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Case Number	18/03851/FUL (Formerly PP-07319519)
Application Type	Full Planning Application
Proposal	Erection of 113 dwellings including site enabling works, public open space, hard and soft landscaping, highway infrastructure, parking and the stopping up of adopted highway at Starling Mead, Partridge View and Wren Bank
Location	Land Between Skye Edge Road And Skye Edge Avenue Sheffield
Date Received	12/10/2018
Team	City Centre and East
Applicant/Agent	Mr James Litherland
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:

Planning Layout 18042-01 rev K

Site Sections 18042-04

Bin/Cycle stores 18042-06 rev B

Highways Stopping Up Plan YK5616-104 Rev A and as amended by email dated 30.01.2019

Level Access Route rationale 18042-08 rev B

Type A - Grey Facing Brick	A3	1:100	18042_HT_01
Type A - Red Facing Brick	A3	1:100	18042_HT_02
Type C1 - Grey Facing Brick	A3	1:100	18042_HT_03
Type C1 - Red Facing Brick	A3	1:100	18042_HT_04
Type C2 - Grey Facing Brick	A3	1:100	18042_HT_05

Type C2 - Red Facing Brick	A3	1:100	18042_HT_06
Type E - Grey Facing Brick	A3	1:100	18042_HT_07
Type E - Red Facing Brick	A3	1:100	18042_HT_08
Type F - Grey Facing Brick	A3	1:100	18042_HT_09
Type F - Red Facing Brick	A3	1:100	18042_HT_10
Type G - Grey Facing Brick	A3	1:100	18042_HT_11
Type H1 - Grey Facing Brick	A3	1:100	18042_HT_12
Type H1 - Red Facing Brick	A3	1:100	18042_HT_13
Type H2 - Grey Facing Brick	A3	1:100	18042_HT_14
Type H2 - Red Facing Brick	A3	1:100	18042_HT_15
House Type F - Front Elevation (showing rain water pipes)	A3	1:50	18042 F-(05)-01
House Type G - Front Elevation (showing rain water pipes)	A3	1:50	18042 G-(05)-01
Window Reveal Detail	A3	1:5	10842-sk01

Biodiversity Management Plan

Revised Highways Drainage Layout

Geo-environmental Appraisal: Land at Skye Edge, Sheffield, ref: 2845/1, dated October 2017 (Lithos)

Specification for the stabilisation of shallow mine workings and associated mine entries rev 4 (Sirius)

Reason: In order to define the permission.

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

3. 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.

4. No development shall commence until full details of measures to protect the existing trees and shrubs to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 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.

5. Prior to commencement of development, including any works of demolition, details shall be submitted to and approved by the Local Planning Authority specifying measures to monitor and control the emission of dust during construction works. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

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. 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.

8. No development shall commence unless the intrusive site investigation works described in the coal mining risk assessment, produced by Sirius, or an updated coal mining risk assessment to be first agreed in writing by the Coal Authority, have been carried out as recommended, as well as the recommendations of the Geo-Environmental Site Investigation prepared by Lithos (Oct 2017) and a report of the findings arising from the intrusive site investigations is submitted to and approved in writing by the Local Planning Authority. Where the investigations indicate that remedial works are required, a validation report setting out the remedial works undertaken on site, in respect of coal mining legacy issues, once completed, shall be submitted to and approved in writing by the Local Planning Authority before the occupation of the dwellings.

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

9. 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.

10. 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)**

11. Prior to the commencement of any foundation works, full details of public access into and through the site at key access points shall be submitted to and approved in writing by the Local Planning Authority, and such approved access shall be provided and retained for the lifetime of the development. At no time shall these access points be restricted.

Reason: In order to ensure public access remains through the site and to the adjoining public open space.

12. No dwelling shall be occupied unless its associated cycle parking accommodation as shown on the approved plans has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

13. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a revised Travel Plan which consolidates the information provided in the supporting submission 'Skye Edge - consolidated parking Note 07.01.19' shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and 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 the Core Strategy.

14. No dwelling shall be occupied unless its associated car parking accommodation as shown on the approved plans has been provided in accordance with the approved 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.

15. Prior to their installation, full details of the artist designed bollards shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure inclusive access around the site.

16. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

17. Details of the location, specification and appearance of all new services to the dwellings (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason: In order to protect the character of the original building.

18. Notwithstanding the details submitted no above ground works shall commence until an amended Landscape and Ecological Management Plan, which includes short,

medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

Reason: In the interests of protecting the biodiversity of the site.

19. Notwithstanding the details submitted 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. The details shall also include full details of the play equipment/trim trail and furniture to be provided within the open space areas. The open space areas, including any equipment or furniture provided, shown on the plans shall be provided, retained and maintained for the lifetime of the development.

Reason: In the interests of the visual amenities of the locality and the provision of open space for the benefit of existing and future occupiers within the immediate area.

20. 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.

21. 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.

22. 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.

23. 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:

Doors

Windows

Brickwork Detailing

Capping/Roof parapet details

Eaves, verges and ridges

Dormer Windows

Balustrading to roof terraces

Gates

Rainwater Goods

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

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

24. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

25. Notwithstanding the details on the submitted plans details of all boundary treatments, including gates, 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 and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such boundary treatments shall be retained.

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

26. 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.

27. Prior the commencement of the foundations for the dwellings, final details of the land levels (inc. finished floor levels) for the new dwellings, shown in the context of existing dwellings shall be submitted to and approved in writing by the local planning authority.

Reason: In order to define the permission.

28. Surface water run-off from hard standing (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 49 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and protect the public sewer network.

29. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to the means of restricting the discharge to public sewer to a maximum of 11 litres up to and including 1 in 100 year storm events.

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

30. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access within the development site, shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be occupied unless such inclusive access has been provided in accordance with the approved plans. Thereafter such inclusive access shall be retained. (Reference should also be made to the Code of Practice BS8300).

Reason: To ensure ease of access and facilities for disabled persons at all times.

31. Before the commencement of any foundation works, a detailed Employment and Training Strategy, designed to maximise local opportunities for employment from the construction of the development shall have been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

32. 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 noise survey ref 12356.01.v4 dated 1018).
  - 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.

### **Other Compliance Conditions**

33. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

34. 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.



35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the elevations of the properties hereby permitted without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property and the visual amenity of the properties and streetscene.

36. 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 (variable) shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of the curtilage.

Attention is Drawn to the Following Directives:

1. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6301 or 273 6125  
Email: [highwayrecords@sheffield.gov.uk](mailto:highwayrecords@sheffield.gov.uk)

2. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

Mr S Turner  
Highway Adoptions  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield

S1 2SH

Tel: (0114) 273 4383

Email: [stephen.turner@sheffield.gov.uk](mailto:stephen.turner@sheffield.gov.uk)

3. 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](mailto:james.burdett@sheffield.gov.uk)

4. 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

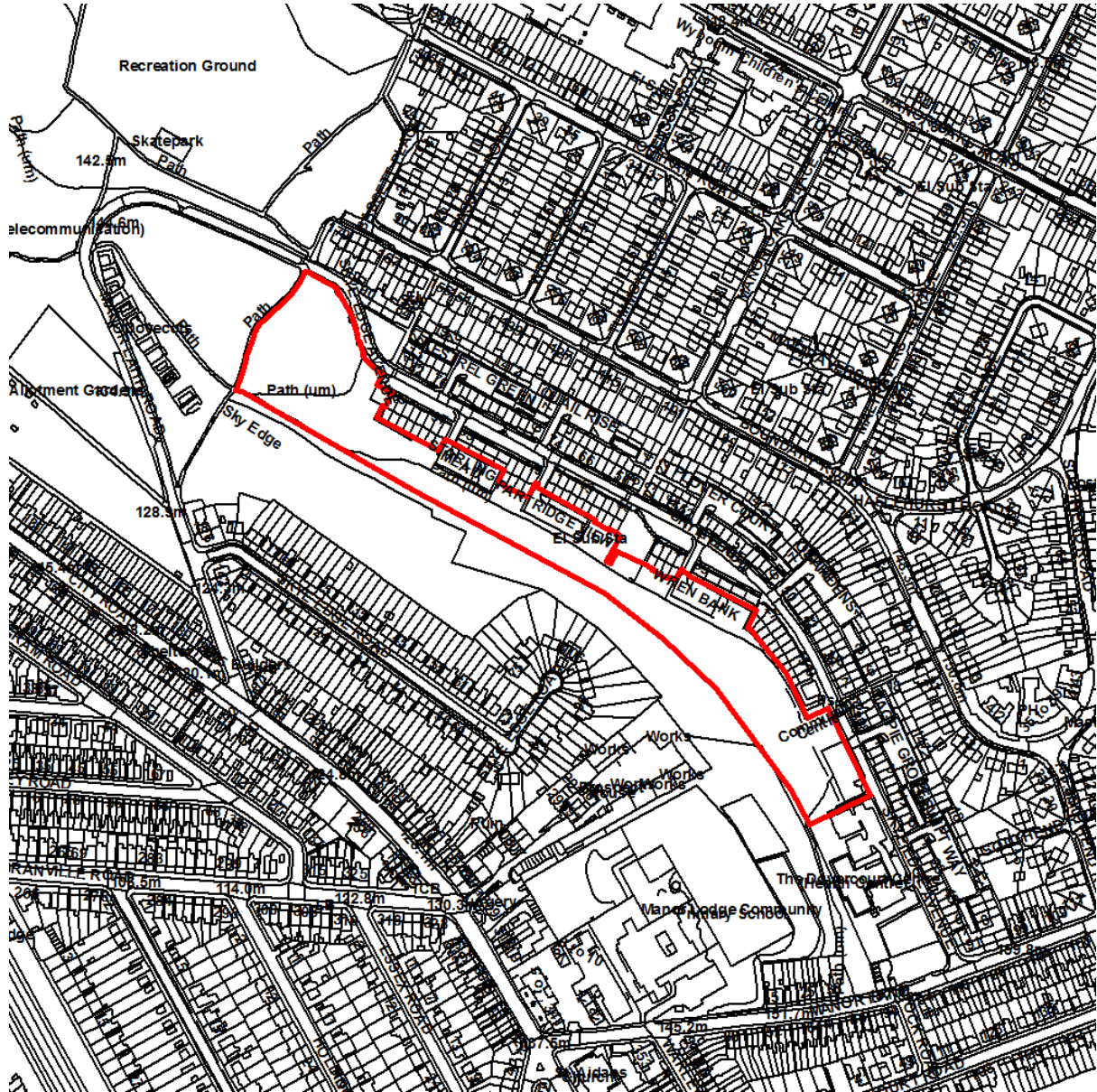
Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

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. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [epsadmin@sheffield.gov.uk](mailto:epsadmin@sheffield.gov.uk).
7. 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.

8. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

# Site Location



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## INTRODUCTION

Members will recall that at the 19 February Planning and Highways Committee, this application was deferred for a site visit, due to concerns regarding parking provision and public access through the site.

To aid in the consideration of these issues additional information is provided below.

As part of the application a parking assessment was undertaken, which considers the use of the four existing parking courts together with the parking on the immediately adjacent highway, Skye Edge Avenue.

The parking courts and highway were monitored for the purposes of a parking assessment on Thursday 20 March 2018 (11:00-20:00, Wednesday 21 March 2018 (17:00-20:00 hours), Thursday 22 March 2018 (17:00-20:00) and Saturday 24 March 2018 (11:00-14:00).

### Parking Courts

The survey results can be seen in the table below, extracted from the Transport Statement. The table shows the maximum number of vehicles parked at the survey times and also includes in each case the parking accumulation on the access road leading to the parking court.

Table 3.4 – Parking court survey results				
Date and Time	Parking Court			
	1	2	3	4
	Maximum no. of vehicles parked*			
Tuesday 20 <sup>th</sup> March 11:00 – 14:00	4	4 (4)	4	1
Tuesday 20 <sup>th</sup> March 17:00 – 20:00	9 (3)	4 (4)	3	0
Wednesday 21 <sup>st</sup> March 17:00 – 20:00	5 (2)	3 (3)	3	1
Thursday 22 <sup>nd</sup> March 17:00 – 20:00	5 (2)	5 (4)	3	2
Saturday 24 <sup>th</sup> March 11:00 – 14:00	7 (2)	4 (4)	2	0

\*Figures in brackets represent the number of vehicles parked along the short links between Skye Edge Avenue and the parking courts (included in the total maximum figure stated)

The table clearly shows that parking courts 1 (Starling Mead) and 2 (Partridge View) were the most well used parking courts, but that a significant proportion of these cars were parked on the access roads leading to the courts rather than in the courts themselves. Whilst there will be a partial stopping up of the area of adopted highway adjacent to the parking court, where the gates will restrict access, the access roads to them will remain as adopted highway. Whilst parking on the access roads is not

encouraged, this would remain as an opportunity for existing residents, subject to no parking restrictions being implemented in the future. Nevertheless, the survey figures indicate there will be sufficient opportunities for existing residents to park on Skye Edge Avenue to mean that this is not necessary.

### Skye Edge Avenue

For the purposes of the parking assessment the highway was divided into 6 zones (labelled A-F and noted on Figure 8 of the Transport Assessment) and allowed for parking to both sides of the highway. Your officers recognise however that it is not feasible for parking to occur to both sides of the highway, as this would result in a highway obstruction. In assessing the availability of on street parking, zones B, D and F in the assessment have been discounted.

The data in respect of the availability of on-street parking (and shown in Table 3.5 of the Transport Statement) shows that even at peak times for parking within the parking courts, there was more than sufficient on street parking available to be able to absorb the cars that would typically be displaced from the parking courts (and indeed the access roads to them).

For example, on Tuesday 20 March at 18:30 when there were 16 spaces occupied across the 4 parking courts, there were 31 spaces available on Skye Edge Avenue within zones A, C and E. This pattern is replicated on the other survey days, with 32 available spaces versus a demand of 10 spaces on Wednesday 21 March at 18:00hrs; 31 available spaces versus a demand of 10 spaces on Thursday 22 March at 18:30 hours; and 29 available spaces versus a demand for 13 spaces at 12:00 hours on Saturday 24 March.

The information submitted clearly shows that there is sufficient accommodation on Skye Edge Avenue to accommodate any displaced parking provision, when compared against the existing usage of the parking courts and access roads for parking.

Your officers reiterate therefore that the proposal is considered to be acceptable in terms of parking provision and the impact upon the local highway network.

### Retention of Access through the Site

Whilst the application proposes some stopping up of adopted highway, there will remain public access into the site via the new highway and pedestrian routes proposed, and there will still remain some adopted highway at the Southern end of the site serving plots 75 to 97. This will also facilitate access to the play area adjacent to this highway.

In order to secure the future access of the site, an additional condition has been recommended and agreed with the applicant.

### LOCATION AND PROPOSAL

The application relates to a previously developed parcel of land, approximately 2.5ha in size. The land is located to the south of Skye Edge Avenue, which is to the east of Sheffield city centre.

The site was formerly occupied by housing, demolished in 2006, and has subsequently been used as informal open space. The land is now grassed and there are a number of trees on site. There also remains evidence of the former use for housing in the form of parking courts, retaining walls and access paths.

The site is designated within the Sheffield Unitary Development partly as a Housing area and partly as an area of Open Space.

The immediate context to the site is housing on Skye Edge Avenue, comprising both bungalows and two storey terraced and semi-detached properties, and beyond this to the North/North East of Skye Edge Avenue is further housing. The south/south western boundary of the site comprises open space, which is predominantly mature trees and shrubs and here the land drops away significantly leading to more residential properties to Skye Edge Road and a trading estate to City Road. To the west of the site boundary is more open space, adjacent to Manor Laith Road, where there are also a number of allotment plots. To the south eastern boundary is a medical practice and associated parking area.

There is pedestrian access to the site via Manor Laith Road, in the form of stepped access and through existing access points from Skye Edge Avenue including through the parking courts.

This application seeks consent for the erection of 113 dwelling-houses and associated works which includes site enabling works such as drilling and grouting, to allow development to proceed. A number of works associated with the new residential development are also proposed including open space, hard and soft landscaping and new highway infrastructure and parking. As part of this application consent is also sought for the stopping up of adopted highway at Starling Mead, Partridge View and Wren Bank.

## RELEVANT PLANNING HISTORY

There is no relevant planning history.

## SUMMARY OF REPRESENTATIONS

There have been letters of representation from 6 properties regarding this application.

The following comments have been made:

- There is insufficient parking provision already, and the proposed development will result in new householders parking in the parking courts where residents currently park and which are also used by people with disabilities.
- The development will result in the loss of a green area and wildlife.

- The building works will result in disturbance for residents including babies.
- The development will result in increased traffic from workmen and increased pressure for parking.
- The development process will result in dust and debris.
- The development will result in a loss of privacy with the new builds facing over the garden areas and into bedrooms.
- Putting up a fence will result in a loss of light to the garden.
- The development is selfish and does not take into account the impact upon existing residents.
- The proposal will result in the devaluation of property.
- The proposal will result in a loss of view.
- There is a lot of wildlife in the Green Belt that will have nowhere to go as a result of the development.
- The visual impact of the proposed development is unacceptable.
- The noise pollution is unacceptable.
- The green space is currently used by children and families to play, learn to ride bikes and socialise - so the destruction of this green zone is unacceptable.
- The development will affect residential amenity of neighbours by noise, disturbance, overlooking, loss of privacy and overshadowing.
- The proposal is of an unacceptably high density and results in the overdevelopment of the site. It also results in the loss of garden land and the open aspect. It is garden grabbing.
- The development will affect the character of the neighbourhood.
- The development is over bearing, out of scale and out of character in terms of its appearance compared with existing development in the vicinity.
- The development will adversely affect highway safety and the convenience of other road users.
- A disabled resident is concerned about the availability of parking, as currently the rear car park is used, as there are parking problems to the front of the bungalows on Skye Edge Avenue. It is queried what the provision will be for elderly residents who reside in Starling Mead and who drive?



- The majority of residents facing these new houses are elderly and don't want this disruption in their lives.
- The previous flats (now demolished) resulted in a loss of sunlight and antisocial behaviour.
- The open space is a peaceful place for residents and there must be better places for houses to be built.
- Existing residents who have electric cars need to charge their car and it is parked directly in front of their house – will there be allocated parking spaces available, and will there be enough for everyone?
- There is support for the development and the hope that increased presence will deter fly tippers and that tenants will be managed well.
- Skye Edge is an asset and the Council should use this development opportunity to improve the wider area if they can do so by working with the developer.
- The comments made by the developer at the public consultation do not match what is stated in the documents in respect of parking provision, for example.
- The area is not convenient for shops and it is necessary to travel to Manor or town for a supermarket. Whilst some journeys will be made on foot or bus, it is likely that residents will need at least one car to get about.
- Skye Edge is already a chicane for buses due to second car ownership by existing residents and it is likely that second car ownership from new residents will add to the problem.
- At the public consultation event the developers referred to improving the local environment outside the development plot. Can the Council pin them down on this, as there is no specific mention online.
- It is understood that the land purchase agreement with the Council allows buyback with no penalty if development does not go ahead and if the Committee feels that the application is not right other developers would be interested in this prime opportunity.
- The proposed plans will overpopulate the area and create extra traffic on a road that is already potentially dangerous.
- The proposed houses are not in keeping and resemble 'crammed cardboard boxes' which would blight the view.
- The council has suggested that the site is suitable for 85 dwellings but 113 dwellings exceeds that amount and with 1.6metre screen fencing and lockable

gates to parking areas it would feel like a separate community that it's kept away from locals.

- The development will result in the loss of the only safe green space for children to play in an area affected by violent crime and add extra pressure on already stretched local services which will face problems given other recent new builds, such as at Seaton Crescent.
- A query is made as to whether it is worth submitting comments as there are workmen digging holes who said that it is for the new houses but as there has been no decision it is not understood why this work is being carried out.

A representation has been made by Sheffield Wildlife Trust who have commented that:

Whilst not objecting to this development in principle, robust precautions must be put in place to ensure that the adjacent Skye Edge Local Wildlife Site is robustly protected from any pollutants or excess surface water run-off during the construction phase. In particular:

- It is requested that further consideration be given to SuDS
- It is also requested that a buffer zone for the LWS is put in place with appropriate protection measures.
- It is requested that an area of natural green corridor is retained within the development layout to allow continued movement of wildlife and for a funded management plan to be established for the site, potentially through CIL funding, section 106 and/or an annual levy from householders.
- The developer should provide significant investment for high quality ecological enhancements that will deliver biodiversity net gain for the site.
- The wildlife trust agree with the ecology report's recommendations for habitat creation to the north west and south west boundaries of Skye Edge LWS, including native wildflower species and for a natural hedgerow to provide a natural buffer but make some suggestions for further amendments.
- Further surveys are also suggested as the survey period was carried out in a sub-optimal period, and any vegetation clearance should take place outside of the breeding bird season.
- The provision of bird and bat boxes as suggested in the ecology report is also supported.

PLANNING ASSESSMENT

## Principle of Development and Housing Supply

The National Planning Policy Framework (2018) sets out the Government's aims and objectives for the planning system with the purpose of the planning system being to contribute to the achievement of sustainable development.

The principle of developing the area of land which is designated as Housing land in the Unitary Development Plan for residential development is acceptable and is in accordance with the aims of Policy H10 of the Unitary Development Plan, which sets out that housing is the preferred use in Housing Areas.

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement with an additional 5% buffer. The development will contribute positively towards the Council's need for a 5 year housing land supply.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

## Principle of Development and Loss of Open Space

Part of the site is also located on land designated as Open Space in the adopted Unitary Development Plan.

Policy CS45 of the adopted Core Strategy requires that the safeguarding and improvement of open space takes priority over the creation of new areas, whilst Policy CS47 sets out in what circumstances development of open space will not be permitted where, including where it would result in a quantitative shortage; the open space is high quality; it would deny local people access to open space; and it would cause a break in the Green Network.

Policy CS47 goes on to states that the loss of open space will only be permitted where replacement open space would be provided in the local area; or the site is identified as surplus for its current open space function

The proposed development will result in a loss of 2 hectares of open space. An open space assessment has been undertaken which shows that even with the loss of 2ha of open space, there would be sufficient informal open space within the local area at 4.75ha per 1000 population within the local area, which compares well against the target provision of 2.70ha per 1000 population. The 2017 Open Space study notes that the open space in question is of poor quality. It is acknowledged that there is a shortage of outdoor sports provision within the local area. This location is however not identified as suitable for new outdoor sports provision.

It is noted from the representations received that the proposal will result in the loss of a well-used area. However, the principle of development on the open space is long established - indeed the site was formerly occupied by housing and has for many years been earmarked for new housing development. Opportunities for play and outdoor activity have been included, with naturalistic play equipment and ground mounding for informal play and seating. Overall, this is considered of be a benefit of the development and will help ensure that the revised area of amenity greenspace proposed as part of the new development is well used.

The site is adjacent to a wildlife site and areas of green space will remain, it is not therefore considered that the proposal will result in an unacceptable break in the green network

Having regard to the above, it is concluded that the principle of development on this parcel of land is acceptable and in compliance with the aims of adopted open space policy.

#### Housing Density

Policy CS26 requires housing developments to make efficient use of land, but that the density of new development should be in keeping with the character of the area and support the development of sustainable, balanced communities. Development near to Supertram stops and high frequency bus routes in the urban areas - which is the location of the subject site - is expected to achieve a density of 40 to 60 dwellings per hectare. The 113 units in the current proposal represents a density of 46 dwellings per hectare, which is in line with this policy.

#### Mixed Communities

Policy CS41 seeks to promote mixed communities through the encouragement of the development of housing to meet a range of housing needs including a mix of prices, sizes, types and tenures and the requirement of a greater mix of housing in other locations, including homes for larger households, especially families. No more than half of new homes in large developments should consist of a single house type.

The proposed housing mix for the Skye Edge site will see the provision of 113 dwellings, comprising 69 x 3 bedroom dwellings and 44 x 4 bed dwellings. There will be six house types - 3 per dwelling size - including townhouses and back to back properties. These are spread across the site.

The mix is considered to be appropriate in terms of creating a mixed community and consistent with the expectations of Policy CS41.

#### Affordable Housing

Policy CS40 states that developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and viable.

The Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) guidance GAH1 advises that a contribution to affordable housing will be sought on all new housing developments with capacity for 15 or more dwellings.

The site is located within the Manor/Arbourthorne/Gleadless Housing Market Area where the contribution towards affordable housing is nil. No affordable housing is required as part of this application.

### Design, Layout and Accessibility

The NPPF recognises the value of good design and this is set out in paragraphs 91, 124 and 127. Paragraph 127 in particular states that new development should function well and add to the overall quality of the area, maintaining a strong sense of place.

The aims of the NPPF in respect of design and accessibility are also supported by policy CS74 'Design Principles' of the Core Strategy which sets out 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 and should also contribute to place-making, be of a high quality, that contributes to a healthy, safe and sustainable environment, that promotes the city's transformation.

Unitary Development Plan policy H15 also requires good design of new housing developments including easy access for all; adequate amenity space and good daylighting and outlook; uniform boundary features; and the provision of pedestrian access to adjacent countryside where it would link with existing public open space or a footpath.

Policy BE5 of the UDP also states that good design and the use of high quality materials will be expected in all new and refurbished buildings and that proposed development should complement the existing built form, human scale and architecture.

### Layout

The linear nature of the subject site means that the format of development has been relatively constrained. The prominent skyline location of the site also means that the design of the development and its impact upon long range views from across the City has been a key design consideration. Also key to the site's development has been the provision of sufficient off street parking, the provision of routes through from Skye Edge Avenue in order to maintain connectivity through the site and the provision of ancillary open space and landscaping for the benefit of both existing and future residents of the site.

To the west of site will be two blocks of back to back houses, with mews houses along the crest of the ridge leading to a further block of back to back properties at the eastern end of the site. This arrangement of properties is considered to be acceptable in principle. The layout results in outward facing blocks which take

advantage of the expansive views from the site, screen the existing parking courts and maximise the opportunities for rear gardens which back onto one another. This layout also creates an openness that is intended to engage with the open space and this will, in part, be achieved through the creation of a promenade element, which will be occupied by Mews housing. The promenade is a strong design concept and has been included to help develop the overall identity and cohesion of the site. Indeed, it is hoped that this will be a well-used and overlooked open space which will become a safer and more desirable area.

The back to back housing is also proposed to create a setting and focal point for development at the corner of the site, but it is acknowledged that this has the potential to create a relatively car dominated environment. Whilst this is not desirable in principle, this concern has had to be balanced against the competing highway demands of needing to provide sufficient parking. The provision of trees and landscaping has been utilised to try and minimise the impact of the car parking which is welcomed, but it is not considered that the further loss of parking to landscaping could be reasonably justified. Ultimately, given the need to balance issues, the impact of the car parking and layout to this area of the site is considered to be acceptable in design terms.

#### House Type Design

The prominent position of the site on the skyline means that through the design process there has been a concern that the use of a continuous ridgeline would appear as overly stark and oppressive, particularly when contrasted with the undulating profile of the vegetation. The outcome of the design development is a now a scheme which introduces sufficient variation in rooflines through the introduction of gables and flat roofs to sufficiently break up the form of the terraces. Roof terraces overlooking the public open space will also be utilised to a number of the properties which will break up the elevations further. The back to back dwellings will combine 2 and 3 storey elements to create further variation.

All the properties will be constructed in brick, with decorative brickwork features to break up the elevations. The openings are well proportioned for the elevations with suitably deep reveals. The overall elevations are relatively simplistic, which is considered to be a positive design feature. The proposed new dwellings are considered to be appropriate to the local context.

In order to ensure the appropriate quality of development, it is however, necessary that the detailing that is proposed and the quality of materials is high. This is secured by conditions.

#### Site Wide Infrastructure

A variety of boundary treatments are proposed across the site, and are to be utilised to define public and private space – particularly where this abuts with open space and the promenade. Similarly parking courts and access paths will also be gated in order to provide security for the site. It is considered that there are some further revisions to this which are required in order to fully balance the need for boundaries

against the design quality of the development. These details are secured by condition.

The South Yorkshire Police Architectural liaison officer has also commented on the scheme from a security perspective and has advised that the proposal is acceptable in principle.

In terms of the accessibility through the site, there are some existing topographical constraints to achieving full level access throughout the site. The nature of the parking courts mean that there will need to be a short walk to access the properties and similarly bin storage facilities - particularly those that are located on the promenade. There will be three plots (51, 52 and 53) which will not have level access and will be served by existing steps. There are also some points where there are steps to the access and parking courts and it is simply not feasible to design all of these out. There are also areas of shared surfaces across the site, where segregated pedestrian access will not be provided. The overall accessibility of the environment, in consideration of the existing topographical and development constraints of the scheme, is considered to be acceptable in principle however subject to the final details being secured by condition.

In light of the above, the overall design and layout of the development is concluded to meet the aims of paragraphs 94, 124 and 127 of the NPPF, Policy CS74 of the Core Strategy and H15 of the UDP.

#### Residential Amenity - Existing and Future Occupiers

The proposed dwellings will back onto a mix of bungalows and two storey dwellings. Therefore, there exists the potential for overbearing, particularly as the proposed new dwellings will be set at a higher level than the existing properties.

#### Overbearing Issues

The Council's guidance recommends that a distance of at least 21 metres should be achieved between the main window facing elevations of two storey properties in order to ensure that no unreasonable overbearing occurs. The submitted plans indicate that in some areas of the site there will be existing bungalows facing new 3 and 2.5 storey properties, in locations where there will be a level difference between existing and proposed properties. Following assessment and the submission of cross-sections to demonstrate the relationship, it is considered to be acceptable because the proposed separation distance will be approximately 29 metres.

In terms of the relationship between the existing two storey dwellings and the proposed new dwellings, the proposed separation distances vary. For example, there is a distance of approximately 17.5 metres between No.9 Skye Edge Avenue and Plot 91, and 33 metres between No.61 Skye Edge Avenue and plot 65. Whilst there are clearly some variances in the separation distance which are in some cases below the recommended 21 metres, in taking into account the cross sections supplied, the character of the site and the wider area and its previously developed nature, together with the wider benefits of this development, it is not considered that the slightly adverse impact for some existing residents that is created by the

development would be such that the refusal of planning permission could be reasonably justified on this basis.

### Overlooking Issues

In terms of the potential for loss of privacy, it is accepted that a distance of around 21 metres is desirable to reduce the potential for loss of privacy. There are some plots where this is not achievable. Instead the designs of the house types seek to minimise the impact in order to provide an acceptable relationship.

For example, the rear elevation of House Type A, which is the dwelling type positioned at a reduced distance facing these existing properties, has been designed with only two windows to the rear elevation comprising of french doors /windows to the ground floor kitchen/dining area and a window serving the 3<sup>rd</sup> bedroom at first floor level. Furthermore, the ground floor windows will be screened by boundary treatments. The upper floor bedroom window will have a view to the properties beyond but this is not an unusual relationship and it is considered that the impact on privacy is not so severe as justify a refusal on this basis.

In terms of those proposed properties which do not directly face existing properties, it is considered that the relationship between the existing dwellings is acceptable because they are positioned a sufficient distance away to not result in any direct impact.

### Amenity Provision

The amenity offer of the proposed dwellings for future occupiers is considered to be acceptable. The main habitable rooms have sources of natural light and outlook, with well-proportioned openings.

Positively, all the properties will have external amenity space and the sizes vary. The back to back properties have the smallest spaces and these consist of yard areas to the front of the dwellings. Whilst this design of a back to back property with yard area is not typical for Sheffield, it is also recognised that there are many people who do not wish to maintain a garden, and that this provides a different residential offer whilst not resulting in any identifiable harm to amenity.

Officers are also mindful that there are viability issues associated with the site and that there is a necessity to provide the number of units to make the development viable on what is a previously developed site. It is not therefore considered reasonable to require the removal of the back to back units simply on the grounds of lack of amenity space when there is no identifiable harm to existing residents and the benefits / dis-benefits of the limited space on offer will be a choice for future residents. It is also noted that this is just one House Type proposed and that there are other dwellings with varying curtilage sizes provided elsewhere within this development.

In light of the above, it is concluded that the amenity implications of the development for both existing and future occupiers of the site are acceptable and compliant with the aims and expectations of Policy H14.



## Highways, Parking and Cycling

Paragraph 108 of the Framework states that in assessing development applications sustainable transport modes should be promoted and it should be ensured that safe and suitable access to the site can be achieved for all users. Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree.

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

The application is supported by a Transport Statement and Travel Plan and further information has been submitted during the course of the application which deals with the impact of the proposed development on the surrounding highway network, assesses the proposed access and vehicle movements through the site and the mechanisms in place, through the operation and management of the site, to encourage sustainable modes of travel.

Core Strategy policy CS53: Management of Demand for Travel sets out that increasing demand for travel will be managed through a number of measures.

The maximum parking standards for this type of development (C3) are set out in Information Sheet 3: Car Parking Guidelines which states that for dwellings of 2-3 bedrooms, 2 car parking spaces should be provided per dwelling and for 4-5 bedroom dwellings, 2-3 spaces per dwelling should be provided. Visitor parking would expect to be 1 space per 4 units.

Policy BE9 of the Unitary Development Plan requires that new developments should provide a safe, efficient and environmentally acceptable layout for all vehicles (including cycles) and pedestrians and Policy BE10 sets out a number of aims for the design and environmental improvement of streets and pedestrian routes. Policy T22 requires developers to make provision for sufficient off-street parking to meet the needs of their development.

The development proposes 5 points of access, which includes existing access points to Starling Mead, Partridge View and Wren Bank, a widened junction and a new junction to link with the internal loop road. These accesses are considered to be acceptable in principle.

An assessment has been made of car ownership data within the area, based on census data. This sets out that it is anticipated that potential parking demand would equate to 136 spaces - but it is accepted that the output area was predominantly 1 and 2 bedroom dwellings and therefore, accounting for an uplift based on the current application being for 3 and 4 bedroom properties, 188 spaces are proposed.

It is acknowledged that based on council parking standards, the parking provision could be up to 299 spaces, but this does not reflect the assessment based on census data.

The 188 parking spaces proposed equates to the 44 x 4 bedroom dwellings having two allocated parking spaces per dwelling and the 69 x 3 bedroom dwellings having one allocated parking space per dwelling. In addition there will be a managed pool of 23 spaces which could be let to either three bedroom properties, or if unallocated, used for additional vehicle parking. 8 visitor parking spaces are also proposed. The parking spaces will be provided either in gated parking courts or within curtilage.

In order to minimise the on-site parking demand for residents the following package of measures is proposed – a Place First reservation Agreement, the imposition of a travel plan and a monitor and manage approach to parking post completion. The intention of the reservation agreement is that all residents agree and sign a reservation agreement prior to moving in and signing a formal tenancy agreement. It is intended that at Skye Edge the reservation agreement would outline exactly what on-site parking would be available to residents. Potential occupiers of four bedroom dwellings will be advised that they have two allocated spaces whilst potential three bedroom property occupiers will be advised that they have only one space and that if they have a requirement for an additional space they can secure a further space by an additional fee until the pool allocation of 23 spaces is exhausted. Place First have also submitted draft wording within the reservation agreement which will advise that residents should avoid parking on Skye Edge Avenue and surrounding roads and that regular monitoring of parking will be undertaken by Place First and if on street parking is identified then measures will be put in place to restrict this.

It is noted that a number of representations refer to the loss of the parking courts and the existing parking problems on Skye Edge Avenue. Having considered the parking provision on site as part of the proposed development scheme, the car ownership levels within the area and the generally sustainable location of the site it is considered that the parking provision proposed as part of the development is appropriate and that there will still be sufficient on street parking for existing residents on Skye Edge Avenue.

Officers have taken an 'on balance' view and concluded that parking provision based upon census data is a reasonable approach and that when combined with other measures proposed to mitigate parking, as detailed above, that the proposed parking provision on site is considered to be acceptable in this location.

The site is located within walking distance of a bus stop and is relatively close to city centre facilities and the Supertram and railway network.

Paragraph 110 of the Framework provides that applications should give priority first to pedestrian and cycle movements and second facilitate access to high quality public transport services and facilities that encourage public transport use.

The layout of the site responds to the aims of the NPPF with a number of pedestrian routes through the site from Skye Edge Avenue to encourage both journeys on foot and interaction between the site and the surrounding area. The 'promenade' to the

front of the site will also be pedestrian access only for a short stretch of this, which will also serve to improve the quality of this space. Parking provision within the site has also been designed to be a suitable mix of communal parking areas, which will be gated and in curtilage parking in order to minimise the potential for pedestrian and vehicle conflicts.

Ultimately, the highways impact of the development combined with the level of parking provision is considered to be acceptable in light of the aims and guidance contained within national policy as the implications are not considered to be so severe as to justify the refusal of planning permission. The proposal is also considered to accord with the aims of the Core Strategy and Unitary Development Plan.

Land Enabling Works – including Coal Authority comments

The NPPF paragraph 170 sets out that planning decisions should contribute to and enhance the natural environment by preventing new development from being put at risk from land instability and remediating unstable land, where appropriate.

The proposed development site is located within a defined Development High Risk Area and there are coal mining features and hazards on site which require consideration in relation to this application.

There are two mine entries (shafts) within the site and a mine entry (adit) just outside the site boundary which runs through the site. The site is also within an area of recorded and likely unrecorded coal mine workings at shallow depth.

A report has been submitted which is suitably informed and sets out the details of the remedial works proposed for the site in respect of the shallow mine workings and the mine entries - which includes drilling and grouting works. The layout of the development has also been informed by the presence of mine entries (and their zones of influence) on the site. It is therefore considered that, subject to the completion of the works specified in the supporting submissions and the submission of a validation report following the completion of the remedial works (to be required by condition) there is no objection to the proposed development by the Coal Authority.

As part of the application, a Geo-Environmental Appraisal has been submitted. This report identifies that there are no remedial works required to protect human health, but the report allows for the possibility of importing topsoil where necessary and it is recommended that suitable conditions are applied to ensure this.

Accordingly, it is considered that the proposed development meets the aims of the NPPF.

Noise

The NPPF paragraph 170 sets out that planning decisions should prevent new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels noise.

The proposed development is located within an established residential area and a noise report has been submitted as part of the application. It is not considered that future occupiers will suffer from unacceptable amenity by reason of noise subject to the imposition of a suitably worded condition requiring the installation of a scheme of sound insulation. Therefore, there are no policy concerns in relation to noise.

#### Drainage and Flood Risk

Paragraph 157 of the NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

Policy CS67 of the Core Strategy sets out the measures by which the extent and impact of flooding will be reduced.

The site is located in Flood Zone 1 on the Environment Agency's Flood Map and is therefore not considered to be at risk of flooding.

Yorkshire Water have commented that they have no objection to the proposal subject to the imposition of appropriate conditions which secure appropriate drainage solutions.

In terms of the drainage arrangements for the site, whilst an initial proposal has been put forward including utilising a drainage basin, there are some concerns with this approach and therefore it is considered to be appropriate that a condition be applied requiring further details of drainage, including sustainable drainage methods where appropriate.

Subject to the recommended conditions being applied, it is concluded that the proposal is compliant with the NPPF and Policy CS 67.

#### Sustainability

Policy CS64: Climate Change, Resources and Sustainable Design of Development requires all new buildings to be designed to reduce greenhouse gas emissions and function in a changing climate.

Policy CS65: Renewable Energy and Carbon Reduction requires all significant developments, unless it can be shown not to be feasible and viable to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

These policies are supported by the Climate Change and Design Supplementary Planning Document (SPD) and Practice Guide (adopted 2011)

In terms of sustainability, the statement accompanying the application sets out various measures that the scheme will incorporate in order to meet CS64. These

include exceeding the current Building Regulations standards for energy efficiency and achieving a high standard of water efficiency, in excess of the current Building Regulations requirement. However, the scheme is not proposing 10% renewable energy on viability grounds. The fabric first efficiency measures will only reduce the site's energy requirement by 4.99%. The applicants have referenced the submission of a claim for CIL Exceptional Relief as proof of the viability issues associated with this development scheme. Officers are aware that there are a number of abnormal costs associated with the development of the site and this has resulted in the site remaining undeveloped for several years. It is therefore considered that, on balance, the proposal, as submitted, is acceptable in sustainability terms.

## Ecology

Paragraph 175 of the NPPF sets out that local planning authorities' should look for opportunities to incorporate biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity.

Policy GE11'Nature Conservation and Development' of the UDP sets out that the natural environment will be protected and enhanced and that siting, design and landscaping should respect and promote nature conservation.

The site is located adjacent to a Local Wildlife Site and in accordance with both national and local policy it is therefore relevant to consider the impact of the development upon the biodiversity of the site.

The proposed development site is not considered to have such ecological value as to preclude the development of the site for housing and is also not considered to have an unacceptable impact upon the adjacent local wildlife site.

As part of this application a biodiversity management plan and a landscape and planting plan have been submitted. The proposal includes the creation of a number of features such as wildflower rich grassland, bat boxes, swift bricks, sparrow terraces, log pile refugia and hedgehog holes. Subject to the imposition of appropriate conditions securing the biodiversity mitigation measures, the proposal is considered to be in line with the aims of paragraph 175 of the NPPF and GE11 of the Unitary Development Plan.

## Landscape and Trees

Paragraph 127 of the NPPF sets out that developments' should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Policy BE6 'Landscape Design' sets out that good quality landscape design will be expected in new developments.

Policy GE15: Trees and Woodland also sets out that the protection of trees and woodlands will be encouraged and protected.

The development proposal will necessitate the removal of a number of existing trees on site as earmarked on the submitted plans. The trees to be removed have been

assessed for their quality and none are considered to be of such value that their retention can be reasonably required. Where existing trees are to be retained, conditions requiring appropriate tree protection measures to be implemented are recommended. It is also noted that there will be some replacement tree planting across the site as part of the overall landscape strategy.

The wider landscape strategy for the site includes both existing and proposed open space for the benefit of both existing and future residents. Informal open space is proposed which will include wildflower planting, seating and natural play equipment and there are proposals for an attenuation basin (subject to the approval of details) which will add further landscape interest.

The overall impact of this development proposal, in terms of both landscape design, and the loss of trees is considered to be acceptable in principle, meeting the aims of para 127 and policies BE6 and GE15 subject to the imposition of conditions to secure the works.

#### Public Art

Policy BE12 of the Unitary Development Plan states that the provision of works of public art in places which can be readily seen by the public will be encouraged as an integral part of the design of major developments.

The proposal incorporates a strategy that includes detailed house numbers alongside street furniture and landscape features which are intended to create a sense of place for residents and acknowledge the special location and views that can be enjoyed by a wider audience.

The principle of this is considered to be acceptable and in order to fulfil the policy expectations it is recommended that the public art be secured by condition.

#### Air Quality

The application site is not located within an area where the threshold for an Air Quality Assessment has been met.

#### Community Infrastructure Levy

The site is within CIL Charging Zone 3 where the charge is levied at £30 per square metre. The applicant has submitted an application for Exceptional Relief on viability grounds but this is subject to process separate to the determination of this planning application and can have no bearing on its outcome.

#### Employment and Training

In order to build upon the outcomes of the development, the applicant has committed to developing an employment and training strategy, the submission of which will be secured by condition.

#### Archaeology

South Yorkshire Archaeology Service have advised that there is likely to be little archaeological merit to the site and therefore no further consideration or conditions relating to this are required.

### Legal Agreement

The applicant has submitted a draft unilateral undertaking in order to secure the land stabilisation works. Your officers do not consider that the undertaking is necessary as conditions are recommended which require the works to be undertaken, together with a post-validation report. The legal agreement does not place any obligations on the Council and as such there is no objection to the submission of this agreement alongside the application. For the avoidance of doubt the submission of this legal agreement is not a material consideration in the determination of this application and should be given no weight.

### RESPONSE TO REPRESENTATIONS

It is noted that the majority of representations relate to concerns about parking provision and the highway impact of the development. The merits of the application in relation to parking and highways have been addressed within the highways section of this report. Existing residents of Skye Edge Avenue will need to park on Skye Edge Avenue. It is not possible to provide allocated parking spaces for existing residents with electric cars.

The principle of developing the area of open space and the impact upon ecology is also discussed within the report. The site is not within the Green Belt.

In relation to disturbance a condition will be applied restricting construction hours. Whilst this will result in some disturbance during the day, this is considered to be reasonable and unavoidable on any construction site but the impact is short-lived.

In relation to the impact of dust and debris, a condition requiring details of how the impact of this shall be minimised is recommended. It is acknowledged that local residents do not wish to see the disruption of building works however, the construction works will be temporary and whilst we can apply conditions to minimise disturbance it is not possible to block development for this reason.

Matters relating to amenity including loss of privacy, overbearing, design, density of development have been discussed within this report.

The design merits of the proposed development have been discussed within the main report and are considered to be appropriate to the local context.

The devaluation of property and the loss of view are not material planning considerations. It is also not considered that the impact of the previous developments on site (now demolished) are a material consideration.

The consultation event carried out before the application was submitted was an event held by the applicant and the local planning authority can only consider the

details submitted as part of the planning application. It is not possible to consider matters outside the red line boundary.

In respect of work being undertaken, it is understood that this was undertaken to inform site investigation works and does not imply that planning permission will be approved.

In respect of the comments made by Sheffield Wildlife Trust, the ecological impact and assessment of the scheme are considered earlier in this report.

## SUMMARY AND RECOMMENDATION

The proposed residential development on this predominantly previously developed site is considered to be acceptable in principle. Whilst there will be some loss of Open Space, the majority of the site is within a designated Housing Area and the loss of open space is considered to be acceptable in this case given that there is sufficient alternative provision within the area.

The highways arrangements including the stopping up of existing highway, reuse of parking courts, the overall provision of parking and the impact upon the existing highway are all considered to be acceptable.

The design and layout of the development proposal is considered to be acceptable and will result in a quality development which creates a new character on a prominent site, whilst also being respectful of the local context. The amenity implications of the development on existing residents and the living conditions for future occupiers are also deemed to be acceptable.

The development proposes to satisfactorily address matters in relation to landscape, drainage and ecology.

In conclusion, the development proposal is considered to meet the aims of the NPPF, Core Strategy and Unitary Development Plan policies.

It is therefore recommended that planning permission is granted subject to the listed conditions.

## STOPPING UP

This development will require the Stopping Up (i.e. permanent closure) of the pieces of Adopted Public Highway shown on the plan attached with reference YK5616-104 Rev A and as amended by email dated 30.01.2019

Accordingly, if Members are minded to approve this application, they are also requested to confirm that:

- a. No objections are raised to the proposed Stopping Up of the areas of highway shown on the plan YK5616-104 rev A and as amended by email dated 30.01.2019, subject to satisfactory arrangements being made with Statutory



Undertakers with regards to such of their mains and services that may be affected.

- b. Legal Services are authorised to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town & Country Planning Act 1990.

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