



SHEFFIELD CITY COUNCIL  
PLACE



REPORT TO CITY CENTRE SOUTH AND EAST PLANNING AND HIGHWAYS COMMITTEE DATE 02/07/2012

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES ITEM

SUBJECT APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

### SUMMARY

### RECOMMENDATIONS

SEE RECOMMENDATIONS HEREIN

THE BACKGROUND PAPERS ARE IN THE FILES IN RESPECT OF THE PLANNING APPLICATIONS NUMBERED.

FINANCIAL IMPLICATIONS N/A PARAGRAPHS

CLEARED BY

### BACKGROUND PAPERS

CONTACT POINT FOR ACCESS Chris Heeley Lucy Bond TEL NO: 0114 2736329 0114 2734556

### AREA(S) AFFECTED



CATEGORY OF REPORT

OPEN



Application No.	Location	Page No.
12/01431/ADV (Formerly PP-01938652)	280 Ecclesall Road Sheffield S11 8PE	5
12/01165/FUL	Norton Church Hall Norton Lane Sheffield S8 8GZ	12
12/01162/CAC	Norton Church Hall And Norton Church Youth Hall Norton Lane Sheffield S8 8GZ	39
12/00572/ADV (Formerly PP-01843432)	Carpet Right Unit H Meadowhall Retail Park Attercliffe Common Sheffield S9 2YZ	43
11/03972/FUL (Formerly PP-01727017)	Land To The Rear Of 21 To 99 Beacon Road And Land Adjoining 131 Sandstone Road Sheffield S9 1AB	50



SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To The CITY CENTRE AND EAST Planning And Highways Committee  
Date Of Meeting: 02/07/2012

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

\*NOTE\* Under the heading "Representations" a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

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Case Number	12/01431/ADV (Formerly PP-01938652)
Application Type	Advertisement Consent Application
Proposal	Non illuminated advertisement hoarding
Location	280 Ecclesall Road Sheffield S11 8PE
Date Received	16/05/2012
Team	SOUTH
Applicant/Agent	DLP Planning Ltd
Recommendation	Refuse with Enforcement Action

Subject to:

- 1 The Local Planning Authority consider that the display of the hoarding would by reason of prominent siting and excessive size be detrimental to the visual amenities of the locality. As such the proposed display would be contrary to Policy BE13 of the Unitary Development Plan.

Attention is drawn to the following directives:

1. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the hoarding. The Local Planning Authority will be writing separately on this matter.

# Site Location



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## LOCATION AND PROPOSAL

The application relates to the side elevation of 280 Ecclesall Road, an end terrace property consisting of a ground floor hot food takeaway unit with residential accommodation above.

This property is at the lower end of the busy Ecclesall Road District Shopping Centre that includes a mix of commercial uses, shops, supermarket, pub, cafes, restaurants, estate / letting agents office with flats above some of the shops. The UDP designates the parade in which the property stands as District Shopping Centre and the surrounding area is commercial in character. The side elevation of 280 is prominent, as the neighbouring building, the Nursery Tavern, is set back at least 6m from the front aspect of number 280.

The application seeks explicit advertisement consent for the retention of an existing non-illuminated advertisement hoarding. The hoarding has been in situ for over 10 years, and benefits from deemed consent. A Discontinuance Notice has recently been prepared to seek the removal of this deemed consent. The hoarding measures 6m by 3m in width and height respectively. It has been recently altered, with previous lighting removed.

## RELEVANT PLANNING HISTORY

There is no significant planning history on this site relevant to the determination of this application.

## SUMMARY OF REPRESENTATIONS

There have been no representations regarding this application

## PLANNING ASSESSMENT

### Policy Context

Of particular relevance in the context of policy guidance are the provisions of Policy BE13: Advertisements from the Sheffield Unitary Development Plan.

Policy BE13 states that 'large poster advertisements will be permitted only if they would:

- (i) not be a traffic hazard; and
  - (ii) not harm the character or appearance of the area or be the only practical means of screening an unsightly building or area of land; and
  - (iii) be placed symmetrically on the building and not cut across architectural features; and
  - (iv) be well designed with landscaping, fencing and screening on associated land, where possible; and
  - (v) relate in scale and design to their surroundings; and
  - (vi) be outside a Conservation Area or an Area of Special Character and not affect the setting of Listed Buildings; and
  - (vii) not be within a Housing Area.
- (b) Illuminated advertisements will be permitted if they would:
- (i) not be a traffic hazard; and
  - (ii) not harm the character or appearance of the area.

It also states that 'illuminated advertisements will be permitted only if they would not harm the character and appearance of the area.'

Of additional relevance is the text of the National Planning Policy Framework (NPPF), adopted in March 2012. Paragraph 67 states that:

"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts"

### Amenity Considerations

In visual amenity terms the proposal is upon a very prominent position that can be viewed from the highway. Ecclesall Road is a major arterial route into and around Sheffield and as such represents a 'gateway' into the city.



Whilst the area is predominantly commercial in character, and hoardings can be beneficial in such areas, screening unsightly development sites or vacant land, this is not the case here. The hoarding is located upon the stone gable of a building, which is not derelict or in a poor state of repair.

The sign does harm the appearance of the building, which otherwise has an attractive stone gable. The hoarding is not placed symmetrically upon the building and, by itself, has a poor visual relationship with the main building.

Taking account of the issues above, it can be concluded that the impact on general visual amenity is unacceptable and contrary to the design elements of Policy BE13. The size of the advert and its siting are such that it does have an appreciable impact on the building and the views from Ecclesall Road, to the detriment of the local visual amenity, in contrast to the requirements of the NPPF.

Attention has been given towards the statement as sent in by the agent in support of this application. The main crux of the argument is that the area along Ecclesall Road contains a wide range of signs and advertisements, that the proposed signage complements the existing advertisements, and gable ended signage is a common feature on Ecclesall Road. In response, it is noted that gable ended signs are present within the District Centre. However, importantly, this example is the only example of a sign in a hoarding format that takes up a significant proportion of the side gable wall. The majority of existing signs in the District Centre consists of signs to the front of shop premises advertising the services on offer, and complement the retail function of the units served. The placement and position of the hoarding is not directly relevant to District Centre activities, and appears out of context with standard shop signs visible upon the street. The combination of the placement, size and prominence of the advertisement does detract significantly from the appearance of the subject building and the appearance of the wider District Centre. Typically large format hoardings are more appropriately located in areas of predominantly industrial and commercial activity or where they screen unsightly features. This site is considered to cause substantial harm to the visual amenity of the area and as such is contrary to policy BE13 of the UDP.

It is noted that some gable advertisements, albeit of much smaller dimensions, are present upon the street. Following enforcement complaints from members of the public, action is being taken upon several of these. The Town and Country Planning (Control of Advertisements) Regulations 2007 provides, under regulation 8, for the service of a Discontinuance Notice, (DN). Such a notice can be used to 'discontinue' the use of a site for displaying adverts altogether or can discontinue a particular advert, where deemed consent exists under the Regs. Due to the harm caused by certain gable signs, such a notice has already been served upon an advert currently occupied by the 'Salis For Student Accommodation' advert, on the flank wall of 298A Ecclesall Road, upon the other end of the terrace to which this application relates. As many of the gable advertisements are poorly located and relate poorly to the features of the main building, action is being gradually taken to seek the removal of these where appropriate, with the overall aim being to improve the visual appearance of the District Centre.

As the removal of the above gable sign, and the instigation of a discontinuance notice on this site, have both been made following public complaints, this gives further weight to the fact that the signs are having an evident detrimental impact upon the local visual amenity.

In conclusion it is felt that the negative aspects of this prominent and obtrusive proposal are not offset by any corresponding contribution to the visual amenity of the area.

#### Public Safety Considerations

Ecclesall Road is a major arterial route into and around Sheffield and as such represents a 'gateway' into the city. The proposal does occupy a prominent position on a road that handles a significant volume of traffic. However, the position of the sign itself is not considered to have a significant impact on highway safety, given the fact that it is not directly in the path of sightlines from road traffic drivers, owing to its position on a flanking wall.

#### ENFORCEMENT

The committee will be aware from previous enforcement reports that environmental improvements have taken place under a city wide programme using enforcement powers including discontinuance powers against inappropriate (established) adverts including hoarding sites and s225 powers against posters / placards randomly placed on city streets and buildings. In this case, it is recommended that a 'Discontinuance Notice (DN) is made in order to 'discontinue' the use of the site for the display of the hoarding advertisement.

The Town and Country Planning (Control of Advertisements) Regulations 2007 - ('the Regs'), categorises adverts into three groups:

- Adverts that are specifically excluded from Local Planning Authority, (LPA), control.
- Adverts for which the rules give a 'deemed consent' so that the LPA's consent is not needed provide they are within set limits.
- Adverts for which express consent is always required.

Class 13 of the Regs allows advertisements to be displayed on a site that has been used continually for the preceding 10 years for the display of advertisements, (it does not however permit the substantial increase in the extent of the display).

Class 14 of the Regs permits the continued display of adverts for which the permitted period of express consent (usually 5 years) has expired and for which the LPA has not forbidden any further display of that advert, or refused an application for its renewed display. In this case no consents have been given.

Regulation 8 of the Regs provides for the service of a Discontinuance Notice, (DN). Such a notice can be used to 'discontinue' the use of a site for displaying adverts altogether or can discontinue a particular advert, where deemed consent exists

under the Regs. It is considered that DN's should be served for the cessation of the continued use of the site for the display of advertisements.

Section 225 of the T&CP Act gives the power to 'remove or obliterate' posters and placards. This power isn't appropriate here due to the site having 'deemed consent' under the Adverts Regs.

#### SUMMARY AND RECOMMENDATION

This is an application seeking permission to seek explicit permission for an advertisement hoarding on this site, where a discontinuance notice is being prepared to remove deemed consent for the sign in order to require its removal. It is considered that the hoarding does form an intrusive and deleterious presence in the street scene, which adversely impacts upon the character of the subject building and the wider streetscene. It would also go against wider aims to improve the appearance of the District Centre through action to remove inappropriate signage that presently detracts from the character of the local area. For these reasons it is recommended that advertisement consent is refused.

It is also recommended that the Director of Development Services or Head of Planning be authorised to take any appropriate action including if necessary, enforcement action, the service of a Discontinuance Notice and the institution of legal proceedings to secure the discontinuance of the use of the site, currently occupied by the hoarding, on the side gable wall of 280 Ecclesall Road for the display of advertisements including the removal of the existing advert.

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Case Number	12/01165/FUL
Application Type	Full Planning Application
Proposal	Demolition of 2 church halls and erection of 3 detached houses and 4 flats with associated car parking
Location	Norton Church Hall Norton Lane Sheffield S8 8GZ
Date Received	16/04/2012
Team	SOUTH
Applicant/Agent	Barlow Building Design
Recommendation	Granted conditionally subject to the completion of a Legal Agreement

Subject to:

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

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

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

Drawing Numbers:

2534/06 Rev. E  
2534/07 Rev. E  
2534/08 Rev. B  
2534/08H Rev. B  
2534/09 Rev. D  
2534/10 Rev. A  
2435/11 Rev. A

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 has been achieved,

shall be submitted to and approved in writing by the Local Planning Authority.

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

- 4 Before any work on site is commenced, a report shall have been submitted to and approved in writing by the Local Planning Authority identifying how the following will be provided:
  - a) a minimum of 10% of the predicted energy needs of the completed development being obtained from decentralised and renewable or low carbon energy;

In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

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

In the interests of satisfactory and sustainable drainage.

- 6 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

To ensure that the development can be properly drained.

- 7 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

- 8 Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

- 9 The dwellings shall not be used unless the sight line, as indicated on the approved plans, has been provided. When such sight line has been provided, thereafter the sight line shall be retained and no obstruction to the sight line shall be allowed within the sight line above a height of 1 metre.

In the interests of the safety of road users.

- 10 The dwellings 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.

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

- 11 The gradient of pedestrian and vehicular access shall not exceed 1:12 unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the safety of road users.

- 12 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.

In the interests of the safety of road users.

- 13 Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield and PPG13.

- 14 The dwellings 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 dwellings commencing, and shall thereafter be retained.

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

- 15 Prior to any works commencing on site full details of the following shall be submitted to and approved in writing by the Local Planning Authority and the

construction shall only be progressed in accordance with the approved details:

- a) Construction method statement
- b) Site safety
- c) Construction vehicle ingress and egress
- d) Location of the site compound and temporary car parking arrangements for contractors
- e) Vehicular routes for construction traffic
- f) Details of any temporary Traffic Regulation Orders

In the interests of the safety of road users.

- 16 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 the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 17 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 unless otherwise approved by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 18 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.

In the interests of the visual amenities of the locality.

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

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

- 20 The existing landscaped areas within the site shall be retained and protected from construction activity. Any damage during construction / demolition works shall be made good by reinstating to the condition/appearance prior to the commencement of the works.

In the interests of the visual amenities of the locality.

21 Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

In the interests of the visual amenities of the locality.

22 No development shall commence until full details of measures to protect the existing trees, shrubs and hedges 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 unless otherwise approved.

In the interests of the visual amenities of the locality.

23 The development shall be carried out in accordance with the mitigation advice provided within Section 4 "Ecological Assessment and Mitigation" of the ECUS Ecological Assessment prepared in relation to the site and dated 7 August 2010.

In order to protect ecological value of the site.

24 Before development is commenced details of boxes to be installed upon the building hereby approved, for bats and birds, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be implemented as part of the development and be permanently retained.

In order to protect and enhance the ecological value of the site.

25 Prior to any apartments being occupied a management plan in relation to collection of refuse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, refuse collection shall operate in accordance with the agreed details.

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

26 Prior to the commencement of development details of the bin store shall be submitted to and approved in writing by the Local Planning Authority. The approved bin store shall be erected prior to occupation of the apartment and permanently retained thereafter.

In order to ensure an appropriate quality of development.



- 27 Before the development is commenced the following samples shall have been submitted to and approved in writing by the Local Planning Authority:
- i) proposed natural stone facing materials (including heads, cills, quoins and string course)
  - ii) proposed natural slate roofing materials
  - iii) proposed timber sliding sash windows and timber doors

Thereafter, the development shall be carried out using the approved materials.

In order to ensure an appropriate quality of development.

- 28 Before the commencement of development, large scale details, including materials and finishes, at a minimum scale of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority:

Windows  
Window reveals  
Doors  
Eaves and verges  
External wall construction  
Chimney Stacks

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

In order to ensure an appropriate quality of development.

- 29 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 prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

In order to ensure an appropriate quality of development.

- 30 Before the commencement of development, details and specifications of the following items shall have been submitted to and approved in writing by the Local Planning Authority:

Ridge  
Valleys  
Eaves  
Verges  
Rainwater goods

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

In order to ensure an appropriate quality of development.

- 31 All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black unless otherwise agreed in writing by the Local Planning Authority. Gutters shall be fixed by means of hangers and brackets and no fascia boards shall be used.

In order to ensure an appropriate quality of development.

- 32 Before the development commences the design and location of all external light fittings shall be approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 33 Before the development commences, details of the location, specification and appearance of all new services to the building (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 have been approved in writing by the Local Planning Authority.

In order to ensure an appropriate quality of development.

- 34 Before the development commences, details of the design and appearance of boundary walls/fences, gateways, steps and paths, hardstandings and other elements of the hard landscaping design shall have been approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

In order to ensure an appropriate quality of development.

- 35 Prior to the commencement of development details of the screening to the balcony of the first floor / eastern apartment shall be submitted to and approved in writing by the Local Planning Authority. The approved screen shall be erected prior to occupation of the apartment and permanently retained thereafter.

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

- 36 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, 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 dwellinghouses shall be constructed without prior planning permission being obtained from the Local Planning Authority.

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

- 37 The lounge windows on the elevation of the apartment building facing east and west shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of it shall at any time be glazed with clear glass without the prior approval of the Local Planning Authority.

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

- 38 The rear elevation rooflights at Plots 1 and 2 shall be set at a minimum of 1.7m above internal floor levels.

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

- 39 The first floor level bathroom, landing and en-suite bathroom windows at the rear elevation of the dwellinghouse at Plot 1 hereby approved shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of it shall at any time be glazed with clear glass without the prior approval of the Local Planning Authority.

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

Attention is drawn to the following justifications:

1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

BE5 - Building Design and Siting  
BE15 - Areas and Buildings of Special Architectural and Historic Interest  
BE16 - Development in Conservation Areas  
BE19 - Development affecting Listed Buildings  
GE15 - Trees and Woodland  
H5 - Flats, Bed-sitters and Shared Housing  
H10 - Development in Housing Areas  
H14 - Conditions on Development in Housing Areas  
H15 - Design of New Housing Developments  
CF2 - Keeping Community Facilities  
CS24 - Maximising the Use of Previously Developed Land for New Housing  
CS26 - Efficient Use of Housing Land and Accessibility  
CS64 - Climate Change, Resources and Sustainable Design of Developments  
CS65 - Renewable Energy and Carbon Reduction  
CS67 - Flood Risk Management  
CS74 - Design Principles Sheffield

Overall it is considered that the development complies with the relevant policies and proposals in the development plan, and would not give rise to any unacceptable consequences to the environment, community or other public interests of acknowledged importance.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at [www.sheffield.gov.uk/planningonline](http://www.sheffield.gov.uk/planningonline) or by calling the planning officer, contact details are at the top of this notice.

Attention is drawn to the following directives:

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

You should apply for a consent to: -

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

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

2. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council  
2-10 Carbrook Hall Road  
Sheffield  
S9 2DB

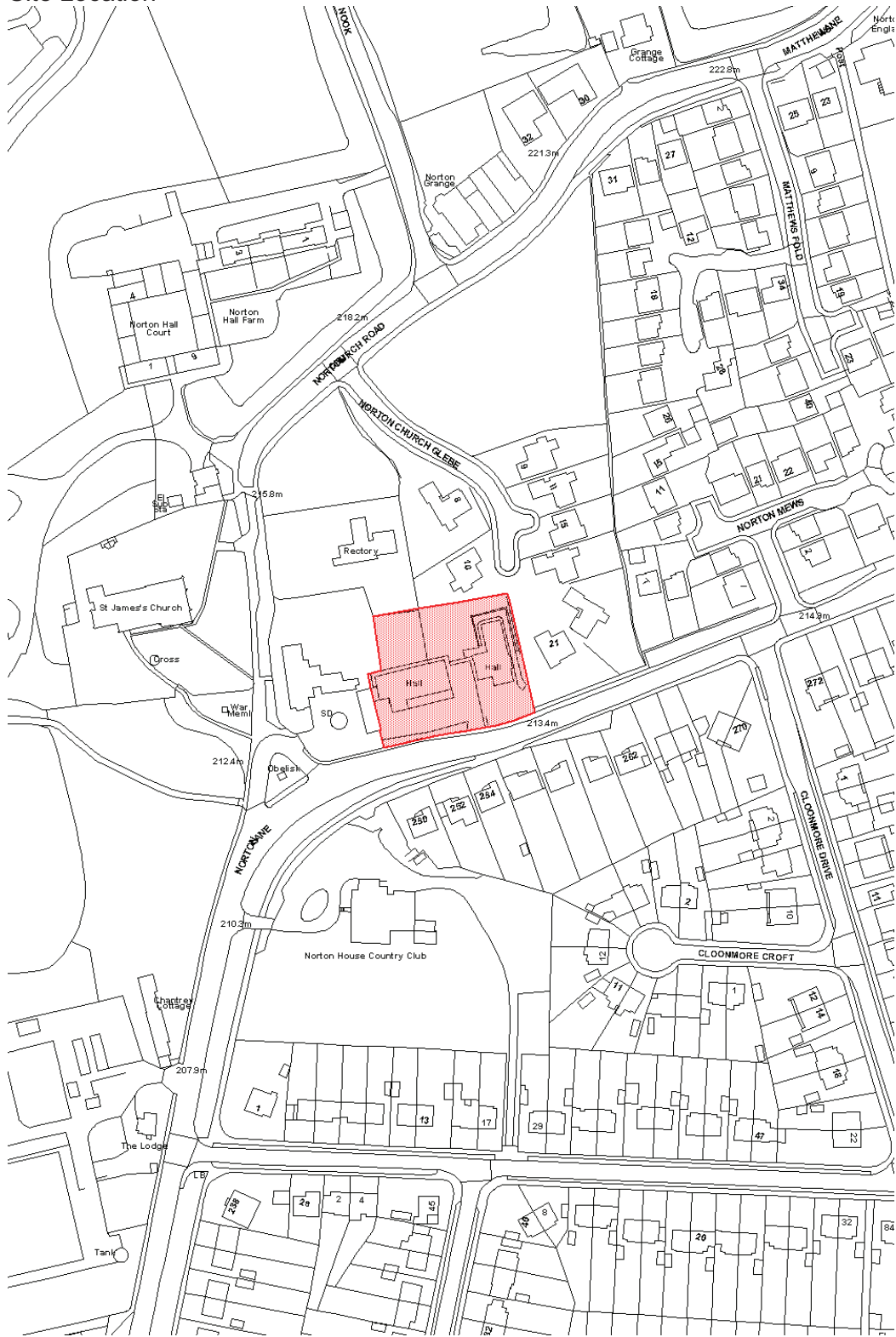
For the attention of Mr P Vickers

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

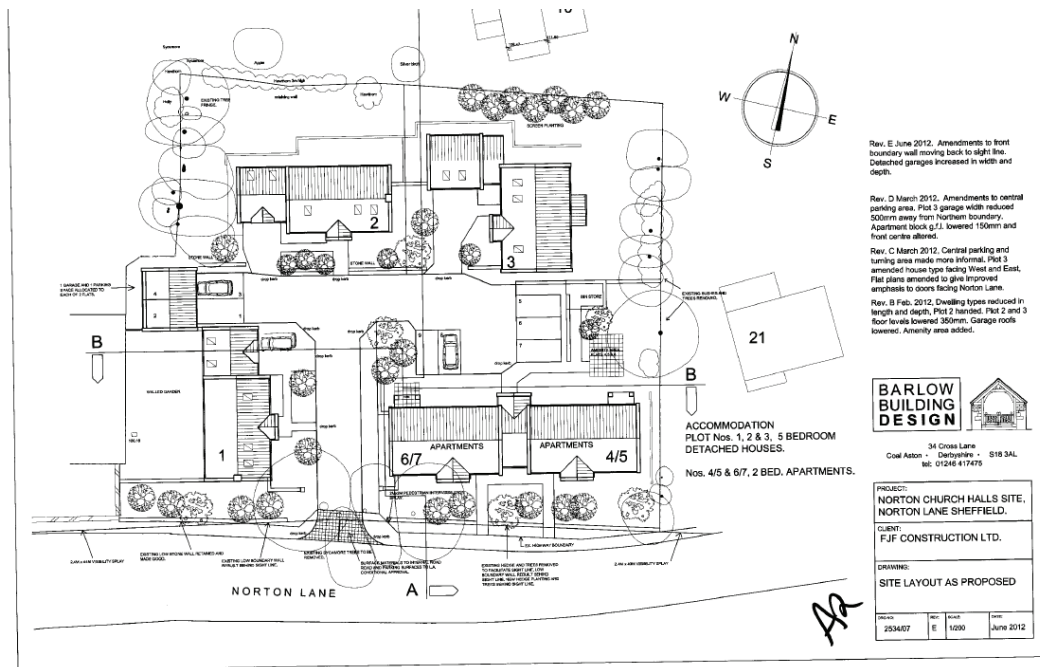
3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
4. The Council is responsible for allocating house numbers and road names to both new developments and conversions of existing buildings. Developers must therefore contact the Council's Street Naming and Numbering Officer on (0114) 2736127 to obtain official addresses for their properties as soon as construction works commence.
5. You are advised that the biodiversity information/ecological assessment provided as part of this application will be made available to Sheffield Biological Records Centre. This will assist in a key principle of the National Planning Policy Framework that planning policies that decisions should be based on up-to date information about the natural environment and other characteristics of the area, by building up the data base of up-to-date ecological information this will help in future decision making.
6. If any protected species are discovered on site, works should be halted in the immediate area and an appropriately trained, qualified and licensed ecologist consulted immediately.
7. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £85 or £25 if it relates to a condition on a householder application for development.

For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

# Site Location



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## LOCATION AND PROPOSAL

The application site is located to the north of Norton Lane. It is located within a Housing Area under the provisions of the Adopted Unitary Development Plan, and is also within the Norton Conservation Area. The site adjoins the Old Rectory building which is Grade II listed. Also adjacent to the site is a modern housing

development, and in close proximity is St. James's Church which is a Grade II\* listed building.

The site currently incorporates two detached buildings. They were previously used as Church Halls but are now vacant, with those activities having being relocated to the Chantrey Centre on Matthews Lane.

Broadly the area is residential in nature, and the site is identified as being within a Housing Area under the provisions of the adopted Unitary Development Plan.

The full planning application seeks consent to demolish the two ex-church hall buildings, and to erect 3 no. x 4/5 bedroomed detached dwellings, and 4num. x 2 bedroomed apartments.

The houses would each have a double garage, with additional parking spaces to the front of these. The four apartments would be provided with a total of 9 parking spaces including one for visitors. The site would be accessed directly from Norton Lane via a slightly relocated vehicular access point.

The application for Conservation Area Consent seeks permission to carry out the demolition of the two existing buildings within the site. This report covers both applications.

#### RELEVANT PLANNING HISTORY

03/01866/FUL; Demolition of 2 church halls and erection of 4 dwellinghouses with garages. Withdrawn - 04.09.2003

06/01573/FUL; Demolition of 2 church halls and erection of 24 apartments in 2 x 3 storey blocks with associated car parking accommodation. Withdrawn - 11.07.2006

06/01577/CAC; Demolition of 2 church halls. Withdrawn - 11.07.2006

07/04247/FUL; Demolition of 2 church halls and erection of 18 apartments in 2/3 storey block with associated car parking accommodation, Refused - 21.01.2008 for the following reasons:

- The Local Planning Authority consider that the proposed development by reason of its excessive scale, massing and bulk has an over prominence within the townscape stemming from the continuous roof line and an under articulation of the main building frontage. As such the proposed development is considered to fail to adequately respect the scale, massing and setting of the Listed and Historic Buildings within the immediate vicinity and would fail to preserve or enhance the character of the Norton Conservation Area. Therefore, the proposal is considered to be contrary to the provisions of Policies BE1, BE5(d), BE15, BE16, BE19 and H14 (a) of the Unitary Development Plan for Sheffield.
- The Local Planning Authority consider that the plan form of the proposed development is inflexible and has an insensitive relationship to the nature



and character of the site, the immediate townscape and the Norton Conservation Area. Therefore, the proposal is considered to be contrary to the provisions of Planning Policy Statement 1 'Delivering Sustainable Development', paragraph 34 and Policies BE5(f), BE15, BE16, BE17 and H14(a) of the Unitary Development Plan for Sheffield.

- The Local Planning Authority consider that on the basis of the currently submitted information the proposed development would have the potential to result in a detrimental impact upon the long term health of Tree T2 (as identified within the submitted Tree Survey). Therefore in the absence of information to demonstrate otherwise the Local Planning Authority must assume that the development is contrary to the provisions of Policy GE15 and BE15 of the Unitary Development Plan for Sheffield.
- In the absence of the submission of a satisfactory commitment and level of detail in respect of the timing and level of provision, and future maintenance of replacement community facilities for those currently on the site, the Local Planning Authority must conclude that the proposals fail to satisfy the requirements of Policy CF2 of the Unitary Development Plan for Sheffield.

07/04249/CAC – Demolition of the two halls was also refused (date 21.1.08) due to the impact upon the character and appearance of the Conservation Area given the absence of satisfactory redevelopment proposals.

08/02376/FUL - After the refusal of 07/04247/FUL (and 07/04249/CAC) revised applications were submitted, which sought to address the previous reasons for refusal. The schemes proposed the erection of 18 apartments, within a single building set over two/three storeys. These applications were refused for the same reasons which applied to applications 07/04247/FUL and 07/04249/CAC.

Planning appeals were submitted against these refusals. In the intervening period between the refusal of the applications and the appeals being lodged, amended supplementary planning guidance regarding affordable housing was adopted. This amended guidance meant that the 18 units proposed as part of the scheme became subject to the provisions of the affordable housing guidance.

The scheme was independently assessed in affordable housing terms by the district valuation office. This assessment resulted in the conclusion that the scheme was capable of making some contribution towards affordable housing provisions.

The Planning Inspector concluded that the previous scheme was acceptable in terms of the conservation area and appearance issues, the impacts on amenities of neighbouring occupiers, the standard of the replacement community buildings and the landscaping implications. However, in regards to the issue of affordable housing it was concluded that there was “in all probability, scope for some affordable housing provision on the site”. It was also stated that whilst the formula for affordable housing provision allowed for less than the full quota of affordable housing, it was not certain that this could be zero.

Therefore, the previous appeals were dismissed solely due to the failure of the scheme to be satisfactory in affordable housing terms. In all other respects the schemes were found to be acceptable.

10/03469/FUL; Demolition of 2 church halls and erection of 13 dwelling units associated car parking. Approved – 18.1.2011

10/03665/CAC; Demolition of two Church Halls. Approved – 18.1.2011

## SUMMARY OF REPRESENTATIONS

Following the placement of a site notice, the publication of a press advertisement and the notification of neighbours, a total of 14 representations have been received, from 10 different addresses. 5 of these support / partly support the scheme with some references to concerns regarding elements of the proposals.

These comments can be summarised as follows:

-Proposed inclusion of uPVC windows/doors and concrete tiles is harmful, and more appropriate materials should be used given the visibility of site in Conservation Area.

-Height of dwellings on the western side of the site, exceed the buildings in the previously approved scheme and the adjacent buildings.

Would affect the setting of the listed building within the conservation area, be over-dominant and visible over The Rectory, potentially spoiling area from Matthews Lane, Graves Park and The Old Rectory.

-Opposed to building line being brought forward of the existing buildings.

-Possible overlooking to garden of 'The Rectory', to the velux window at Stable Cottage, and also from side windows and balconies to the apartments toward Num.21 Norton Church Glebe. Overlooking impacts to Nos 256 and 258 Norton Lane, given elevated nature of application site.

-Plot 1's walled garden includes the back wall of Stable Cottage, which also houses four garages for properties at the Old Rectory site. Current owners would not wish that this wall is used as the boundary to their walled garden. Access to gutters and drainage on affected wall required at all times, and instead boundary should be marked by a fence. Concern about damage to this wall.

-Scheme is attractive and in sympathy with nearby buildings.

Good that scheme includes detached houses, when previously they have been resisted by the Council.

-No existing main foul drainage as shown in the plans is available. Drains across the Old Rectory courtyard are not part of the main drainage system. Main sewers must be accessed by public footpath and road at Cloonmore Drive or Henley Avenue.

The system shown on the plans would not be sufficient to accommodate seven new properties.

-The hedge at the western side of the site has been dated as being at least four hundred years old.

-The hawthorn hedge adjacent to proposed House 1 is within the boundary of Stable Cottage.

-Trees are covered by preservation orders and cannot be trimmed without permission.

-Builders would need to agree with the freeholder of the Old Rectory before removing or altering any trees.

-Hedge, shrubs and trees across site frontage would be removed. But this would not benefit visibility sight lines due to planting etc on the adjacent site.

-Further planting along northern boundary requested for screening purposes.

-Boundary to application site is improperly shown on submitted drawings, and is actually marked by the line of hawthorn bushes. Tree marked T40 is actually in the neighbouring site. This tree and/or fence should not be removed.

#### Non-Material Planning Issues

-Proposal breaches the single storey covenant covering a part of the site, but acknowledged this is not a planning issue

-Proximity of the proposed garages to neighbouring dwelling could cause movement in that dwelling.

-Notice should be given to neighbouring occupiers.

Councillor Auckland's comments can be summarised as follows:

-Applicant has not engaged in pre-application consultation.

-The previous approval of 13 apartments represents a more efficient use of land, better meets local housing needs, and in scale, massing and design terms is more respectful of the listed buildings and conservation area given the single storey element within the previous approval.

-Query why the scheme includes detached houses, when these have previously been resisted by officers.

-Three storey buildings would set a precedent for modern buildings in the conservation area. Have been rejected elsewhere, including on land at Norton Church Glebe.

-Questions whether the impact upon Stable Cottage is satisfactory.

-Questions whether the current proposal represents the loss of trees and ancient hedgerows compared to approved scheme.

Representations in Support of application:

-Design complementary to the area. Previous issues of traffic and parking within a larger scheme have been addressed.

-Good that detached houses are viewed as acceptable for the site.

-The proposed development is attractive and in sympathy with nearby historic buildings, and Norton Lane elevation offers an interesting streetscape.

-Pleased that trees along eastern boundary are to remain.

The Conservation Advisory Group commented that the proposed level of development of the site was acceptable, but expressed its regret at the loss of an opportunity to make it a more attractive development.

## PLANNING ASSESSMENT

### Land Use Issues

The site is allocated within the Unitary Development Plan as being in a Housing Area. According to the provisions of UDP policy H10, housing is the preferable use in such an area and therefore the principle of the residential nature of the proposal is acceptable.

Policy CS24 of the Core Strategy covers 'Maximising the use of previously developed land for new housing'. As the site is previously developed, the development will contribute to this policy objective, and the target of delivering at least 88% of new housing on previously developed land.

Policy CS26 covers the efficient use of housing land, and gives density ranges for developments. This proposal equates to a density of 27 dwellings per hectare, which is below the respective density range applying to this type of area (30 to 50 dwellings per hectare). However, this policy also confirms that densities outside of these ranges will be permissible where it would achieve good design, which reflected the character of the area. The scheme is considered to achieve this, and will be more specifically assessed below. As such a density outside of the given range is considered to be acceptable.

### Sustainability

The Sheffield Development Framework – Core Strategy includes Policies CS64 and CS65. Policy CS64 requires residential buildings to achieve Code for Sustainable Homes Level 3. Additionally, CS65 requires development to (a) provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy, and (b) generate further renewable or low carbon

energy or incorporate design measures sufficient to reduce the development's overall predicted carbon dioxide emissions by 20%. Part (b) of this policy is not currently being pursued as Building Regulations requirements have been enhanced so that it would be considered to be unreasonable to pursue additional reductions over those requirements.

The Applicant is aware of these policies, and has submitted a 'Code for Sustainable Homes: Pre-Assessment'. This shows that the development should achieve Level 3, thereby satisfying Policy CS64.

The submitted statement refers to a number of differing possible methods to meet the requirements of Policy CS65. A ground source heat pump system offers the best option for production of renewable or low carbon energy, within conservation areas. Photovoltaic tiles are suggested as potentially usable on the proposed apartments to assist in providing the 10% proportion of renewable or low carbon energy. This does not definitely form a part of the proposal, and given the location in the conservation area may not be considered to be acceptable. Final submission of details relating to this matter would be secured by planning conditions.

Overall, these policy requirements are considered to have been satisfied, and therefore the scheme is considered to be acceptable in this regard.

#### Conservation and Design Issues

The site lies within the Norton Conservation Area and a Housing Area within the Unitary Development Plan (UDP). As such the following policies are relevant:

BE5 'Building Design and Siting' states that:

Good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions. The following principles, amongst others, will apply:

#### Physical Design

- a) Original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings.
- d) In all new developments, design should be on a human scale wherever possible, and, particularly in large-scale development, the materials should be varied and the overall mass of buildings broken down
- f) Designs should take full advantage of the site's natural and built features

BE15 'Areas and Buildings of Special Architectural or Historic Interest' states: Development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.

BE16 'Development in Conservation Areas' states permission will only be given for proposals which preserve or enhance the character or appearance of the Conservation Area.

BE17 'Design & Materials in Areas of Special Character or Historic Interest' states that in Conservation Areas and Areas of Special Character a high standard of design using traditional materials and a sensitive and flexible approach to layouts of buildings and roads will be expected for new buildings and walls.

BE19 'Development affecting Listed Buildings' states that proposals for development within the curtilage of a building or affecting its setting, will be expected to preserve the character and appearance of the building and its setting.

The Sheffield Development Framework – Core Strategy includes policy CS74, which requires high-quality development to respect the townscape and landscape character of the city's districts.

Policy BE16 requires buildings which make a positive contribution to the character or appearance of the Conservation Area (CA) to be retained. The two church hall buildings are not considered to contribute positively to the CA. The Inspector dealing with the previous appeal commented that the existing buildings are of little architectural merit and at best, their contribution to the character and appearance of the CA is neutral. As such there was no objection to the principle of the demolition of the buildings, in regards to the matters of character and appearance. It is therefore recommended that the application for conservation area consent to demolish the buildings should be approved, subject to the replacement scheme being considered satisfactory.

Norton CA retains much of its rural, back water character, and the immediate vicinity includes the Church of St James and Norton Rectory (Grade II\* and II respectively) and Norton House (which is defined as a building of townscape merit within the draft CA appraisal).

The proposed scheme which was dealt with at appeal following a refusal, was a single building over three levels with gables facilitating accommodation at the 2nd floor level. It essentially filled the width of the site, and included a centrally located vehicular access point. It was concluded by the Inspector that the previous scheme would have represented no harm to the character or appearance of the Conservation Area, and that it would have led to no harm to the setting of the listed and historic buildings.

The previous planning approval involved buildings reduced in size compared to the appeal application. The western of the two blocks was single storey in nature, and the eastern block was two storeys in height.

The currently proposed scheme features three detached dwellings and a single 2 storey block incorporating 4 apartments. The apartment building would front onto Norton Lane, and include three entrance doors. It would include chimney stacks and cornice features, which are typical features within the area. The three detached dwellings would sit parallel to the sites' western and northern boundaries, leaving a gap within the main core of the site. They would incorporate rooms within the roof space which would be served by rooflights. No dormer windows on either front or rear roofslopes of the proposed houses are included within the proposals.

The dwelling at Plot 1 would 'side onto' Norton Lane, leaving a gap of approximately 8 metres to the single storey (plus roof) building at Stable Cottage. The two storey detached dwelling at Plot 1 would not be considered to have an overbearing impact upon Stable Cottage, or within the character of the street scene. It is therefore considered to have an acceptable impact upon the character of the Conservation Area, and the slightly more remote listed building. In assessing this issue, it should be considered that the 2008 application for 18 apartments involved a single building, two storeys in height but with significant gable features at 3rd storey level. This would have been separated by approximately 5.5metres away from Stable Cottage, with a forward projecting gable feature being located in closest proximity to Stable Cottage. The Appeal Inspector dealing with that case concluded that the scheme would have led to no harm to the character or appearance of the Conservation Area. Instead, this was considered to have been preserved, if not enhanced by the proposal and that no material harm to the setting of nearby listed and historic buildings was considered to have been caused.

On this basis, it is considered that it would not be reasonable to seek to resist the current scheme due to its implications upon the adjoining Stable Cottage, the nearby listed buildings or the character of the conservation area.

The open area within the main body of the site would provide the development with an organic, courtyard feel which would be contributed to by the three detached dwellings not being of matching design.

The parking spaces would be largely screened from view from public vantage points. This aspect of the scheme is welcomed, and has been enabled by the incorporation of the 3 dwellinghouses within the scheme.

The previously proposed erection of four dwellinghouses was resisted by Planning Officers, partly due to the inefficient use of the site and the inappropriate design of the dwellings. These concerns are considered to have been addressed by the provision of a total of 7 units within the current scheme, and the design of the proposed buildings. As discussed above the proposed density of 27 dwellings per hectare is considered to be appropriate in this location.

Following negotiation with the Agent some revisions to the initially proposed material types have been secured. This would relate to the provision of painted timber doors and windows, painted aluminium rainwater goods, natural stone heads and cills, conservation type rooflights and timber garage and patio doors. Clarification upon the roof material type and the surfacing of the car park remains outstanding, however, all materials would be required by condition to be agreed prior to the commencement of any works.

Overall, it is considered that the proposed scheme would have an acceptable impact upon the character and appearance of the Conservation Area, which would be preserved, if not enhanced. It is also considered that there would be no material harm to the setting of nearby listed and historic buildings. On this basis the

proposal is considered to comply with the provisions of the relevant UDP and Core Strategy policies.

The existing buildings were described by the Appeal Inspector as having at best a neutral impact on the Conservation Area, having little architectural merit. The Inspector previously raised no objection to the principle of the demolition of these buildings, and only dismissed the previous appeal against refusal of Conservation Area consent due to the absence of a satisfactory redevelopment scheme. With this in mind the previous application was approved. On the basis of these points the current application for Conservation Area consent is considered to be acceptable.

#### Loss of Buildings as Community Facilities

Policy CF2 deals with Community Facilities, which include meeting places, youth clubs and religious meeting places, and which were the functions provided previously by the buildings at the site. It requires community facilities which are to be lost to be replaced by equivalent facilities elsewhere. In order for facilities to be equivalent they are required to be of equal quality and convenience. They also need to be within 400metres of the existing venue.

The buildings at the site have not provided a community facility for some years. They were replaced in the nearby Chantrey Centre, which opened in May 2008. Whilst some concerns were previously raised about the quality of this replacement facility, these were related more to management and maintenance of the new premises. The alternative facility is considered to have been operating as an equivalent replacement to the vacated hall buildings.

Overall, policy CF2 was considered by the Appeal Inspector to have been satisfied by the provision of the Chantrey Centre. This clearly continues to be the case, and consequently no harm is considered to arise from the loss of the inactive ex-community buildings within the site.

#### Amenity of Neighbouring Residents

The neighbouring properties most sensitive to the proposed development are those at Nos 10 and 21 Norton Church Glebe, Stable Cottage to the west and The Rectory to the north.

The dwelling at No. 10 Norton Church Glebe would potentially be subject to impacts from proposed Plot 3. This proposed dwelling at Plot 3 includes only 1 door and 1 window facing No.10. These are both at ground floor level with boundary planting and/or treatments in the intervening space, and would not lead to overlooking implications upon the neighbouring dwelling. The nearest distance between the dwelling at No.10 to the two storey element of Plot 3 would be approximately 11 metres. Given the elevated nature of the neighbouring site this separation distance is considered to result in Plot 3 not having a detrimental overbearing impact upon the occupants at No.10.



The proposed dwelling at Plot 2 would include a bedroom window in its elevation facing toward No.10. Due to the angle of views from this bedroom window to windows in No.10 it is not considered that overlooking to windows would be significant. Some overlooking of garden space may occur, however, this would also be from a rather oblique angle and would not be considered to be more onerous than views shared over neighbouring gardens within similar suburban settings.

In regards to No. 21 Norton Church Glebe some amendments to the submitted drawings showing side screening to the balcony at Apartment 5 have been submitted. This would be expected to prevent sideward views over the garden space to No. 21. The windows on the proposed apartment buildings' side elevation are secondary windows to lounges and can be required to be permanently obscurely glazed. This would be considered to prevent any detrimental overlooking impacts from occurring in this regard.

Stable Cottage is located to the west, and incorporates mainly garage spaces at the ground floor with habitable accommodation at the upper floor. The elevation facing toward the application site includes a single rooflight, which is understood to serve its bathroom. A non-habitable room such as this would not be afforded the same level of protection from any overlooking as habitable room windows. The proposed dwelling at Plot 1 includes 1 window and 2 rooflights to habitable rooms at first floor level, with other windows serving non-habitable spaces. The rooflights' cill levels are shown as being 1.9metres above the internal floor level and would therefore only permit upward views. Whilst the bedroom window is positioned towards the southern end of the dwelling, at an oblique angle from the roof light in question. This angle would therefore be considered to prevent the occurrence of overlooking. Overall, overlooking or privacy impacts upon occupants of Stable Cottage would not be expected to occur.

Some concern has also been raised about the use of the outer wall of Stable Cottage within the garden space to Plot 1. Preservation of access to the wall, gutters and downpipes for maintenance purposes would not be compromised by use of the space as a garden more than currently. Any consent would incorporate a condition preventing dwellings utilising permitted development rights to construct extensions and outbuildings etc.

On a similar issue, the proposed detached garage block has been shifted eastward by approximately 1.5metres. This overcomes the concern regarding the potential undermining of the neighbouring building and proximity to the boundary.

On the basis of the above conclusions the proposed scheme is considered to avoid having a detrimental impact upon the amenities of the occupants of Stable Cottage.

In relation to The Rectory to the north, concern was expressed about possible overlooking from the rear of Plot 2 over the garden space. The rear bedroom window at Plot 2 would be expected to potentially lead to a limited amount of overlooking of the rear portion of the garden to that dwelling. However, this would be from an oblique angle, and would not be considered to be harmful. Plot 2 would

be separated by over 30metres from the dwelling at The Rectory and therefore this relationship would not be considered to lead to privacy impacts, which would harm the amenities of occupiers of The Rectory.

In addition, the proposed apartments are separated by in excess of 25metres from the properties on the opposite side of Norton Lane. This separation distance would prevent the creation of any impacts upon these neighbours' privacy.

Overall, the proposed development would be considered to have an acceptable impact upon the amenities of neighbouring occupiers, and the relevant elements of UDP policy H14 would be satisfied.

#### Amenity Provision for Potential Occupants

The proposed dwellings would each provide ample provision for natural daylighting and ventilation. The external amenity garden spaces to the proposed dwellinghouses are somewhat shorter than would be required in less constrained circumstances. However, these arrangements are considered to be acceptable in this instance, due to the need for a design which reflects the character of the conservation area.

The layout includes shared, external amenity space for the apartments and dedicated patios / balconies to the respective apartments. In combination these arrangements would be considered to be acceptable, and to provide occupants of the apartments with adequate opportunity for outdoor recreation.

Similarly, the proposed layout would involve some separation distances which are slightly below guideline levels. These include gaps of 8metres from the rear of Plot 1 to Stable Cottage (the adjoining neighbour), 18metres between the front of Plot 2 and the rear of the apartments and 11metres from the front of Plot 3 to the side of Plot 2. The relevant supplementary planning guidance would suggest separation distances of 12metres between Plot 1 and Stable Cottage, 21metres between Plot 2 and the apartments and 12metres between Plot 3 and Plot 2.

These shortfalls are negligible and are not considered to significantly reduce the amenities for the dwellings' potential occupants. Additionally, they contribute towards achieving a scheme which is acceptable in design terms, and which is appropriate to the character of the area. Overall, it is therefore considered that the layout is acceptable in this regard.

The windows in the west elevation of the apartment building can be required to be obscurely glazed to prevent overlooking from/toward Plot 1, thereby addressing any privacy issues.

The proposed bin store would be screened from view and would not act to compromise outlook from the apartments or Plot 3.

Overall, the scheme is considered to be acceptable in relation to these issues.

## Landscaping Issues

The proposed layout plan suggests the removal of number of trees in order to facilitate the development. This would include trees along the property frontage. Whilst these make a positive contribution to the street scene, they are in a poor condition with limited life expectancy. It is therefore considered that it would be prudent to remove them as part of the development. It is important that these should be replaced by trees which give a relatively prompt impact. This will ensure that the visual amenity value of the local area is not compromised.

In broader terms the current application proposes to remove the same trees as were proposed to be removed as part of the previously approved scheme. Therefore, the current scheme continues to be considered acceptable in this regard. The submitted plan shows retention of the hawthorn hedge along the relevant portion of the site's western boundary. This will be protected by appropriate measures during the course of the building works, and would partly form the side boundary to Plot 2. It is expected it would be pruned to some extent to enlarge the garden space of Plot 2. However, a condition can be added to any consent granted which requires it to be permanently retained.

The implemented hard and soft landscaping scheme should be of a high standard to reflect its important position in the conservation area.

It is therefore recommended that subject to appropriate conditions the scheme would be considered to be acceptable in regards to its landscaping implications.

## Ecology Issues

An ecology survey of the site has been undertaken. The woodland and scrub on the site offers the potential to be used by common bird species for nesting and foraging. However, there is extensive foraging habitat in the immediate and wider area. Additionally, no evidence of bats (or signs of bats) were recorded within the two buildings. However, the buildings were considered to have moderate potential to support roosting bats. It was therefore recommended within the report that further reports are undertaken to confirm presence / likely absence of roosting bats. No evidence of badger activity was observed.

Based upon the initial report's findings relating to bats, a dawn return bat survey has recently been carried out.

No evidence of roosting bats was recorded during the survey and relatively little bat activity was recorded locally with only two bats passing during the survey period. A visual inspection of the building exteriors was carried out following the dawn survey, which recorded no obvious deterioration in building condition with the walls, wallplates and gable verges being well sealed. Bat access opportunities are limited to occasional gaps between roof and ridge tiles, under sections of board covering damage to the sloping roof, and in association with ivy cover on the south facing gable of the eastern building. No evidence of bat presence was recorded. Based upon the re-inspection of the buildings it was deemed proportionate to undertake only a single dawn return survey in this instance.

Therefore, it is considered that the buildings do not act as bat roosts and there is therefore no reason to resist the development based upon this issue.

Overall, the scheme is considered to be acceptable in terms of its impacts in ecology terms and any works should be undertaken in compliance with the recommended mitigation measures.

#### Highways Issues

The previously approved scheme established the principle of the residential development at the site, and the formation of a relocated access point for a greater number of units than are being proposed in this case.

The current proposal includes 4 spaces for each of the detached dwellings and a total of 9 spaces for the apartments. This amount of parking provision would be considered to be acceptable, and to avoid the generation of on-street parking.

The proposed access point is considered to provide adequate sight lines, subject to the removal of the intervening trees.

Overall, the scheme is considered to be acceptable in highway safety terms and a number of appropriate conditions can therefore be recommended.

#### Access and Mobility Issues

In order to comply with the relevant policy in this regard 25% of units should be designed to comply with the Mobility Housing Supplementary Planning Guidance.

Each of the three detached houses would comply with these requirements.

A number of amendments have been made to the initially submitted layout to secure full access/mobility into and around the site.

Overall, a condition requiring further agreement and implementation of arrangements satisfying the relevant guidance can be added to any consent granted.

#### Open Space

Policy H16 of the UDP requires the developer to make an appropriate contribution to the provision or enhancement of recreation space in the catchment area of the site where assessment of existing provision demonstrates this is necessary. Existing provisions of both formal and informal recreation space are above minimum guidelines within the site's catchment area though a contribution is considered necessary to facilitate improvement of recreation space locally.

The financial contribution therefore required for the development is £6,035.80 and this would be secured by the submission of a planning obligation. A draft version of this document has been submitted and this is being checked for completeness.

## Drainage Issues

The application initially proposed to use soakaway facilities for surface water drainage, however, it was found to not be possible to verify that soakaways would operate effectively at site due to recent rainfall levels. As a result the Applicant has revised the scheme to instead propose the use of mains drainage. The existing buildings at the site dispatch their surface water via this route. This is considered to be acceptable, and the levels of discharge to the surface drainage network can be controlled by condition.

It is intended to use the foul drainage system which runs through the Old Rectory site. It is understood that this system, is capable of accommodating the extra foul drainage which would be generated by a development at the site.

Overall, the scheme is considered to be acceptable in this regard, and a number of appropriate conditions are incorporated within the below recommendation.

## RESPONSE TO REPRESENTATIONS

The majority of comments have been addressed within the above assessment. In regards to the remaining points, the following comments can be made:

Queries regarding the ownership of trees / hedges adjacent to the site boundaries have been addressed by the revision of the detached garage block.

Builders would not be able to remove trees due to site's location within the Conservation Area.

Access to gutters and drainage on the wall of Stable Cottage would be a civil issue.

The issue of the single storey covenant covering a part of the site does not constitute a material planning consideration, and is not able to be taken into account as part of the assessment of the planning application.

The Statement of Community Involvement encourages pre-application consultations on larger schemes. A scheme of this nature would not be considered to be of such a scale as to constitute a larger scheme, and therefore the encouragement to consult with the local community prior to the submission of an application would not apply in this instance.

The provision of notice to neighbours is not a material planning consideration.

## SUMMARY AND RECOMMENDATION

The current application seeks full planning consent to demolish the existing ex-church hall buildings and to replace with 3 detached dwellings and 4 apartments. Conservation Area Consent for the demolition of the church hall buildings is also sought.

The site is located in Norton Conservation Area and is adjacent to a number of listed buildings.

An earlier scheme at the site for 18 apartments was refused, and later appealed. This appeal was dismissed solely for reasons relating to the absence of an affordable housing provision within that scheme. In all other respects the scheme was considered to be acceptable.

A more recent approval of the scheme granted consent for 13num. x 2 bedroom apartments.

The current application for planning permission is considered to be acceptable; having an acceptable impact upon the character of the Conservation Area and the setting of the nearby listed buildings. The development would be considered to be capable of satisfying the relevant sustainability policies. Additionally, the development is considered to have an acceptable impact on the visual and residential amenities of neighbouring occupiers, and to have an acceptable impact on local highway safety. The proposal is therefore considered to be acceptable, and subject to the completed legal agreement full planning approval is recommended.

In relation to the application for Conservation Area Consent, it is considered that the existing buildings have at best a neutral impact on the Conservation Area. Consequently, it is considered that they could be removed without leading to a harmful impact on the Conservation Area. Therefore, it is also recommended that the application for Conservation Area Consent is approved.

#### HEADS OF TERMS FOR PLANNING OBLIGATION

The owner shall, on or before the commencement of development, pay to the Council the sum of £6,035.80 to be used towards the provision or enhancement of Open Space within the vicinity of the site.

In the event of a satisfactory s106 Planning Obligation covering the Heads of Terms set out in the preceding paragraph not being concluded by 9 July 2012, it is recommended that the application be refused for the failure to make adequate provision in this regard.

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Case Number 12/01162/CAC

Application Type Conservation Area Consent Application

Proposal Demolition of two Church Halls

Location Norton Church Hall And Norton Church Youth Hall  
Norton Lane  
Sheffield  
S8 8GZ

Date Received 16/04/2012

Team SOUTH

Applicant/Agent Barlow Building Design

Recommendation Grant Conditionally

Subject to:

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

In order to comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

- 2 The existing buildings shall not be demolished before a binding legal contract for the carrying out of works of redevelopment of the site is made, and evidence of such a contract has been supplied to the Local Planning Authority and planning permission has been granted for such redevelopment.

To ensure that premature demolition does not take place and result in an undeveloped site, some time before rebuilding, which would be detrimental to the visual character of the locality.

Attention is drawn to the following justifications:

1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

BE5 - Building Design and Siting  
BE15 - Areas and Buildings of Special Architectural and Historic Interest  
BE16 - Development in Conservation Areas  
BE19 - Development affecting Listed Buildings  
GE15 - Trees and Woodland  
H5 - Flats, Bed-sitters and Shared Housing

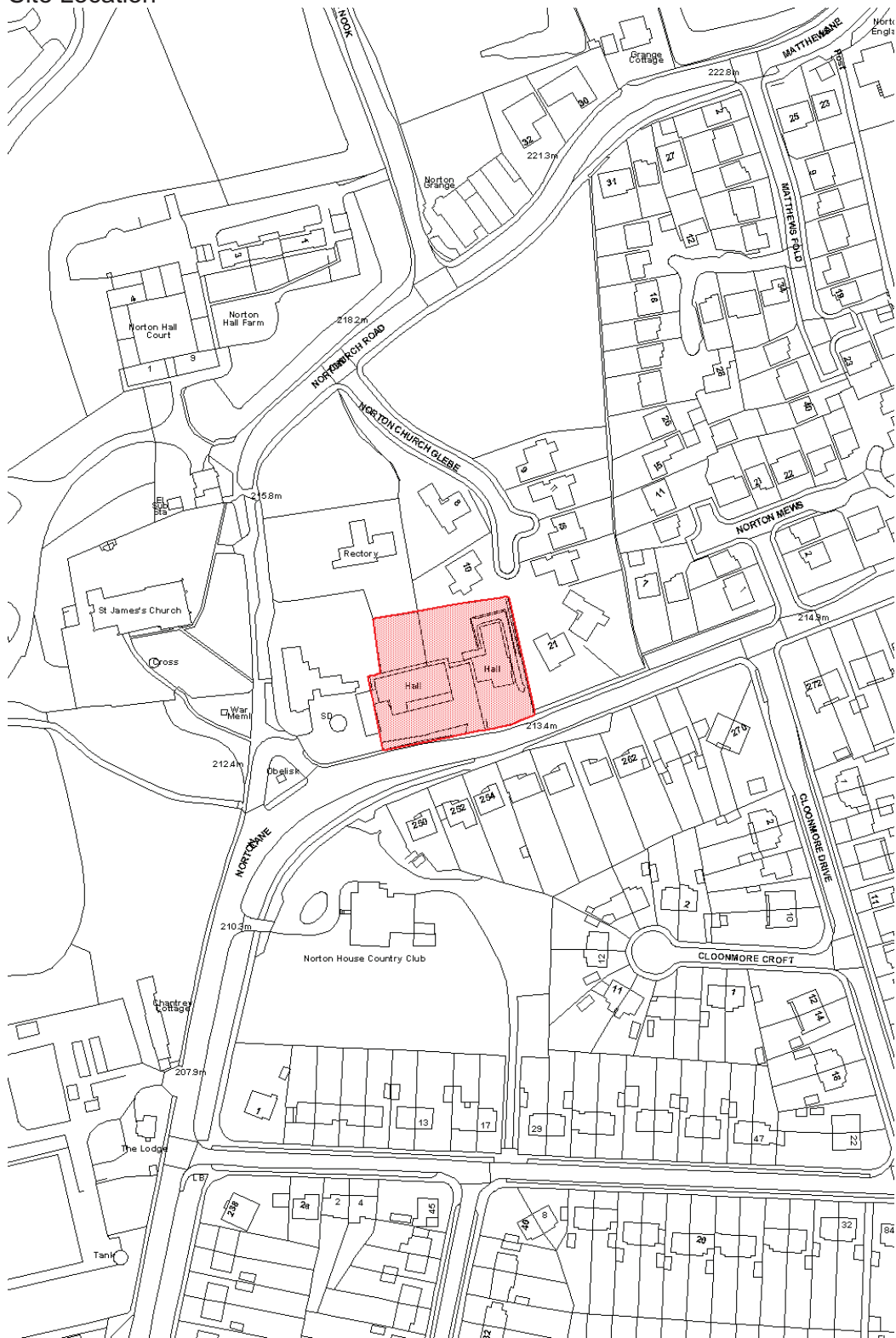
H10 - Development in Housing Areas  
H14 - Conditions on Development in Housing Areas  
H15 - Design of New Housing Developments  
CF2 - Keeping Community Facilities  
CS24 - Maximising the Use of Previously Developed Land for New Housing  
CS26 - Efficient Use of Housing Land and Accessibility  
CS64 - Climate Change, Resources and Sustainable Design of Developments  
CS65 - Renewable Energy and Carbon Reduction  
CS67 - Flood Risk Management  
CS74 - Design Principles

it is considered that the development complies with the relevant policies and proposals in the development plan, and would not give rise to any unacceptable consequences to the environment, community or other public interests of acknowledged importance.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at [www.sheffield.gov.uk/planningonline](http://www.sheffield.gov.uk/planningonline) or by calling the planning officer, contact details are at the top of this notice.



# Site Location



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For report see 12/01165/FUL

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Case Number 12/00572/ADV (Formerly PP-01843432)

Application Type Advertisement Consent Application

Proposal (A) One illuminated fascia sign and  
(B) One illuminated name sign

Location Carpet Right  
Unit H  
Meadowhall Retail Park  
Attercliffe Common  
Sheffield  
S9 2YZ

Date Received 01/03/2012

Team CITY CENTRE AND EAST

Applicant/Agent Greens The Signmakers Limited

Recommendation Grant Part and Refuse Part with Enforcement Action

Sign A Grant

Attention is drawn to the following directives:

1. This advertisement consent gives express consent for five years unless conditioned for a different period. At the end of that five year period it has deemed consent. (The Local Planning Authority can serve a Discontinuance Notice against deemed consent adverts if circumstances have changed and warrant such action.) It is not necessary to reapply for advertisement consent unless protection from possible discontinuance action is required.
2. If a voltage exceeding 650 is to be used, the Chief Fire Officer, South Yorkshire Fire and Rescue Service, Wellington Street, Sheffield, S1 3FG should be consulted as to the position of the fireman's switch before the installation is carried out.

Sign B Refuse with Enforcement Action for the following reason:

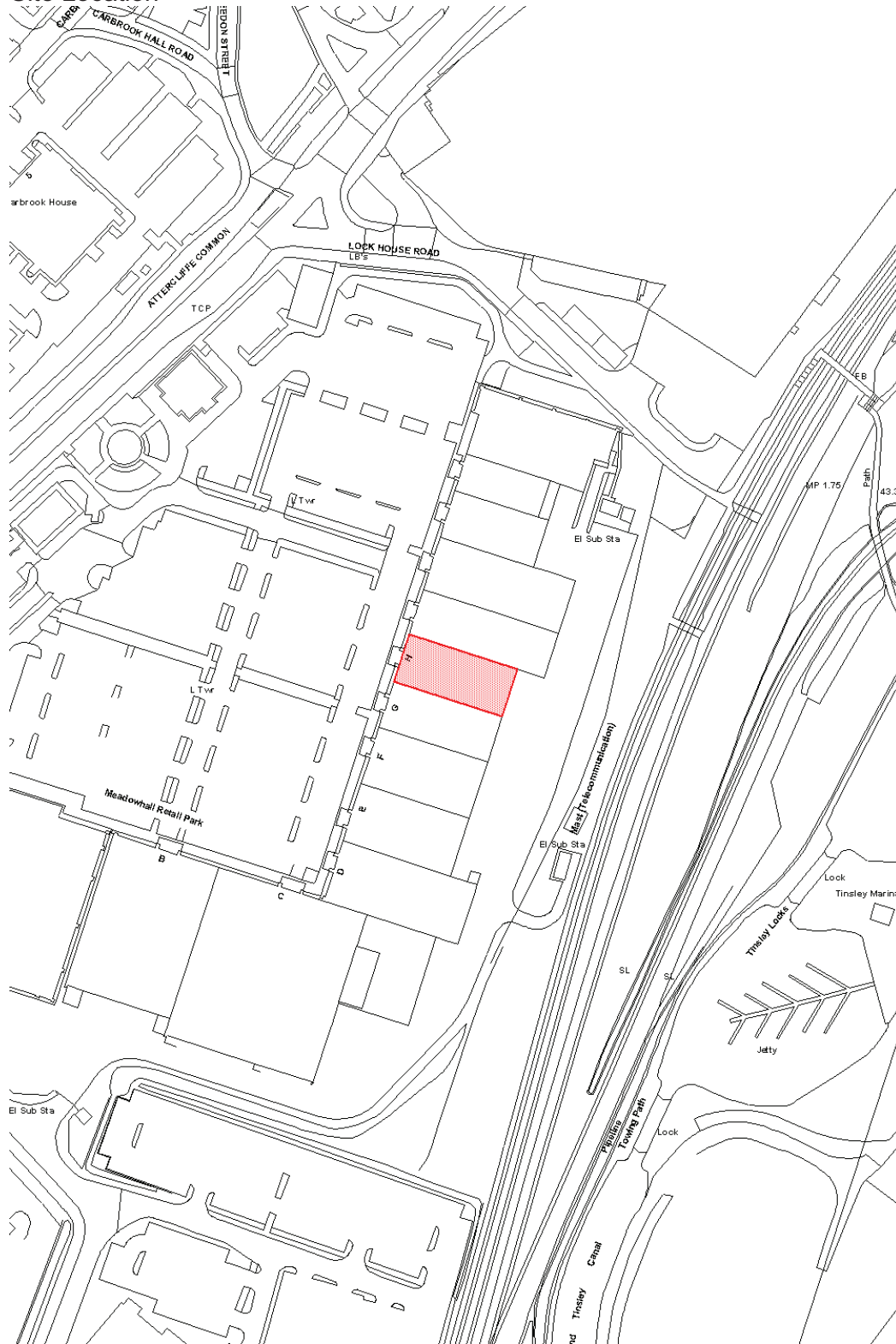
- 1 The Local Planning Authority consider that the display of the said illuminated name sign would by reason of its size and position, cut across the architectural features of the building, which would be detrimental to the visual appearance of the building and the visual amenities of the locality. As

such the proposed display would be contrary to Policy BE13 of the Unitary Development Plan.

Attention is drawn to the following directive:

1. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the illuminated sign. The Local Planning Authority will be writing separately on this matter.

Site Location



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## LOCATION AND PROPOSAL

The application site relates to a large retail unit, positioned mid-way within a parade of units, which forms part of the Meadowhall Retail Park. The layout of the retail park is such that the retail units are positioned around the perimeter, overlooking a large, customer car parking forecourt. The building, which is two-storeys high, has a brick and clad facade and features a central gable entrance which is predominantly glazed and set between two brick piers, with a large, glazed canopy positioned centrally above the main entrance, where there is a pair of entrance doors. Either side of the entrance are a pair of large display windows.

Advertisement consent is sought to retain 2 signs which are currently displayed on the front elevation of the building. The signage comprising of a high level, illuminated name sign, centrally positioned above the main entrance and an illuminated fascia sign positioned at fascia height immediately above the entrance doors. The signs comprise aluminium boxes, with a vinyl exterior, which are internally illuminated.

## RELEVANT PLANNING HISTORY

Listed below are the most relevant applications relating to the site.

Advertisement application no. 94/02940/ADV – (A) Illuminated box sign within entrance feature; and (B) 2 illuminated box signs on cladding – Part Grant, Part Refused – 25.08.1994.

Advertisement application no. 93/03020/ADV – (A) illuminated fascia sign; (B) Illuminated name sign – Part Grant, Part Refused – 25.11.1993.

93/00040/DCAPEL – Appeal for Planning application ref no. 93/8131A – Dismissed – 01.07.1994.

## SUMMARY OF REPRESENTATIONS

No formal neighbour notification has been carried out as this is not a statutory requirement for advertisement applications, hence no letters of representation have been received in respect of this application.

## PLANNING ASSESSMENT

### Land Use Policy

The site lies within Meadowhall Retail Park, and as the proposal relates to advertisements, Policy BE13 will apply. In terms of this application, the visual impact of the proposed signage will be considered together with any public safety issues which may arise.

Policy BE13 states that illuminated advertisements would be acceptable provided they would not harm the character or appearance of the area or create a traffic hazard. In particular, section (A) (iii) states that large poster advertisements will be permitted only if they would be placed symmetrically on the building and not cut across architectural features.

The National Planning Policy Framework (NPPF), published March 2012, now supersedes PPG19, which referred specifically to the control of advertisements. Para. 67 of the NPPF recognises that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment and the control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the Local Planning Authority's detailed assessment. Advertisements should be assessed only in terms of amenity and public safety, but taking into account the cumulative impacts.

In Circular 03/2007, which refers to the control of advertisements, it states that Local Planning Authorities are required to exercise their powers, under the Regulations, with regard to amenity and public safety, taking into account relevant Development Plan Policies (as above).

#### Design/Visual Amenities

The proposal seeks to retain 2 signs, which are displayed on the front elevation of the building.

Sign A relates to an internally illuminated, aluminium box sign, positioned at fascia height, above the main entrance doors, recessed between 2 brick piers. The existing sign box has been utilised and a replacement vinyl covering has been applied. The sign, which is simple and typical in design, fits comfortably within a recessed position, between the existing brick piers. The size and detailing of the sign is considered acceptable and the colour scheme, incorporating white text on a green background is in keeping with the coloured glazing bars and window frames of the building. The text is appropriate in respect of the size and font type. The type and level of illumination is considered acceptable, thus, does not appear over-exposed. Given the above, the design of the fascia sign is considered acceptable in terms of size, siting, form and detail and as such does not detract from the appearance of the building.

Sign B relates to an internally illuminated sign, positioned at high level, above the main entrance of the building. The design of the sign is simple and whilst not inspiring, it is considered acceptable. The sign has red and green text set on a predominantly white background, and as such, does not appear garish. The illumination level will not exceed 688 candela per square metre, which is not considered to be excessive.

The sign is appropriately positioned on the building, recessed between existing brick piers, with no projection above the top of the brick piers. This is reflective of other neighbouring retail units. However, the sign extends down further beyond

the clad façade, such that it obstructs part of the glazed frontage, which is a key architectural feature of the building. The size of the sign gives little consideration to the design of the structure on which it is located. Other high level signage within the retail park does not extend down to this level but align through with the contrasting horizontal band of brickwork features on the projecting brick piers either side, thus, do not conflict with the architectural features of the building. A consistent approach has been taken to ensuring that high level signage above the glazed frontages are appropriate in size and position. Allowing a sign, of this size, to continue being displayed would set an undesirable precedent for other retailers to seek consent for larger signs, which would have a detrimental impact on the appearance of the individual units and the block of units as a whole, which would be harmful to the visual amenities of the locality.

On this basis, it is considered that the above sign is not acceptable and does not accord with Unitary Development Plan Policy BE13.

#### Highway Issues

The proposal does not raise any highway concerns and as such will accord with UDP Policy BE13.

#### ENFORCEMENT

Because the signs have already been displayed and sign B is considered to be unacceptable, authorisation is sought from the Director of Development Services or Head of Planning to take any appropriate action including if necessary, enforcement action, the service of a Discontinuance Notice and the institution of legal proceedings to secure the removal of the high level, illuminated name sign currently displayed.

#### SUMMARY AND RECOMMENDATION

The design of the fascia sign immediately above the main entrance is considered acceptable in terms of scale, form and detail and does not detract from the appearance of the existing building or compromise the street scene. Such signage accords with UDP Policy BE13.

In respect of the proposed high level, name sign, this is not considered acceptable. The sign is excessive in size, appearing top heavy, and owing to its position, cuts across a main architectural feature of the building, disrupting the design and symmetry of the terrace as a whole. Such signage detracts from the visual appearance of the building and the visual amenities of the locality.

The proposed signage will not raise any concerns in respect of highway safety.

On this basis, it is recommended that Members Part Grant and Part Refuse the application with authorisation given to secure the removal of the high level illuminated name sign.



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Case Number	11/03972/FUL (Formerly PP-01727017)
Application Type	Full Planning Application
Proposal	Erection of 24 dwellinghouses including associated car parking and landscaping
Location	Land To The Rear Of 21 To 99 Beacon Road And Land Adjoining 131 Sandstone Road Sheffield S9 1AB
Date Received	21/12/2011
Team	CITY CENTRE AND EAST
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally subject to the completion of a Legal Agreement

Subject to:

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

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

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

117 001 Rev C, 002 Rev B, 003, 004 Rev B, 005, 006 Rev A, 007 Rev D, 008 Rev D, 009 Rev E, 010 Rev D, SRW 05 Rev B, 04 Rev C, 01 Rev C

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 Before any development commences a scheme to manage construction traffic including details of a construction compound and contractors parking shall be submitted to and approved by the Local Planning Authority. Thereafter construction traffic and the works shall be managed in accordance with the approved details throughout the construction period.

In the interests of the amenities of the locality and the occupiers of adjoining property and traffic safety.

- 4 Before any development commences a scheme to minimise the escape of dust during construction shall be submitted to and approved by the Local Planning Authority. Thereafter the construction works shall be carried out in accordance with the approved scheme.

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

- 5 Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

In order to ensure that any contamination of the land is properly dealt with.

- 6 Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11

(Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

In order to ensure that any contamination of the land is properly dealt with.

- 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.

In order to ensure that any contamination of the land is properly dealt with.

- 8 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 or any part thereof shall not be brought in to 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 Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

In order to ensure that any contamination of the land is properly dealt with.

- 9 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.

In the interests of the safety of road users.

- 10 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.

- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

- 11 No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how the following will be provided:
- a) a minimum of 10% of the predicted energy needs of the of the completed development being obtained from decentralised and renewable or low carbon energy;
- Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

- 12 Before any development commences a scheme for the treatment of Japanese Knotweed shall be submitted to and approved by the Local Planning Authority. Thereafter the approved scheme shall be implemented.

In the interest of preventing the spreading of an invasive species.

- 13 The development shall not be begun until either the improvements listed below have been carried out or arrangements have been entered into to ensure that the improvements have been carried out before the dwellings are occupied.

Improvements.

1. Provision of a screen hedge on the north and west side of the outside of the rear garden boundary fence to plots 21-24.
2. Improvements to lighting to the footpath adjacent to 19/21 Beacon Road.

In the interests of the visual amenities of the locality and ensuring that the development integrates satisfactorily with the open space to the west.

- 14 Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Mondays to Fridays, and 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

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

- 15 The carriageway shall be constructed in accordance with the recommendations set out in the submitted Geo environmental report (Michael Joyce Associates LLP).

In the interests of the safety of adjoining occupiers and road users.

- 16 The dwellings shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

In the interests of the safety of road users.

- 17 The dwellings hereby approved shall be constructed to achieve a minimum standard of Code Level for Sustainable Homes Level 3 and before any dwelling is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that Code Level 3 has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

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

- 18 The development shall not be carried out except in complete accordance with the drainage details shown on submitted plan "958-2 (revision B) dated 22/02/2012 that has been prepared by RAB Engineering Design Ltd", unless otherwise agreed in writing with the Local Planning Authority.

In the interests of satisfactory and sustainable drainage.

- 19 The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority. Thereafter the 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 unless otherwise approved by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 20 Prior to the first house being occupied a scheme for the long-term management of the communal areas and public open space shall be submitted to and approved by the Local Planning Authority. Thereafter the approved scheme shall be implemented.

In the interests of the amenities of the area.

- 21 Prior to the construction of plots 1-6 commencing, details of tanalised timber steps set into the ground with a combination of steps and long steps/ramps with a bound surface finish and a metal hand rail and corduroy tactile paving to the top and bottom to BS 8300 standard, to create an improved pedestrian link between the site access road and Nos 67/69 Beacon Road shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before plots 1-6 are occupied.

In the interests of formalising an existing desire link and providing improved pedestrian connections.

- 22 Notwithstanding the details shown on the site plan, the rear garden boundary of plot 24 adjoining the public footpath shall be a pier and panel fence and the brick screen wall adjoining the road shall be a 1.2m high.

In the interests of the visual amenities of the locality and the amenities of occupiers of the adjoining Beacon Road properties.

- 23 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.

In order to ensure an appropriate quality of development.

- 24 The land drainage shall be carried out in accordance with the recommendations in the Geotechnical report by Michael D Joyce Associates.

In order to mitigate the risk of flooding.

Attention is drawn to the following justifications:

1. The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals from the Sheffield Development Framework and the Unitary Development Plan set out below:

LR5 - Development in Open Space Areas  
H16 - Short-term Accommodation for Homeless People  
GE10 - Mobility Housing  
GE11 - Nature Conservation and Development  
GE13 - Areas of Natural History Interest and Local Nature Sites  
BE22 - Archaeological Sites and Monuments  
CS24 - Maximising the Use of Previously Developed Land for New Housing  
CS25 - Priorities for Releasing Land for New Housing  
CS26 - Efficient Use of Housing Land and Accessibility  
CS40 - Affordable Housing  
CS41 - Creating Mixed Communities  
CS47 - Safeguarding Open Space  
CS64 - Climate Change, Resources and Sustainable Design of Developments  
CS65 - Renewable Energy and Carbon Reduction  
CS67 - Flood Risk Management  
CS73 - The Strategic Green Network and Supplementary Planning Guidance 'Planning Obligations and Education Provision', 'Open Space in New Housing Developments'

The application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the site is identified as open space and an Area of Natural History Interest. However because the open space is not of high amenity, ecological or landscape value and sufficient open space will remain, the development is not considered to be contrary to the relevant development plan policies. The same conclusion on these issues was reached by the Planning Inspector who dismissed the appeal into a scheme for housing development on the site in 2004.

An archaeological evaluation and fieldwork has been undertaken under the guidance of the South Yorkshire Archaeological Service which has demonstrated that the development will not cause damage to archaeological interest. It produced no evidence that the Roman Ridge earthworks crossed the site and concluded that it was more likely that it never crossed the site. It is also concluded that given the relationship of the site with the Wincobank hill fort and the Roman Ridge and the form of development proposed that the scheme would not adversely affect the setting of these heritage assets. English Heritage who are charged with safeguarding Ancient Monuments and their settings would seem to concur with this view as they have raised no objections to the proposal.

The layout and design of the proposed housing is considered to be in keeping with the character of the surrounding development and meets the Council's design policies. The access and parking arrangements are satisfactory and there is no reason why this development should create any significant highway safety concerns. There will be a limited negative amenity impact by developing a green and open site particularly for the residents of Beacon Road and some temporary dis-amenity during construction. However this is not considered to be so great as to justify

resisting this proposal. The applicant has reasonably demonstrated that this steeply sloping site can be safely developed by taking reasonable precautions during construction and that appropriate safeguards to prevent flooding are in place. This view is not disputed by the Environment Agency, Yorkshire Water, Building Control or the Coal Authority who have expertise in these areas.

The application will deliver 24 three bedroom family houses in a reasonably sustainable location in an area which is a priority location for housing and is consistent with housing policies. It will also provide some access improvements by improving pedestrian links between Sandstone Road and the open space to the west and improve connectivity between Sandstone Road and Beacon Road. The Section 106 contributions will ensure that the public open space and education needs of future occupants will be met. The last scheme for housing on this site was dismissed only on the grounds that there was a 5 year supply of housing sites and therefore there was no justification for developing a Greenfield site. This has now changed and there is no longer a 5 year supply of deliverable housing sites. As there are no other strong reasons for opposing this scheme this means that there is a strong policy presumption in favour of granting permission for housing.

It is therefore concluded that there are no planning reasons for opposing this proposal. Whilst there will be some limited amenity dis-benefits these are not sufficient to justify opposing the scheme and are significantly outweighed by the benefits of delivering family housing in a sustainable location when there is a shortfall in the 5 year supply of deliverable housing sites.

This explanation is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report at [www.sheffield.gov.uk/planningonline](http://www.sheffield.gov.uk/planningonline) or by calling the planning officer, contact details are at the top of this notice.

Attention is drawn to the following directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Engineers in their document "Guidance Notes for the Reduction of Light Pollution". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Engineers, telephone number (01788) 576492 and fax number (01788) 540145.
2. The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The Local Planning Authority has evaluated the risk assessment and remediation scheme on the basis of the information available to it, but there may be contamination within the land, which has not been discovered by the survey/assessment.



3. If you suffer any loss or damage as a result of a refusal of consent or when consent is given subject to conditions, you may be entitled under Section 203 of the Town and Country Planning Act 1990, to recover compensation from the Council. If you wish to make a claim you must do so within 12 months from the date of this decision or if you appeal to the Secretary of State, within 12 months from the date of his decision.  
Claims should be made in writing to Head of Planning, Development Services, Howden House, 1 Union Street, Sheffield S1 2SH.  
It may be worthwhile discussing with the case officer the principles underlying the entitlement to compensation before making a formal claim.
4. 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.

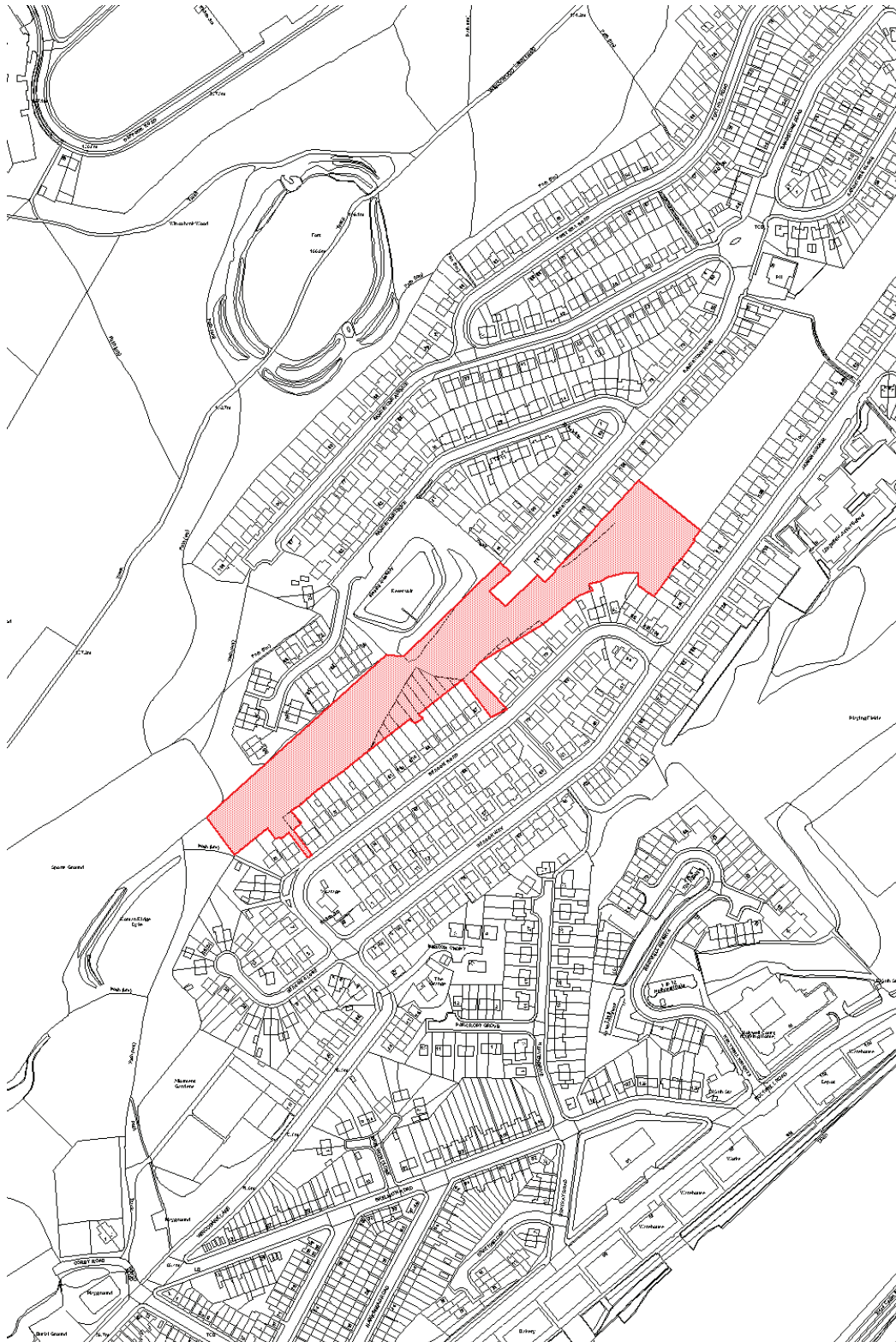
If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

5. The Council is responsible for allocating house numbers and road names to both new developments and conversions of existing buildings. Developers must therefore contact the Council's Street Naming and Numbering Officer on (0114) 2736127 to obtain official addresses for their properties as soon as construction works commence.
6. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £85 or £25 if it relates to a condition on a householder application for development.

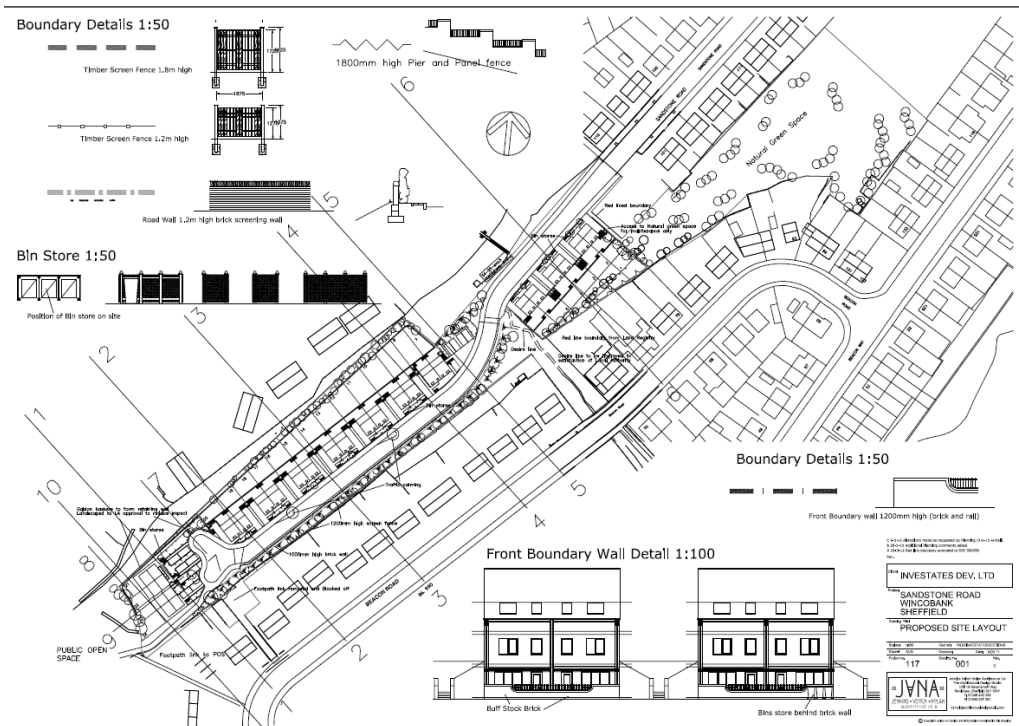
For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

7. The applicant is advised that the archaeological scheme of works is expected to involve archaeological monitoring during ground works until natural ground level is reached. Should something of archaeological interest be discovered provision needs to be for rapid recording works to be undertaken.
8. The applicant is advised that land drains are thought to exist within this site. If a land drain is encountered it must be maintained and not removed, blocked off or filled in.

Site Location



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## LOCATION AND PROPOSAL

The application site is located on the north bank of the River Don valley high up on the valley side. It is a linear Greenfield site varying in width from 35m to 45m and is 280m long. It is currently occupied by scrub and some trees. It slopes steeply from north-west to south-east. Due to its elevated position there are good views to the south. It is located at the west end of Sandstone Road and, due to its steep gradients, undulating terrain and overgrown nature the site is not easy to access on foot. However there are two (difficult to negotiate) informal routes across the site from north-east to south-west and from Sandstone Road to Beacon Road.

To the north and elevated above the site there is housing on Sandstone Drive and Sandstone Avenue and a reservoir that serves Forgemasters River Don Works. The reservoir was built towards the end of the last century. Beyond this there is open space that contains the Scheduled Ancient Monument of Wincobank hill fort. To the south of the site and at a lower level there is housing on Beacon Road, Beacon Way and Beacon Crescent. To the west and north-west of the site there is a large open space which includes Wincobank Wood. To the east and north east of the site there is housing on Sandstone Road and Jenkin Avenue with an intervening linear space. The adjacent housing was built on farmland in the 1960/70s.

The application is seeking permission to extend Sandstone Road in a south westerly direction and build 24 three bedroom houses. Six of the proposed houses will be semis located on the south side of the access road with side parking. They are two storeys high at the front but cut into the slope at the rear with two full storeys and additional accommodation in the roof space. Forteen houses are proposed on the north side of the access road. All the houses are semis with side

parking and are two storeys high with accommodation in the roof at the front. At the rear they are cut into the hillside with two floors of accommodation. The rear gardens are to be terraced to create level areas. The access road terminates in a turning head at the west end of the site. Adjacent to this 4 houses are proposed with parking at the front and gardens at the rear backing onto the open space at the west end of the site. The access road is located close to the southern edge of the site adjacent to the back gardens of the Beacon Road properties, which are positioned at a lower level. It is generally on a raised embankment between 2 and 4m high. A footpath will be created on the north side of the access road which will link Sandstone Road with the open space to the west. It is also proposed to improve an informal un-surfaced pedestrian link between Nos. 67/69 Beacon Road. A stepped route will be created between Beacon Road and the site access road up a steep embankment. An additional area of open space approximately 100m long is included at the east end of the site between housing on Beacon Road, Sandstone Road, and Jenkin Avenue. The applicant is intending to retain this as natural green space although it can only be accessed from the east side.

#### RELEVANT PLANNING HISTORY

Planning permission was refused for the erection of 6 flats and 25 dwellinghouses in October 2003 (application 03/00789/FUL). The reasons for refusal were as follows.

1. The Local Planning Authority consider that as the proposed development involves the loss of Open Space which has substantial amenity value for local residents, it would have a detrimental impact upon the character and amenity of the area. As such the proposal is considered to be contrary to Policies LR4, LR5, LR7 of the Unitary Development Plan.
2. The Local Planning Authority consider that the proposal represents the development of a green field site contrary to the aims of Planning Policy Guidance Note 3 'Housing'. The City has an adequate supply of previously developed land to meet its housing needs which should be used in preference to the proposed site.

The applicant appealed against the refusal and the planning inspector dismissed the appeal. In dismissing the appeal the planning inspector concluded that the development would not cause loss of open space that should be retained because of its nature conservation and recreation value. The appeal was rejected solely on the basis that there was a five year supply of housing land at that time and therefore there was no justification for over-riding the presumption against Greenfield development.

Full planning permission was granted on the site in May 1995 for 28 dwellinghouses (planning permission 93/1053P).

Outline planning permission was granted on the site for residential development in March 1991 (planning permission 90/2212P).

## SUMMARY OF REPRESENTATIONS

The Friends of Wincobank Hill and Sandstone Road Residents Forum have submitted a petition against the proposal signed by 272 people.

The grounds of objection are;

- impact due to construction traffic, land disturbance and water drainage.
- impact on an area of historic interest (Roman Ridge, Iron Age Wincobank Hill Fort) and construction could destroy archaeological evidence.
- impact on visual context of the hill from the south devaluing an important tourism asset.
- impact on open space in an area of significant biodiversity of scientific interest.
- alternative development sites available elsewhere.

145 individual representations objecting to the scheme have been received including objections from David Blunkett MP, Angela Smith MP and Councillors Price, P Rippon and Leek, Friends of Wincobank Hill, Love Wincobank Campaign, the Hunter Archaeological Society & Sheffield Ramblers.

Clive Betts MP, Paul Blomfield MP, and Meg Munn MP have not objected directly to the application but written to those campaigning against the proposal and expressed their support for the objectors. The grounds of objections are as follows.

- Increased traffic will create safety problems for all road users and pedestrians, the road is narrow with parking on both sides and the development will make it unsafe for children to play on the road. There will be additional congestion on Sandstone/Jenkin Road, it will also make Sandstone Road a through road. Construction traffic will not be able to get down Sandstone Road and there is nowhere for the construction compound and construction workers parking.
- The site is a thriving habitat for wildlife including bats and development will have a harmful impact on the wildlife. The development will result in the removal of mature trees.
- No need for new homes there is already affordable housing in Wincobank at Amaranthus and Holywell Heights which has not been completed due to lack of demand. The site should not be developed until the cleared housing sites have been built on. The scheme will develop Greenfield land when there is sufficient Brownfield Land available. There are estimated to be 5,068 -8147 empty homes in the city. If built the houses will stand empty and become a focus for anti social behaviour or be let to tenants who have no commitment to the area. Budget housing will affect existing house values and the ability to sell them. The case for the lack of a five year housing supply is not supported by the Council. The developer's argument that land coming forward is likely to be more than 20% below the (adjusted) five year supply is caused by developers not bringing forward their sites because of the depressed housing market. The sites are deliverable but the market will not absorb them because of finance difficulties and anxiety about negative equity. Although the site is identified as suitable for housing in the

Strategic Housing Land Availability Assessment this is only a technical appraisal and the open space classification should take precedence over the sites suitability for housing.

- There will be noise pollution and dust during construction and disruption due to heavy lorry movements.
- There are not enough places in local schools. Local doctors are not able to take more patients. The area lacks good bus services and local amenities.
- The green space should be protected as it is designated open space; its development is contrary to the Unitary Development Plan. The National Planning Policy Framework states that development should be guided by the Development Plan. The site is of substantial amenity value to the community, children sometimes play ball games on the site, it is used for walking. There is already a shortage of children's play space in the area. Local people have been involved in the regeneration of the green space in the area and it is safe for walking, exercise and local history activities, development of the site will disregard this community action. The open space improves air quality, controls air temperature and flood risk. The Wincobank area features in promoted walks across the city and the development would ruin this potential. The site should be treated as open space it contains footpaths and views of the Don Valley. The site provides an important link to other undeveloped land where children can explore and enjoy the wildlife and history. It is one of the few open space left in the neighbourhood and an important bit of green space/breathing space in a very developed part of the city. Although there is a need for housing it does not follow that every application has to be permitted, especially where the site is valuable open space as is the application site, which has not been developed for generations. Although the site is identified in the SHLAA as being suitable for housing with policy constraints, the applicant has not presented a convincing argument for over-riding the open space designation.
- Given the steepness of the site the development will increase the risk of landslip and subsidence to adjoining properties. The applicant's technical reports should be checked. The site contains numerous unmarked mine shafts.
- The site should be protected as it lies directly on the line of the Roman Ridge and close to Wincobank Iron Age hill fort both of which are historically important and of local and national interest. The Roman Ridge stretches for 27km making it amongst the most significant in the British Isles. It has acted as a physical and political boundary to the areas communities for over two thousand years. The Friends of Wincobank Hill in partnership with Sheffield Rangers, SCC parks and Woodlands and the University of Sheffield are working hard to develop the heritage resource. This has fermented a sense of excitement and growing interest in the local community and we should be opening up better access to the wider landscape rather than obstructing it. The fort and its setting includes the views into and out of the monument. The development around the hill has breaks within it including the site and the development plans seek to preserve these. Building on the site may take a way the chance to gain understanding of the sites history and

its potential to contribute to the local economy as a tourism asset and an education resource.

- The archaeological assessment is not in sufficient depth and the desk top based assessment submitted with the application fails to demonstrate that the Roman Ridge does not pass through the site.

- It is the site and route of the monument that is important not necessarily the physical remains of it. It provides the context for two neighbouring sections of the Roman Ridge that are scheduled. The application site forms part of the setting of the Scheduled Hill Fort and of the scheduled sections of the Ridge. The integrity and inter-visibility of the monument is paramount, especially in the light of its already fragmented state. Planning Policy Statement 5 requires Local Planning Authorities to consider the positive and negative effects of development on the setting of heritage assets. The National Planning Policy Framework also requires the impact of development on the setting of heritage assets to be considered. It has been argued that the site itself is a heritage asset and deliberate neglect of a heritage asset should not be taken into account in making a decision. The proposed housing will damage the landscape setting of these important historical monuments which are visible from a wide area. The importance of the site to the understanding of the Scheduled monument is not negated by the apparent lack of physical remains; its association still remains potentially significant. If the site were developed the impression would be given that the historic interest and significance of the site were confined to the hill fort and the south-western and north-eastern approaches. The undeveloped site provides a potent reminder of the continuous historic landscape which formally occupied the slopes below the fort. Views across the site emphasise the dominance of the fort on a prominent hill as a result of the development the view would be substantially of residential development. The site contributes significantly to the setting of the scheduled monument and its retention as undeveloped landscape could outweigh the benefits to the city of the proposed housing. It is also argued that no substantial public benefit has been put forward to outweigh the harm to the heritage asset as is required by the National Planning Policy Framework, particularly as there is other land available in the area for housing development.

- The “Council of Europe Framework Convention on the Value of Cultural Heritage for Society” recognises the importance of conserving cultural heritage and the ability to connect with heritage is a Human Right. Although the UK has not ratified the convention it highlights best practice. It is argued that the local community is strongly connected with the local history.

- The developer has let the land deteriorate to reduce the resistance to building on it.

- Water drains onto the site from higher land with natural streams and springs running through it. The development will interfere with the natural drainage and cause flooding in the Beacon Road properties. The flood flow channel/footpath onto Beacon Road would cause land disturbance and potentially create flooding. The site is known to flood. Development will release toxic gases from the previous landfill. It will create complications for the Forgemasters Dam and if it is damaged



it could flood lower down the hill. The dam has been known to overflow on occasions onto the lower level properties.

- The development will encroach on the privacy of occupiers of properties on Beacon Road due to overlooking. It will contravene the right to light. Even with the amended proposals for a wall adjoining the road and screening fence houses on Beacon Road will be overlooked and suffer loss of privacy. The road is too close and will cause noise and air pollution there is also a risk than an accident could result in a vehicle ending up in the garden of the Beacon Road properties. The new housing will appear overbearing from Beacon road and the road directly at the bottom of the garden will have an amenity impact. More people will use the unofficial footpath through the site which passes through No 45 Sandstone Roads front garden. The occupiers of this property oppose this and argue that they will suffer from increased dog mess and litter. The open space planned as part of the application will create privacy problems for residents of Beacon Road and will become a magnet for anti social behaviour. This could be addressed with if high fencing were provided to the boundary. The footpath between numbers 27/29 Beacon Road would cause noise disturbance. The development will worsen security by allowing access to the rear of the Beacon Road properties.

- There is no difference from the previous application that was refused and turned down on appeal.

- The development could affect other owners of land ability to develop their land.

- The new houses will harm the visual appearance of the site from houses on Jenkin Road and the green character of the site. The design of the houses is out of character with the area and the materials are not in keeping. It will harm the visual context of the hill from the south. It will result in loss of a view over the Don Valley. The applicants proposed ecological and access improvements could easily be provided by local groups and other organisations.

- The benefits claimed for the development of new housing, employment, sustainable design could all be achieved on other housing sites. The construction jobs are temporary.

- The stepped access to the houses means they will not be suitable for elderly people.

- Development will affect the public's right to enjoy footpaths and the 'open access' nature of Wincobank Hill. The development would restrict further walking opportunities over Wincobank.

- Various criticisms of the applicant's supporting planning statement arguing that it misrepresents the public's views in the statement of community involvement, it undervalues the importance of the site and overvalues the benefits of the development.

The applicant has submitted a Statement of Community Involvement which describes the pre-application publicity undertaken. The Council's Statement of

Community Involvement strongly encourages pre-application consultation with local residents. In this case the applicant held 2 public exhibitions at the Forum Public House on 20th and 22nd Jan 2011 one of which was during the day and one in the evening. The local community were notified by 307 letters which included a questionnaire and link for an online questionnaire. Approximately 42 people attended the exhibition and 61 questionnaires were returned. The applicant's amended the plans following the consultation exercise. The questionnaire was mainly concerned with the principle of what the site was suitable for, the development options put forward were, offices, research and development, light and general industry, storage and distribution, residential and senior living. Open space was not given as an option although there was space for specifying an alternative use. Of the completed questionnaires 36 were against the site being developed for housing and 23 in favour of either housing or senior living, 2 respondents were unclear. Of those against housing most wanted to see the site undeveloped and left as open space and many were concerned about noise and additional traffic from housing development. A number of respondents referred to the need for a play area.

A campaign meeting against the proposal was held on 23.1.12 at the Forum Public House attended by approximately 70 people. The meeting was against the proposal referring to many of the reasons listed above in the individual representations.

Sheffield Forgemasters who own the adjacent reservoir have pointed out that this is active and forms an essential part of their operations in the Don Valley. They have advised that the supply pipe runs through the site and the development needs to build around it and provide for maintenance access. They consider construction needs careful management to avoid the pipe and fence around the reservoir. They also suggest consideration should be given to a separate fence on the development boundary as the new residents may be unfamiliar with the dangers of the reservoir.

English Heritage who are responsible for providing specialist advice to planning authorities on the impact of development on character and setting of listed buildings and Ancient Monuments have considered the application. They have advised that they do not wish to offer any comments on the application.

The Coal Authority has advised that previous coal mining activity could pose a risk to the proposed development. However the ground investigation report proposes appropriate recommendations for further intrusive investigations and remedial works where necessary. They have no objections to the proposed development subject to the Local Planning Authority imposing recommended conditions.

## PLANNING ASSESSMENT

### Policy Issues

The National Planning Policy Framework (NPPF) confirms that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate

otherwise. One of the Core planning principles of the NPPF is that planning should be genuinely plan-led, empowering local people to shape their surroundings

## Open Space

The application site is identified as an open space area and an Area of Natural History Interest in the Unitary Development Plan.

The application site is classified as natural and semi –natural greenspace in the open space audit. There are policies in the Unitary Development Plan and the Core Strategy that seek to protect valuable open space from development. However this does not mean that open space can never be developed. Each proposal that affects open space must be assessed against the relevant policies.

Core Strategy Policy CS47 ‘Safeguarding Open Space’ states.

Development of open space will not be permitted where:

- a. it would result in a quantitative shortage of either informal or formal open space in the local area; or
- b. it would result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or
- c. people in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area; or
- d. it would cause or increase a break in the city’s Green Network.

Development that would still result in the loss of open space will only be permitted where:

- e. as soon as practicable, equivalent or better replacement open space would be provided in the local area; or
- f. the site is identified as surplus for its current open space function and:
  - i. a proposed replacement would, as soon as practicable, remedy a deficiency in another type of open space in the same local area; or
  - ii. it could not fulfil other unsatisfied open space needs; or
- g. the development would be ancillary to the open space and have a minimal impact on the use or character of the open space.

Open space or sports and recreational facilities of importance beyond the city will be safeguarded and development or redevelopment will be permitted only where it would improve the quality of facilities provided in the city.

An open space assessment has been carried out which shows that there is adequate provision of open space in quantitative terms. That is, 9.53 hectares per 1000 people following the development, as against the recommended provision of 7.01 hectares per 1000 people. Therefore the development is acceptable in terms of Policy CS47 part a. Within the above figure of the overall level of open space provision there is an under representation of amenity greenspace and parks and gardens in the area. However because of the topography, shape and relationship with surrounding properties it is unlikely that the site could be used for this type of open space. There is also a slight under provision of formal open space in the area but this site is not considered to be suitable to remedy this provision given the topography and its location. There are also redundant pitches close to the south west of the site that would be much more suitable for formal open space. The proposal is therefore considered to be consistent with part (f) (ii) of Policy CS47.

The heritage, ecological and landscape value of the open space is considered in more detail below (part b of Policy CS47). However it is concluded that the value of the site for these purposes does not justify resisting this proposal.

The application site forms part of a much larger area of open space to the west and north of the site which includes areas of woodland and sports pitches. As a result local residents will still have access to a local park if the development were to go ahead. In fact the public footpath link through the site would marginally improve the access to the larger open space for existing residents of Sandstone Road. Therefore the proposal is not considered to be contrary to Policy CS47 part c.

The Unitary Development Plan (Green Network Map 4) and the Sheffield Nature Conservation Strategy identify a desired Green Link across the site from the Wincobank Wood/hill fort site across the reservoir and open space that forms the site to the Limpsfield School playing fields and then down to the railway and the River Don Green Link in the valley bottom. The desired route crosses housing areas both sides of the site on Sandstone Road/Sandstone Drive and Beacon Road/Beacon Way. As the desired Green Link is part of the Green Network it could be argued that the proposal will increase a break in the city's Green Network. However it is important to note that this issue was considered by the planning inspector in the appeal against the Council's decision to refuse application 03/00789/FUL. In the decision notice the inspector noted that the indicative line of the desired Green Link was in his view a longer term policy aspiration and was blocked by houses in several places. In the appeal decision notice the inspector states that, "Nevertheless, the proposed development would retain an open corridor across the site between the reservoir and Beacon Road, which, although narrow, would in my view, be consistent with the broad route of the Desired Green Link." The inspector went on to conclude that the development would not conflict with the UDP Green Link policies. It is important to note that site layout for the current application retains a larger open area on the line of the desired Green Link than application 03/00789/FUL. Given the inspectors conclusions on this matter it would not be sustainable for the Council to argue that the current scheme would cause a break in the City's Green Network. Therefore the proposal is not considered to be contrary to Policy CS47 part d.

A number of the representations indicate that the site is valued by local residents. It has certainly not been well used by local residents in the recent past because until access paths were recently cleared into the site to facilitate archaeological investigations it was virtually inaccessible due to its overgrown nature. It seems to be valued by local residents because of its perceived wildlife value, its value in the context of the Wincobank hill fort and Roman Ridge historic monument and also in terms of the amenity value for the occupiers of Beacon Road properties that back on to the site. These issues are considered in more detail below.

Unitary Development Plan Policy LR5 is titled 'Development in Open Space'. It lists a number of criteria where development in open space will not be permitted. The most relevant are;

- It would cause damage to nature conservation sites, Scheduled Ancient Monuments or other archaeological sites.
- It would result in a significant loss of mature trees.
- It would significantly detract from the green and open character of the Green Network.
- It is needed to maintain an important view or vista.
- It would harm the character or appearance of a public space.
- It would result in over-development or harm the character and appearance of an area.

The impact of the development on the nature conservation and archaeological interest is referred to above and considered in more detail below.

The site contains a number of young and some semi mature trees primarily along the northern and southern site boundaries. The larger trees are mainly non native conifers which are not a priority for retention. Whilst the development would result in the loss of trees it is not considered that these are so valuable that it could be considered to be contrary to this part of policy LR5.

The site is part of the Green Network in that it is identified as a desired green link. However, given that the desired Green Link is already broken with housing and the scheme retains a narrow open area on the line of the desired Green Link, it would be difficult to justify a resisting the application on the basis of its impact on the green and open character of the Green Link. In fact Policy GE10 'Green Network' includes the same general objective of protecting the Green Network from development that would detract from the mainly green and open character. This was specifically considered by the inspector in the appeal on application 03/00789/FUL. In that appeal he concluded that the proposal would not conflict with this policy. As stated above the current proposal maintains more openness on the route of the desired Green Link.

The proposed development will not break the skyline and will be viewed as being integrated within the existing housing areas on Wincobank Hill. It is concluded below that the development would not have a significant impact on the setting of the Ancient Monument and hill fort.

With respect to point 5 above under Policy LR5, the site has a semi natural appearance which has been degraded in parts due to engineered landform and some limited dumping. The surrounding housing and the Forgemasters reservoir already adversely impacts on its character and appearance. Whilst the development will have a negative impact on its character and appearance it needs to be acknowledged that the site is already constrained in this respect. The impact of the development on the remaining areas of open space to the north east and south west of the site will not be significantly different to the impact of existing housing which butts up to this open space.

Given that there will be sufficient space retained to serve the existing community it is considered that proposed development of the open space that forms part of the application site could not be considered to be overdevelopment. The amenity impact on existing neighbours is considered separately below where it is concluded that the impact on neighbours is within acceptable bounds. The area is characterised by housing on steeply sloping sites aligned along the contours of the hillside and abutting open space. The submitted scheme will continue this form of development and therefore in this respect is not considered to harm the character and appearance of the area. The detailed design and aesthetics of the proposed new housing is considered further below however it is concluded that the design of the scheme is considered to be acceptable.

Overall it is concluded that the value of the site for open space is not sufficient to justify resisting this proposal and its development is consistent with Policies CS47 and LR5.

It should be noted that the extent and form of development submitted as part of application 03/00789/FUL is similar to that proposed as part of the current application. The Council refused that application on the basis of the loss of open space, its substantial amenity value for local residents, and its detrimental impact upon the character and amenity of the area, and that this would be contrary to Policy LR5 amongst others. The planning inspector rejected these arguments and concluded that the proposal would not conflict with the open space and green environment policies. In terms of its impact on open space and the green environment the current scheme is not significantly different to that considered as part of the above appeal.

Unitary Development Plan Policy H16, and the Supplementary Planning Guidance 'Open space in new housing developments', requires new housing developments to meet the open space needs of their residents. Where it is not appropriate to provide open space within the site there is a standard formula for securing contributions to improve existing open space within the locality. In this case this results in a contribution of £37,440.50. The applicant has agreed to make this contribution which is secured by planning obligation. Therefore the proposal meets this policy requirement.

#### Ecological and Wildlife Issues

Core Strategy Policy CS 73 states that the Strategic Green network will be maintained and where possible enhanced. It states that the Green Corridors will

be complemented by a network of more local Green Links and Desired Green Links. The commentary on the policy says that the network will be preserved and enhanced by creating open space.

Policy GE10 'Green Network' states that a network of Green Corridors and Green Links will be extended by creating new open space in areas of desired Green Links. The Green Network plan shows a Desired Green Link heading north-west to south-east across the site as described above. The commentary on the policy states that Green Corridors are often significant wildlife areas in their own right. It states that the network as a whole provides a vital role in linking important habitats and allowing the movement of plants and animals into Sheffield from the countryside. The policy will be put into practice by protecting open space from development which forms part of the Green Network and creating new open spaces which form links between existing areas.

Policy GE11 'Nature Conservation and Development' states that the natural environment will be protected and enhanced. Development should reduce potentially harmful effects on natural features of value.

The application site is identified as lying within an Area of Natural History Interest on the Unitary Development Plan Proposals Map. Unitary Development Plan Policy GE 13 'Areas of Natural History Interest and Local Nature Sites' states that development that would damage Areas of Natural History Interest will not normally be permitted. Where development decreases the nature conservation value, that decrease must be kept to a minimum and compensated for by the creation or enhancement of wildlife habitats elsewhere within the site or local area.

An ecological survey and evaluation of the site was carried out by qualified ecologists following an accepted methodology. The evaluation states that the site contains woody vegetation and scrub with young trees several semi mature trees but no mature trees, there are also dense spreads of bramble. There are tall herb communities and the invasive species Japanese Knotweed is dominant in the centre of the site. Areas of tall unmanaged grassland are common throughout the site and there are two small areas of acidic grassland. The site contains suitable habitat for foraging bats and feeding and nesting birds. This evaluation concludes that the site has low ecological and biodiversity value. The plant communities are all common and widespread types with low wildlife value. There is no evidence of protected species within the site or rare or uncommon habitats or plant communities.

An ecological survey of the site was carried out in 2004 in connection with the appeal into the Council's refusal of application. The previous survey came up with very similar results and conclusions. The main changes since the previous survey are the increase in abundance and dominance of bramble, Japanese knotweed and scrub throughout the centre of the site which has led to an overall slight loss in plant diversity.

The City Ecologist has not challenged the findings of the ecological assessment but has pointed out inaccuracies which state that there are no designated sites on or adjacent to the site. The City Ecologist has also advised, that the small areas of

acidic grassland are national and local Biodiversity Action Plan habitats and pointed out that even though the Green Corridor is very overgrown with Japanese Knotweed it will not prevent it from having a wildlife corridor function and connectivity to the rest of the complex sites. The loss of the habitat could generally be seen as a disbenefit but given the prevalence of Japanese Knotweed the presence of species will be low. The predominance of native species in the new planting should be viewed as an overall benefit giving a source of nectar fruit and berries. The remaining area of open space if managed with a 'soft touch' would constitute only minor changes and be viewed as neutral in its impact on wildlife.

The ecological importance of the site was considered by the planning inspector in the appeal when considering the impact of the loss of the open space. He concluded that the site's nature conservation interest is extremely limited and he did not feel that the development would result in a significant loss of nature conservation value. He also stated that the development would not conflict with Unitary Development Plan Policies GE10, GE11 and GE13.

Since the 2004 planning appeal the updated ecological survey has shown that the nature conservation interest of the site has reduced slightly. The 2003 scheme and the current scheme are likely to have a similar impact on the site's nature conservation interest. The current scheme also retains the narrow green link across the site on the alignment of the Desired Green Link shown in the Green Network. In fact the open area has increased in size since the previous scheme. Given the limited ecological value of the site and the planning inspector's conclusions on the ecological/wildlife considerations and Green Link issues it is considered that it would not be justified to resist this application due to its impact on nature conservation or the Green Link. To do so would leave the Council vulnerable to costs in a subsequent appeal as there has been no significant change in circumstances since the last planning appeal.

### Housing Issues

Core Strategy Policy CS24 priorities the use of previously developed land for new housing, with a target set of no more than 12% of new homes to be completed on Greenfield sites in the period 2025/26. The policy states that in the period to 2025/26, housing on Greenfield sites will be developed only if certain criteria are met. Of the four criteria d) allows development in sustainably located larger sites within or adjoining the urban areas and larger villages, if annual monitoring shows that there is less than a 5-year supply of deliverable sites. The application qualifies as a larger site in that this is defined as one that can accommodate more than 15 dwellings. It is within the existing urban area and reasonably sustainably located in that there are local shops and a public house on Sandstone Road, there is school on Jenkin Avenue and bus services on Jenkin Avenue and Sandstone Road.

The Council's monitoring of housing land supply shows that there is a shortfall in the 5 year supply of deliverable housing sites. The adjusted 5-year (2012/13 to 2016/17) net requirement is 6,765 dwellings. Provisional findings from the Sheffield and Rotherham SHLAA Update 2012 indicate that in this 5-year period, identified sites (i.e. excluding any windfall allowance) provide capacity to deliver 3,863 gross dwelling completions. It is estimated that 700



dwellings will be lost through demolition or conversion over that period, so the net supply reduces to 3,163 dwellings. This represents only 47% of the 5-year requirement. The National Planning Policy Framework says that local planning authorities may make an allowance for windfall sites in the five –year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of local supply. Even though some windfall sites will come forward over this period there will still be a significant shortfall in the 5 year supply of deliverable sites. Given this shortfall in housing supply the proposal is in accordance with Core Strategy Policy CS24.

The National Planning Policy Framework seeks to promote sustainable development and it identifies 3 dimensions to sustainable development these being; economic; social and environmental. The social role includes providing the supply of housing required to meet the needs of present and future generations. It also states that local planning authorities identify and update annually a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. It states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable sites. This effectively means that there is a presumption in favour of the development unless it is unsustainable.

A number of objections to the current application argue that there is no need for housing as a number of local housing developments are not proceeding due to the lack of demand, there are sufficient brownfield sites available and there are plenty of empty homes in the city.

The fact that housing schemes with permission are not being built out at the moment does not show lack of need for housing it just shows that people are not able to buy at the moment. Sheffield’s housing requirement is based on population projections and household formation rates and needs to be considered over a 15 year period rather than over the short term.

There are many Brownfield housing sites in Sheffield and it is expected that 90% of housing will be on Brownfield sites up to 2025/26. However there are still insufficient Brownfield and Greenfield deliverable housing sites to meet the 5 year supply.

The housing requirement figures take into account the vacant properties. Vacancy rates in Sheffield are below the national average and even if the number of vacant properties were less than forecast it is likely that this would be more than off-set by higher forecasts of household growth that have been published since the housing targets were set.

It has also been argued that if the houses are constructed they will remain empty thereby blighting the area, or they will be let to tenants with no commitment to the area. A developer will not intentionally build properties that they cannot sell. As the current scheme has been brought forward with the full knowledge of the current market conditions the risks of this happening would seem to be reduced. In any case questions of whether the scheme is likely to be commercially successful are a

matter for the developer and not the planning authority. As all the houses are family properties there is no reason to assume that future occupiers would lack commitment to the area. This is normally only an issue with small flats in more central locations which are likely to appeal to the more transient population of students or young professionals.

The Council is currently consulting on potential additional housing allocation sites and even if all these were agreed there would still be a significant shortfall in the 5 year supply of deliverable sites. This is because some of these would be delivered in the longer term. The consultation document can be given no weight at this time as the sites may not all be agreed and therefore the application can only be considered in the context that there is a 5-year shortfall of housing sites.

Core Strategy Policy CS25 is concerned with the priorities for releasing land for new housing. As the application site lies in a housing renewal area in the Housing Market Renewal Pathfinder area it is a priority location for housing development.

Policy CS 26 is concerned with the efficient use of housing land and accessibility. It states that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. In this case the relevant density guidance is 30 to 50 dwellings per hectare. The policy states that densities outside these ranges will be allowed where they achieve good design, reflect the character of an area or protect a sensitive area. The density of the proposed development is approximately 26 dwellings per hectare which is slightly below the recommended minimum density. However it is considered that the proposed density is in keeping with the character of the surrounding residential development and takes into account the steepness of the site which means that greater separation from existing properties is required in order to maintain acceptable amenity standards. Given this, it would be unreasonable to resist this proposal on the basis that it falls slightly outside the recommended density range.

Policy CS 41 is concerned with creating mixed communities. Outside the City Centre and other highly accessible locations it seeks to encourage the provision of family housing. This scheme would deliver 24 three bed semis and is therefore considered to meet the terms of this policy.

#### Affordable Housing

Policy CS 40 states that in all parts of the city, developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and financially viable. The Supplementary Planning Guidance on Affordable Housing has a target of 30-40% affordable housing on schemes of 15 units or more.

The applicant has submitted a viability appraisal which has been independently assessed by the District Valuer. His conclusions are that for the developer to make a reasonable profit on the development there is only a surplus of £87,500 for S106 contributions towards open space and education, see below for guidance on these

issues. He concludes that it is not financially viable for the scheme to provide any affordable housing.

Although the scheme will not be able to provide any affordable housing it is not contrary to Policy CS 40 or the Affordable housing Supplementary Planning Guidance as the developer has demonstrated that the provision of affordable housing on this site is not financially viable at this time.

The District Valuer's assessment is based on the costs and revenues from the development at the current time. Therefore if the development is not completed by 31st of January 2013 a new appraisal will be required to determine whether an affordable housing contribution is justified. This is controlled in the legal agreement.

### Sustainability Issues

The application site is considered to be reasonably sustainably located. It is situated within the urban area and there is a school, convenience store and open space within 400m of the site. Within 800m there is a chemist, doctors surgery and public house. There are bus stops on Sandstone Road and Jenkin Avenue, within 400m of the site which are served by half hourly services that connect to Meadowhall and Sheffield Interchanges. The site is located in the lowest flood risk zone and therefore is not at risk of flooding. The value of the existing open space and the ecological, archaeological and visual importance of the site are considered elsewhere in this report.

Policy CS 64 seeks to ensure that all new buildings and conversions of existing buildings are designed to reduce emissions of greenhouse gases and function in a changing climate. To satisfy the policy, all new developments of 5 dwellings or over should achieve Code for Sustainable Homes Level 3. The applicant has confirmed that the development will achieve this standard although this is now a requirement of the building regulations and must be achieved in any case.

Policy CS 65 'Renewable Energy and Carbon Reduction' states that all significant developments will be required, unless this 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. The applicant has confirmed that they intend to achieve this by solar panels on each of the new dwelling. The scheme therefore meets this policy and a condition is proposed to ensure that necessary equipment is provided.

### Archaeology and Setting of the Ancient Monument.

The National Planning Framework sets out Government planning policy on conserving and enhancing the historic environment. One of the 'Core Planning Principles' is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life this and future generations. The guidance states that "Where a site on which development is proposed includes or has the potential to include heritage assets which archaeological interest, local planning authorities should require developers

to submit an appropriate desk-based assessment and, where necessary, a field evaluation.” It also says that “local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of the heritage asset)”. Where a development would lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the harm is outweighed by substantial public benefits.

Unitary Development Plan Policy BE22 states that Scheduled Ancient Monuments and their settings and other sites of archaeological interest will be preserved, protected and enhanced. It also states that development will not normally be allowed which would damage or destroy significant archaeological sites and their settings.

The application site lies approximately 200m south of the Scheduled Ancient Monument of Wincobank hill fort, a late Bronze Age or early Iron Age hill fort which takes the form of an oval shaped earthwork now partially covered by trees. The hill fort is at an elevation of 150/160m whereas the application site is between 100/115m. It also lies along the presumed line of the Roman Ridge which is a linear earthwork, a section of which is also scheduled 250m north east of the site. There is an earth embankment approximately 30m from the west end of the site which is assumed to be a section of the Roman Ridge but is not a scheduled monument. The Roman Ridge is a linear earthwork that runs for approximately 10 miles initially from Sheffield to Kimberworth, at which point it divides into two branches, one running towards Mexborough, the other towards Kilnhurst. Its purpose is not known but is assumed to be either defensive or a territory marker. It has not been accurately dated but a later prehistoric or earlier medieval date is considered most likely. It is no longer continuously visible above ground, due to later activity, but there are extant sections to the east of Sandstone Close and to the west.

A previous archaeological investigation of the site carried out in 1993 uncovered no evidence of significant archaeological interest. This was taken into account when application 03/00789/FUL was determined. Although this application was refused it was not rejected because of its impact on archaeology or the Ancient Monument.

Since the previous archaeological evaluation was carried out there have been changes in archaeological legislation and practice. In addition a major review of the Roman Ridge has been published. These changes and the significant passage of time justified a new evaluation.

The objective of the evaluation was to gather sufficient information to establish presence/absence, character, extent, state of preservation and date of any archaeological deposits within the areas of proposed development. This would enable the impact to be assessed and appropriate archaeological mitigation to be planned. The brief for the new evaluation was agreed with the South Yorkshire Archaeology Service, prior to the works being carried out in the summer of 2011. Six trenches were excavated across the site to target the potential line of the Roman Ridge. The evaluation was carried out by archaeological contractors and monitored by the South Yorkshire Archaeology Service. All the trenches were

taken down to natural ground and no significant archaeological interest was uncovered in any trench. The evaluation report concludes that “there is no indication of the Roman Ridge earthwork within the Sandstone Road site.....it is not possible to state definitively whether the Roman Ridge once crossed the site and has been completely removed by later interventions, or whether the route of the monument lies further to the north-west or south-east.....it is more likely that the Roman Ridge never crossed the site, as one would expect some ephemeral evidence to remain, albeit heavily truncated.”

It has been argued that the site should be preserved as it is on the line of the Roman Ridge earthwork and given its historic importance. It is not just the physical remains that are important but the visual link between different sections of the monument and the ability to walk along the original line of the earthwork. However the archaeological assessment concludes that there is no evidence that the Roman Ridge crossed the site. It is considered as likely it did not, instead crossing the hillside where existing housing has already been built either to the north or south of the site. Given that there is no firm evidence that the Roman Ridge crossed the site, it would be unreasonable to resist this development on this basis and insist that the site remain open.

It has been argued that the development would adversely affect the setting of the Roman Ridge and the Wincobank hill fort Ancient Monuments. That it would undermine the dominance of the hill fort in the landscape, giving the impression that the historic landscape was confined to the hill fort and the area to the south-west and north-east of the fort. That the site is a reminder of the historic landscape that originally surrounded the monuments.

The impact of development on the setting of an Ancient Monument is clearly a material consideration. Having viewed the site from the Scheduled Monuments and from wider views to the south it is your officer's view that the proposed development will not have a harmful impact on the setting of the Monuments. In terms of its impact on the hill fort, the site sits within the context of housing to the north, south and east. The housing to the north on Sandstone Drive and Sandstone Avenue is closer to the hill fort and at much more elevated position. This housing is dominant in views out of and towards the hill fort. As the application site is at a significantly lower level and the cross sections show that the new housing will not project up above the level of existing housing it will not impose itself on views of the hill fort or detract from its setting. The development will blend in with the existing housing development on the hillside. In longer distance views of the site the top of the hill, where the hill fort is located is clear of development; however the existing housing on Sandstone extends up to the lower edge of the fort. As the application site is lower down the hillside and the highest part of the roofs will be significantly below this housing it will not adversely affect the dominance of the hill fort in the surrounding landscape.

The Scheduled section of the Roman Ridge is located 300m to the north east of the propose housing. In views both to and from the site, existing housing on Sandstone Road, Sandstone Close, Beacon Road and Jenkin Avenue is dominant. Given the distance to the site and the context of existing housing it is considered that the proposal will not have an adverse impact on the setting on the Scheduled

Roman Ridge Monument. The earth embankment at the south west end of the site which is assumed to be part of the Roman Ridge is much closer, however existing housing is a similar distance from the site. The new housing at this end of the site will be seen as part of general housing area of Beacon Road, Beacon Close and Sandstone Drive. The views from and of the embankment are in the context of this existing housing and new housing will not significantly alter this context and setting.

Existing housing development already curtails the original historic landscape around the monuments. Given this, the fact that the site comprises of a narrow slither of land sandwiched between existing housing and there is no evidence that the Roman Ridge crossed the site, it is concluded that there is insufficient justification to resist the development on the grounds that the open site is a reminder of the historic landscape.

English Heritage is a key consultee on developments that are likely to affect Scheduled Ancient Monuments. They have been kept fully informed of the proposal and have been advised of the concerns raised about the impact of the development on the setting of the Monuments. They have not objected to the proposal.

Design Issues.

Core Strategy Policy CS 74 'Design Principles' 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, including:

- the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials.

The commentary on this policy states that for residential schemes, all new developments of 10 dwellings or over should achieve a Building for Life assessment rating of good as a minimum.

The adjacent residential development follows the contours of the hillside to create a linear street pattern orientated north east to south west with houses facing onto the street. This pattern has largely been repeated within the proposed layout. The general rhythm of the existing built form has also been followed, that is semi detached properties with gaps between to allow for side parking. The scheme takes into account the topography by cutting the houses into the hillside thereby ensuring they will blend in with the existing development and will not appear excessively prominent. The desire line between the end of Sandstone Road and the open space to the west of the site has been accommodated with a footpath along the access road and off the end of the cul de sac. The applicant was encouraged to provide an adopted footpath link between the access road and No. 67/69 Beacon Road in order to improve the pedestrian connections including that to a local bus route. However the applicant considers that the engineering works required overcoming the steep gradients and providing a link to adoptable standards would be prohibitively expensive. However they have agreed to provide

timber steps with a hand rail to improve this link, details of which will be controlled by planning condition.

The adjacent housing has modest elevations with simple repetitive architectural treatment and a horizontal emphasis. This simple treatment has been reflected in the elevations of the proposed houses by adopting simple repeated window and door patterns. Horizontal emphasis has been created by utilising string courses, changing materials between ground and first floor and wider window openings. Typical features found on some of the existing housing have been included such as projecting side pillars. Front boundaries to existing properties are characterised by low walls which help to define the public and private areas. Similar brick walls incorporating screening for bin storage are provided for most of the proposed houses. The proposed materials reflect the local character, which is red brick with concrete roof tiles. The upper floor is to be faced in coloured cement fibre weather boarding, whilst this is not a typical material of the area if follows the local character in that housing in the area often has contrasting materials at first floor level such as artificial stone cladding or tile hanging.

The existing planting will be removed to facilitate the development. A detailed planting scheme has been submitted with the application. This proposes ornamental planting along the frontage of the houses and the north side of the access road. Some tree planting is proposed in the rear gardens and along the access road. A 4m deep strip of screen planting is proposed on the embankment forming the south side of the access road where it adjoins the rear gardens of the Beacon Road properties. Screen planting is also proposed to the informal link between No. 67/69 Beacon Road. The east end of the site is identified as an area of natural open space on the plans. This will largely be retained as it is with 'light touch' management. It cannot be easily access from the site at present. Due to its steepness it is not a usable area of open space and it is only proposed to make provision for maintenance access from the west side.

Overall the design of the proposed housing is considered to be satisfactory and in keeping with the character with the surrounding development. A Building For Life assessment has been carried out and the scheme is considered to meet the minimum rating of 'good' as set out in Policy CS 74. As the site is currently green and open developing the site for housing will be viewed by many as having a harmful visual impact. Whilst it is accepted that developing this open land will have a limited harmful visual impact, given that the site is not of a high landscape value; the new housing will sit comfortably on the hillside; it will not harm the setting of the ancient monument it is considered that the adverse visual impact is not sufficient to justify resisting the proposal.

Amenity Impact.

The site forms part of the steep northern side of the Don Valley. There is a fall from the top to the bottom of the site of approximately 12-13m over a distance of approximately 30/40m. This gives an average gradient of around 1 in 3. However the central part of the site is more level with steeper embankments to the northern and southern boundaries.

Existing housing on Beacon Road is positioned below the site with the steep back gardens backing on to the southern boundary of the site. There is also housing above the site on Sandstone Drive.

The proposed housing on the north side of the access road is cut into the hillside so that it is two and a half storeys at the front with rooms in the roof, whereas the ground floor is cut into the ground at the rear and there are two storeys above ground level. The housing on the south side of the access road is two storeys at the front and two and half storeys at the rear with rooms in the roof.

Cross sections have been submitted showing the relationship between the existing and proposed housing. The housing on Sandstone Drive which is located at a higher level looks over the top of the new housing. Even where there is a line of sight between the windows of the existing and proposed housing the distances are in excess of what is normally required to protect privacy. Therefore it is considered that the proposed new dwellings will not impact significantly on the amenities of the Sandstone Drive properties.

There are six proposed properties on the south side of the new access road. The cross sections show that there will be approximately 40m separation between windows in the new houses and those in the existing houses. This is well in excess of the minimum 21m separation normally expected in such instances to protect privacy. The new houses will be positioned at such a significantly higher level that the main view out of the rear of the lower level Beacon Road properties will be of the steeping rising embankment. Taking this into account and the degree of separation it is considered that the new housing will not appear excessively overbearing.

The main run of fourteen houses is situated on the north side of the proposed access road. The cross sections show that there will be between 29m and 34m separation between windows in the new houses on those at a lower level on Beacon Road which is sufficient to protect privacy. Whilst the new housing will be elevated significantly above the Beacon Road properties, given the degree of separation and fact that the houses are cut into the existing slope the cross sections show that the new housing will not appear so dominant from the rear of the Beacon Road properties to justify rejecting the application. The impact of the elevated access road located just beyond the bottom of the gardens of the existing Beacon Road properties has been an area of concern in terms of overlooking of the lower level gardens and noise and disturbance. To mitigate the impact the scale of the road embankment has been reduced and a 1.2m high brick screen wall will be provided along the south side of the access road. This will help to screen vehicle movement and overlooking from vehicles. Further screening will develop over time as the landscaping matures on the highway embankment.

The gable end of the southern most unit in the terrace of four houses at the west end of the site is approximately 21m from windows in the nearest Beacon Road properties. The new houses will be raised approximately 5m above the level of the Beacon Road properties. The cross sections show the new properties will appear fairly imposing from the lower level but not to such an extent as to justify resisting the proposals.



The applicant has endeavoured to minimise the amenity impact of the new housing by designing split level houses for the main run of 14 units that are cut into the existing ground level. Most of the houses have been designed with asymmetric roof slopes so that the eaves of the rear roof plane facing the Beacon Road properties is at least a 1m lower, this also helps to suppress the height and reduce the amenity impact.

The main run of 14 new houses cut into the hillside will have very steep back gardens. The applicant has endeavoured to make the amenity space more useable by terracing the garden on two levels. The houses at the west end of the run have high retaining walls to the terraces which will appear quite imposing from the ground floor rooms at the rear of the houses and the terraces are fairly narrow at approximately 3m deep. Most have approximately 40 sqm of level private amenity space which is a little on the low side for family housing given its constrained nature. However on balance this is considered to be acceptable taking into account the large area of public amenity space to the west of the site.

The Beacon Road properties below the site have an established area of green space to the rear of their properties. They have an outlook at the rear onto greenery and peaceful quiet area. There will undoubtedly be a negative amenity impact of developing the site for housing in that the outlook at the rear will be much more urban and there will be additional activity associated with comings and goings. However it is considered that the new properties will not appear excessive overbearing and level of disturbance and overlooking is not so great as to justify resisting this proposal.

#### Access Issues.

There are over 200 houses along with a public house and shops served off Sandstone Road. It is considered that the existing road network can adequately accommodate the traffic associated with an additional 24 houses. Although there is significant on street parking on Sandstone Road this along with the traffic calming measures serves to reduce traffic speeds on this residential street. The access serving the new housing will be traffic calmed and the design and layout is considered to be suitable to the number of houses proposed. Each property is served by 2 off street parking spaces which is consistent with the Council's parking guidelines and should ensure that the development does not add to on street parking. The new footpath along the access road and into the open space to the west, the improvements to the informal link to Beacon Road and the enhancements to the existing pedestrian link to adjacent to 19/21 Beacon Road will improve the pedestrian connections in the area.

During construction there will undoubtedly be some disturbance and disruption resulting from construction traffic. However this will only be temporary and conditions are proposed requiring a construction traffic management plan including details of construction compound and traffic parking. There is also a condition requiring details of wheel washing facilities to be provided. These controls will help to minimise the amenity impact of construction traffic.

Sufficient of the units have been designed to meet the Council's mobility guidance as set out in the Supplementary Planning Guidance 'Mobility Housing'.

Education.

The Supplementary Planning Guidance 'Planning Obligations and Education Provision' states that contributions towards the capital costs of providing additional school accommodation will be negotiated for education provision where:

- the school serving the catchment area within which new housing developments would fall is already full; or
  - new developments would result in the total number of pupils exceeding the capacity of the school;
- and
- spare capacity in adjacent schools cannot be used to meet the deficiency of school places; and
  - there are no existing proposals for financing the additional places which are required.

The proposed development site is located within the catchment areas of Brightside Nursery Infant School & Limpsfield Junior School at primary level, and Hinde House Secondary School. Sheffield uses a pupil yield ratio of 3 pupils per year group for every 100 dwellings, based on this a total pupil yield of between 5 and 6 pupils for the primary sector and around 4 for the secondary sector. The school projections show that for the 2012/13, (the earliest year when the houses could be occupied) 1 of the 7 year groups at the local primary schools would already be full to capacity, in 2013/14 this increases to 3 year groups, four year groups in 2014/15 and 3 year groups (possibly 4 as the data is incomplete) in 2015/16. Between 2012/13 to 2014/15 the reception year entry is already predicted to be at or above capacity. There are also predicted to be capacity problems at adjacent primary schools over the same period. The population is growing, leading to a forecast of increased demand for places at Reception over the foreseeable future.

The forecast demand for the catchment secondary school places shows, there are currently places available at Hinde House Secondary. However from 2015 demand for places in Year 7 is expected to exceed supply, based on the existing population. However Parkwood Academy is to be expanded from 2012/13, so from this point there will be capacity across the area. Based on the existing population, the forecast indicates that demand will exceed this level from 2017 onwards.

The figures show that demand is already expected to exceed supply at primary level and at secondary level in the longer term, it follows that new developments will result in the total number of pupils further exceeding the capacity of the schools. In the wider area the forecasts show, there are expected to be insufficient places in the schools, again this is in the longer term at secondary level. There are no existing proposals for financing the additional places which are required. The Council is provided with funding from central government to ensure the existing

local population can access a school place. This funding is not intended to address demand growth resulting from new housing. Although the Council will bring forward proposals to address the expected shortfall in supply of places where necessary from population change, additional housing will exacerbate the need and therefore increase number of places required.

Given the above it is considered that a contribution to secure additional places at primary level is required, that is £2548 per dwelling. This results in a total figure of £66,248. At secondary level, local schools are more likely to have scope to admit additional pupils arising from the development. It is less clear than at primary level that a direct link can be drawn between a shortfall in supply of places and the proposed development, given the longer timescale over which the forecast shortfalls occur, the smaller number children generated at this level and the larger number of places within the catchment. Consequently in this case it is not justified to make a claim for a contribution to provide additional secondary places. The applicant has submitted a planning obligation to fund the additional primary school provision in line with the above figures and the supplementary planning guidance. Therefore the proposal meets the terms of the supplementary planning guidance and will meet the educational needs of future residents.

#### Drainage

The application site lies in flood zone 1 which means it is classified as being in an area with a low risk of river flooding, it is approximately 70m above the level of the River Don. As the use is classified as 'more vulnerable development' in the Technical Guidance to the National Planning Policy Framework and it lies within flood zone 1 there is no need for the sequential assessment or exception test to be applied.

Four incidents between 1985 and 2006 were reported on both Sandstone Drive and Avenue attributable to groundwater. These events tended to affect areas of retaining rather than properties directly.

A minor flood event associated with Forgemasters Dam was reported in 1996 affecting the land which would comprise the development site. Investigation by Forgemasters indicated that the event was not a failure of the reservoir integrity but an overtopping event instigated by an overrunning pump. No accurate records of the extent of this event were taken but anecdotal evidence from Forgemasters state that it was minor and no properties were affected. Forgemasters also report that the pump system is now remotely monitored and has a high level fail-safe to prevent overtopping. The reservoir structure itself was inspected in 2011 and found to be in a good state of repair. Minor remedial works were undertaken but none with a structural consequence. Structural inspection of the reservoir takes place every six years. The outfall from the reservoir is approximately located in the same easement as the adopted sewers shown to cross the site. The flood risk assessment states that records obtained from Forgemasters show this route indicatively only and it will be necessary to trace this route prior to starting any works on site. Given the recent structural assessment the reservoir is not at risk of failure and the new pump control system will minimise the risk of it overtopping. The flood risk assessment recommends that a cut-off ditch is provided along the

top of the interface embankment to the reservoir which is extended along the full length of the boundary to provide a secondary route for any overland flow that may be generated from any source to the north of the site.

The applicant's flood risk assessment considers the possibility of the combined sewer which runs along the route of the access road failing or the adopted highway drainage failing. It is concluded that there is sufficient capacity with the highway to prevent this flooding the properties to the south of the access road.

Given the history of some ground water flooding events in the locality the flood risk assessment recommends that all retaining features and embankments are to be provided with a toe drain to collect and convey groundwater that may build up. It proposes the alternatives of directing this drainage under the highway embankment or to the open space to the west where it will disperse through natural percolation. It is considered that the volumes of water will be small and can be designed to not impact significantly on natural systems.

The first priority for surface water drainage is for it to soakaway, the second priority is to direct it to a watercourse and where neither of these are feasible or practical it can go to the public sewer. In this case due to the underlying strata, the gradient of the site and the distance from a watercourse, neither of the first two are options are suitable and the only practical solution is for the surface water drainage to go to the sewer. Technical Guidance to the National Planning Policy Framework requires new development to not increase surface water run-off from previous development and drainage systems should allow for a 1 in 100 year rainfall event with an allowance for climate change. In this case this would be a 30% increase in peak rainfall intensity. In this case the only suitable option for surface water drainage is to provide oversized pipes under the proposed new highway. This would then connect to the public combined sewer in Beacon Road. Yorkshire Water has agreed an 8 litres per second storm water connection to the sewer in Beacon Road. The routing of potential storm water run-off, should the capacity of the proposed site drainage system be exceeded, needs to be built into the layout of the site such that the residual risk of flooding from this element can be easily mitigated. A small volume of surface water may need to be accommodated from the turning head at the end of the new access road. To provide for this overland flow route from this point through a gap between 27 and 29 Beacon Road is proposed. From this point overland flows would spill to Beacon Road and be picked up by the road gullies in Beacon Road. Foul drainage can also discharge to the combined public sewer in Beacon Road.

The Environment Agency and Yorkshire Water have confirmed that they are satisfied with the flood risk assessment and submitted drainage details for the scheme subject to appropriate planning conditions safeguarding their requirements.

Policy CS 67 'Flood Risk' seeks to reduce surface water run-off. It states that surface water run-off must be reduced to 5 litres per second per hectare on all sites over 1 hectare, except on brownfield sites. On sites that are less than 1 hectare or 10 dwellings, surface water run-off must be reduced as far as is feasible by design measures such as permeable paving. As stated above a run-off rate of 8 litres per

second has been agreed with Yorkshire Water and whilst this is higher than referred to in the policy given that this is acceptable to the agency responsible for the sewers to which the surface water will discharge there is no reason not to accept this. For the reasons given above this site is not suitable for permeable paving and infiltration drainage.

### Stability

The National Planning Policy Framework advises that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land stability. It is the responsibility of the developer for determining whether land is suitable for a particular use. In particular the responsibility and subsequent liability for safe development and secure occupancy of a site rests with the developer and/or the landowner.

It is appropriate to consider whether the land is capable of supporting the loads to be imposed and whether the development will initiate slope instability which may threaten its neighbours.

The stability of the ground in so far as it affects land use is a material consideration and should be taken into account when deciding a planning application.

Where there are good reasons to believe that instability could make the ground unsuitable for the proposed development or could affect it or neighbouring land a specialist investigation to determine the stability of the ground and to determine any remedial measures needed may be required before an application can be decided. If the specialist assessment demonstrates that the development will not be adversely affected and will not adversely affect adjoining land it may be appropriate to grant permission with conditions relating to stability assuming the development is acceptable overall in planning terms.

The Local Planning Authority is entitled to require the developer at his expense to provide at application stage suitable expert advice in relation to such matters, and is entitled to rely on that advice in determining the application and formulating any necessary conditions. They should use advice from building control where available and in some circumstances there may be a need to use commercial consultants.

In this case a ground investigation report has been submitted by the applicant along with recommendations for action.

A mine shaft is shown to lie along the southern boundary of the site adjacent to the drainage easement between 67/69 Beacon Road. A further shaft is shown to lie under or close to the proposed road. During initial earthworks the location of these will need to be verified to ensure they do not lie under or adjacent to any of the houses. The Parkgate coal seam which crosses the site will need to be dug out if it is found underneath the houses and if any shallow workings exist under the road or houses they may need grouting.

Trial pits and bore holes were excavated in 1995 and 2000 and tests were carried out on the bearing capacity of the land. The new road will be partly cut in to the hillside and built up above existing ground levels on the southern side. The ground investigation report proposes that existing fill can be used to form the embankment to the road provided it is laid in fully compacted layers no greater than 200mm deep and steps are cut into the natural ground to key the new development into the hillside. A stability analysis of the embankment slopes has been undertaken and the report states that their gradient must not exceed 1 in 2. If slopes exceed 1 in 2 they will need to be reinforced, probably with a geotextile membrane. Provided that normal good construction methods are adopted there should be no stability problems. The report includes recommendations for the road sub base depth and states that the mine shafts should be properly infilled and capped. In terms of highway drainage the assessment proposes constructing drainage trenches on both sides of the carriageway and also in front of the reservoir in case leakages or springs are present. A further drainage trench is proposed at the base of the road embankment to prevent surface water permeating into neighbouring properties. All connected surface water drainage will be discharged off site by connecting into the surface water drainage system.

Most of the new housing will be constructed on the northern and western sides of the cul de sac. This will require excavation into the hillside which means the houses will sit on weathered bedrock. Retaining walls will be required to support the excavated slopes and the report advises that these will need to be designed to resist sliding and overturning. Only short sections can be excavated and left open at any one time. For the houses on the south side of the road the report advises that either piled or deep stepped trench footings will be needed to ensure the houses sit on good bearing ground. Detailed cross sections will need to be prepared to ensure slope and retaining wall stability. Any land drains broken during earthworks will need to be repaired and any springs encountered must be diverted into the surface water drainage system.

The Council's building control section has been consulted about the stability issues. They have advised that the report submitted by the applicant is comprehensive and has been prepared by a reputable firm of engineers. The stability issues have been considered in the report and they have no reason to disagree with the conclusions reached. The building regulations process will ensure the houses are grounded on appropriate foundations and the applicant's engineer will be responsible for ensuring that the retained walls are designed to withstand the likely pressures. As the Council will be adopting the road the Council's highways adoptions section will want to ensure the road is designed to appropriate engineering standards so that it does not result in the any unexpected liabilities.

#### Contamination

The site has not been used in the past for any commercial or industrial use and appears to have been undeveloped. Some fly tipping has occurred in the past and it is possible that the two mine shafts could provide a potential pathway for gases to reach the surface.

Based on the past history of the site the risk of contamination affecting the development is considered to be low. However this cannot be entirely precluded without an intrusive site investigation. Therefore the applicant's environmental investigation recommends an intrusive site investigation is carried out and this will be secured along with any necessary remedial works by the proposed conditions.

Japanese Knotweed will need to be removed completely as all parts of the plant and soil are classified as controlled waste. A specialist company will need to be appointed to deal with this.

## SUMMARY AND RECOMMENDATION

The application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the site is identified as open space and an Area of Natural History Interest. However because the open space is not of high amenity, ecological or landscape value and sufficient open space will remain the development is not considered to be contrary to the relevant development plan policies. The same conclusion on these issues was reached by the planning inspector who dismissed the appeal into a scheme for housing development on the site in 2004.

An archaeological evaluation and fieldwork has been undertaken under the guidance of the South Yorkshire Archaeological Service which has demonstrated that the development will not cause damage to archaeological interest. It produced no evidence that the Roman Ridge earthworks crossed the site and concluded that it was more likely that it never crossed the site. It is also concluded that given the relationship of the site with the Wincobank hill fort and the Roman Ridge and the form of development proposed that the scheme would not adversely affect the setting of these heritage assets. English Heritage who are charged with safeguarding Ancient Monuments and their settings would seem to concur with this view as they have raised no objections to the proposal.

The layout and design of the proposed housing is considered to be in keeping with the character of the surrounding development and meets the Council's design policies. The access and parking arrangements are satisfactory and there is no reason why this development should create any significant highway safety concerns. There will be a limited negative amenity impact by developing a green and open site particularly for the residents of Beacon Road and some temporary dis-amenity during construction. However this is not considered to be so great as to justify resisting this proposal. The applicant has reasonably demonstrated that this steeply sloping site can be safely developed by taking reasonable precautions during construction and that appropriate safeguards to prevent flooding are in place. This view is not disputed by the Environment Agency, Yorkshire Water, Building Control and the Coal Authority who have expertise in these areas.

The application will deliver 24 three bedroom family houses in a reasonably sustainable location in an area which is a priority location for housing and is consistent with housing policies. It will also provide some access improvements by improving pedestrian links between Sandstone Road and the open space to the west and improve connectivity between Sandstone Road and Beacon Road. The

Section 106 contributions will ensure that the public open space and education needs of future occupants will be met. The last scheme for housing on this site was dismissed only on the grounds that there was a 5 year supply of housing sites and therefore there was no justification for developing a Greenfield site. This has now changed and there is no-longer a 5 year supply of deliverable housing sites. As there are no other strong reasons for opposing this scheme this means that there is a strong policy presumption in favour of granting permission for housing.

It is therefore concluded that there are no planning reasons for opposing this proposal. Whilst there will be some limited amenity dis-benefits these are not sufficient to justify opposing the scheme and are significantly outweighed by the benefits of delivering family housing in a sustainable location when there is a shortfall in the 5 year supply of deliverable housing sites.

It is therefore recommended that planning permission is granted subject to the applicant entering into a legal agreement to secure the following heads of terms.

#### HEADS OF TERMS

A contribution of £66,248 for the capital costs of providing additional school accommodation at primary level in accordance with adopted Planning Policy and Supplementary Planning Guidance.

A contribution of £37, 440,50 to be used by the Council towards the provision/enhancement of recreation space in the locality of the site, in accordance with adopted Planning Policy and Supplementary Planning Guidance.