

## Development Services

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14 January 2013



Mr D Walsham  
110 Main Road  
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Sheffield  
S12 3XR

### TOWN AND COUNTRY PLANNING ACT 1990 PLANNING PERMISSION

**Proposal:** Demolition of existing buildings and erection of 4 terraced dwellinghouses

**Location:** 79-87 Tavistock Road, Sheffield, S7 1GF,

**Applicant:** Mr Harvey Smith

Planning permission is hereby **GRANTED** for the above-mentioned development in accordance with the application deposited with the Council on 21 November 2012 together with the relevant plans, including any amendments now agreed, subject to the following condition(s), in each case followed by the relevant reason:-

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

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

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

The drawings dated 18th and 19th October 2012 and 20 November 2012,

unless otherwise authorised in writing by the Local Planning Authority.

In order to define the permission.

- 3 The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

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

In order to ensure an appropriate quality of development.

- 4 No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

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

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

- 6 All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

- 7 Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Thereafter the hard surfacing shall be implemented in accordance with approved details.

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

- 8 Before construction works commence full details of the proposed facing, roofing, eaves and boundary treatment materials shall have been submitted to and approved in writing by the Local Planning Authority.

In the interests of the visual amenities of the locality.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, Part 1

(Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwellings shall be constructed without prior planning permission being obtained from the Local Planning Authority.

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

- 10 The dwellings shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

Date of Decision 14 January 2013

Signed

*D. Carlfield*

Head of Planning

*CM*

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

H10 - Development in Housing Areas  
H14 - Conditions on Development in Housing Areas  
H15 - Design of New Housing Developments  
BE5 - Building Design and Siting  
CS63 - Responses to Climate Change  
CS74 - Design Principles

The proposal is considered to be an efficient use of land which is both sustainable, and of little consequence to the amenities of the surrounding area.

The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

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

Attention is drawn to the following directive(s):

1. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

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

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 want to appeal any of the conditions applied to this planning permission, then you must do so within six months of the date of this notice using a form which you can get from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel: 0117 372 6372. Also the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Planning Appeals Guidance is also available from the Council's website [www.sheffield.gov.uk/planning-and-city-development/development-control/planning-appeals](http://www.sheffield.gov.uk/planning-and-city-development/development-control/planning-appeals)

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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 him.

### Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment 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 can be 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 his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### Other Permission, Approval or Consent

This planning permission does not constitute a permission, approval or consent by the Council for any other purpose whatsoever. Application must, therefore, be made to the appropriate Department of the Council for any other permission, approval or consent (including approval under the Building Regulations) which may be necessary in connection with the proposed development or anything incidental thereto, or the use to be made of the premises which form the subject of such development.

#### 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:-

The Divisional Commander, South Yorkshire Fire and Rescue Service, West Division Headquarters, Wellington Street, Sheffield.

Telephone: Sheffield (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, 2-10 Carbrook Hall Road, Sheffield, S9 2DB. Tel (0114) 273 5174 email [buildingcontrol@sheffield.gov.uk](mailto:buildingcontrol@sheffield.gov.uk)

Environmental Protection Services can be contacted at DEL, 2-10 Carbrook Hall Road, Sheffield, S9 2DB. Tel (0114) 2734651