

## PLANNING AND HIGHWAYS COMMITTEE 12<sup>th</sup> May 2020

### SUPPLEMENTARY INFORMATION

#### APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1.     **Application Number**        **19/04472/FUL**
- Address**                       **1 Peterborough Drive, S10 4JB**

#### Correction

The architect has confirmed that the roof of the bungalow is to be raised by 1.56 metres, not 1.8 metres as quoted in the committee report.

2.     **Application Number**        **19/02707/FUL**
- Address**                       **289a/289b Abbeydale Road South**

#### Correction

Members should note that there is an error with regards to the separation distances noted in the second paragraph of the Location and Proposal section of the report, and again within the Noise and Anti-Social Behaviour Considerations section. These relate to the distance from the site to the nearest residential properties to the north at 287 Abbeydale Road South, and those to the west on the opposite side of Abbeydale Road South. The report quotes the distances as 40m (25m to site boundary) and 80m respectively.

The distances have been checked again and are shorter than quoted in the report, and should read approximately 23/24m to the side elevation of no 287 (18m to the boundary) and 65m to the houses on the opposite side of Abbeydale Road South.

This does not affect the recommendation as the site circumstances have been assessed by officers during visits and are not reliant upon the quoted measurements.

#### **Additional Representations**

3 additional representations have been received since the Committee agenda was published.

Objections (2 additional, one of which is from a former employee)

- It is an overdevelopment of the site;
- The business is increasingly becoming a drinking venue, attracting noise which can be heard on Dore Road and expansion will increase this;
- Parking and traffic is already a significant problem, which will increase, along with pollution;

- The restaurant turns into a bar after 9pm

Support (1 additional)

- Interesting and imaginative extensions;
- The business is of community benefit as a place to meet;
- The extensions will provide economic benefit and employment;
- The business does not attract young crowds;
- The owner is local and considerate in terms of noise;
- Parking is a non-issue as the park and ride and businesses have different peak hours – a convenient symbiosis that means there is never a problem parking.

### **Additional Condition**

Condition: No development shall commence until a method statement which shall demonstrate the adjacent operational railway will be protected during construction and shall include details relating to construction methodology, use of plant and machinery, scaffolding, protection of boundaries and any required access onto Network Rail property, has been submitted to and approved in writing by the Local Planning Authority. The development of the site shall then operate in accordance with the approved method statement thereafter.

Reason: To ensure the development does not affect the safety, operation or integrity of the operational railway and its infrastructure or undermine or damage or adversely affect any railway land and structures.

### **3. Application Number: 19/00054/FUL**

**Address: Land East Of The River Don And To The South West Of Station Road, Deepcar**

#### Additional Representations

Since the publication of the committee report there have been six further representations from interested parties and these are summarised as follows:

- The Upper Don Trail Trust has made a further representation in which they state their appreciation for the changes which Bloor Homes have made to the layout of their scheme to respond to previous comments. They have made the following further comments:
  - a) The withdrawal of the proposed cycle-footbridge over the river means that the riverside trail currently leads nowhere. This also ends in a 3 metre drop onto the adjoining Liberty Steels tip site, making any logical continuation downstream quite challenging.
  - b) Given that the Trust is in active discussions about continuing the riverside trail from where the Bloor site ends could some regrading take place to allow the trail to be continued south of the site boundary more easily.
  - c) The width of last few metres of the trail within Bloors site boundary should be maintained at 3 metres consistent with the rest of the route.
- Cycle Sheffield have objected to the scheme based on the following:

- a) Any attempt to reduce the width of the shared use cycle/footpath to less than 3 metres should be resisted.
  - b) The proposal use of Station Road for motor vehicle access to the site.
  - c) The removal of the footbridge to Manchester Road. If the loss of woodland is deemed to outweigh the benefits of the footbridge then instead a Section 106 contribution should be paid for use on other active travel improvements.
- Two representations have been made by individual members of the public and reiterate the points made by Cycle Sheffield.
  - A representation has been submitted by the Sheffield Climate Alliance objecting to the proposals. This representation makes the following points:
    - a) The proposals still show inadequate bus service facilities because there is insufficient space for a bus turning circle and this could compromise any future bids around reopening of the Don Valley Railway.
    - b) The developer's Energy Statement states that emissions reductions will be achieved solely through the use of improved energy efficiency measures and, while these measures are welcome, there is a disregard of Core Strategy policy CS65. Other options should be utilised such as renewable energy.
    - c) Active travel needs to be encouraged, both to reduce our reliance on the motorised transport that gives rise to carbon emissions and for the range of health environmental benefits associated with it.
  - A representation has been made by a member of the public and makes the following points:
    - a) The officer report misrepresents Policy CS65 of the Core Strategy which actually requires a minimum of 10% of predicted energy needs to be provided from decentralised and renewable or low carbon energy and to reduce overall predicted carbon dioxide emissions by 20%.
    - b) Para 2 of condition 15 states that any energy related work should be done before each phase of development is occupied, but the paragraph presenting the reason for the condition says that it is essential that this condition is complied with before the development commences.
    - c) Other options for energy saving should be explored.
    - d) Additional weight needs to be given to the insufficient carbon savings proposed, in the light of recent developments at both local and national levels. Sheffield itself has declared a climate emergency and is targeting 2030 to become net-zero carbon.
  - The issues raised in these representations have largely been addressed in the initial committee report and are also commented on further as appropriate in the following supplementary information.

### Energy Generation

- With respect to comments around Core Strategy Policy CS65 the 20% carbon emission section is now encapsulated in the building control process. Furthermore the local planning authority has for several years allowed flexibility for developers to achieve the additional 10% uplift via a 'fabric first' approach.

It should also be noted that the strict wording of Policy CS65 does not compel a developer to comply with its requirements if it is considered to be unviable to do so,

as would be the case here. The applicant is however committed to utilising alternative forms of energy and is therefore proposing something that exceeds the strict requirements of this policy.

In relation to viability, Members are reminded that this proposal has been scrutinised by the independent valuers retained to undertake this work for the local planning authority. Even with sensitivity testing accounted for, it was concluded that owing to the truly exceptional costs associated with the project it will not achieve the threshold at which a developer could have been considered to make a reasonable profit.

These abnormal costs include the decommissioning of the adjacent Waste Water Treatment Facility, the construction of a road bridge and significant land remediation works to address legacy issues given the previous use. Furthermore, since this appraisal was undertaken several houses have been removed to accommodate a future rail halt. This harms the viability of the project further for the sake of boosting the sustainable travel agenda.

In relation to the proposed Condition 15, this requires details in respect of energy saving measures to be agreed before the relevant phase of the development commences, the agreed measures then need to be in place before occupation. This is the standard approach.

#### Updated Description/Rail Halt Details

Since the committee report was finalised two houses have been removed from the north east corner of the site to allow for additional land to be set aside for a future rail halt. As a result the proposal is now for 428 houses.

The applicant has made this change to ensure that if a rail halt is delivered on the site in the future, space would be available to allow a bus to turn around in this area via a roundabout, as was the case with previous approvals. As such buses would not need to use Station Road. Land for approximately 15 vehicles to park is also indicated for this facility. This alteration is welcomed and further addresses issues raised in third party representations around this matter.

In addition, whilst clear in the body of the committee report, the option for the land that is being set aside for a potential rail halt to be transferred to the local authority at a future date is not included in the Heads of Terms list at the end of this report. This omission is corrected by this note.

#### Updated Affordable Housing Review Trigger

Following concerns that the trigger for reviewing the affordable housing provision upon the completion of the 25<sup>th</sup> to last house would jeopardise the ability to provide units on the application site itself, the applicant has agreed to change this trigger to the completion of the 75<sup>th</sup> to last house.

Members are reminded that the most recent planning permissions on the site did not provide affordable units or include a review process. This approach represents a notable improvement in this regard.

### Revised Cycleway Width/Additional Condition

Following further consideration of third party representations the applicant has proposed alterations to the only section of off road shared cycle/footway that is not three metres in width. This section is in the south west corner of the site and is approximately 8 metres in length. The applicant has confirmed in an email that this area will be increased to three metres in width by reducing the length of the garden associated with Plot 315. This will be secured via condition should Members be minded to support the officer recommendation.

As a result there is in excess of 850 metres off road shared cycle/footways across the site, all of which are now three metres in width.

The proposed condition would read:

Notwithstanding the hereby approved plans, prior to works on the corresponding phase of development commencing revised proposals, including a timetable for implementation, that show the section of cycle/footway in the south west corner of the site (adjacent Plot 315) increased to three metres in width shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason: In order to promote sustainable forms of transport.

It is not considered as reasonable to insist the applicant revisits the levels associated with the western cycle/footway at this stage and the works associated with any ongoing future connection would be addressed as part of reclaiming the adjoining Liberty Steels tip site.

### Approved Plans List (Condition 2)

The final proposed wording for this condition is:

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

MI075-SL-001T (Site Layout+PH1) published on 05 May 2020  
MI075-SL-102 Rev Y (Site Layout North) published on 05 May 2020  
MI075-SL-103 Rev V (Site Layout South) published on 05 May 2020  
MI075-SL-104 Rev CC (Site Layout Whole) published on 05 May 2020  
MI075-SL-002 Rev K (Material Layout) published on 21 April 2020.  
MI075-SL-002.1 Rev N (Material Layout) published on 05 May 2020  
MI075-SL-002.2 Rev JK (Material Layout) published on 21 April 2020.  
MI075-SL-004.1 Rev K (Means of Enclosure) received via email dated 12 May 2020  
MI075-SL-004.1 Rev K (Means of Enclosure) published on 05 May 2020  
MI075-SL-004.2 Rev F (Means of Enclosure) published on the 15<sup>th</sup> of April 2020.  
MI075-PD-006 Rev C (Boundary Details) received via email dated 12 May 2020  
MI075-EN-333 Rev C (Cycle Route Layout) published on 05 May 2020  
MI075-EN-317 Rev D (Section Plan) published on 05 May 2020  
MI075-EN-320 (Section Plan) published on the 15<sup>th</sup> of April 2020.  
MI075-EN-321 (Footpath Section) published on the 15<sup>th</sup> of April 2020.  
MI075-EN-318 (Typical Ramp Detail) published on the 15<sup>th</sup> of April 2020.

MI075-EN-325 (SUDS Layout) published on the 15<sup>th</sup> of April 2020.  
5951-L-100 Rev E to 5951-L-112 Rev E (Landscaping) published on 05 May 2020  
5951-L-200 Rev J to 5951-L-205 Rev J (Landscaping) published on 05 May 2020  
Floor Plans and Elevations published on 21 February 2020.

Reason: In order to define the permission.

#### Remove Condition 9 (Waste Water Treatment Works)

Correspondence has been received from Yorkshire Water that confirms the Waste Water Treatment Works set to the west of the River Don has now been fully decommissioned. This removes the need for Condition 9 which imposed this requirement and restricted residential occupation until completed.

#### Sheffield and Rotherham Wildlife Trust Representation

An updated representation has been received from the Sheffield and Rotherham Wildlife Trust. In this the Trust note the site is subject to an extant previous planning permission and therefore the approach taken is different to that which would have been taken for a site with no previous permission. The Trust also note that the City Ecology Unit have looked at this site in detail and are now satisfied with the 2019 Ecology survey. The Trust has requested the previously proposed Condition 20 be split into two conditions in order to separate the Method Statement from the longer term ecology management plan.

Having discussed this matter with the applicant there is no objection to this request and the following is proposed:

- Updated Condition 20 to read:

Other than the earthworks and remediation as detailed within the email received on the 22<sup>nd</sup> of April 2020 (sent by the Planning Director at Bloor Homes Midlands) no phase of development shall commence until a detailed Method Statement for the safeguarding, mitigation and creation of biodiversity and ecology across the site and along the riverbank to the west of the site has been submitted to and approved in writing by the Local Planning Authority. The content of the Method Statement shall include:

- a) The purpose and objectives for the statement.
- b) The extent and location of proposed works shown on appropriate scale maps and plans.
- c) The timetable for implementation.
- d) Disposal of any wastes arising from works.
- e) External artificial lighting design, which should limit any impact to the adjacent river corridor to the west of the site.
- f) The location of bird and bat boxes within the development.

Reason: In the interests of ecology and biodiversity promotion.

- New Ecology Condition

Other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) no phase of development shall commence until a detailed Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall be prepared by a suitably qualified Ecologist and include initial aftercare and long-term ecological management and monitoring, plus the details of resources for implementation.

The works/development shall be carried out strictly in accordance with the approved details thereafter.

Reason: In the interests of ecology and biodiversity promotion.

#### Coal Authority Objection

The applicant has provided updated information to the Coal Authority in order to overcome their objection in which they had sought further intrusive work to be undertaken to determine how any coal mining legacy issues are to be mitigated. At this time a response has not been forthcoming and officers therefore propose the following condition to secure the suitable details before any development commences on the site. The submitted details will be agreed in collaboration with the Coal Authority.

#### - Proposed Condition

No development shall commence until comprehensive intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on the site and a report explaining the findings has been submitted to and approved in writing by the Local Planning Authority. In the event that site investigations confirm the need for remedial works details of these works, including timeframes for implementation, shall also be submitted to and approved in writing by the Local Planning Authority before development commences. The remediation works shall thereafter be carried out in accordance with the approved details.

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

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