of embankment. Woodland management details required.
- Green roof/s should be incorporated.
- Proposal will lead to increased peak hours vehicle movements, causing peaks in pollution.
- Insufficient parking is proposed. There is no transport plan provided.
- Accident data shows clear pattern of accidents at Psalter Lane junction, Banner Cross Drive entrance, and Brincliffe Edge Road entrance.
- Pedestrian access across Psalter Lane is poor. Traffic lights should be considered here.
- Townhouses; cause invasion of privacy. Screening will result in overshadowing. Out of keeping with Talmont Road housing.

PLANNING ASSESSMENT

National Planning Policy Framework

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

The following assessment will have due regard to these overarching principles.

Land Use

The site is located entirely within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP). As such, policy H10 identifies the proposed housing use as preferred. The proposed A1, A3, B1 and D2 uses are identified as acceptable. The proposals are required to be assessed against the provisions of UDP policy H14. In regards to the B1 office provision, policy CS3 of the Core Strategy promotes the City Centre as the priority location, requiring 65% of total office development in the city to be located there. The proposal also identifies other suitable locations, including high- frequency public transport routes. Therefore, the proposed offices are acceptable under this policy.

Housing Policy

The NPPF promotes sustainable development and the delivery of housing. It requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer. Latest calculations demonstrate that Sheffield currently has a 5 year supply of housing.

The NPPF and Core Strategy Policy CS24 seeks to maximise the use of previously developed land for housing and the provision 8 new housing units on previously developed land represents a small but welcome contribution to housing supply in compliance with the aims of this policy.

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land. The recommended density for a scheme in such in this location, within 400metres of the Banner Cross District Shopping Centre, is between 50-80 dwellings per hectare, as set out in Policy CS26. The proposed townhouses achieve a density of approximately 60 dwellings per hectare, taking the footprint of the houses and their surrounding curtilages. This falls within the required density range and therefore accords with the above policy.

In considering these Core Strategy policies it should be noted that they reflect a significantly lower housing requirement than currently, are therefore out of date and have significantly reduced weight.

Retail Issues

The National Planning Policy Framework (NPPF) in paragraph 85, seeks to support the viability and vitality of existing centres, and allow them to grow and diversify. It states (in paragraph 86) that main town centre uses, such as those currently proposed, should be the subject of a sequential test when not located in existing centres. It adds that these main town centre uses, should be located in town centres, and then edge of centre location before considering alternative locations.

The purpose of a sequential test is to establish whether there are any town centre sites which are capable of accommodating the proposed development.

A sequential test has been submitted, and uses the Banner Cross Centre as its search area. Given the local catchment of the proposed uses, this restricted search is considered appropriate. The Napoleons Casino building is the only premises in Banner Cross Centre capable of accommodating the proposed uses. However, this venue is no longer available as terms have been agreed with its vendor. As a result, the proposal is considered to be acceptable in sequential terms. Its edge of centre location will lead to linked trips to the existing shops in the Banner Cross centre.

The proposal is therefore considered to avoid a detrimental impact upon the adjacent shopping centre, and to meet the relevant NPPF provisions in this respect.

Sustainability

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

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

In relation to CS63's requirements, the site is sustainably located in regards to local amenities and public transport.

Also, the site is previously developed and the development will reduce surface water discharge by 30%.

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) would require the commercial elements of the scheme to reach a BREEAM 'Very Good' rating.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions, and would require the development to provide 10% of its predicted energy needs from decentralised and renewable, low carbon energy or a fabric first approach.

The applicant is aware of these requirements, and is agreeable to conditions being imposed to secure their provision.

The scheme also includes further sustainability features, including the provision of extensive cycle parking, the provision of 6 low-emission vehicle only parking bays and a green wall.

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

Design

The NPPF states that development should ensure schemes are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

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

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

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

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.

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.

- Contemporary Approach

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 more sensitive sites, including within Sheffield's conservation areas.

While the quality of the architecture is considered further below, it would be unreasonable and inconsistent to resist the principle of flat roofed contemporary buildings on this site.

The proposed conversion of the existing car showroom and workshop range into other uses follows a contemporary design approach. The proposed changes to the existing facades complement the existing character and are considered to be acceptable.

The proposed townhouses would extend Talmont Road within the site, which in itself is supported. The L-shaped housing enclosing parking to the front, is considered to represent a distinct response to the location against the backdrop of the tree covered ridge-line. The approach is considered to be acceptable and is strongly supported.

- Scale/Height

The townhouses are principally 3 storeys in height, with the 4th storey being a stair core, and would sit below the tree line. This is considered to be acceptable, and to enable long-distance views of the woodland.

The proposed townhouses would be separated by 5.1 metres (approx.) from No16 Talmont Road. The proposed townhouses frontages' are staggered with the portion closest to No16 being setback and lining through with the front of No16. No16 is a bungalow, and along with the other existing properties on Talmont Road, is elevated above the street level. As a result, only the proposed 3rd floor stair core and parapet walling would exceed the height of No16's ridge by approximately 3.0 metres. This tallest section is 10.50 metres (approx.) away from No 16. It is therefore not considered that the proposed houses would have a dominant impact upon the existing bungalows.

- Detailing and Materials

The main material to the showroom is indicated as being aluminium cladding. This will give the modified building a clean and modernised external face, which is important given the prominent location. The amended workshop building will receive cladding and hit and miss sections of brickwork in place of existing openings. The alterations would be considered to enhance the workshop's current appearance.

The proposed typology of pairs of L-shaped houses enclosing parking to the front, includes a good level of modelling and articulation to the elevations. The proposed palette of materials are of a suitably high quality and include a cream/cream multi-stock brick (utilised in different forms to give further animation), brass / anodised aluminium windows and brass / aluminium cladding. Similarly, the proposed indicated detailing at this stage is also considered to be high quality.

Full and large scale details, including samples of all materials and detailing can be secured by condition.

Highways

Paragraph 109 of the NPPF states "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) within the CS identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

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

- Traffic Movements / Generation

The submitted Transport Assessment gives details of the vehicle movements arising from the proposal in comparison to the authorised use of the site as a Car Dealership. These details show there to be modest increases over and above the

previous use in cars arriving at the site during the weekday PM peak hour and Saturday peak hour (+8 and +4 movements respectively). The other movements during these time periods would be expected to decrease.

These projections utilise the TRICS database, a nationally accepted collection of highway data from actual developments. It is therefore considered that the proposed scheme would not lead to increased movements into the local highway network which would undermine local highway safety circumstances.

Consequently, Banner Cross Drive and its junction to Ecclesall Road South would not become subject to significant increases in traffic movements or queuing.

As a result, it is considered that the proposal would not generate increases in vehicle movements that would undermine highway safety.

- Parking

The revised drawings show a total of 70 parking spaces for use by the commercial parts of the proposal. This includes 30 spaces at ground floor level of the converted workshop building, for use by the proposed A1/A3 and D2 uses, and 36 spaces at roof level for use by users of the office.

There are 4 spaces reserved for staff to the rear of the converted showroom building.

The Council's parking guidelines would require a maximum 16 spaces for the A1, A3 and D2 uses. The guidelines would require 15 spaces in relation to the B1 office use. Clearly the parking provisions within the proposal would exceed these levels.

Additional details have been provided covering projected available capacity in the car parks. These state that on a typical week day the ground floor level car park would operate with 15 spaces free and on a Saturday with 24 available spaces. They also state that the office car park would function with 2 available spaces on a typical weekday. An over-provision of car parking is normally avoided, as this encourages car use, ahead of more sustainable transport modes. However, in this case the over provision utilises an existing provision on the site. Additionally, given local concerns around parking and the site's proximity to a busy junction a limitation on parking here is not considered to be appropriate.

Overall, it is considered that the parking arrangements would accommodate the demands generated by the proposed uses. It is therefore considered that on-street parking within the vicinity of the site would be avoided. As such, the proposed commercial elements of the scheme would not cause a highway safety implication due to over-spill parking.

To ensure efficient operation of the car parking areas, signage is proposed to direct A1/A3 and gym users to the ground floor level and office users to the upper level. Combined with the space capacity within the car parks the scheme will not lead to unnecessary movements within the car park area.

The proposed townhouses, which each have 4 bedrooms, include 2 'in-curtilage' spaces each. Due to the highly sustainable nature of the location, adjacent to a high frequency bus route, this provision would be considered acceptable preventing additional parking on the carriageway at the properties' frontage. Despite this some additional visitor parking is available.

It is therefore considered that the proposal would provide satisfactory parking provision, which would be suitably managed, avoiding any overspill parking or unnecessary movements within the site or its vicinity.

- Servicing

Servicing of the commercial elements of the development would take place via the existing Banner Cross Drive access. This would be via a 7.5T box van, measuring 8m in length. Detailed swept-path drawings evidence that this vehicle type would be able to turn within the site. Deliveries to the proposed commercial units by larger vehicles would be prevented by condition, as they would not be able to satisfactorily turn within the site. Additionally, a further condition preventing the carrying out of deliveries from the highway is also recommended. To ensure deliveries take place appropriately a Service Management Plan would be required by condition, should Members be minded to approve the scheme.

The proposed Townhouses are served by a carriageway across their frontages. Shortly before the proposed carriageway's termination a turning head is proposed. This would be used by delivery vehicles and refuse lorries attending the proposed houses. Existing residents have historically made use of an area within the site, immediately adjacent to the end Talmont Road for turning purposes. These existing residents, and delivery vehicles attending their properties, will be free to use the proposed turning head at the proposed carriageway's end. The current turning ability could be removed at any point by restricting site access. The proposed situation represents an improvement on the current situation by permanently enabling turning.

The proposed servicing measures are considered to be acceptable and to avoid detrimental impacts upon highway safety. Therefore, the proposal would be considered to have acceptable impacts in this respect.

Air Quality

Para 170 (e) of the NPPF states that new development should be prevented from contributing to unacceptable levels of air pollution and developments should wherever possible help to improve air quality.

Policy CS51 (Transport Priorities) of the CS states that one of the strategic priorities for transport is to improve air quality.

Policy CS66 (Air Quality) within the CS states that action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

The application was submitted with an Air Quality Assessment (AQA), and covers baseline conditions, implications of the construction and operational phases, and mitigation measures. The AQA has been considered by the Council's Air Quality Officer and is viewed as being sound.

The AQA states that the application site, along with the rest of the city, is located in the Air Quality Management Area. It concludes that the proposed residential elements of the development would not be subject to elevated NO₂ and PM₁₀ concentrations, and that no mitigation would be required in order to make the air quality environment appropriate for its residents.

Regarding the development's impacts upon the surrounding locality, predictions of the existing and projected NO₂ and PM₁₀ concentrations at 50 receptor points within the surrounding area are made.

For the 14 receptor points in near vicinity to the site, the AQA predicts that none of these currently experience NO₂ levels above the annual mean Air Quality Objective (AQOs), and also that the scheme would not cause any exceedances at these 14 points. At 13 of these the scheme would be predicted as having negligible impacts, with a slight impact at 1.

At these same 14 points current levels of PM₁₀ are predicted as being below the AQO. No exceedances are projected as a result of the scheme. At all of these receptor points the development is predicted as having negligible impacts.

The AQA shows that the situation is much the same at the remaining points more remotely located from the site.

Overall, the AQA states that the impacts of the development's operational phase would not be significant. The development's impacts would not exceed any national targets and its effects on local air quality would not be significant. As a result, the scheme would be acceptable in regards to air quality implications and meet the requirements of relevant national and local policy.

In addition to this conclusion, Members will be aware that Sheffield was named generally in the National Air Quality Plan in July 2017, as an area in exceedance for Nitrogen Dioxide. In response, the Council has proposed a Clear Air Zone by 2021, and as a result are working with stakeholders to ensure impacts are neutral or minimised.

Whilst this development's impacts are low, they would be minimised via the following measures:

- allocation of around 10% of parking spaces for low emission vehicles
- requirement for a Site Environmental Management Plan to limit implications during construction,
- requirement for a Green Travel Plan to limit individual's reliance of the private car, to promote public transport, and use of low-emission delivery vehicles.

These measures will ensure that the development's effects will be minimised, and that it positively acknowledges the Council's response to the National Air Quality Plan.

- Construction Phase

As mentioned above, the AQA acknowledges potential impacts of the construction of the proposed development within the site's vicinity. As a result, a series of measures to secure dust mitigation are proposed. Providing that a Management Plan dealing with these issues is agreed it is considered that the development would avoid harmful impacts. A condition requiring this will be included as part of any approval.

Amenity of Surrounding Residents

NPPF para 127 f) requires a high standard of amenity for existing and future users.

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

When approving new 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.

- Talmont Road Properties

The proposed townhouses would be accessed via Talmont Road. The townhouses would be expected to generate very limited vehicular movements, and as such would not be expected to cause unacceptable levels of noise and disturbance to existing Talmont Road occupiers.

The proposed townhouses would be separated by approximately 5.1metres from No16 Talmont Road. No16 Talmont Road includes a ground floor, kitchen window in its side elevation facing north towards the 1st proposed townhouse. Whilst this window is the kitchen's sole window, it takes amenity from the application site. The townhouses would lie to the north of No16, so would not cause a loss of direct sunlight. No16's kitchen window would look out directly towards the 1st floor level of the proposed townhouse, which is limited to 4.6metres in width. The height of this 1st floor portion would exceed No 16's eaves by approximately 1.2metres. Screening to the 2nd and 3rd floor level roof terraces would be required to maintain privacy, and this would add an additional 0.7metres. The narrow width and limited height excess would be considered to prevent harmful overbearing impacts to No 16. The 2nd floor level is set a total of 10.3metres away, so would have a reduced presence and avoid a significant overbearing impact.

Given the changes in land levels, separation distances and proposed layout, it is considered that the scheme would not have an unacceptable impact on the amenity of Talmont Road occupiers/properties.

- Banner Cross Drive Properties

The Banner Cross Drive properties are located to the south of the current Workshop building, with the ramp to the upper deck immediately adjoining the boundary with their properties.

Vehicular manoeuvres associated to the proposal would include deliveries to the commercial units, as well as car parking associated to the commercial units and office. To ensure deliveries to the commercial units would not cause disturbance, it is necessary to restrict them to between 0730 and 2000 hrs on Mondays to Saturdays and 0900 to 2000hrs on Sundays and Public Holidays.

The A1 and A3 units opening hours will be restricted to 0730 to 2300 hrs, so will not attract customer vehicle movements beyond these periods. The Gym will operate on a 24/7 basis, so some vehicle movements will occur during night-time / early morning periods, however, these will be limited in number and will use the ground floor level car park meaning noise disturbance will be minimised.

The glazing to the office space's south facing windows is currently partly obscured. To prevent overlooking and privacy impacts upon Banner Cross Drive properties, it will be necessary to ensure that appropriate parts of the glazing continues to be obscurely glazed. This will be achieved by condition on any approval. On this basis the proposal would safeguard privacy for occupiers of Banner Cross Drive properties.

Based upon the inclusion of conditions on any approval covering delivery and trading times, obscured glazing and the limited level of vehicular traffic associated to the gym, it is considered that the proposal would not have unacceptable impacts upon Banner Cross Drive properties.

- Psalter Lane Properties

The existing Psalter Lane properties are separated from the proposed townhouses by a minimum of 30 metres. Whilst the proposed townhouses are set on ground significantly above the level of the Psalter Lane properties, the substantial separation distances would ensure that the townhouses do not cause detrimental overbearing or privacy impacts.

The north elevation windows serving the proposed office space would be replaced to contain obscured glazing up to 1.5metres over the internal floor level. This would prevent outward views onto the gardens of the Psalter Lane dwellings by office users standing within the windows' vicinity. Views to the dwellings would be from oblique angles. From elsewhere in the office space, views would be largely restricted to those towards and over the rooftops of the Psalter Lane houses. This proposal is an improvement on the existing situation where the windows are clearly glazed in their entirety. Providing Members are minded to approve the application, a condition ensuring these glazing amendments are made should be included in an approval.

Regarding living conditions of all surrounding occupiers, to prevent the commercial uses causing a noise and disturbance impact to existing residents a number of conditions are recommended. These would include a limit of opening hours of the A1/A3 units, limits on delivery times and a requirement for sound attenuation works to restrict noise breakout to acceptable levels.

Overall, it would not be reasonable to refuse the scheme due to impacts on the living conditions of surrounding occupiers.

Amenity of Proposed Residents

In addition to NPPF para 127 and UDP policy H14 section c), Policy H15 (Design of New Housing Developments) within the UDP 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.

The 8no Townhouses provide internal accommodation over 3 floors. The habitable room accommodation would be served by large windows, providing good outlook and ventilation opportunities.

Five of the dwellings face directly towards the east facing elevation of the current workshop building. They would be separated by approximately 8.0metres. The houses would not include habitable rooms in their front portion/s at ground floor level, and the workshop's east elevation is to be made into a green wall. As a result, this relationship would be considered to be acceptable.

The external space comprises roof terraces at the 2nd and 3rd floor levels, totalling approximately 50sqm in area. The townhouses include 4no bedrooms, and these external space provisions would be appropriate.

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

Landscaping/Trees

Policy GE15 (Trees and Woodlands) within the UDP 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.

The woodland immediately to the north and east of the application site is known as Brincliffe Plantation, and is subject to a group Tree Preservation Order (TPO). Toward the east, these trees are on a steep embankment rising above the level of the current car-park. To allow the construction and occupation of the houses, some works to the trees are proposed. Some points to note are:

- coppicing of two groups of sycamores; and
- pruning to shorten branches to clear site.

The site has been visited by the Council's tree officer, and the proposed measures are considered to be acceptable. The trees proposed for coppicing are not considered to be valuable within the overall TPO. Also the extent of the pruning is not considered to be significant. They would allow the construction of the houses and give clear space to ensure the trees avoid an excessive presence when viewed from within the proposed houses.

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

Contamination Issues

The site's former uses have been potentially contaminative impacting the ground. As a result there is a potential risk to human health and/or the environment. As a result the standard suite of conditions dealing with potential land contamination are recommended should Members be minded to approve the application.

Flood Risk and Drainage

The site is allocated as being within Zone 1 in flood risk terms, and therefore categorised as 'Low Risk'. Therefore, the site is not considered to be at significant risk of flooding.

Surface water is proposed to be disposed of via the public combined sewer. Drainage rates will be attenuated to achieve a 30% reduction below current rates. Yorkshire Water and Council drainage officers are satisfied with this approach. Accordingly, should Members be minded to approve the application, this should be subject to appropriate conditions.

Ecology

A Preliminary Ecological Appraisal (PEA) and a Bat Activity Report have been provided with the application. The PEA confirms that the site comprises mainly hardstanding with scattered patches of vegetation and small areas of isolated shrubs, being of low ecological value for flora.

The Bat Report found no bats were using the site or any structures for roosting. A low level of bat foraging and commuting was found. It concluded that the proposed works would result in no impacts on bats.

Overall, it is considered there are no ecological constraints on the proposed development. To ensure that the scheme achieves ecological enhancement and therefore complies with NPPF paragraph 170, conditions requiring agreement of appropriate planting schemes and the addition of 5 bat-boxes on buildings are recommended to be included within any approval.

Community Infrastructure Levy (CIL)

The site is located within two CIL charging zones with a levy of £30 and £80 per square metre.

The funds generated through CIL will be used in connection with strategic infrastructure needs.

RESPONSE TO REPRESENTATIONS

A number of the points raised within the representations received in respect of this application have been addressed in the above assessment. The outstanding points are responded to as follows.

- Loss of privacy to Quarry Lane properties

The proposed townhouses are separated by approximately 45metres from the nearest dwelling at Quarry Lane. The townhouses 3rd floor roof terrace would be at a level approximately equivalent to land level at the end of the Quarry Lane gardens. On this basis, and notwithstanding the presence of Brincliffe Plantation, given the separation distance the proposal would be considered to avoid any detrimental impacts on the privacy of the Quarry Lane properties.

- Retention of turning head in current location would ease impacts on No 16

The turning-head is proposed at the end of the extension to Talmont Road to maximise its benefit to delivery and refuse vehicles servicing the proposed townhouses. It will be able to be used by existing Talmont Road dwellings, but the limited frequency of this use would avoid any disturbance.

- Roof terraces will lead to noise impacts

Any noise generated at the terrace would be of a domestic level and would not be considered sufficient to warrant the refusal of the scheme.

- Current parking situation is difficult, and situation is not helped by poor enforcement.

The scheme is concluded to not lead to any overspill car parking. The enforcement of parking restrictions is not a planning matter.

- Concerns vehicles will cut through between commercial and residential parts of the site.

There is no scope within the scheme for vehicles to move between the commercial and residential parts of the site.

- Traffic levels have increased since 2010 and bus services have decreased (2010 seems to be a base year for the studies).

The Transport Assessment considers the proposal's net impacts. However, for context it also gives the movements stated as arising from the 2010 scheme and

provides some comparison of the current scheme against the movements associated with the 2010 approval and the car garage.

- Excessive rain and proximity of houses to embankment will lead to drainage issues, and potentially cause land slippage.

Any run-off from the wooded embankment will be collected and/or managed and won't cause any issues at the housing. Whilst some coppicing of trees is proposed, this would not undermine the embankment.

- Residents should be consulted about hazards and nuisance during the construction phase, with conditions applied to minimise impacts.

Conditions restricting timings of construction works hours and requiring agreement of delivery/construction traffic are recommended.

- Query how long construction process will take.

There is no power within the planning process to control the length of the construction process.

- Not all neighbours have received written notification. Inadequate consultation with neighbourhood.

Direct neighbour notification to 50 separate addresses has been full in accordance with the Statement of Community Involvement.

- Notices are either very low-key or have been removed.

Standard site notices were erected. Also further notices were erected in connection with the amended drawings.

- Proposal drawings include land registered to a neighbour, and proposed works to a wall owned by neighbour.

This issue has been satisfactorily clarified via amended / additional drawings.

- Drawings show insufficient context.

A street scene drawing showing the proposed townhouses and No 16 Talmont Road was provided with the application.

- Design and Access Statement suggests a pedestrian route from Psalter Lane to Talmont Road. This does not exist.

Whilst there is access into the woodland from Psalter Lane, no route through to Talmont Road exists.

- Proximity of townhouses to No16's open fire chimney.

The townhouses proximity to the open fire chimney would not represent a planning consideration.

- Land Registry deeds appear to allow Talmont Road to be extended for the construction of similar dwellings.

Restrictive covenants are not material planning issues.

- Any path / thoroughfare would lessen security of neighbouring houses.

The scheme doesn't include any proposal to form a connection from the townhouses to Psalter Lane, via the woodland.

SUMMARY AND RECOMMENDATION

The planning application is for the change of use of the showroom and workshop buildings previously associated to a car dealership, to provide two commercial units (A1/A3), a gym (D2), and office space (B1). 8 townhouses are also proposed.

The land uses proposed are either preferred or acceptable in UDP policy terms and following assessment of alternative, available locations for the main town centre uses, comply with the aims of the NPPF.

The scheme makes a small but welcome contribution towards housing supply in the city and complies with the aims of policy CS24, and the NPPF of prioritising development of previously developed land.

The proposed alterations to the existing buildings are considered to be acceptable. The townhouses are considered to be well designed, and to represent a distinct response to the location against the backdrop of the tree covered ridge-line. The contemporary approach is considered to be acceptable.

It has been demonstrated that the impact on the local highway network regarding highway safety, capacity and car parking could not be regarded as severe, which is the defined test of acceptability within the National Planning Policy Framework.

Given separation distances and the proposed screening and obscuring of openings, the proposals would have an acceptable impact on the amenities of neighbouring occupiers with regards to privacy, dominance and shadowing. With noise attenuation measures, car park management, and controls over opening/delivery times the proposal would not lead to detrimental impacts upon neighbouring occupiers.

The proposed alterations and new buildings would achieve 10% of energy from renewable sources, or by a fabric first approach. Certain parking spaces are reserved for low emission vehicles.

Future occupiers will be provided with acceptable living conditions, and the surrounding trees and landscaping would not be undermined.

Overall, the proposals are considered to be acceptable and the scheme is recommended for conditional approval.

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