



Place Directorate
City Growth Department
Planning Services
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Officer: Howard Baxter
Ref: 19/03143/FUL (Formerly PP-08037032)

Tel: (0114) 20 39689
Date: 5 June 2020

DLP Planning Ltd
Ms Clare Plant
Ground Floor
V1 Velocity
2 Tenter Street
Sheffield
S1 4BY

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING PERMISSION

Proposal: Erection of 74no. dwellings, formation of access road, associated landscaping works, open space works and flood storage works
Location: Land Off Moorthorpe Way, Sheffield, S20 6PD
Applicant: Mr Luke Herring - Avant Homes

Planning permission is hereby **REFUSED** for the above-mentioned development in accordance with the application deposited with the Council on 6 September 2019 together with the relevant plans, including any amendments now agreed, for the following reason(s):-

1. This standalone proposal relating to the site known as "Owlthorpe site E" is prejudicial to the proper planning of the wider area, contrary to paragraph 3.2.6 of the "Housing Sites (C, D, E), Moorthorpe Way, Owlthorpe Planning and Design Brief" (July 2014; Updated November 2017), which supports a comprehensive scheme for the application site together with neighbouring sites C and D. The proposal does not respond sufficiently to the area's prevailing character of abundant green infrastructure and open space, contrary to paragraphs 122 and 127 of the National Planning Policy Framework. In addition the proposal fails to make efficient use of land due to the low housing density proposed and fails to adequately integrate the affordable housing into the proposed layout, contrary to paragraphs 8, 122 and 123 of the National Planning Policy Framework, Core Strategy Policies CS26 and CS40 as well as policy GAH5 of the CIL and Planning Obligations Supplementary Planning Document and is not considered to be sustainable development.

Date of Decision made by the Council's Planning & Highways Committee

5 June 2020

Large print versions of this letter are available by telephoning (0114) 273 4791

Developers attention is drawn to the following directive(s):

1. Despite planning officers working with the applicant in a positive and proactive manner to try and overcome problems arising from the proposal, the Planning Committee decided that the proposal remained unacceptable for the reason given.
2. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

n1276 001 Rev B - Location Plan
008 Rev D - Planning Layout
009 Rev C - Presentation Layout
010 Rev A - Street Scenes
011 Rev B - Site Sections (Existing and Proposed)
101-01 Rev D - Materials Plan
106 Rev D - Boundary Treatment Plan
108 Rev D - Proposed Finished Floor Levels

Rev 4 dated May 2020 - Tree Protection Plan
SD 12-022 - Timber Knee Rail
SD 12-024 - Brick Wall

3573/1 Revision F - Proposed LEAP
3573/2 Revision C - Detailed Landscape 1 of 2
3573/3 Revision C - Detailed Landscape 2 of 2
3573/4 Rev D - Landscape Proposals - Detention Basin
SD 12-025 - Screen Fence

P2741-SK03-01 Rev B - Externals 1 of 4
P2741-SK03-02 Rev B - Externals 2 of 4
P2741-SK03-03 Rev B - Externals 3 of 4
P2741-SK03-04 Rev A - Externals 4 of 4
P2741-01-01 Rev G - Drainage Layout
P2741-01-02 Rev G - Proposed Basin Strategy
P2741-09-08 Rev A - Proposed Basin Headwall Details
P2741-09-07 Rev A - Flow Control
P2741-10-01 Rev A - Standard Details Sheet 1
P2741-10-02 Rev A - Standard Details Sheet 2
OWL-BWB-GEN-XX-DR-TR-155 Rev P1 - Swept Path

Gabion Wall image

ETN/002 Rev C - Easton Elevations
ETN/001 Rev A - Easton Floor Plans

HTN/002 Rev C - Haddington Elevations
HTN/001 Rev A - Haddington Floor Plans
STN/009 Rev A - Seaton Elevations
STN/001 Rev A - Seaton Floor Plans
PTN/002 Rev C - Paignton Elevations
PTN/001 Rev B - Paignton Floor Plans
LBY/002 Rev C - Lathbury Elevations
LBY/001 Rev A - Lathbury Floor Plans
HBY/002 Rev D - Napsbury Elevations Plots 17-18, 23, 57-58
HBY/002 Rev D - Napsbury Elevations Plots 3, 47-48
HBY/001 Rev D - Napsbury Floor Plans
SBY/002 Rev C - Sudbury Elevations
SBY/001 Rev B - Sudbury Floor Plans
RBY/002 Rev C - Ransbury Elevations
RBY/001 Rev A - Ransbury Floor Plans
CHM/002 Rev C - Chesham Elevations
CHM/001 Rev A - Chesham Floor Plans
DBY/012 Rev A - Denbury Elevations
DBY/001 Rev B - Denbury Floor Plans
FBY/009/ Rev A - Finsbury Elevations
FBY/001/ Rev B - Finsbury Floor Plans
KTN/009 Rev C - Kinnerton Elevations
KTN/001 Rev B - Kinnerton Floor Plans
HEL/001 Rev A - Helmsdale Elevations/Plans
NIT/001 Rev A - Nithsdale Elevations/Plans
WEY/001 Rev A - Weydale Elevations/Plans

Please see attached notes regarding this decision.

NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act, 1990.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

Enforcement - If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice. If you want to appeal against your Local Planning Authority's decision on our application, then you must do so within 28 days of the date of this notice.*

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Householder - If this is a decision to refuse planning permission for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.*

Minor Commercial - If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.*

Advertisement Consent - If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your Local Planning Authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*

All Other Applications - If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.*

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed,

having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeal solely because the Local Planning Authority based its decision on a direction given by the Secretary of State.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

Notes Regarding Access for Fire Service

Notwithstanding this planning permission, attention is drawn to Section 55 of the South Yorkshire act 1980 which requires that any application made under the Building Regulations shall be rejected unless, after consultation with the Fire Authority, they are satisfied that the plans show:-

- (a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
- (b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

Any queries in this respect should be directed to:-

South Yorkshire Fire and Rescue, 197 Eyre Street, Sheffield, S1 3FG. Telephone: 0114 2727202

Demolition

Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Standards, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 273 4170 email buildingcontrol@sheffield.gov.uk

Environmental Protection Services can be contacted at DEL, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

