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Case Number	18/04524/FUL (Formerly PP-07445874)
Application Type	Full Planning Application
Proposal	Internal/external alterations and extension to building to create 27no residential units (key worker accommodation) with associated access, car parking and landscaping including demolition of internal walls/external stairwells and link
Location	Loch Fyne 375 - 385 Glossop Road Sheffield S10 2HQ
Date Received	03/12/2018
Team	South
Applicant/Agent	Urbana Town Planning
Recommendation	Grant Conditionally

### **Time limit for Commencement of Development**

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

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

### **Approved/Refused Plan(s)**

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

818-CPA-XX-ZZ-DR-A-0100 Rev A Location Plan.  
818-CPA-XX-ZZ-DR-A-0102 Rev B Site Layout - Proposed  
818-CPA-XX-ZZ-DR-A-0103 Rev B Site Layout - Proposed Landscape Plan  
818-CPA-XX-LG-DR-A-0140 Rev B Lower Ground Floor Demolition Plan.  
818-CPA-XX-GF-DR-A-0141 Rev B Upper Ground Floor Demolition Plan.  
818-CPA-XX-01-DR-A-0142 Rev A First Floor Demolition Plan  
818-CPA-XX-01-DR-A-0143 Rev A Second Floor Demolition Plan  
818-CPA-XX-LG-DR-A-02LG Rev B Lower Ground Floor Plan  
818-CPA-XX-GF-DR-A-0200 Rev B Ground Floor Plan  
818-CPA-XX-01-DR-A-0201 Rev B First Floor Plan  
818-CPA-XX-02-DR-A-0202 Rev B Second Floor Plan  
818-CPA-XX-RF-DR-A-0203 Rev B Roof Plan  
818-CPA-XX-ZZ-DR-A 0220 Rev B Proposed North West Elevation

818-CPA-XX-ZZ-DR-A-0221 Rev B Proposed South West Elevation  
818-CPA-XX-ZZ-DR-A-0222 Rev B Proposed South East Link Elevation  
818-CPA-XX-ZZ-DR-A-0223 Rev B North West Link Elevation  
818-CPA-XX-ZZ-DR-A-0224 Rev B Proposed North East elevation  
818-CPA-XX-ZZ-DR-A-0225 Rev B Proposed South East Elevation  
818-CPA-XX-ZZ-DR-A-0226 Rev B Proposed North West Elevation (Street View)  
818-CPA-XX-ZZ-DR-A-0210 Rev B Proposed Cross Section A  
818-CPA-XX-ZZ-DR-A 0211 Proposed Cross Section B (North West Existing Building)

Reason: In order to define the permission.

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

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

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

4. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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

5. No development (including demolition or other enabling, engineering or preparatory works) shall take place until a phasing plan for all works associated with the development has been submitted to and approved in writing by the Local Planning

Authority. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: In order to define the permission and to assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy

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

6. Before the development is commenced full details for the provision of two disabled parking spaces within the undercroft parking area shall have submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of future occupants

7. Before the development commences a Construction Management Plan shall be submitted and approved by the LPA. The CMP shall include details of:
- i) Contractor parking arrangements;
  - ii) Construction vehicle access, parking and manoeuvring
  - iii) Measures to prevent the deposit of mud and debris on the adjacent highway

The development shall then be constructed in accordance with the agreed CMP.

Reason: In the interests of highway safety.

8. Samples of all proposed external materials and finishes including facing, roofing windows, heads and cills, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

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

Windows  
Window reveals  
Doors  
Eaves and verges  
External wall construction  
Rainwater goods

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

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

10. Before the development is commenced, details of the standard and specification of mortar joints and pointing to both buildings and boundary walls shall have been submitted to and approved in writing by the Local Planning Authority.

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

11. The design and location of all new external light fittings shall be approved in writing by the Local Planning Authority prior to installation. Thereafter the development shall be carried out in accordance with the approved details.

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

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

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

13. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the designated Permit Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

Reason: In the interests of highway safety and the amenities of the locality it is essential for this scheme to be in place before the use commences.

14. No development shall take place, including any works of demolition or site preparation, until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during the development works.

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

15. The proposed green wall (vegetated wall system) shall be provided in accordance with locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green wall shall be provided prior to the use of the building commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

16. The Local Planning Authority shall be notified in writing upon completion of the green wall.

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

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 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.

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

18. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of .
  - b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours); Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
  - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.
- Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

### **Other Compliance Conditions**

21. The development shall not be occupied unless the hardstanding areas of the site are constructed of permeable/porous materials. Thereafter the approved permeable/porous surfacing material shall be retained.

Reason: In order to control surface water run-off from the site and mitigate against the risk of flooding.

22. 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.

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

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

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

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

Reason: To ensure satisfactory drainage arrangements.

25. 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 building shall be occupied prior to the completion of the approved foul drainage works.

26. The apartments shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

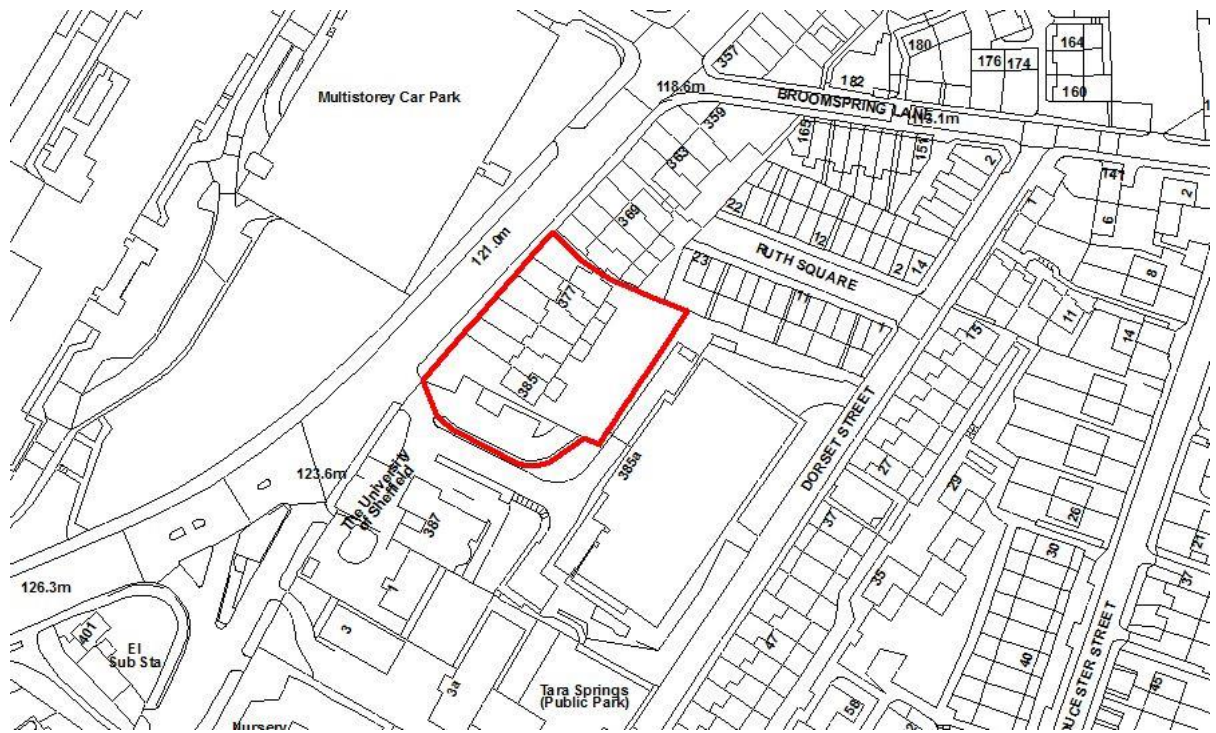
27. The Local Planning Authority shall be notified in writing when the landscape works are completed.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. It is acknowledged that vibration sensitive research equipment is located and used within the neighbouring property to the south east (Sheffield Institute for Translational Neuroscience). The developer is therefore advised to liase with the University of Sheffield in order that experimental work within the building can be scheduled so as to avoid being compromised by construction activity.

# Site Location



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## INTRODUCTION

This report relates to applications for planning permission (18/04524/FUL) and Listed Building Consent (18/04525/LBC). Both applications are assessed within this single report.

## LOCATION AND PROPOSAL

The applications relate to an early Victorian Grade II Listed red brick building which was originally a terrace of 6 town houses but was most recently in use as a restaurant (Loch Fyne).

The building is 3 storeys high (4 storeys at the rear) with 3 enclosed stair towers in off-shot arrangements to the rear. A conservatory was suspended between two of the off-shots. The most recent accommodation in the building was as follows:

Lower ground floor - manager's office, stores, wc's and plant room;  
Ground floor - restaurant and kitchens;  
First floor - ancillary accommodation (office, staff facilities, stores and meeting/training rooms);  
Second floor - manager's flat, lecture room, stores and training rooms.

There is a garden and customer terrace to the front of the building and a car park (27 spaces) to the rear. The access route to the car park also provides access to 2 buildings occupied by Sheffield University.

These buildings provide teaching and research accommodation and are directly behind and to the side of the application site, respectively. The building to the rear is new (Sitrans Centre) and at a significantly lower level than Loch Fyne. This has a frontage to Dorset Street. The other building is a former Victorian villa at No. 387.

The multi-storey car park to the Hallamshire Hospital is on the opposite side of Glossop Road and c1850 2 storey housing adjoins the site at Nos 367-373. These properties are residential accommodation owned by the University and are also Grade II Listed Buildings.

The applications seek the following:

- The subdivision of the internal spaces to create residential accommodation (18 one/two/three bedroom apartments) within the Listed Building.
- The erection of a three storey rear extension consisting of two elements; a brick built residential block and a glass link 'atrium' connecting the block to the rear elevation of the Listed Building. The residential accommodation provided in this element would amount to 9 one/two/ three bedroom apartments.
- The creation of lightwells to the front elevation of the Listed Building to enable lower ground floor living spaces for the duplex apartments.
- The remodelling of the existing porches on front elevation.

- The formation of vehicular/pedestrian accesses, undercroft car parking areas and formal rear amenity space.

In total the combined conversion and extension would create 27 apartments; 7 x 1 bed, 16 x 2 bed, and 4 x 3 bed.

## RELEVANT PLANNING HISTORY

There are numerous applications for planning permission, listed building consent and advertisement consent relating to the application site.

These include planning permission for use of the building as a public house with restaurant, catering facilities, office, living accommodation and car park in 1990. The conservatory and alterations to the stair towers were granted planning permission and listed building consent in 1983 (82/02933/FUL).

An entrance canopy and the outdoor seating terraces were granted planning permission and listed building consent in 1997 and 1999, respectively.

## SUMMARY OF REPRESENTATIONS

3 representations have been received in response to the neighbour notification process including submissions from The Georgian Group, Hallamshire Historic Buildings Group and University of Sheffield.

### Georgian Group:

The applicant's supporting documentation fails to provide a written assessment or photographs of the internal spaces within the terrace. A detailed assessment of the significance of elements to be demolished is therefore impossible and this fails to meet the minimum information requirements set out in NPPF 189.

No evidence for the assertion that the porches are a later addition has been provided. The porches should be retained and restored as the proposed alterations to their fabric would be highly damaging to the appearance and significance of the principal façade and thus cause harm to the conservation area. Any replacement windows should be sashes copied from the original design.

This scheme has the potential to rob this grade II listed terrace of much of its surviving architectural and historic interest and to cause harm to the surrounding conservation area.

The scheme should also be amended to allow for the retention and repair of the terrace's most important external and internal features, including the classical porches on its principal façade.

### Conservation Advisory Group:

The Group considered that the scheme was a gross over-development of the site. The Group felt that the proposed treatment of the frontage would affect the 1840s

character of the frontage, particularly the door surrounds, on Glossop Road. The Group felt that the imposition of light wells would be unacceptable. The Group considered that the re-installation of sash windows should be part of the development. The Group felt that the re-installation of the doorways should be carried out and that a modern style of door would be acceptable. The Group considered that there should be soft landscaping on the frontage. The Group felt that the upper floor could be converted to four dwellings. The Group considered that the extension at the rear would be over-development, but it could be acceptable if it was reduced in scale. The Group felt that the loss of the floor plan of the upper floor would be unacceptable. The Group considered that the proposed green wall would be acceptable.

Hallamshire Historic Buildings Group:

The Applicant's Heritage Statement is brief and lacking in detail.

The existing timber porches, although not original, are in character and maintain a strong sense of the building's relation to the street through its four front entrances. There is no reason why these porches cannot be retained and the original entrances re-instated as the primary access to four of the duplex apartments. The proposed aluminium cladding is a hideous disfigurement of the splendid Glossop Road elevation.

The treatment of the porches is unacceptable and should be refused.

Replacement windows should be conservation grade timber sash windows with glazing bars of appropriate thickness, and should be painted white, as are those in adjacent properties.

The painting of the 'restored' rear elevation in white is inappropriate. The elevation should remain as brickwork.

University of Sheffield:

There are concerns regarding the impact of the works and completed scheme on the University buildings and functions in the vicinity.

We have concerns during the redevelopment period that the proposed scheme will disrupt the activities undertaken at Sheffield Institute for Translational Neuroscience (SITraN) and Barber House in terms of vibration (on delicate microscopy and imaging equipment)

There are concerns over the management and control of contractor parking and deliveries.

The proposal could result in noise and disturbance from noise emitting plant. The height and massing could have an overbearing and overshadowing impact to neighbouring properties on Glossop Road and Ruth Square particularly the gardens of these properties.

The level of development affects the Grade II listed status of the building. Matters raised that are not material planning considerations:

Even with the transport links, there is likely to be unauthorised access onto University land from residents and visitors.

We would also ask that the Considerate Constructors Scheme be enforced and monitored at all times.

Historic England:

Historic England are a statutory consultee but stated that they do not wish to comment and are happy to defer to the Council's own Conservation Officers.

## PLANNING ASSESSMENT

### National Planning Policy Framework

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

### Policy Context

The Council's development plan comprises of the Core Strategy which was adopted in 2009, and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998.

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF makes it clear that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The assessment of this development proposal needs to be considered in light of paragraph 11(d) of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.

- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.

The Local Planning Authority is in the process of updating its five year housing land supply position but given the changed assessment regime identified in the NPPF (2019) and associated Practice Guidance, further detailed work is required. The Local Planning Authority are therefore undertaking additional work to reflect the requirements of national policy and guidance, before publishing conclusions in a monitoring report (expected later this year). At the current time, the Council cannot demonstrate a five year supply. The Council's most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites, and this includes the appropriate buffer.

As Sheffield does not currently benefit from a five year housing land supply, all of the most important policies for determining this application are automatically considered to be out of date, as made clear in footnote 7 of paragraph 11. As such the two Paragraph 11 tests detailed above and sometimes referred to as 'the tilted balance' (a presumption in favour of sustainable development) will apply unless it is considered that significant harm to a heritage asset is sufficient reason alone to refuse an application.

In this context the following assessment will:

- Assess the proposal's compliance against existing local policies as this is the starting point for the decision making process. For Sheffield this is the Unitary Development Plan (UDP) and the Sheffield Development Framework Core Strategy (CS).
- Consider the degree of consistency these policies have with the Framework and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Apply 'the tilted balance' tests, (including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits) should the application be considered to cause less than substantial harm to a heritage asset.

## Key Issues

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The design, scale and mass of the proposal, and its impact on the existing listed building, conservation area and street scene,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided.

## Local Policy Context

The building lies within the Broomhall Housing Area as defined in the Unitary Development Plan (UDP). It is also a Grade II Listed Building and lies within the Hanover Conservation Area.

The most relevant UDP and Local Plan Core Strategy policies for the purpose of determining these applications are:

BE5 (Building Design and Siting)  
BE15 (Areas and Buildings of Special Architectural or Historic Interest)  
BE16 (Development in Conservation Areas)  
BE19 (Development affecting Listed Buildings)  
H5 (Flats, Bed-sitters and Shared Housing)  
H10 (Development in Housing Areas)  
H11 (Development in Housing Areas in Nether Edge and Broomhall)  
H14 (Conditions on Development in Housing Areas)

Relevant Core Strategy Policies are:

CS22 Scale of the Requirement for New Housing  
CS23 Locations for New Housing  
CS24 Maximising the Use of Previously Developed Land for New Housing  
CS31 'Housing in the South West Area'  
CS26 Efficient Use of Housing Land and Accessibility  
CS74 Design Principles

The Hanover Conservation Area Appraisal and Management Proposals were adopted in March 2012 and are relevant to this proposal.

## Principle of Proposed Use

Housing uses (Class C3) are the preferred land use in the Broomhall Housing Area as defined in UDP Policy H11.

## Land Use

The site is in an allocated Housing Area as defined in the adopted UDP.

Policy H10 (Conditions on Development in Housing Areas) identifies housing (use class C3) as the preferred use of land in the policy area. As such the principle of the further development of this site for housing purposes is considered to accord with policy H10.

Policy CS22 - Scale of the Requirement for New Housing of the Sheffield Development Framework Core Strategy (CS), sets out Sheffield's housing targets until 2026. The NPPF 2019 provides more up to date guidance on this matter and requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure.

Core Strategy Policy CS24 'Maximising use of Previously Developed Land for New Housing' seeks to try and ensure that priority is given to developments on previously developed sites. The site is small within an existing urban area and sustainably close to high frequency bus routes.

This approach is reflected in paragraph 117 of the Framework, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'. Paragraph 118 (c) goes on to state that substantial weight should be given to utilising brownfield land within existing settlements.

The weight to be afforded to CS23 and 24 can be questioned as they are based on outdated housing need figures. However, they promote brownfield development which aligns strongly with the NPPF and therefore can be offered moderate weight.

The site is currently occupied by the Listed Building and by extensive hardstanding, and therefore the proposed development would be on land that is previously developed. As such it is concluded that the principle of developing this brownfield site is supported in policy terms.

The development of this small urban site for new housing is therefore considered compliant with the aims of policies CS23 and CS24. The proposal accords with Core Strategy Policy CS23 (Locations for Housing Development) as this is considered to be suitable and highly sustainable site which is located within the existing urban envelope.

#### Sustainable Use of Land

National Planning Policy Framework (NPPF) at paragraph 123 identifies the importance of making sure developments make optimal use of each site and promotes increased densities in city and town centre sites and other locations that are well served by public transport. Para 123 c) states that local authorities should refuse applications which they consider to do not make efficient use of land, taking into account the policies contained in the NPPF.

Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposals are considered in accordance with these policies.

Policy CS26 specifies density ranges for new housing developments. Subject to protecting the character of an area, at least 40-60 dwellings per hectare are normally expected in Housing Areas such as this (the site lies within 400 metres of high frequency bus route in an urban area).

The above policies are reflected in the NPPF where paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid

homes being built at low densities and ensure that developments make optimal use of the potential of each site. CS26 can therefore be considered to broadly align with the aims of the NPPF and can be attributed moderate weight.

The proposals represent a density of approximately 100 units per hectare. The proposed density therefore lies outside the accepted range parameter specified in the Core Strategy. However, the policy allows for departure from these expectations should the site constraints (or a necessity to more closely follow existing patterns of development/grain/density) and/or the proposed nature of the development be significant considerations.

Typical housing densities in the locality vary between the typical Victorian terraces to the east (approximately 50 dwellings/ha) to the larger detached Victorian houses/villas further to the south and east (approximately 12 dwellings/ ha).

However, these dwelling types are two storey houses and apartment schemes such as is under consideration here will always return higher density figures. Taking this factor into consideration it is not felt that the density represents an over development of the site, particularly given the highly sustainable location.

In this location, Policy CS31 'Housing in the South West' states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

This policy aligns closely with the aims of paragraph 127 of the NPPF which promotes developments that are visually attractive and sympathetic to local character, and can therefore be given moderate weight. The section below deals with whether the scheme proposed achieves this policy ambition.

Given the conclusions regarding scale and design (See Design section) and when considered in the round it is considered that the proposals (in part due to their reduction scale over the life of the application) accord with the spirit of Policies CS26 & CS31 of the Core Strategy and the aims of the NPPF.

#### Housing Mix

The proposal provides for two and three bedroom flats. There is no specific policy requirement for mixed house types in this scale of development but in any event the form of accommodation is considered the most appropriate for the site.

#### Environmental Considerations

The NPPF advises at Paragraph 127 that planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; and



- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

Policies BE5, BE15 and BE16 of the UDP state that the new buildings should complement the scale, form and architectural style of surrounding buildings as well as preserve and enhance the conservation area within which they are sited. Policy H14 states that new development should be (a) well designed and in scale and character with neighbouring buildings, and (c) not result in the site being over-developed.

Policy CS 74 (Design Principles) within the Core Strategy 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. It is considered the relevant UDP and Core Strategy Policies align closely with the NPPF and, as such, they can be afforded full weight.

#### Existing Character, Scale and Form

The locality is mixed in character. Immediately adjacent the site to the east lies the Sheffield Institute for Translational Neuroscience, a contemporary two storey structure granted permission in 2008. Beyond this to the north and east the area is characterised by a mixture of two storey dwellings some dating from the Victorian period and others from the second half of the C20th.

To the south and south west there are several former Victorian villas, some now subdivided into flats, others having changed use (e.g. The Francis Newton public house and Fairmount Nursery).

To the west on the opposite side of Glossop Road, and dominating the entire area visually is the Royal Hallamshire Hospital complex which includes buildings erected in the second half of the C20th. These vary in height but ultimately rise to the main hospital building at 15 storeys.

#### Conservation Area and the Listed Building Considerations

##### Local Policy

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

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, and UDP policy BE5 'Building and Design Siting' expects good quality design in keeping with the scale and character of the surrounding area.

As the site sits within the Hanover Conservation Area Policies BE16 'Development in Conservation Areas' and BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' of the UDP are relevant.

These policies require high quality developments which would respect and take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, and which also seek to preserve or enhance the character of conservation areas and the cities heritage.

Policy BE19 of the UDP requires proposals for internal or external alterations and changes of use that would affect the special interest of a listed building will be expected to preserve its character and appearance and where appropriate preserve or repair original features of interest.

Chapter 12 of the NPPF (2019) requires good design, where paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 130 requires that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Paragraph 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally so long as they fit in with the overall form and layout of their surroundings.

These requirements closely reflect the aims of policies BE1, BE5 and CS74 so those policies can be afforded full weight.

Chapter 16 of the NPPF considers the conservation and enhancement of the historic environment and states that when considering the impact of a development on the significance of a heritage asset, great weight should be given to the asset's conservation, and (para 194) that any harm to the asset from development within its setting should require clear and convincing justification. It further states that substantial harm to assets of the highest significance should be wholly exceptional.

This approach is reflective of the aims of policies BE16, 17 and 19, and therefore these policies can be afforded full weight.

It should be noted at this point that footnote 6 to paragraph 11(d) of the NPPF, referred to above and which identifies that where a development plan or its policies are out of date, planning permission should be granted unless 'policies to protect areas or assets of particular importance' provide a clear reason for refusing permission, applies to those within the NPPF, not the Council's Development Plan policies. It is also noted that in such cases where there is clear conflict with the heritage policies within the NPPF, the titled balance does not apply.

Impact on the Listed Building

Existing Fabric of the Listed Building

There is significant variation in the quality of various aspects of this Listed Building. The aspect of the terrace facing Glossop Road is one of Sheffield's most valuable and visible examples of this form of development and therefore it represents a significant heritage asset. There have been changes made to this frontage over the last century (note later analysis of the front porches for example) but the frontage as a whole retains its original character and curtilage context.

The rear elevation has been significantly damaged over the course of the last 100 years. The large stair towers to the rear have significantly damaged any original features on the rear elevation and there are also signs of structural damage caused by these towers pulling away from the rear elevation.

The adverse visual impacts on the rear elevation of the building are further exacerbated by the expanse of tarmac forming the surface car parking at the rear.

The adopted Hanover Conservation Area Appraisal notes that the special interest of the Conservation Area is defined (in part) by the "prevalent use of high quality red brick finely jointed and with rubbed brick voussoirs and/or stone dressings, finely dressed stone and some stucco buildings with natural slate roofs;" and "the wide variety of designs and the hierarchy within 19th century terraced housing"; and

"The Grade II Listed Building makes a significant contribution", the Appraisal stating that "...these large-scale properties are one of the main defining characteristics of the conservation area."

#### Demolitions

The structures identified for demolition in order to enable the development are not considered to have any architectural merit and their loss would not impact adversely on the character of the immediate locality or the wider Conservation Area. In terms of the impact on the Listed Building the loss of the utilitarian and rather ugly staircases and other accretions to the rear elevation would be a positive step.

The intention to remove the rear stair cores will of course reveal the extensive damage to the rear elevation and this elevation will remain 'revealed' due to the nature of the glass link atrium. The intention is to introduce the doors to the flats in the Listed Building at locations on each floor, currently obscured by the stair cores, and to restore the windows that appear between the cores. The intention to finish both the original, somewhat scarred brick work, and the 'made good' sections in a white colour is considered acceptable since attempts to match in new bricks that will remain un-weathered, with the original brickwork is unlikely to yield a good quality visual result.

#### Interior

The interior of the building has been much altered in the past. The Applicant has worked with Officers to minimise the extent of internal works and the proposals do not affect any of the remaining original internal features. Whilst it was to be hoped

that certain internal fixtures might be re-instated (for example internal staircases in their original positions) it is accepted that such a requirement would unduly constrain the internal layout of the apartments thereby compromising the viability of the proposal.

### The Front Porches

The four large porches on the front elevation form a distinctive feature on the principal elevation. Originally, all four would have served as main entrances but, over time, the two outer porches have been blocked up to a height of approximately 1.2 metres and have had windows installed in the remaining opening. The porches currently feature timber plank and plywood detailing which is in an advanced state of decay in many places. The porches are painted predominantly in white with black detailing to pilaster heads and feet. The original plans for the refurbishment of these structures were felt to be inappropriate by officers but amendments have been made to address concerns.

The proposals would retain much of the existing character and scale whilst re-introducing the door openings for each porch. These openings would however be fully glazed rather than have doorways in order to facilitate an appropriate internal layout within the ground floor flats. Nonetheless it is considered that these changes will result in an improvement in terms of visual amenity.

### The Light Wells

It is apparent from evidence on site that lower ground floor windows would have been apparent on the principal elevation when the building was originally completed.

However, there is no evidence that substantial light wells existed. In order to provide appropriate levels of amenity to future occupants the introduction of light wells to the front elevation is a necessity. Without these the duplex flats lower ground/ground floor would provide inadequate natural light to key rooms and the scheme would fail in terms of viability.

The principal visual impact of the light wells will be the upstanding plinth walls and railings to prevent falls.

These are detailed as being brick plinths with natural stone coping surmounted by wrought iron railings in black. These features mirror those of similar features at the neighbouring Listed Building (dating from the same period) and it is felt that these will not appear anomalous or out of character with the Listed Building. The light wells themselves will project slightly beyond the front porches (approximately 2 metres overall). Whilst the Council tries to limit light wells to less than this on standard terraces close to the footway it is considered that on a building of this scale (set so far back from back edge of footway) the light wells will not adversely impact on the setting and appearance of the Listed Building or the character of the Conservation Area.

## Windows

The original sash window pattern currently visible on the principal and side elevations is to be retained with new timber sash window replacements.

Large scale details of the proposed replacement windows can be conditioned and it is noted that the application proposes profiles to match the existing windows.

The proposal includes an intention to re-paint the windows in the front elevation a grey colour. This is not considered appropriate and they should be finished in a white/off white colour. This can be secured by condition.

Overall the proposals directly impacting on the envelope of the Listed Building itself are considered to conserve the character and appearance of the most important remaining aspects of the Grade II Listed Building. The proposals will ensure the long term maintenance of the property and restore the residential use within the building in compliance with policies BE1, BE17, BE19 and CS74 and the corresponding paragraphs in the NPPF.

## The Extension Block

This element has undergone significant design development work through both pre-application and application stages. The scale and massing has been reduced over time, though the applicant has maintained throughout this process that the quantum of development proposed is necessary in order to ensure a viable scheme, given the cost and to some extent uncertain cost of dealing with the building's current structural problems.

It should be noted that whilst the proposal will not be visible to a significant degree from the public domain (principally in limited views from the south on Glossop Road) it will be visible from other locations within the Conservation Area.

In terms of the overall design approach the intention is to link the new flat block to the Listed Building with a large glass 'atrium' which will allow light to penetrate the rear elevations of flats within the Listed Building, facilitate some internal circulation and also provide a limited communal space with seating and planters.

This connecting glazed element enables a distancing of the proposed accommodation block with its different architectural approach and should retain a clear indication of the original extent of the Listed Building.

The accommodation element of the extensions would consist of a flat roofed four storey structure (Lower ground, ground, first and second floors) designed in a contemporary style and faced in a grey brick (exact specification to be conditioned) on the upper three floors. The lower ground floor which would contain car parking would be faced in a grey vertical metal slat finish. A green wall is proposed on the south elevation.

The overall height of this block has been reduced so that it equates to the eaves height of the Listed Building thereby reducing any overbearing consequences

towards the later structure and maintaining it as the principal building on site in terms of scale and massing. The side elevations of the block are well inset from the gable ends of the Listed Building, once again, reducing the comparative massing of the proposal and emphasising the primacy of the Listed Building.

Whilst flat blocks of this type are rare in this particular area it is considered that the key consideration here is the relationship to the Listed Building and that, this being considered acceptable, there is no requirement to look further afield for comparative schemes in terms of scale and massing.

### Curtilage Works

It is proposed to retain and extend the landscaped areas at the front of the building where currently there are significant paved areas for sitting out. The intention is to reduce these areas to a simple strip of paving across the front elevation of the building and to return the balance to landscape garden. Frontage trees are to be retained.

To the south of the building the current car parking spaces will form part of the revised pedestrian access arrangements with a ramped paving section providing access to the glass atrium and its circulation areas. The narrower width of the paved area relative to existing car parking will enable the introduction of a planting zone adjacent the vehicular access. This should provide for some visual relief compared to current expanses of hard standing and also marginally enhance the setting of the Listed Building.

The plans also indicate a strip of planting between the car parking at the rear of the building and the Sitrans site with some tree planting proposed, once again also slightly softening the boundary of the site at this location

### Impact on the Hanover Conservation Area

Paragraph 196 of the National Planning Policy Framework requires that where a development results in less than substantial harm to the significance of a designated heritage asset, such as a Listed Building or Conservation Area, this harm should be weighed against the public benefits of the proposal.

Removal of the unsympathetic stairwells and other accretions from the rear elevation is a significant benefit to the area, and removes a current negative impact on the heritage assets.

The impact of the revised porches to the front elevation and the introduction of the light wells are considered to have a neutral impact on the Conservation Area. Although not significantly visible from the public domain, the rear extension will introduce a new build element that has clean contemporary lines and, subject to condition, utilises an appropriate quality of detailing and palette of materials.

In terms of the partial views of the proposal from views on Glossop Road it is considered the scheme will have a neutral impact on public domain vistas. From other aspects, be they private garden spaces or the grounds of

commercial/educational institutions to the south, east and north it is considered that the proposals will represent a positive contribution in terms of visual amenity given the current shoddy appearance of the rear elevation with its rear stairwells, inappropriate conservatory and extraction flue.

The introduction of a contemporary building at this location is not considered problematic, particularly since the Sitrans building to the east is also of contemporary appearance whilst responding well to its context. There is no reason to believe that an appropriately detailed quality scheme here cannot achieve the same result.

#### Heritage Asset Conclusions

It is considered that the proposal creates less than substantial harm to all identified heritage assets. The contemporary design with sustainable green wall element is of good quality, and quality detailing and materials can be ensured through planning conditions.

In accordance with the requirements of paragraphs 193 to 196 of the NPPF such harm requires convincing justification and has to be weighed against the public benefits of the proposal, including if appropriate, securing the optimum viable use.

The justification for the works is set out above, and officers consider this to be convincing. The weighing of the harm against public benefits is considered below.

#### Living Conditions

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

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

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

These policies are therefore considered to align with the requirement of paragraph 127 so should be given full weight.

The guidelines found in the adopted Supplementary Planning Guidance on Designing House Extensions are not strictly applicable in this instance owing to them relating to house extensions. However they do suggest a number of detailed guidelines relating to overbearing and overshadowing, privacy and overlooking, and appropriate garden sizes. These guidelines include a requirement for two storey dwellings which face directly towards each other to have a minimum separation of 21 metres. Two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window, and a two storey extension built

along site another dwelling should make an angle of no more than 45° with the nearest point of a neighbour's window to prevent adverse overshadowing and overbearing. These guidelines are reflected in the South Yorkshire Residential Design Guide (SYRDG), which Sheffield considers Best Practice Guidance, but which is not adopted as Supplementary Planning Guidance.

#### Living Conditions - Existing Residents

##### Overbearing, Overlooking and Overshadowing.

The closest residential properties to the site are No. 373 Glossop Road and No. 23 Ruth Square

With regard to No. 373 this is a student occupied property owned by the University and the extension element of the proposal would lie to the south of the rear elevation. This rear elevation contains windows (a kitchen window is located at lower ground floor with study bedrooms above) and there is a small rear garden, though this looks to be little used.

The extension block proposed would introduce a large structure that would fall within the principal viewing arcs of these windows. However, due to the inset of the proposal from the side elevation of the Listed Building the nearest point of the new structure visible would be located approximately 9.5 metres at approximately 45 degrees to the centre line of these windows. It is not considered that this relationship will cause an unacceptable level of overbearing on the rear elevation windows of No. 373.

Whilst it is apparent that the proposal would create some overshadowing of the rear garden area of No. 373 in the early morning (beyond early afternoon the existing building will overshadow the garden) the area does not appear to be frequently used perhaps due to the nature of the tenancy, However, even were this occupation arrangement to change it is not felt that this factor alone would represent significant harm to occupants living conditions.

With regard to No. 23 Ruth Square the extension block would appear within the viewing arcs of windows in the rear elevation. However, much as with No. 373 Glossop Road a reasonable separation distance would be achieved to the proposals (approximately 15 metres). Once again it is not considered that this marginal overbearing or overshadowing of the foot of the properties garden in the late morning constitutes a significant impact upon living conditions.

#### Living Conditions - Future Occupants

##### Noise

The Application is accompanied by a Noise Assessment which identifies road noise from Glossop Road, and plant noise from the rooftop of the Sitrans Centre as potential noise sources. It is considered that appropriate design in both the building envelope and the glazing design can achieve suitable levels of amenity for the



future occupants. This view is shared by Officers from the Environmental Protection Service. Details of measures required can be secured by condition.

#### Outlook/Natural Lighting/General Amenity

All the proposed apartments in the extension and on the upper floors of the Listed Building will enjoy good natural lighting and outlook.

There is a slight concern with regard to the amenity offer represented by the lower ground/ground floor duplex units. In these units the main bedrooms will have what is considered marginal outlook into the newly provided light wells. This is not considered ideal but it is felt that this alone does not support a robust reason for refusal since the amenity offer for the duplex apartments overall will still be good with main habitable spaces such as Living rooms and Kitchens and one bedroom in each unit enjoying good/excellent quality natural light and outlook. Furthermore this slight concern only relates to 6 of the 27 units proposed overall.

The provision of external amenity space is somewhat limited but the internal circulation spaces allow for communal sitting out even in poor weather conditions and the Botanical Gardens is only 600 metres to the west.

In view of the above, the proposals are considered to comply with Policies H5(b), H14(c) and supporting Supplementary Guidance with regard to residential amenity. In summary therefore, whilst the internal arrangements of the lower ground/ground floor duplex flats are not ideal, in terms of overall living conditions for existing neighbouring and future residents, the proposals are considered acceptable and accord with the aims of UDP policies and paragraph 127 of the NPPF.

#### Impact on Sitrans Building

The Sitrans building on the adjacent site contains office/laboratory units but there are very few windows on the rear (west) elevation of this building and the proposal would achieve a separation distance of approximately 13 metres to the one post-doctoral office type room and kitchen windows at upper ground floor in the Sitrans building. It is not considered that the presence of the new building will impact on these rooms (which clearly have no residential function) so as to warrant a reason for refusal.

It is appreciated that the Sitrans building on an adjacent site houses vibration sensitive equipment required for research into Motor Neurone Disease and that there is a possibility that research results could be compromised by the construction phase of development. Whilst this is not considered a planning matter that can be addressed through planning condition it is felt appropriate to add a directive encouraging the developer to liaise with the University of Sheffield during the construction phase in order that research can be planned accordingly.

#### Highway considerations

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 109 of the

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

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

Policy H5 'Flats, Bed-sitters and Shared Housing' in the UDP part (c) requires that permission will be granted for the creation of flats where there would be appropriate off-street car parking for the needs of the people living there.

Those policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 105 and 106 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

The Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53, and for a 2-3 bedroom dwelling outside of the city centre 2 spaces are required as a maximum, with 1 space per 4 units for visitors.

The development proposes 20 off-street spaces though there is no provision for disabled parking and the introduction of an appropriate number of spaces which can be secured by condition, is likely to reduce this figure to 19 spaces.

This is a shortfall on UDP parking guidelines. UDP guidelines suggest that a provision of one space per flat and one additional space for every four flats should be provided (33 spaces in all) but government guidance considers that such standards should only be applied as maximum standards.

The site is in a very accessible location which is subject to on-street parking controls. It is located in relatively close proximity to Supertram, is on a high frequency bus route and is within walking distance of numerous local facilities.

Secure and covered cycle parking is provided within ground floor level layout, which is welcomed.

On this basis, the proposal would be considered to meet Policies H5 (c) and CS53 and should not have a level of impact that would justify refusal of permission on highway safety grounds as required by the NPPF.

#### Vehicular Access

It is considered that the visibility at the site access achieves appropriate site lines and that the likely traffic generation from the site can be accommodated without an adverse impact on road safety and in compliance with UDP Policies BE9 and H14(d).

## Mobility Access

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

H15 'Design of New Housing Developments' within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout the scheme provides level access into the main entrance and lift access is available throughout.

Based on the above the proposals are considered to offer a suitable response from an access perspective.

## Renewable Energy/Sustainability/Surface Water

Policy CS63 'Responses to Climate Change' of the Core Strategy sets out the overarching approach to reduce the city's impact on climate change. These actions include:

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

These aims align with those of paragraphs 148, 150 and 153 b) of the NPPF and this policy can therefore be given full weight.

The site is in a sustainable location in respect of access to local amenities and public transport.

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

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

Policy CS65 'Renewable Energy and Carbon Reduction' of the Core Strategy sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach where this is deemed to be feasible and viable.

This policy is compliant with the aims of paragraphs 148, 150 and 153 of the NPPF and this policy can therefore be given full weight.

The supporting Design and Access Statement does not mention specifics of how the 10% saving will be achieved and so details will need to be secured by condition. Measures to achieve this might include a highly performing insulated building envelope and/or a combined heat and power system since the only viable renewable energy source at the site would be solar panels to the roofs of the properties. However, this alone would be unlikely to provide significant energy returns and such provisions could also be potentially harmful to the character of the Conservation Area/setting of the Listed Building. The benefits gained from the use of such technologies are not considered to be critical when weighed in the balance with the visual harm that might be created.

The Climate Change Supplementary Planning Document, in Guideline CC1, requires developments exceeding 10 dwellings to incorporate a green roof which covers at least 80% of the total roof area, where it is compatible with other design and conservation considerations and where viable.

A significant portion of this application relates to the conversion of existing heritage buildings with pitched roofs and the roof of the glass atrium will be relatively lightweight structure incompatible with the loadings introduced by a green roof. The installation of green roofs is not therefore considered appropriate.

However, the submitted plans do propose a green wall on the south elevation of the new build element and this is welcomed by the Local Planning Authority Policy CS67 seeks to minimise surface water run-off from sites such as this by 30% compared to existing.

Due to the sloping topography, the urban nature of the site and the impermeable strata below the site, soakaways are deemed to be an unsuitable means of disposal of surface water and there is no watercourse close to the site.

The existing large areas of hardstanding and buildings are drained by a surface water network which discharges into a Yorkshire Water sewer.

The appropriate mechanism for dealing with surface water run-off will therefore be a pipe network. A detailed design of the surface water drainage and a suitably detailed maintenance programme will therefore need to be secured through condition.

As part of this a flow restriction device on the outlet should be capable of limiting peak discharge to the existing connection to 70 % of the peak run-off existing rate thereby complying with Policy CS67.

The use of permeable surfacing throughout the site should assist in reducing surface water run-off compared to the existing expanses of concrete hardstanding and the addition of the green wall, will assist in reduced surface water run-off rate.

### Landscape Considerations

Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. This is supported through Policy BE6 'Landscape Design' which seeks at part (c) to integrate existing landscape features in the development including mature trees and hedges. The aim of these policies firmly aligns with the broad aims of Chapter 15 (Conserving and Enhancing the natural Environment) and specifically paragraph 175. As such these policies can be given full weight.

The scheme would not result in the loss of any trees of significant public amenity value. The main trees on the street frontage will be retained and the proposed works should not adversely impact on these trees.

The extension of the grassed areas to the front of the Listed Building and the incidental planting adjacent the access and to the rear of the building will add value in terms of visual amenity and contribute to an enhanced setting for the Listed Building.

A fully detailed landscape scheme can be secured through condition.

### Ecology

Policy GE11 'Nature Conservation and Development' of the UDP requires development to respect and promote nature conservation, and aligns with paragraph 175 (d) of the NPPF which encourages opportunities to incorporate biodiversity improvements in and around developments so can be given full weight.

The Ecological Appraisal provided with the application is considered to provide a satisfactory assessment of the site, habitats present and suitability for protected species. The key considerations are bats.

No evidence of bats was found, but the buildings present on site have been assessed as having potential to form bat habitats.

Further survey work is proposed on buildings and the results of the surveys will inform the need for any mitigation measures and/or a Natural England protected species license. Such requirements can be secured by condition.

### Air Quality

It is not considered that the proposed use will have an adverse air quality impact. Pollutants and particulates are only likely to result from resident's vehicular movements and, as identified in the above vehicle movements associated with the development will be low and would not be notably different from the previous use.

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

### Affordable Housing

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

The site lies within the City Centre and West Affordable Housing Market Area. In accordance with the Council's CIL and Planning Obligations Supplementary Planning Document (SPD) 10% of the gross internal floor area of the development is required to be transferred to a Registered Provider at the Transfer Price, subject to viability.

In this case the Council's valuation exercise, undertaken independently, concluded that £82,500 should be forthcoming in affordable housing contribution, whilst retaining a reasonable profit level for the developer.

This figure was repeatedly challenged by the Applicant firstly on the grounds of likely abnormal costs that might arise from the structural works required to stabilise the rear elevation of the Listed Building and secondly on the estimated sale value of the units.

Agreement has not been reached on this matter and the Applicant has not agreed to pay the affordable housing contribution as they remain convinced that the contribution is not justified.

This would clearly be in conflict with Policy CS40 of the Core Strategy, a policy which has full weight as it aligns with paragraph 64 of the NPPF and this factor should be considered within the context of the 'tilted balance'.

### Community Infrastructure Levy (CIL)

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. In this instance the proposal is liable for CIL charges, at a rate of £30 per square metre (plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010). The exact amount of this sum will be calculated upon receipt of detailed information regarding gross internal floor space.

### RESPONSE TO REPRESENTATIONS

Matters relating to design and impact on the Listed Building have been dealt with in the main body of this report as have matters relating to residential amenity.

The concerns relating to the implications of vibration during the construction phase and research at Sitrans are noted and a directive should be added to any permission.

## SUMMARY AND RECOMMENDATION

The assessment of this development proposal needs to be considered in light of paragraph 11 of the NPPF, which identifies that when making decisions, a presumption in favour of sustainable development should be applied.

Paragraph 11 goes on to state that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, as is the case here as Sheffield does not benefit from a five year housing land supply, planning permission should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

This is a proposal for significant extensions and alterations in order to bring this former terrace of early Victorian dwellings back into residential use.

The overall architectural approach for the new build elements is considered acceptable and in terms of scale and massing the new build elements are considered to achieve a satisfactory balance between visual amenity and the desire to provide appropriate housing density. The contemporary approach architecturally is considered appropriate and the glass link provides 'breathing space' for the Listed Building and firmly establishes where new departs from original.

The conversion of the Listed Building, enhanced curtilage to the front and enhanced visual aspect to the historically 'compromised' rear elevation are considered significant positive aspects with this scheme.

Despite the marginal concerns relating to the lower ground floor spaces in the duplex units the scheme should provide good quality accommodation for future occupants and not compromise the amenity of existing residents.

The highways layout is acceptable and the proposed car parking is considered adequate given the highly sustainable location.

The proposals are felt to cause less than substantial harm to the heritage assets, and therefore in accordance with paragraphs 193 to 196 of the NPPF such harm requires convincing justification and has to be weighed against the public benefits of the proposal, including securing optimum viable use.

The justification for the extent of works proposed is the need to secure optimum viable use, and in doing so attend to inherent structural difficulties with the building, in particular on the rear elevation.

The long term use of the Listed Building for a preferred use in this Housing Area is considered a major positive factor weighing in favour of the scheme. The building is vacant and in need of a new use and restoration/refurbishment.

In addition to the re-use of the Listed Building as the preferred long term use within the Housing Area the provision of 27 units would be a helpful contribution to Sheffield's housing land supply at a time of shortage and at an acceptable density, and they would contribute to the diversity of the housing stock in the area both of which amount to a significant public benefit. Further benefit would accrue from improvements to the appearance of the rear elevation when viewed from the south.

Such public benefits are considered to outweigh the less than substantial harm identified. In this context, there is no conflict with paragraph 196 of the NPPF and no clear reason for resisting the proposals on those grounds.

Therefore part d) i) of paragraph 11 of the NPPF does not apply and the tilted balance in favour of sustainable development is in effect whereby the adverse impacts have to outweigh the scheme benefits for a refusal of permission to be justified.

Many benefits of the scheme are identified above and the only adverse impact of significance relates to the applicant's lack of commitment to the affordable housing contribution.

When applying the 'tilted balance' to this application the positive factors represented by the scheme are considered to outweigh the withholding of the relatively small affordable housing contribution of £82,500, considered appropriate following an independent viability appraisal. Whilst the applicant is not committing to the contribution, it is considered that the circumstances in this case, most notably the appropriate long term re-use of the listed building, the as yet indeterminate costs of stabilising works to the rear elevation, the contribution to the city's housing stock of a windfall site and the relatively low level of affordable housing contribution represent something of a unique case and one which is highly unlikely to re-occur.

Given the above and the small size of the contribution, it is not considered that this amounts to a significant adverse impact that would occur as a consequence of planning permission being granted and which would outweigh the presumption in favour of achieving a sustainable development of the site. The more limited weight given to the affordable housing factor in this tilted balance exercise should not therefore be taken as a significant precedent when considering future housing applications.

In conclusion, given the above and giving due consideration to the city's current shortfall in housing supply it is therefore felt that, the scheme meets the relevant requirements of the NPPF and UDP policies BE5, BE9, BE15, BE16, BE19, BE20 and H14, and Core Strategy policies CS23, CS24, CS26 CS31 and CS74.

Overall, the proposals are therefore considered acceptable and in accordance with the intention of the quoted policies. It is therefore recommended that planning



permission and listed building consent are granted subject to appropriate conditions.

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