
Case Number	23/02687/FUL (Formerly PP-12392492)
Application Type	Full Planning Application
Proposal	Erection of a three/four-storey building to form 7x apartments with associated landscaping, car parking, bike storage and refuse storage
Location	Site Of 340 Lydgate Lane Sheffield S10 5FU
Date Received	21/08/2023
Team	North
Applicant/Agent	Peak Architects Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Planning Application Form (Scan Date 21.08.2023)

Location and Existing Site Plan 682-PKA-XX-ZZ-DR-A-PL01 REVP3 (Scan Date 21.08.2023)

Existing Site Plan 682-PKA-XX-ZZ-DR-A-PL02 REVP3 (Scan Date 21.08.2023)

Existing Site Sections 682-PKA-XX-ZZ-DR-A-PL02 REVP3 (Scan Date 21.08.2023)

Proposed Site Plan 682-PKA-XX-ZZ-DR-A-PL10 REVP4 (Scan Date 21.08.2023)

Proposed Site Sections 01 682-PKA-XX-ZZ-DR-A-PL11 REVP4 (Scan Date 21.08.2023)

Proposed Site Sections 01 682-PKA-XX-ZZ-DR-A-PL12 REVP4 (Scan Date 21.08.2023)

Proposed Building Elevations 682-PKA-XX-XX-DR-A-PL23 REVP5 (Scan Date 27.09.2023)

Proposed Floorplans 682-PKA-XX-XX-DR-A-PL23 REVP5 (Scan Date 27.09.2023)

Proposed Floorplans 682-PKA-XX-XX-DR-A-PL20 REVP5 (Scan Date 27.09.2023)

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 take place, until details of a Preliminary Ecological Appraisal are submitted to and approved by the Local Planning Authority. Such survey shall establish an ecological base line value for the site which will inform a scheme for biodiversity enhancement, including but not limited to habitat boxes and enhanced planting, details of which shall be submitted to and agreed in writing with the Local Planning Authority.

Thereafter the approved details shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

The scheme for biodiversity enhancement shall include the following details:

- i. Description, design and/or specification of the type of feature(s) or measure(s) to be undertaken to include habitat boxes and landscaping
- ii. Materials and construction, to ensure long lifespan of the

features/measures;

- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- iv. A timeline for installation of the proposed features or measures.

Reason: In the interests of ecological enhancement.

- 5. No development shall commence until full details of measures to protect the existing Sycamore tree to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

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

- 6. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 7. Details of all boundaries to include the proposed stone wall to the front of the site, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 8. Unless it can be shown not to be feasible or viable 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.

9. 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.

10. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

11. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of a suitable and sufficient dedicated bin storage area shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be used unless the dedicated bin storage area has been provided in accordance with the approved details and, thereafter, the bin storage area shall be retained and used for its intended purpose and bins shall not be stored on the highway at any time (other than on bin collection days).

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

12. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
 - a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
 - b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

13. 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.

14. The development shall not be used unless the hard surfaced areas of the site for parking and access are constructed of permeable/porous surface and sub base. 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.

Other Compliance Conditions

15. The apartments shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

16. The balcony window on the eastern elevation shall be fully glazed with

obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

17. The car parking accommodation within the site, as indicated on the approved plans, shall be retained for the sole use of the occupiers of the development hereby approved.

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

18. The apartments shall not be used unless the cycle parking accommodation 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.

19. 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.

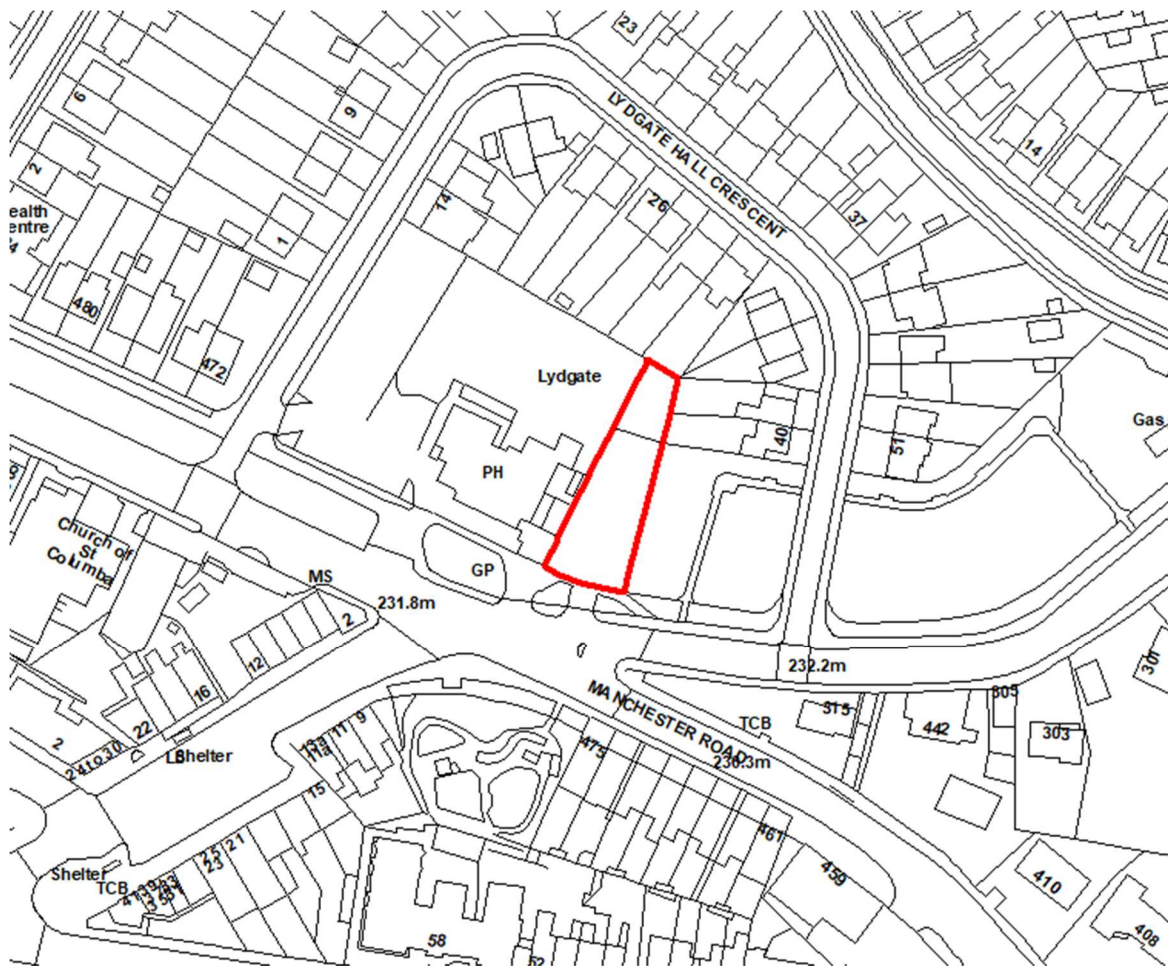
Attention is Drawn to the Following Directives:

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. Plant and equipment shall be designed to ensure that the total LA_r plant noise rating level (i.e. total plant noise LA_{eq} plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA₉₀ background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
3. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.

4. The developer is advised that, in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority

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

Site Location



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SITE DESCRIPTION

The application relates to a cleared site that is fenced off ready for redevelopment. To one side is the Crosspool Tavern and to the other side are mature trees and a community garden (Lydgate Green). Wrapping around the site to the side and rear are the rear gardens of residential properties on Lydgate Hall Crescent. The residential properties on Lydgate Hall Crescent are sited at a higher land level to the development site. The site is set back from the highway with a deep grass verge and is at the junction where Lydgate Lane meets Manchester Road. It is noted that within the grass verge are mature trees.

The site has formerly been occupied by a stone fronted shop with a flat above and there was a previous planning approval (20/02148/FUL) for redevelopment with 5 apartments, arranged in a block running across the front of the site with car parking and amenity space to the rear. This permission is an extant planning permission until 24.11.2023. The planning application (21/00978/NMA) was for the non-material amendment of planning permission 20/02148/FUL.

PROPOSAL

The proposal is for the erection of a three/four-storey building to form 7x apartments with associated landscaping, car parking, bike storage and refuse storage. The development site is allocated as being within a Local Shopping Centre under the Unitary Development Plan.

The apartment block will be set back and separated from the street by a forecourt which provides 7 off street car parking spaces. A stone boundary wall and a planting bed will separate the forecourt from the street. The apartment block has a contemporary design and will be constructed of light stock brick and bronzed metal cladding. The apartment block will be 4 storeys high with the top floor contained within a metal clad mansard style roof. The apartments will benefit from private balconies and a communal amenity space to the rear. Bin storage will be provided between the forecourt and the apartment block and cycle storage will be provided within the rear garden. No alterations are proposed to the existing access.

RECENT RELEVANT PLANNING HISTORY

23/01668/PREAPP: Pre-application enquiry for erection of a four-storey building to form 8x apartments. ENQUIRY CLOSED.

21/00978/NMA: Application to allow changes to Block B frontage windows including removal of window wall recess feature, addition of projecting bay windows to Block B frontage, separation of Block B external access steps into each dwelling and minor adjustment of roof plan to facilitate Block B frontage window changes (amendment to planning permission 20/02148/FUL). APPLICATION GRANTED. DECISION ISSUED 30.03.2021.

20/02148/FUL: Erection of 5 apartments in 2 x 3 storey blocks, Block A with covered parking and Block B with undercroft parking. APPLICATION GRANTED. DECISION ISSUED 25.11.2020.

17/01905/COND2: Application to approve details relating to condition nos. 4) renewable energy contribution; 9) hard and soft landscaping scheme; 10) external materials and finishes; 11) cycle storage; 12) hard surfacing; 13) surface water run-off; and 17) large scale details; of planning permission no. 17/01905/FUL. CONDITIONS APPLICATION DECIDED. DECISION ISSUED 20.05.2020.

19/04195/FUL: Application under Section 73 to vary condition no. 2 (approved plans) and remove condition nos. 19 and 20 (Green roof) of planning permission no. 17/01905/FUL (Demolition of building and erection of 6no apartments). APPLICATION GRANTED. DECISION ISSUED 20.05.2020.

17/01905/COND1: Application to approve details in relation to condition number(s): 3 (Highway Improvements), 5 (Tree Protection), 6 (Ground and Finished Floor Levels) and 8 (Vehicular Cleaning) imposed by planning permission 17/01905/FUL. CONDITIONS APPLICATION DECIDED. DECISION ISSUED 17.04.2019.

17/01905/FUL: Demolition of existing building and erection of 6no apartments (Amended Plans Received 21st December 2017). APPLICATION GRANTED. DECISION ISSUED 18.01.2018.

LETTERS OF REPRESENTATION RECEIVED

1 Letter of objection received from Cllr Minesh Parekh raising concerns regarding the Sycamore tree (T1) sited adjacent to the road that it is potentially suffering from decay and a risk assessment has been requested from the Council. Such street trees define the character of the area and are important as they are highly visible site in the centre of Crosspool. Proposals should look to maintain tree-lined streets. Independent arboricultural advice about the status of the sycamore tree should be sought, and if it is healthy, request a TPO to protect its placement.

2 letters of support have been received raising the following points.

LAND USE

- The proposal will redevelop a site that has been derelict for a long time.
- The development site has been neglected and looks ugly. The proposed development will add to the diversity of housing available in the area.
- Crosspool needs to serve a whole range of ages for housing, and this creates some amazing opportunities for starter homes or people wanting to down size but stay in the area.

DESIGN

- The building being set back from the road and the frontage of the neighbouring pub will make for a less imposing street scene.
- The new development will look smart and increase the curb appeal to this neglected corner of Crosspool.

HIGHWAY

- The cycling provision provides as many bike spots as there are car spots.

23 Letters of objection have been received raising the following points.

HIGHWAYS

- The proposal will have insufficient on-site car parking provision to serve the apartment block, as only one space per apartment has been provided. The apartment block will consist of 6 two bedroomed apartments and 1 three bedroomed apartments. No allocated visitor car parking and any proposed visitor car parking will take place on the adjacent roads which experience existing car parking congestion and as such is likely to prevent the safe egress of cars and the emergency services on surrounding roads.
- The proposed development should have included 20 car parking spaces at least to ensure sufficient car parking provision is provided for the flats and any visitors, and within the car park it is likely to be difficult to manoeuvre from certain car parking spaces and leave the site in a forward-facing gear.
- The residents' cars attempting to turn right from the development and access Lydgate Lane to make a left-hand turn onto the A57 Manchester Road will cause an obstruction to Lydgate Lane blocking access for cars/cyclists from the A57 Manchester Road.
- Access to the car park will require crossing the adjacent pavement from a busy Manchester Road/ Lydgate Lane traffic junction. Multiple cars/cyclists make the turn from the A57 Manchester Road onto Lydgate Lane constantly. Residents' cars would have to brake sharply to make an immediate left turn after exiting the A57 Manchester Road onto Lydgate Lane.
- There appears to be very limited room for manoeuvre within the car park, and additional manoeuvring may well occur on the adjacent pavement.
- Lydgate Hall Crescent is already used by Tavern Service station for vehicles booked in for work.
- The increase in the use of the existing access which joins an extremely busy junction will impede pedestrian safety.
- The application submission includes no pedestrian or highways impact assessment which would assess the considerable risk to the safety of pedestrians and other road users through this development of the site.
- The area adjacent to the development is a busy and difficult to negotiate junction with cars approaching at speed along Manchester Road. The car park area is very small and there is inadequate turning provision. The result will be cars pulling in forwards across the pavement and then being forced to reverse across a wide pavement area on to the junction.
- The proposal includes cycle provision; however, the access statements does not propose any safe cycle routes to the site, nor the fact the driveway to the new car park will impede people walking along the pavement. The proposal should seek to enhance the walking and cycling routes especially on a very prominent corner.
- The cycle store is only accessed by going up/downstairs and taking a detour to the rear of the development. Even though a ramp is proposed, these can be very awkward to navigate. To improve access to the bike store it should be

sited to the front of the development for ease and convenience. The fact that bins and bikes are mentioned in the same section suggests low regard for cycling. No information has been provided regarding the provision for wider cycles like trikes or cargo bikes.

DESIGN

- The building is large and is not in keep with the existing buildings within the surrounding area. The building will dominate/overbear the other buildings within the surrounding area. The building will dominate long views of the site from Sandygate Road towards the junction with Manchester Road, and Lydgate Green, and is contrary to CS64 and CS31.
- This proposed development scale, layout and built form, building style and materials are not in keeping with the character of the surrounding area. The building materials for the TESCO development nearby were conditioned to be stone.
- The design of the proposed development appears unrealistic in proportion to the actual space available on the site. The width of the proposed development takes up nearly the entire width of the site, which makes it a very dominating presence.
- The proposed building is too large from a mass and height perspective. The proposed development will be far higher than the Crosspool Tavern and any other building in Crosspool.
- A more suitable design and build that's in keeping with its surrounds and site constraints and which does not overlook, overbear or overshadow, would work better and benefit the area. The site needs developing and not just left to deteriorate.

RESIDENTIAL AMENITY

- The building will overlook, overshadow and result in the loss of privacy of Lydgate Green and the residential properties along Lydgate Hall Crescent.
- Published pre-application comments specifically ask for a preliminary noise impact assessment which, at the time of writing, has not been submitted by the applicant.

TREES/LANDSCAPE

- The proposed retaining wall adjacent to No 38 and 40 will detrimentally impact the small trees and bushes established alongside this shared boundary. Further concern relates to the impact on the trees and hedgerow sited within Lydgate Green and the impact the proposed retaining wall have on these. The arboricultural report disregards these trees and hedgerow.
- The proposed 6ft boundary treatment is welcomed, and the existing trees and hedgerow should be retained. No information has been provided with regards to the proposed landscape screening and whether this would provide additional screening between the proposed and existing residential properties.

DENSITY

- The proposed development represents a significant over-development of the relatively small site and is in breach of CS26 of the Sheffield Core Strategy (SCS). Little justification is given for this despite published pre-application concerns raised by officers. The applicant also notes the general lower density and built character of the local area and yet offers little in the way of integrated design analysis.

AFFORDABLE HOUSING PROVISION

- The proposal does not include any affordable housing provision.

OTHER MATTERS

- Objections have been raised on similar grounds in relation to two more recent planning applications on the site (17/01905/FUL and 20/02148/FUL). Neither of these consents have been implemented, presumably on viability grounds, and they are either expired, expiring or cannot be fully implemented. A great deal of weight is placed by the applicants on previous consents. This application should be considered on its own merits.
- The location of the bike store along the boundary with No 38 and 40 will support access into their rear gardens and raise a potential security issue.

PLANNING ASSESSMENT

The National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure that new development is sustainable, and all relevant local policies should be considered to be in accordance with the relevant paragraphs of the NPPF.

Paragraph 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and provides that where the Council cannot demonstrate a five-year supply of deliverable housing sites, the policies which are most important for determining the application will be considered to be out of date. At this current time, the Council cannot demonstrate a five-year supply of sites for housing (it is 3.63 years), there is a presumption in favour of the development at this current time.

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is triggered, and as such, planning permission should be granted unless the application of policies in the NPPF provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

However, paragraph 11 d) i) and footnote 7 of the NPPF make clear the presumption in favour would not apply where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

LAND USE

The development site as allocated under the Unitary Development Plan lies within a local shopping centre. Within such areas UDP Policy S7 sets out that retail is the preferred use, however other uses such as residential development can be considered to be acceptable, subject to retail uses remaining dominant within the area.

The principle of the loss of the retail unit on the site has already been established through the granting of the previous consents and the premises have been demolished. In addition, the use of the site for residential purposes has already been established through previous planning permissions. The site is on the edge of the Local Shopping Centre, would not lead to the loss of any retail use and would not prejudice the dominant use of the centre for retail.

HOUSING DENSITY

The development site covers an area of 0.06 hectares. Core Strategy Policy CS26 requires that housing development makes efficient use of land. The policy sets a density of 30 to 40 dwellings. This policy is consistent with the NPPF which seeks to ensure the efficient use of land in Paragraph 124; as such CS26 can be offered weight. The proposal will have a density of approximately 116 dwellings per hectare, which does not accord with Core Strategy Policy CS26. Interested parties have raised this concern.

However, the development site is located at a sustainable location within walking distance of shops and services and would comply with Paragraph 124 of the Framework which seeks to make efficient use of land. Further to this, it will support the redevelopment of a previously development site. Policy CS24 seeks to prioritise the redevelopment of previously developed sites and sets out that not more than 12% of dwellings should be erected on greenfield land. The site has been previously developed and so complies with this policy aim.

Paragraph 119 of the NPPF states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Part C of Paragraph 120 of the NPPF states that decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Part D of Paragraph 120 of the NPPF states that decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

Paragraph 125 of the NPPF 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.

Whilst the proposal will result in a housing density that is greater than previous

granted planning permissions and as set out within Policy CS26, further consideration must be given to that the development site is a brownfield site within an existing settlement, and the Council cannot demonstrate a 5-year housing land supply. Thus, when all elements are finely balanced within the planning balance the proposal would contribute to housing supply within the city and the development would make optimal use of the site. The principle of the proposal would accord with paragraphs 119, 120 and 125 of the NPPF.

DESIGN

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the NPPF states that proposed development should 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 should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Further to this, paragraph 130 of the NPPF states that proposed development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Unitary Development Plan Policy S10 states that proposed development should be well designed and of a scale and nature appropriate to the site.

Unitary Development Plan Policy BE5 states that good design and the use of good quality materials will be expected in all new buildings. New buildings should complement the scale, form and architectural style of surrounding buildings, and new developments comprising more than one building there should be a comprehensive and co-ordinated approach to the overall design. Proposed designs should take full advantage of the site's natural and built features and the design, orientation and layout of developments should encourage the conservation of energy and other natural resources. In light of paragraph 130 of the NPPF, policies BE5 and S10 are still relevant and afforded weight.

Policy CS74 of the Core Strategy Plan Document 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. In light of paragraph 130 of the NPPF, policy CS74 is still relevant and afforded weight.

Interested parties have raised concerns regarding the design, scale, form, massing, and proposed materials of the apartment blocks. Further concerns have been raised that the apartment block is not in-keeping with the character of the surrounding area, and it will over dominate the surrounding residential properties. The proposed building is 4-storeys high with the top floor contained within a metal clad mansard style roof. Whilst it is acknowledged that the surrounding area consists of 2 storey properties and the proposed apartment block will be 4 storeys' high, the previous extant planning permission approved a 4-storey building.

Thus, it would be unreasonable to request further amendments regarding the lowering of the apartment block. Amendments have been received between the pre-application enquiry submission and the submission of this full planning permission reducing the height of the apartment block from 4 storeys to 3 storeys on the side nearest to the Crosspool Tavern to ensure an appropriate transition between these buildings.

The approach from Sandygate Road is a key view, with the Crosspool Tavern, Lydgate Green trees and the site framed by the shops along Sandygate Road. The stepped form of the building includes terraces and balconies which activates the front elevation and assists in breaking down the bulk of the building and provides a transition between the Crosspool Tavern and the apartment block.

The apartment block will be set back from the street with a forecourt, soft landscaping, and stone boundary wall forward of the apartment block. Amendments have been received between the pre-application enquiry submission and this full planning permission through the inclusion of the front stone boundary wall which will reflect similar stone walls within the locality and better define the interface of the development site with the street scene.

The design of the building entrance has been modified to enhance the approach from the car park through the broadening of the path, further amendments have been made to the design of the bin store and the rounding off the building corner to achieve a smoother curved approach which supports passive surveillance of the building's entrance.

The proposed materials will be a light stock brick with bronzed metal cladding, which will complement the materiality of the surrounding properties. The details of the proposed materials for the apartment block and the stone wall will be required through condition. As such the contemporary design of the apartment block will harmonise with the character of the surrounding area and make a positive contribution to the street scene. The proposal accords with local planning policies S10, BE5, CS74 and paragraphs 126 and 130 of the NPPF.

RESIDENTIAL AMENITY

Paragraph 130 of the NPPF states that proposal should look to create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. UDP Policy S10 states that proposed development should not cause residents or visitors in any hotel, hostel, residential institution, or housing to suffer from unacceptable living conditions, including air pollution, noise, other nuisance or risk to health or safety. Policy S10 is still relevant to paragraph 130 of the NPPF and is afforded weight in the assessment of the proposal.

Interested parties have raised concerns regarding the lack of a preliminary noise impact assessment, this will be required by condition. Interested parties have raised further concerns that the building will overlook, overshadow, and result in the loss of privacy of Lydgate Green and the residential properties along Lydgate Hall Crescent.

The development site benefits from a north-westerly orientation and will be sited adjacent to the pub and Lydgate Green. Within the Lydgate Green are mature trees sited parallel to the boundary within the development site. Windows are proposed in the side elevations looking out over the Green; however, these will be partially screened by landscaping. Further, any view is of a publicly used area and will provide some natural surveillance of this area.

Due to the proposed siting of the apartment block, the north westerly site orientation, the fact the development site is sited between a pub and Lydgate Green, sited 37m from the rear elevations of No 30 Lydgate Hall Crescent, at a 90 degree angle to the south east of No 38 and 40 Lydgate Hall Crescent and No 38 and 40 Lydgate Hall Crescent are sited 18ms away from the shared boundary with the development site, the apartment block will result in no significant overshadowing and overbearing impacts on No 38 and 40 Lydgate Hall Crescent.

The proposed boundary treatment abutting the properties along Lydgate Hall Crescent will be 1.8m timber board fence. To the rear of the third-floor apartment is a flat roof where there will be no access, and a condition will be required to prevent the use of the flat roof as a roof terrace. Amendments have been received to the rear balconies of the first and second floor apartment to include 1.7m high privacy screens along the eastern elevation which have been incorporated into the design of the apartment block. Thus, there will be oblique views of the bottom of the garden of No 40 and 38 Lydgate Hall Crescent only, from these balconies. The private residential amenity area of No 40 and 38 is adjacent to the rear elevations of the properties.

From the rear elevation of the apartment block to the boundary with No 30 Lydgate Hall Crescent is a separation distance of 20.5m, further to this the land levels rise through the site to the residential properties on Lydgate Hall Crescent. From the rear elevation of the apartment block to the rear elevation of No 30 is a separation distance of 37m. The separation distance accords with Guidance found within the Designing House Extensions Supplementary Planning Document where 21m must be maintained between the rear elevations of properties. As such the apartment block will result in no significant overbearing, overshadowing or overlooking of the neighbouring residential properties.

To the front of the site is the junction of Lydgate Lane and Manchester Road. There are residential properties from which the proposal will be visible, but the separation distances and angles between developments will ensure that there is not any unacceptable impact to properties in this direction.

Apartments 1, 3, 4, 5 and 6 will have enclosed balconies, apartment 2 will have a private ground floor terraced area and apartment 7 will have a roof terrace off the principal elevation. Apartments 1,3,4,5 and 6 will have access to further private residential amenity space to the rear of the apartment block. The apartments will benefit from positive orientations and outlooks whilst being of a reasonable size. The proposed bin stores will be sited forward of the principal elevation and a cycle store will be sited within the rear communal garden. Thus, due to the good quality design of the apartment block this will supports the long-term functionality and liveability of the apartments, but also the amenity of future occupants and neighbouring

residential properties. The proposal accords with local planning policy S10 and paragraph 130 of the NPPF.

HIGHWAYS

Policy T8 of the UDP states that the safety, convenience and attractiveness of footpaths and pedestrian areas will be improved, and new routes and areas created, to form a pedestrian-friendly network throughout the City and provide access to the countryside around Sheffield.

Policy T21 of the UDP states that provision will be made for car parking where it would: (a) meet the operational needs of businesses; or (b) be essential for the viability of a new development; or (c) enable ready access to the City outside peak hours; or (d) improve the environment or safety of streets; or (e) meet the needs of people with disabilities; or (f) be needed by visitors to the countryside; and provided that it would comply with Policies T22 to T25, and the Parking Guidelines. Levels of parking will be regulated to prevent excessive peak hour congestion.

Paragraph 111 of the NPPF states 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' Paragraph 112 c) of the NPPF states that applications for development should create places that are safe, secure, and attractive which minimise the scope for conflicts between pedestrians, cyclists, and vehicles, avoid unnecessary street clutter and respond to local character and design standards.

Interested parties have raised concerns regarding the lack of car parking provision within the site, and that it will increase on street car parking congestion on neighbouring streets. The development site is located within a Local Shopping Centre, which is well served by good public transport links and amenities. The 'Proposed Site Plan 682-PKA-XX-ZZ-DR-A-PL-10', shows that cycle storage will be provided to the rear of the apartment block and the forecourt forward of the apartment block will provide 7 off street car parking spaces for 7 apartments and a turning area within the forecourt. The turning area will enable cars to leave the forecourt forward facing.

Owing to the sustainable location of the development site there will be sufficient off street car parking provision to serve the apartment block. The Council's Highway's Officer raised no objection to the amount of off-street car parking and cycling provision provided within the proposal.

Interested parties have raised that the residents' cars will attempt to turn right from the development and access Lydgate Lane to make a left-hand turn onto the A57 Manchester Road which will cause an obstruction to Lydgate Lane blocking access for cars/cyclists from the A57 Manchester Road. Further concerns have been raised that cars will have to brake sharply to make an immediate left turn after exiting Manchester Road onto Lydgate Lane.

The 'Proposed Site Plan '682-PKA-XX-ZZ-DR-A-PL10', received on the 21st August 2023, shows that the existing access will be retained, and a 1m high stone boundary

wall will separate the development site from the pavement. Google Street View images from August 2019 shows that the original building had at least 3 car parking spaces forward of the building, and a car parking space and further garage to the rear of the building. The proposed car park will provide 7 off street car parking spaces which is not a significant increase on the number of off street car parking spaces previously provided by the original building prior to its demolition.

The erection of the apartment block will result in a small increase in the number of parking spaces, but vehicle movements are likely to be less than associated with customers using the previous retail use. Further to this, the forecourt forward of the apartment block provides the opportunity to safely manoeuvre and leave the site forward facing; the previous layout would have seen cars reversing onto the pavement to enable them to leave the access onto Lydgate Lane forward facing.

It must also be noted that the previous retail use would easily have generated more pass-by customer trips entering the site during peak periods than the proposed residential use. A review of personal injury accidents (Crashmap) for the past 23 years shows no injury accidents recorded in Lydgate Lane by the existing vehicular access. As such the Council's Highway's Officer raises no objections to the proposal, and sufficient off street car parking is provided for the development site within a sustainable location. The proposal accords with local planning policies T8, T21 and T28 and paragraphs 111 and 112 of the NPPF.

LANDSCAPE/TREES

Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Policy GE15 of the UDP states that trees and woodland will be encouraged and protected by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost. It is considered that the relevant noted sections of these local plan policies being relied on above remain in accordance with the NPPF and can be afforded substantial weight.

Interested parties have raised concerns that the proposed retaining wall adjacent to No 38 and 40 will detrimentally impact small trees and bushes established alongside this shared boundary. Further concerns relate to the impact the retaining wall would have on the trees and hedgerow sited within Lydgate Green, and that the arboricultural report provided within the application submission disregards these trees and hedgerow.

The trees sited along the boundary between the development site and No 38 and 40 and Lydgate Green, are not protected by a Tree Preservation Order, and are not sited within a Conservation Area, thus they are not afforded any protection and any damage to these trees resulting from the development would be a civil matter. Further to this, the hedgerow is not an historic hedgerow (existing prior to 1850), as such is not afforded protection through the 'The Hedgerows Regulations 1997'. Further concerns have been raised that no information has been provided with regards to the proposed hard and soft landscape scheme and whether this would

provide additional screening between the proposed and existing residential properties. The details of the proposed hard and soft landscape scheme will be required by condition.

Appendix 5: Tree Constraints Plan and Appendix 4: Tree Data of the 'Arboricultural Report & Impact Assessment', shows that Trees 6 and 7 that lie within the boundary of the pub but overhang the site will be pruned back to the boundary or the overhanging branches will be lifted off the boundary. The Council's Landscape Officer raises no concerns regarding this proposed works. Appendix 5 also shows a shared privet hedge along the boundary with Lydgate Green. Appendix 5 also shows within Lydgate Green there are groups of hawthorn, sycamore and ash trees that are adjacent to the development site. Appendix 4 denotes that no pruning works are proposed. Appendix 5: Tree Protection Plan of the Arboricultural Method Statement shows that the root areas of these trees lie outside of the development area, thus there will be no significant harm on the visual amenity that the group of trees and hedgerow provide to the surrounding area or their long-term vitality.

Interested parties have also raised concerns regarding the Sycamore tree (T1) sited adjacent to the road that it is potentially suffering from decay and that a risk assessment should be requested from the Council. The comments go on to state that if the tree is healthy then it should be protected by a tree preservation order. The Sycamore tree (T1) lies outside of the red line boundary of the development site, and the proposal includes no amendments to the existing access. Thus, it would be unreasonable to request any further information from the applicant regarding the health and vitality of the Sycamore tree within the grass verge. Any concerns regarding the Sycamore tree's health and vitality will be forwarded to the Council's Park and Tree Section for review. Further to this, as the tree is under the management of the Council's Park and Tree Section it would not be prudent to pursue a tree preservation order for the tree.

The Council's Landscape Officer raises no concern regarding the arboricultural report provided within the application submission. The root network of the Sycamore tree lies within the car park of the development site. The existing sub-base of the hardstanding will be retained. A method statement will be conditioned that shows details of how the new car park will be constructed without undermining the root system of the Sycamore tree. As such, the proposal is unlikely to result in significant harm to the Sycamore tree, and further hard and soft landscaping details and a method statement will be required by condition. The proposal accords with paragraphs 131 of the NPPF and GE15 of local planning policy.

BIODIVERSITY

Paragraph 179 of NPPF specifies the need for protection of designated sites and priority habitats and species and encourages biodiversity net gain where possible. Paragraph 180 of NPPF sets out that in determining planning applications, planning authorities should aim to conserve and enhance biodiversity.

The development site has been cleared and as a result has a low starting baseline, thus in this case a preliminary ecological assessment will be required through condition. A landscape and ecology plan will be conditioned that will show how

biodiversity net gain enhancements will be achieved within the development site. In light of this, the proposal accords with paragraphs 179 and 180 of the NPPF.

SUSTAINABILITY/DRAINAGE

Policy CS64 of the Core Strategy Plan Document states that all new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and function in a changing climate. All developments will be required to achieve a high standard of energy efficiency, and make the best use of solar energy, passive heating and cooling, natural light, and natural ventilation. Further to these new buildings should seek to minimise the impact on existing renewable energy installations and produce renewable energy to compensate for any loss in generation from existing installations as a result of the development.

All new buildings and conversions of existing buildings must be designed to use resources sustainably. This includes but is not limited to minimising water consumption and maximising water re-cycling, re-using existing buildings and vacant floors wherever possible, and designing buildings flexibly from the outset to allow a wide variety of possible future uses. The new buildings should use sustainable materials wherever possible and making the most sustainable use of other materials whilst minimising waste and promoting recycling, during both construction and occupation. In light of paragraph 130 of the NPPF, policy CS64 is still relevant and afforded weight.

As mentioned previously, the development site is for 7 dwellings, and in accordance with Policy CS64 a sustainability statement will be conditioned that demonstrates that the apartment block will achieve 10% renewable energy provision for the apartment block. Further details regarding drainage will be required through condition. As such the proposal accords with paragraph 130 of the NPPF and local planning policy CS64.

OTHER MATTERS

Interested parties have raised concerns regarding the lack of affordable housing provision within the proposed development. Policy CS40 'Affordable Housing' states that in all parts of the city, developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and financially viable. GAH1 of the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document states that affordable housing or a contribution will be sort on development sites with the capacity for 15 or more dwellings. The application proposal in this case is for 7 apartments, thus affordable housing contribution would not be applicable in this case.

CONCLUSION

In conclusion, the proposal will result in the redevelopment of a brownfield site, the efficient use of land and make a small contribution to housing land supply within the city. The apartment block will be well designed and enhance the appearance of the street scene. No significant harm has been identified with regards to residential amenity of neighbouring properties and future occupiers of the flats, highways, and

pedestrian safety, to nearby trees or the biodiversity of the site. The proposal accords with paragraphs 111, 112, 119, 120, 125, 126, 130, 131, 179 and 180 of the NPPF, and local planning policies CS64, CS74, GE15, S10, T8 and T21.