Public Document Pack

Planning and Highways Committee

Tuesday 12 September 2017 at 2.00 pm

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

Councillors Dianne Hurst (Chair), Peter Rippon (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Bob Johnson, Alan Law, Zahira Naz, Joe Otten, Peter Price, Chris Rosling-Josephs and Zoe Sykes

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

Sheffield City Council

PUBLIC ACCESS TO THE MEETING

The Planning and Highways Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Recording is allowed at Planning and Highways Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

Planning and Highways Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

Further information on this or any of the agenda items can be obtained by speaking to Martyn Riley on 0114 273 4008 or email martyn.riley@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

PLANNING AND HIGHWAYS COMMITTEE AGENDA
12 SEPTEMBER 2017

Order of Business

1. Welcome and Housekeeping Arrangements

2. Apologies for Absence

3. Exclusion of Public and Press
To identify items where resolutions may be moved to exclude the press and public

4. Declarations of Interest (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting

5. Minutes of Previous Meeting (Pages 5 - 8)
Minutes of the meeting of the Committee held on 22 August 2017.

6. Site Visit
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee

7. Applications Under Various Acts/Regulations (Pages 9 - 222)
Report of the Chief Planning Officer.

8. Record of Planning Appeal Submissions and Decisions (Pages 223 - 224)

Report of the Chief Planning Officer.

9. Date of Next Meeting
The next meeting of the Committee will be held on 3 October 2017.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.

- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

  *The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –

  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

  (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

  (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or

- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL

Planning and Highways Committee

Meeting held 22 August 2017

PRESENT: Councillors Dianne Hurst (Chair), Ian Auckland, David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Bob Johnson, Alan Law, Zahira Naz, Joe Otten, Peter Rippon, Chris Rosling-Josephs, Zoe Sykes and Bob Pullin (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Roger Davison and Councillor Bob Pullin attended the meeting as the duly appointed substitute.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

3.1 Councillor Michelle Cook declared a personal interest as a local Ward Councillor for the area in an application for planning permission for external alterations and change of use of dwelling/osteopathic studio to 5 bed house in Multiple Occupation (Use Class C4), self-contained 1 bed flat (Use Class C3) and osteopathic studio (Use Class D1) (amended plans scanned on 9 June 2017) at CJ Osteopathy Ltd, 1 Sale Hill (Case No. 17/00445/FUL). Councillor Cook stated that she had not declared her position on the application and came to the meeting with an open mind.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 1 August 2017 were approved as a correct record subject to an amendment to paragraph 3.1 to replace the words “applicant’s family” with the word “objectors” to read ‘The Co-Chair, Councillor Peter Rippon, declared a personal interest in an application for planning permission for a single-storey extension including a raised patio with storage area underneath to the rear of a dwellinghouse (re-submission of 17/01531/FUL) at 10 Park Terrace (Case No. 17/02139/FUL) as he knew the objectors.’

5. SITE VISIT

5.1 **RESOLVED**: That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make arrangements for a site visit in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

6.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee for this date and as amended in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose;

(b) subject to an amendment to condition 2, the inclusion of an additional condition and an additional directive and, following consideration of additional landscape information, all as outlined in a supplementary report circulated at the meeting, an application for planning permission for erection of 256 no. dwellings, including associated landscaping and open space, drainage and highway works at Manor Boot Site at Manor Top, Prince of Wales Road (Case No. 17/01443/FUL) be granted, conditionally;

(c) following consideration of representations at the meeting from two local residents speaking against the application and from the applicant's agent speaking in favour of the application, consideration of an application for planning permission for external alterations and change of use of dwelling/osteopathic studio to 5 bed house in Multiple Occupation (Use Class C4), self-contained 1 bed flat (Use Class C3) and osteopathic studio (Use Class D1) (amended plans scanned on 9 June 2017) at CJ Osteopathy Ltd, 1 Sale Hill (Case No. 17/00445/FUL) be deferred pending a visit to the site; and

(c) subject to (i) an altered condition 2 and associated drawings and, following consideration of additional representations and updated Environment Agency comments and condition, as outlined in a supplementary report circulated at the meeting, and (ii) subject to an amendment to condition 13 under section b) 'Highway Improvements' to read 'Highway Improvements - Site entrance from Clarence Lane and Harrow Street and Improvements to cycle facilities along Ecclesall Road Frontage' as outlined by the officer at the meeting, an application for planning permission for demolition of car showroom and erection of a mixed-use development comprising of 561 student bedspaces, commercial use of A1, A2, A3, A4, A5, B1a, B1b, D1 & D2 with associated car parking, landscaping and cycle parking (amended description and plans) at 127 Ecclesall Road (Case No. 16/04807/FUL) be granted, conditionally.

7. QUARTERLY ENFORCEMENT UPDATE REPORT

7.1 The Chief Planning Officer submitted a report giving an update on the progress of enforcement cases being undertaken in respect of development across the City and provided further information in response to Members' questions.

7.2 **RESOLVED**: That (a) the information now reported be noted and (b) the Chief Planning Officer be requested to email Members of the Committee with latest enforcement updates in relation to Salt Box Lane, Thornbridge Industrial Estate,

Langsett Avenue, Adams Express and the Middlewood Tavern, Middlewood Lane.

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

8.1 The Committee received and noted a report of the Chief Planning Officer detailing (a) the planning appeals recently submitted to the Secretary of State and (b) the outcome of recent planning appeals, along with a summary of the reasons given by the Secretary of State in his decision.

9. DATE OF NEXT MEETING

9.1 It was noted that the next meeting of the Committee will be held at 2:00p.m on Tuesday 12 September 2017 at the Town Hall.

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SHEFFIELD CITY COUNCIL
Planning and Highways Committee

Report of:	Chief Planning Officer
Date:	12/09/2017
Subject:	Applications under various acts/regulations
Author of Report:	Lucy Bond and Chris Heeley 2039183

Summary:

Reasons for Recommendations
(Reports should include a statement of the reasons for the decisions proposed)

Recommendations:

Background Papers:

Category of Report: OPEN

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 12/09/2017

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

NOTE Under the heading “Representations” a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

Case Number	17/02005/FUL (Formerly PP-06063271)
Application Type	Full Planning Application
Proposal	Demolition of car showroom and erection of seven-storey building comprising 50no apartments and 1no commercial unit (Use Class B1a) at ground floor including associated amenity space, cycle parking and ancillary facilities
Location	Carr Motors Ltd 318-328 Shalesmoor Sheffield S3 8UL
Date Received	11/05/2017
Team	City Centre and East
Applicant/Agent	Coda Studios 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:

   Drawing No. 1 Revision E - Site Plan
   Drawing No. 2 Revision E - Ground
   Drawing No. 3 Revision E - First & Second
   Drawing No. 4 Revision E - Third & Fourth
   Drawing No. 5 Revision E - Fifth & Sixth
   Drawing No. 6 Revision A - South Elevation
   Drawing No. 7 Revision E - West Elevation
   Drawing No. 8 Revision E - North Elevation
   Drawing No. 9 Revision E - East Elevation
   Drawing No. 11 Revision D - Proposed Site Plan
   Drawing No. 12 Revision E - Sections

   Drawing No. 2467 - 100 - Proposed Façade Details

   Reason: In order to define the permission.

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

3. 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).

   Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

4. 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).

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

5. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy 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 CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

6. 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.

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

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

8. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

   Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

9. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of

vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

10. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

a) been carried out; or
b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the is/are brought into use.

Highway Improvements:

- Accommodation works and realignment of off-street cycle track in the vicinity of Dun Street/Shalesmoor, including kerbing works, resurfacing, signing and lining amendments.
- Promotion of a Traffic Regulation Order to regularise waiting/loading restrictions in the vicinity of Dun Street/Shalesmoor, all in accordance with usual procedures, including provision of signing/lining upon making of the Order.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

11. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how the following will be provided:

a) a minimum of 10% of the predicted energy needs of the of the completed development being obtained from decentralised and renewable or low carbon energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources or additional energy efficiency measures shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. 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, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

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

12. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

13. 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 and recommendations of approved Peak Acoustics Environmental Noise Assessment ref. IB0604163NR rev.1 (20/04/2017).

    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);
    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 by the Local Planning Authority.

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

14. Before the use of the development is commenced, Validation Testing of the sound 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 attenuation works thus far approved, a further scheme of sound attenuation 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 the interests of the amenities of the future occupiers of the building.

15. 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.

16. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved 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.

17. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

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

18. Notwithstanding the details submitted with the application, final large scale details, including materials and finishes, at a minimum of scale 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Window details
Eaves details

Canopy details
Balustrade details

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

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

19. Prior to implementation, full details of any external signage proposed to be installed on the building shall have been submitted to and approved by the Local Planning Authority. The approved signage shall be provided in accordance with the approved details.

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

20. Prior to installation, full details of all external lighting shall have been submitted to and approved by the Local Planning Authority prior to installation and thereafter the lighting shall be installed in accordance with the approved details and shall not be altered without further permission.

Reason: In the interest of design and the amenities of the locality and surrounding occupiers.

21. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

22. The development shall not be begun until details have been submitted to and approved 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 by the Local Planning Authority.

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

23. Notwithstanding the details contained on Drawing No. 10 Revision E (Cycle/Bin Store Elevations), the development shall not be used unless cycle parking accommodation for 26no. bicycles has been provided in accordance with full details that shall first have been submitted to and approved by the Local Planning Authority. These details shall include the final design of the cycle racking system and the security measures proposed.

Reason: In the interests of delivering sustainable forms of transport and providing high quality facilities

24. Notwithstanding the details on the approved plans, before the development is commenced, or an alternative timeframe to be agreed by the Local Planning Authority, full details of the following inclusive access facilities for disabled people to use the commercial and mobility units, shall have been submitted to and approved in writing by the local Planning Authority:

    1. Commercial Units: Full details of access facilities for disabled people to enter the commercial buildings (including final details of ramps, entrance doors and manifestation); and

    2. Residential Units: Full details of access facilities for disabled people to enter the residential areas of the development (including final details.

    The buildings shall not be used unless all inclusive access facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

    Reason: To ensure ease of access and facilities for disabled persons at all times.

25. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

    Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

26. The submitted Refuse Strategy is not approved; before the construction of the bin store is commenced full details of the proposed refuse strategy shall have been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

27. 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.

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

Other Compliance Conditions

28. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage

29. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 3.9 litres per second.

Reason: In the interest of satisfactory and sustainable drainage

30. The development shall be carried out in accordance with mitigation measures in Section 5 of the supporting Flood Risk Assessment (prepared by EWE Associated Ltd., Final RevB April 2017), which relate to 'Raising Floor Levels/Land Raising' and 'Emergency Access & Egress'.

Reason: In the interests of reducing the building's flood risk.

31. No doors or windows shall, when open, project over the adjoining footway;.

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

2. 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.

3. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

   To arrange the dilapidation survey, you should contact:

   Highway Co-Ordination

   Telephone: 0114 273 6677
   Email: highways@sheffield.gov.uk

4. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

   Telephone: 0114 273 6677
   Email: highways@sheffield.gov.uk

   They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website here:

   http://www.sheffield.gov.uk/home/roads-pavements/Address-management

   For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

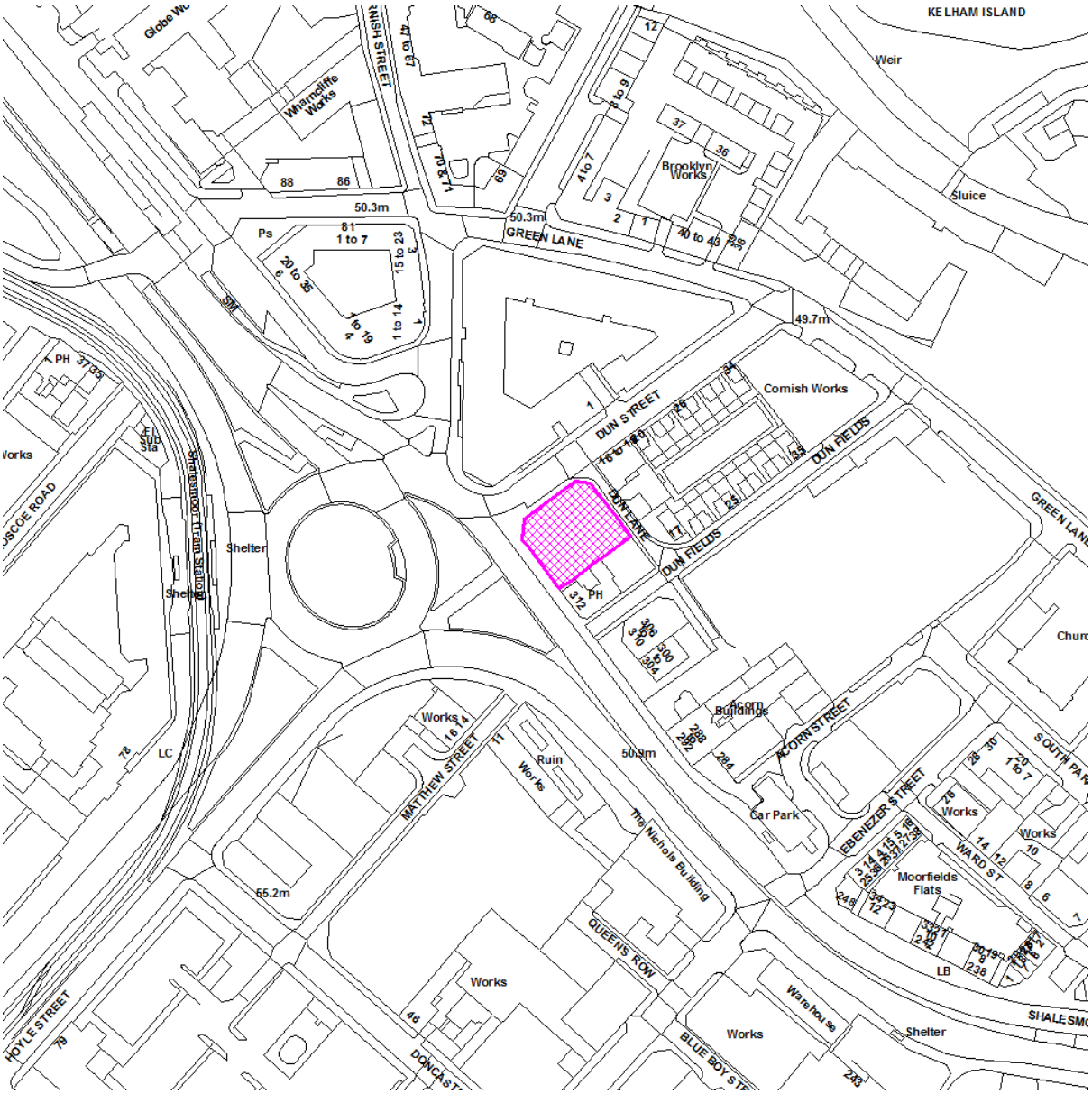
   Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

6. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.

7. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

8. 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.

Site Location



LOCATION AND PROPOSAL

The application site is the Carr Motors Ltd. car sales dealership, which is situated at the junction of Shalesmoor and Dun Street in the Kelham Island Conservation Area. The site currently contains a single storey office/amenity building and car sales forecourt.

The site is bounded to the north by Dun Street, to the east by Dun Lane and to the west by the Shalesmoor (Inner Ring Road).

The site occupies a prominent position on the northern side of the Inner Ring Road and at the bottom of Netherthorpe Road. The Kelham Island area is evolving and it is surrounded by a variety of buildings and land uses.

Dominating the land to the north – on the opposite side of Dun Street – is Daisy Spring Works, which is a mixed-use development containing apartments and commercial space at ground floor level.

Beyond the east elevation – on the opposite side of Dun Lane – are the Dun Fields dwellings and the Kelham Island Community Childcare Nursery (The Old Bulls Head).

Abutting the southern boundary of the site is the Ship Inn, an old and recently refurbished public house. This building is an attractive two storey high building with a pitched roof and flat at first floor level which has all of its habitable room windows facing outwards across Shalesmoor and Dun Fields. Planning permission for a beer garden at its rear was granted conditionally in 2016.

The proposal seeks planning permission to demolish the existing building on the site and erect a mixed use development that is a maximum of 7 storeys high and contains 50 residential apartments (Use Class C3), including

- 20 studios;
- 21 x 1 bedroomed apartments;
- 9 x 2 bedroomed apartments;
- Commercial Unit (109 square metres). Which is located on the Shalesmoor frontage and intended to be used as a single unit for B1(a) use (business).

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SUMMARY OF REPRESENTATIONS

The application has been advertised by site notice, neighbour notification letter, and advert in the Sheffield Telegraph.

1: Local Residents:

19 objections have been received from residents of Kelham Island. The objections focus on 3 categories:

1.1: Design – Density and Scale

- Concern about the height of the development at 7 storeys. Objectors consider that the scale is too high and exceeds the Council's recommendations of 5 storeys. It is considered that the development – along with other tall buildings – will substantially change the character of the Kelham Island area beyond the low key area it is intended to be.

- Comment that there is a wind tunnel problem on Ebenezer Street and Green Lane, which is caused by the high density housing and concern that this will get worse if more buildings over 5 storeys are constructed.

1.2: Use

- Concern about the creation of a commercial unit at ground floor level and that this space will remain vacant, as per other spaces in other nearby developments which is negative for Kelham Island.

- Concern that there is no family accommodation within the development and that the proposed mix of units does not contribute to the aim of mixed occupancy and long term settlement in Kelham Island.

- There is more than enough development already approved and in motion in Kelham Island. It is time to allow what has already been approved to get built and populated to see how Kelham Island copes and adjusts before allowing anything else to go ahead.

- There needs to be a more co-ordinated plan for green space in the area.

1.3: Car Parking

- Concern that the development is car free with no parking proposed and the subsequent impact that the development will have on car parking in Kelham Island. It is considered that car parking is already a significant problem and that it is resulting in problems for residents and their visitors as well as the general public who wish to enjoy the area and its facilities.

- It is suggested that the building should be redesigned to include an underground car park with space for 50 cars (1 per apartment).

2.0: Councillor Douglas Johnson (Green Party)

Additionally, an email supporting the objections has been received from Councillor Douglas Johnson. In summary:

- Design: Concerns made in relation to the size and density of the proposal as well as the impact of large and larger developments in Kelham Island, which are squeezing out breathing spaces in the area.

- Highways: Concerns made about no parking provision and the fact that there is nothing in the application to address parking or traffic consequences.

- Archaeology: Comments made about archaeology and the wish to ensure that there is a higher than average degree of archaeological examination in this area. Being close to the river Don, it is possible there could be prehistoric remains which would therefore be significant so it is felt that there should at least be an appropriate degree of protection for this possibility.

PLANNING ASSESSMENT

1. Land Use Policy – The Principle of Development

1.1: Local Planning Policy

- Unitary Development Plan (1998)

The application site is located within a General Industry Area as defined in the UDP. Policy IB5 ‘Development in General Industry Areas’ states that housing (use class C3) is an unacceptable use for these areas. However, the industrial character of the Kelham and adjacent St. Vincent Quarters has been significantly diluted by non-industrial development in recent years. There have been a number of large, predominantly residential developments approved and built around the application site. As such, the vision for the area has dramatically changed since the UDP designation.

- Core Strategy (2008)

The Core Strategy provides the overall spatial strategy over the period 2008 to 2026. This document was published in 2008 and contains updated policies and new visions for the City. There are now policies supporting the changes that have occurred around the application site; actively encouraging new housing in the Kelham Island Quarter and discouraging the expansion of manufacturing and industry. These relevant policies include:

Policy CS 6 (Manufacturing and the City Centre) states that manufacturing in the City Centre transition areas should not expand where it would detract from the regeneration of the centre and it will be encouraged to relocate, provided that suitable alternative sites and premises are available in the city. Transition areas include part of Kelham/Neepsend (part b.).

Policy CS 17 (City Centre Quarters) sets out the distinctive and fundamental roles of different 'quarters' of the City Centre and expects that these be consolidated and strengthened. Part j. refers to Kelham/Neepsend and indicates that it is becoming a focus for new riverside housing and jobs with the Inner Ring Road being a catalyst to redevelopment. It also acknowledges that existing small businesses will continue to perform an important economic role for the City as a whole.

Policy CS 27 (Housing in the City Centre) identifies locations for further expansion of City Centre living, with a mix of tenures and sizes of unit, including affordable housing, as part of a mix of uses. Part a. refers to the Kelham/Neepsend area.

Policies CS 22 (Scale of the Requirement for New Housing), CS 23 (Locations for New Housing), CS 24 (Maximising the use of Previously Developed Land for Housing), and CS25 (Priorities for Releasing Land for New Housing) all promote residential development in Sheffield in appropriate and sustainable locations in order to assist the delivery of suitable sites for housing within the City over future years.

The proposed development will transform the site from a car sales use into a mixed-use development containing commercial space and a mix of residential unit sizes.

The land is brownfield and positioned immediately adjacent to the Inner Ring Road in a sustainable location. Therefore, the application proposal is considered to be wholly consistent with the aims of the relevant Core Strategy policies described above.

Draft City Policies and Sites Document

The draft City Policies and Sites document proposed a Business Area in this location, where employment uses should be dominant and residential uses form no more than 40% of the floorspace in the area. At the time of the drafting of the City Policies and Sites document, residential floorspace accounted for around 17% of the area and so it is considered that there is scope for some further residential development. Furthermore, the proposal does include a small amount of commercial use at ground floor level, which will provide employment.

It should be noted that this document was not submitted for final approval, which means that it is not an adopted document and has very limited weight at this time. However, it does help to demonstrate the Council’s future aspiration for the site and it is unlikely that this vision will change given the positive regeneration that is currently occurring in Kelham Island.

1.2: National Planning Policy

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

With regard to the conflict between UDP and Local Plan aspirations for the site (described below), the NPPF applies. It advises that weight should be given to the emerging residential allocation because the site's UDP allocation is based on an out-of-date planning policy. The NPPF is clear that "where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this

Framework taken as a whole; or specific policies in this Framework indicate the development should be restricted."

For the reasons above, there is considered to be sufficient national and local policy (including emerging policy) to support the mix of proposed uses at this site.

2: Density

Core Strategy Policy CS 26 (Efficient Use of Housing Land and Accessibility) requires new housing development to make an efficient use of land but accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. Therefore, a minimum density of 70 dwellings per hectare in the city centre is required. This minimum density is exceeded by this scheme and thus complies with the policy.

3: Mixed Communities

Core Strategy Policy CS 41 (Creating Mixed Communities) encourages development of housing to meet a range of housing needs including a mix of prices, sizes, types and tenures but does not apply to this scheme which is below the 60 dwelling threshold. Positively, however, the scheme comprises of a variety of unit types (i.e. studio, 1 bedroom and 2 bedroom apartments), which enhances the mix on offer and provides sizes that vary between 23 square metres and 54 square metres so as to offer choice to future occupiers.

4: Proposed Demolition

The development will result in the removal of the site’s existing building, which is a small breeze block structure that is considered to be unattractive and characterless. It does not make a significant contribution to the Kelham Island Conservation Area and, therefore, the proposed demolition is welcomed.

5: Design

UDP Policy BE5 (Building Design and Siting) expects good overall design and the use of high quality materials. Original architecture is encouraged, but new development should also complement the scale, form and architectural style of surrounding buildings.

Policy BE16 (Development in Conservation Areas) requires new development to preserve or enhance the character or appearance of the conservation area. Core Strategy Policy CS 74 (Design Principles) reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features if the city. Amongst other items, this includes 'views and vistas’ to landmarks and skylines into and out of the City Centre and across the city to the surrounding countryside.

5.1: Scale

The building's design comprises of a collection of brick shapes that are clustered together to create a single entity. These shapes vary between 4 and 7 storeys high, and do so in response to the scale of adjacent buildings that range between 2 and 8 storeys high.

The greatest height (6 / 7 storeys) occurs on the site's Shalesmoor frontage at the junction with Dun Street. Notwithstanding the objections received, the proposed height on this part of the site is considered to be an appropriate urban design response given the buildings relationship with the Inner Ring Road and the adjacent Daisy Spring Works at this point.

There is a meaningful transitional step from 7 storeys on the frontage down to 4 storeys at the rear. This change is proposed in order to respond to the smaller scale buildings that exist within the Kelham Island Quarter, including the 3 / 4 storey buildings on Dun Street and Dun Fields. The building also proposes to step down in scale towards the Ship Inn, which is also welcomed.

Overall, it is concluded that the proposed scale and massing is acceptable for this prominent site on the edge of the Kelham Island Conservation Area and immediately adjacent to the Inner Ring Road. Furthermore, it is concluded to be compliant with the guidance contained in the Urban Design Compendium, which states that *"taller buildings may be developed along the completed IRR section to reinforce this gateway route. A transitional form to the 2 – 5 storey height of the remainder of the quarter is essential."*

5.2: Layout

The proposal addresses the back edge of the adjacent footpaths, which is considered to be consistent with the existing historic built form and character of the conservation area. The amount of building reduces towards the east and south boundary of the site in order to respect and not over-dominate existing buildings and their uses.

Overall, the layout is considered to be acceptable with built form situated in the most appropriate parts of the site.

5.3: Architecture

The design comprises a cluster of dark red brick "boxes" with flat roofs that combine together to create the built form. The facade design of each "box" is characterised by the regular and repetitive arrangement of rectangular bays that include generous floor to ceiling height windows, 'hit and miss' brickwork detailing, and light red brickwork. The front elevation is also characterised by a row of curtain wall glazing which serves to break up the large expanse of brickwork on the elevation as well as add a contemporary element to the main façade.

The development is contemporary in its form but it is felt that the architectural detailing and traditional materials will ensure that the building preserves the historic integrity of the quarter, which is dominated by a traditional brick / stone / slate palette of natural materials.

The commercial unit at ground floor level is proposed to be a modern transparent façade, which is considered to be entirely appropriate for the building and surrounding context.

Large scale typical bay details have been submitted with the application to demonstrate the proposed level of architectural quality.

Notwithstanding the objections received, it is considered that the proposal will be a good addition to the area, making a positive contribution to the appearance of the site and re-instating built form onto an under-used parcel of land in the Conservation Area. As such it is in compliance with the listed policies.

6.0: Highway Issues

UDP Policy IB9 'Conditions on Development in Industry and Business Areas', part (f), states that new development or change of use will be permitted provided that it would be adequately served by transport facilities and provide safe access to the highway network and appropriate off-street parking.

Core Strategy Policy CS23 'Locations for New Housing' states that new development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. The main focus will be on suitable and sustainably located site.

Core Strategy Policy CS53 relates to 'Management of Demand for Travel' and part b. encourages the promotion of good quality public transport and routes for walking and cycling to broaden the choice of modes of travel.

A large proportion of the objections received raise concerns about the lack of off-street car parking provision contained within the development proposal. They also suggest the area needs more ‘family’ accommodation and fewer one bedroomed flats.

The proposal contains 21 one bedroomed studios, 20 one bedroomed apartments and 9 two bedroomed apartments. The parking demand for this type of development tends to be less than with ‘family’ accommodation. Recent residential development within the Kelham Island area contains a mixture of undercroft/courtyard car parking, along with other car free development. National and local planning policy is encouraging of car free development in locations such as Kelham Island, which has its own places to eat, drink and shop. Being situated on the fringe of the City Centre, residents will also have access to the Supertram, high frequency bus services and an extensive cycling network. Indeed, the site is well located to be served by bus services on Shalesmoor and Corporation Street (4 buses every 15 minutes), the Shalesmoor tram stop is approximately 100m away, and it is within walking distance of the city centre. The site is therefore considered to have a sustainable urban location in transport terms and is an ideal location to live and to not have to be car dependent.

The number of cycle parking spaces within the secure cycle store has increased during the application from 12 to 26, which is acceptable. A condition is also recommended in relation to operating a Travel Plan at the building so as to provide long term management strategies for sustainable travel by residents.

It is acknowledged by officers that for significant portions of day and also when events are taking place, the demand to park on-street within Kelham Island often reaches saturation point. This is an ongoing issue that the Council will undoubtedly be required to address at some point in the future, by means of implementing parking controls. There are currently no proposals to implement any restrictions, nor has there been any instruction to commence with an assessment as to the feasibility of such a scheme. However, if some form of parking scheme is implemented in the future, it is confirmed that the residents of this development would not be eligible for permits (with the exception of disabled residents) because this is a car free development. Again, this is addressed by condition.

It is confirmed that highway improvements will be required as part of this development. Specifically, these are:

- All footways adjacent to the site for its entire frontage on Shalesmoor, Dun Street and Dun Lane to be fully reconstructed in the Inner Ring Road and Primary material palettes, as specified in the Urban Design Compendium.

- Accommodation works and re-alignment of the off-street cycle track in the vicinity of Dun Street / Shalesmoor, including kerbing works, resurfacing, signing and lining amendments.

- Promotion of a Traffic Regulation Order to regularise waiting / loading restrictions in the vicinity of Dun Street / Shalesmoor.

It is considered that these works will improve the function of the adjacent highway and enhance the quality of public realm as well as the Conservation Area setting.

In light of the above, and notwithstanding the representations received, it is considered that the development is consistent with the requirements of policies IB9, CS23 and CS53.

7.0: Residential Amenity

UDP Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met.

UDP Policy IB9 (Conditions on Development in Industry and Business Areas) states that new development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions (part b.).

Key issues for existing residents are outlook, privacy, outdoor amenity, and noise and disturbance.

7.1: Outlook

All of the habitable rooms within the development have large clear openings and are proposed to be naturally ventilated with the intention of ensuring that internal living environments are well lit by daylight and comfortable for occupiers. It is considered that the outlook from units will be acceptable across all elevations of the site.

7.2: Privacy

The layout and design of the scheme creates a circumstance whereby each apartment's windows will face outwards either towards Shalesmoor, Dun Street, Dun Lane and Dun Fields. Due to the arrangement of the units on each floor, it is considered that there will be no overlooking issues between habitable room windows of different apartments within the scheme.

Existing dwellings and apartments surround the application site. It is considered that the distances and relationship proposed between the new and existing buildings are acceptable for this urban location, which is characterised by dense and back-edge of footpath developments. It is recognised that suburban amenity standards are not possible here and that a requirement to increase the distances proposed would have potentially negative implications for the overall redevelopment of the site.

There are existing apartments in Daisy Spring Works that are positioned immediately opposite the application site on Dun Street and have habitable bedroom and living room windows (as well as balcony space) facing the application site. There will be a minimum distance of approximately 13 metres between the buildings' existing and proposed elevations because of the back edge of footpath design of both developments. This distance and subsequent relationship is considered to be acceptable for apartment developments in a high density urban location where suburban standards of living accommodation cannot be expected. The site is on a prominent site in the Conservation Area where back edge of footpath development is expected to repair the historic character. For this reason, the development's position and resulting privacy levels are considered to be acceptable.

7.3: Outdoor Amenity Provision

Being an urban apartment block on a small site footprint it is the case that the amount of amenity space for residents is limited to shared areas and a small quantity of private terraces. Specifically they include:

1) Units 8 and 17 (both 2 bedroom apartments) have their own private terrace areas, which wrap around the front and side elevations of the new building and will be positioned immediately adjacent to the Ship Inn.

2) A shared amenity space at ground floor level at the rear of the site (eastern corner), which is proposed to be landscaped and will form part of the main approach from Dun Lane to the residential entrance.

3) A shared roof terrace at fourth floor level, which is communal space available for use by residents. The terrace is positioned on the north-east portion of the building where it reduces from seven to four storeys and it will have an area in excess of 100 square metres
4) A shared roof terrace at sixth floor level, which is also communal space available for use by residents. The terrace is positioned on the south east portion of the building and it will have an area in excess of 50 square metres.

It is concluded that the outdoor amenity provision is varied and sufficient.

7.4: Overshadowing

The proposed development is positioned to the south and west of existing residential buildings. Details of the anticipated sun path have been provided and demonstrate the impact of the development on the longest (21st June) and shortest days (21st December). As is the case with most buildings in the area, the impact of the development will be at its worst in December when the sun is at its lowest and will cast longer shadows onto the adjacent buildings and their amenity spaces as it moves from east to west.

In light of the information submitted, it is clear that the building will overshadow surrounding land and buildings at some point of the day as the sun changes position. However, this is not considered to be surprising issue given the scale of the development and its location within a dense urban setting that is characterised by historic narrow street patterns. It is noted that surrounding existing tall buildings already overshadow their adjacent neighbours, including the application site, and it is considered that it would be unreasonable to refuse this application because of the similar impact that the proposed development will create.

Additionally, it must be recognised that that development will enhance the conservation area and will create a building of scale on the Inner Ring Road. Due to the small site footprint, and conservation requirement for dense back edge of footpath design, it is considered that meaningful redevelopment of the site could not occur without having some impact on surrounding buildings due to their existing relationship and proximity. Finally, given the short depth of the site and the building's varied height it is considered that the impact of the development on surrounding sites will be relatively short lived, especially during the sunnier summer months.

7.5: Noise and Disturbance

The general scope of the development is line with recent development trends in the locality, and the Environmental Protection Service (EPS) has confirmed that there are no site specific issues or circumstances that are identified in the context that would render this proposal unacceptable. However, it is highlighted that the site location – with frontage immediately on the Shalesmoor section of the Inner Relief

Road – places this residential development in a very high environmental noise soundscape. The impact of environmental noise levels is assessed in a supporting acoustic report and the EPS has confirmed that this document provides a satisfactory assessment of the development site.

The acoustic report shows that traffic noise dominates the development site at high levels throughout the day and night time. As a consequence, required internal noise levels can only be achieved with all windows closed. External amenity spaces will also be subject to this external noise, which is considered to be unavoidable given the position of the building.

The acoustic report indicates that noise from the adjacent Ship Inn premises do not contribute significantly to the overall soundscape affecting the development site.

With regards to the proposed commercial ground floor use, it is considered that the proposed B1(a) use will be compatible with the residential occupiers of the upper floors.

In light of the above, conditions are recommended in order to ensure an acceptable internal noise environment is achieved.

7.6: Dust

The close proximity of adjacent residential uses, with balconies overlooking the site and external garden spaces nearby, suggests a significant potential for amenity impacts during the development phase, associated with noise and possibly also dust emissions. Whilst not a reason to refuse the application, it is recommended that this issue be controlled by condition.

7.7: Contaminated Land

The Council's GIS records do not indicate any identified risk factors for soils contamination from historical uses but it is considered that there is likely to be a degree of contamination to immediate hard standing and/or near surface made ground from the current car sales use. No nearby landfill sites are noted, but ground gas risks from deep made ground are not known. Given the sensitive end use proposed, the standard suite of land contamination conditions is recommended to be attached to this decision.

For these reasons, it is concluded that the proposed development will provide an acceptable living environment for future and existing residents, in accordance with relevant UDP policies.

8: Sustainability

Core Strategy Policy CS64 (Climate Change, Resources and Sustainable Design of Development) expects all new buildings to be energy efficient and to use resources sustainably.

The application includes a Sustainability Statement but this provides little commentary in relation to the standards of energy efficiency and simply makes generic statements in relation to its sustainable use of resources, which are not development specific.

In spite of the above, it is considered that the proposal will be consistent with the expectations of Policy CS64. It will re-use an existing urban site in a sustainable location and the proposed design of the windows make a positive use of natural light and ventilation. Water recycling is proposed, where possible, and it is considered that there is the possibility to enhance biodiversity through the inclusion of vegetation and planting in the shared spaces.

Following the Housing Standards Review (2015), there is no longer a requirement for the development to meet Code Level 3.

Policy CS65 (Renewable Energy and Carbon Reduction) requires new significant developments to provide 10% of their energy needs from decentralised and renewable low carbon energy. It has been confirmed that this will be achieved through the installation of photovoltaic panels on the roof.

Therefore, it is concluded that the proposal complies with the requirements of CS64 and CS65.

Guideline CC1 of the Council's supplementary planning guidance relating to 'Climate Change and Design (2011)' encourages green roofs to be incorporated into large scale developments, if appropriate.

A green roof is not proposed as part of this development but this is accepted given the limited roofspace available due to the intended use of roof areas for communal amenity space and the siting of photovoltaic panels.

9: Disabled Access

UDP Policy BE7 'Design of Buildings Used by the Public' expects that all buildings which are used by the public allow people with disabilities safe and easy access to the building and to appropriate parking spaces.

Following amendments to the plans, the design of the building's ground floor area is acceptable from a disabled access perspective. Access into the commercial and residential elements of the building is proposed through level thresholds and ramps, respectively. Lift access is proposed to all floors.

This is a car free development and there is no space within the development to be able to accommodate disabled car parking provision.

Subject to final details being agreed by condition, the disabled access provision to the ground floor area (both commercial and residential) is considered to be acceptable and compliant with Policy BE7.

Finally, UDP Policy H7 (Mobility Housing) and the associated Supplementary Planning Guidance encourages the incorporation of 25% of homes within a new development to be built to the Mobility Housing Standard. However, in the absence of an up to date local policy, this can no longer be required following the findings of the Government's Housing Standards Review which were required to be implemented by all planning authorities from 1 October 2015.

10: Archaeology

UDP Policy BE22 relates to 'Archaeological Sites and Monuments' and states that these will be preserved, protected and enhanced. Where disturbance of an archaeological site is unavoidable, the development will be permitted only if (a) an adequate archaeological record of the site is made; and (b) where the site is found to be significant, the remains are preserved in their original position.

A Historic Environment Desk-Based Assessment relating to the application site has been prepared by Wessex Archaeology and submitted with the application.

South Yorkshire Archaeology has confirmed that the assessment accurately reflects the potential for below-ground evidence on this site, which is likely to relate to 19th century development for commercial and residential properties. Overall, although it is clear that some related remains are likely to survive on site, it is not considered that they will be of such significance that further investigation will be required. Therefore, in this instance, SYAS does not recommend any further archaeological work be required and no further conditions attached to any consent.

Therefore, it is concluded that the requirements of Policy BE22 have been satisfied.

11: Flood Risk and Drainage

11.1: Flood Risk

The application site falls partly within Flood Zone 2, which means that it has a medium risk of flooding. Core Strategy Policy CS 67 relates to 'Flood Risk Management' and seeks to reduce the extent and impact of flooding. The policy permits housing in areas with a medium flood risk probability, subject to a sequential test being passed and an acceptable Flood Risk Assessment.

The Sequential Test for this site has been passed as it demonstrates that there are no reasonably available sites, which offer a lower probability of flooding in the Kelham/Neepsend area.

The Environment Agency (EA) has confirmed that it has no objection to the proposed development but does recommend that the developer may wish to consider including measures to mitigate the impact of more extreme future flood events. The Flood Risk Assessment's suggested mitigation measures includes recommended finished floor levels, emergency access and egress, and controlling run-off which is compatible with the EA's advice. It is recommended that these mitigation measures be conditioned for completeness.

11.2: Drainage

In terms of drainage, the Local Lead Flood Authority has advised that the discharge route to the combined sewer appears to be the most logical place for surface water disposal. British geological Society maps indicate poor infiltration potential with water table depth being the likely reason for unsuitability. The discharge rate of 3.9l/sec to the combined sewer is acceptable provided that Yorkshire Water is satisfied.

Yorkshire Water has indicated that discharged to the public sewer must be the last resort once all other sustainable drainage techniques have been discounted.

Therefore, given that the full drainage scheme has not been considered for assessment, it is recommended that the matter be reserved by condition. This will allow full details of the drainage proposals, including evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical, to be assessed.

In light of the above, it is concluded that the flood risk management and drainage matters have been appropriately addressed and the proposal complies with Policy CS 67, subject to the recommended conditions.

12: Affordable Housing

Core Strategy Policy CS 40 (Affordable Housing) states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. The Affordable Housing Interim Planning Guidance (IPG) was updated in 2014 and it should be read alongside Policy CS40.

IPG Guideline 2 identifies the site as being located within the “City Centre” Affordable Housing Market Area and there is no contribution required towards affordable housing provision.

13: Community Infrastructure Levy

The site is within Charging Zone 4 and therefore the charge that is levied upon this application equates to £50 per square metre. The money from this development will be pooled to help the city’s strategic infrastructure needs, as set out on the Regulation 123 List.

RESPONSE TO REPRESENTATIONS

It is considered that the comments made in relation to design, highways and archaeology by those who have submitted representations received have been addressed in the assessment above.

1. Commercial Unit:

With regard to concerns raised about the creation of another commercial unit at ground floor level and expectation that it will remain empty, it is advised that this is not a planning issue. Market forces will dictate whether the unit will be occupied and it is ultimately for the applicant to market the unit in a manner to ensure occupation. Indeed, it is in their interest to ensure that this element of their floorspace is used and provides an income. Whilst it is noted that there are a number of unoccupied commercial units in developments (e.g. Daisy Spring Works), there are also units that are occupied and currently serve to enhance the character of Kelham Island, an ever-evolving community.

In planning terms, the creation of a commercial unit at ground floor level on Shalesmoor is welcomed because it will add activity to the ground level on the building's primary frontage, in a location that would not be suited to residential accommodation.

2. Suspend Development

There are no provisions available in the planning system to prevent new applications being submitted in an area. Furthermore, there are no guarantees that extant planning permissions that have not yet been implemented on site will be built.

3. Wind Tunnel Effect

An assessment of wind impacts has not been submitted with this application because the scale of the building (which is not designated as 'tall' at 7 storeys) is not considered to warrant one.

SUMMARY AND RECOMMENDATION

In summary, the proposal represents a substantial redevelopment, for mixed commercial and residential purposes, of a previously developed site in a sustainable location and in a manner that will contribute positively to the character and appearance of the Kelham Island Conservation Area. The proposed development will replace an unattractive use that has no characteristics of historical or conservation interest.

The development is a maximum of 7 storeys with lower elements to respect adjacent sites. The range of storey heights within the scheme reflects the character of the conservation area and the principles set out in the Urban Design Compendium with regard to additional height adjacent to the Inner Ring Road, where appropriate. The detailed design incorporates an appropriate blend of contextual materials in a modern contemporary design and it is considered that the scheme will make a positive contribution to the character and appearance of the conservation area.
As described in this report, the proposal is considered to be acceptable in relation to land use, amenity, sustainability, highways, flood risk and archaeological matters, subject to appropriate conditions. Therefore, notwithstanding representations received, it is concluded that the development complies with the relevant policies highlighted in this report.

It is therefore recommended that the application be granted subject to the listed conditions.

Case Number	17/01442/FUL (Formerly PP-05944383)
Application Type	Full Planning Application
Proposal	Erection of 77no. 3 and 4 bedroom dwellinghouses with associated landscaping and highway works
Location	Site Of Former East Hill Primary And Secondary Schools East Bank Road Sheffield S2 3PX
Date Received	05/04/2017
Team	City Centre and East
Applicant/Agent	MPSL Planning _ Design
Recommendation	G Conditional Subject to Legal Agreement

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:

   Dwg. No. 15063_00 - Site Location Plan -
   Dwg. No. 15063_01 Rev. N - Site Layout (Black & White)
   Dwg. No. 15063_02 Rev. K - Illustrative Site Layout (Colour)
   Dwg. No. 15063_03 Rev. A - Inclusive Design Layout
   Dwg. No. 15063_04 Rev. A - Storey Heights Layout
   Dwg. No. 15058_05 Rev. B - Boundary Treatment Details
   Dwg. No. 15058_06 Rev. A - Boundary Treatment Layout
   Dwg. No. 15058_07 Rev. A - Materials Layout
   Dwg. No. 15058_08 Rev. B - Phasing Plan
   Dwg. No. 15058_09 Street Scenes - 01 of 02
   Dwg. No. 15058_10 Rev. A Street Scenes - 02 of 02
   Dwg. No. 15058_11 Site Sections Sheet 1 of 2
   Dwg. No. 15058_12 Plan 4 Rev. A

Dwg. No. 15058_13 - Site Sections Sheet 2 of 2
Dwg. No. 15058_14 - Site Sections Sheet 3
Dwg. No. 15063 HT01 Type 942 - Floor Plans & Elevations
Dwg. No. 15063 HT02.1 Rev. A, Type 1011 - Floor Plans
Dwg. No. 15063 HT02.2 Rev. A, Type 1011 - Elevations
Dwg. No. 15063 HT03, Type 1028 - Floor Plans & Elevations
Dwg. No. 15063 HT04, Type 1031 - Floor Plans & Elevations
Dwg. No. 15063 HT05 Rev. B, Type 1046 - Floor Plans & Elevations
Dwg. No. 15063 HT07 Rev. A, Type 1294 - Floor Plans & Elevations
Dwg. No. 15063 HT08 Rev. A, Type 1046 E - Floor Plans & Elevations
Dwg. No. 15063 HT09.1 Rev. A, Type 1233 - Floor Plans
Dwg. No. 15063 HT09.2 Rev. A, Type 1233 - Elevations
Dwg. No. 15063 HT10, Type 1298 - Floor Plans & Elevations
Dwg. No. 15063 HT11, Type 1336 - Floor Plans & Elevations
Dwg. No. 15063 HT12, Type 1046 - Floor Plans & Elevations - Detached

Reason: In order to define the permission.

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

3. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy 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 CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

4. 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 should 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.

5. No development works shall be commence until a Construction Management Plan has been submitted to and approved by the Local Planning Authority. The plan shall include:

a. Details of the means of ingress and egress for vehicles engaged in the construction of the development;
b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and
c. Details of the site compound, contractor car parking and welfare facilities

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

Reason: In the interests of the amenities of the locality and occupiers of adjoining property as well as protecting the free and safe flow of traffic on the public highway.

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

6. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

7. 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.

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

8. 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 approved Noise Impact Assessments (ref: NIA/6650/16/6560 v2.0, dated: 25/08/17, prepared by: ENS Ltd and Former East Hill School Site, East Bank Road (App ref. 17/01442/FUL) Planning application consultation responses on noise, dated: 04/07/17, prepared by: ENS Ltd.

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.

9. Before the use of the development is commenced, Validation Testing of the sound 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 attenuation works thus far approved, a further scheme of sound attenuation 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.

10. In accordance with email received from John Clephan (Sheffield Housing Company, 25/08/2017 at 15:02), a minimum of 8 home electric vehicle charging points shall be installed into 8 of the dwelling units hereby approved. Prior to their installation, full details of the equipment shall have been submitted to and approved by the Local Planning Authority, including details of the Plot numbers where the units are proposed to be installed (including 1no. unit in the designated Show Home), the position of the units on the dwellings, and the design specification of the units. Thereafter, the development shall be carried out in accordance with the approved details.

    Reason: In the interests of the air quality of the locality and subsequent amenities of occupiers of properties in the surrounding area.

11. The proposed landscape works shall be carried out in accordance with the details provided on Drawings Nos. c-1365-01 Revision B, c-1365-02 Revision B, and c-1365-03 Revision B. Before the casting of the foundations of the first dwelling on site, full details of the proposed timeframe and phasing of the implementation of landscaping across the development shall have been submitted to and approved by the Local Planning Authority. Thereafter, the provision of landscaping shall be implemented in accordance with the agreed details and phase.

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

12. The development shall be carried out in line with the details set out in the 'Arboricultural Impact Assessment by Barnes & Associates on Drawing No. BA5362TS (18/08/2017). The protection measures shall be installed on site before the commencement of any clearance works or construction operations. Protection of the trees shall be in accordance with BS 5837, 2005 (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 unless otherwise approved.

    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.

13. Unless otherwise indicated on the approved plans and 'Arboricultural Impact Assessment by Barnes & Associates on Drawing No. BA5362TS (18/08/2017), no trees shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

14. Before the casting of the foundations of the first dwelling on site, full details of the proposed timeframe for the inclusion of public art within the development shall have been submitted to and approved by the Local Planning Authority. Thereafter, the provision of public art shall be implemented in accordance with the agreed details.

    Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

15. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved by the Local Planning Authority before that part of the development commences:

    Typical window and doors - including reveal depths;
    Door canopies
    Eaves and verges
    Brickwork - including textured/ patterned
    Rain water goods
    Typical retaining structures to be used within garden areas
    Acoustic barrier design
    Gabion wall design - adjacent to Park Grange Road and Units 70 - 77
    Step design - woodland route

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

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

16. A sample panel of the proposed brick and stone masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used (including example of first floor detailing). The sample panel shall be approved by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

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

17. Before that part of the development is commenced, a sample of the proposed windows, rainwater goods, and stone (wall and gabions) shall be submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

18. The development shall not be used until the improvements listed below have either;

    a) been carried out; or

b) details have been submitted of arrangements which have been entered into which would if approved permit such improvement works to be carried out.

Highway Improvements:

a) The applicant should fund and secure a Traffic Regulation Order for double and single yellow line parking restrictions to the highway of the new development, the extent of which to be agreed. The applicant should also fund and arrange the installation of lines, road signs prior to the first occupation of any dwelling on the development or at a time scale to be agreed with the local Planning Authority and fund enforcement of these parking restrictions for a period of 1 year from first occupation.

Reason: In the interests of the amenities of the locality and to ensure the new streets within the development are not dominated by commuter car parking.

19. Prior to the works indicated in the preceding condition being carried out, full details of these proposals shall have been submitted to and approved by the Local Planning Authority.

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

20. No construction work shall commence until full design details of the highway features proposed to keep vehicle speeds within the estate roads to a maximum speed of 20 miles per hour have be submitted to and approved by the Local Planning Authority. Thereafter, the approved details shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety.

21. No construction work shall commence until details have been submitted to and approved by the Local Planning Authority of arrangements which have been entered into which will secure the construction of cycle infrastructure to connect the site to the existing local cycle routes. The routes design and specification shall have first been approved by the Local Planning Authority.

Reason: In the interest of sustainable travel and to ensure that the development connects to the existing cycle network.

22. All individual and shared private drives shall be surfaced in a bound material and drained to prevent the discharge of surface water to the public highway. Full details of the proposed surfacing and drainage shall be submitted to and approved by the Local Planning Authority prior to the installation of the drives and shall thereafter be retained.

Reason: In the interests of the safety of road users.

23. Notwithstanding the details on the approved drawings, before the casting of the foundations of the first dwelling or first retaining walls on site, final details of the proposed building levels (including plot and floor levels and site sections) and highways levels shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the development.

24. No earthworks, construction or trackout activity shall take place on site until a Construction Environment Management Plan has been submitted to and approved by the Local Planning Authority. This document shall provide full site specific details of proposed measures to monitor, control and reduce the emission of dust during the construction phase of this development. These proposals shall be in accordance with IAQM guidance as well as the content of Table 19: Fugitive Dust Mitigation Measures of the Air Quality Assessment (REC Ltd., Ref. AQ10115R1). Thereafter, the development shall be carried out in accordance with the approved Construction Environment Management Plan.

Reason: In the interests of the air quality of the locality and subsequent amenities of occupiers of properties in the surrounding area.

Other Compliance Conditions

25. The development shall be carried out in line with the recommendations and mitigation proposals made in the following documents:

1. The 'Ecological Appraisal' (Ref: 7449, March 2016) by ECUS Environmental Consultants;
2. Email dated 6th July 2016 (authored by Soulla Rose, MPSL Architects) confirming that Tree T3 (moderate bat roost potential) will be retained as part of the development;
3. Drawing No. DB/7449/BBP - Drawing Title: Bat and Bird Box Plan; and
4. Drawing No. CC/10432/FX - Drawing Title: Hedgehog Highway Plan

The recommendations and proposals shall be implemented on site before that part of the development is commenced. The bat / bird boxes and hedgehog highways shall be retained thereafter.

Reason: In the interests of biodiversity and to ensure that protected species and other animals are not harmed by this development.

26. The proposed boundary treatments shall be carried out in accordance with the details shown on:

1. Drawing No. 15063 05 Rev. B - Drawing Title: Boundary Treatment Details
2. Drawing No. 15063 06 Rev. B - Drawing Title: Boundary Treatments Layout

3. Drawing No. CC/10432/FX - Drawing Title: Hedgehog Highway Plan

The works shall be implemented before that part of the development is brought into use and retained thereafter.

Reason: In the interests of biodiversity.

27. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 68 litres per second.

Reason: In order to mitigate against the risk of flooding and protect the surface water sewer from uncontrolled overland runoff from the site and provide a betterment by reducing and managing the surface water flows.

28. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage

29. The development shall be carried out using the following materials:

- Dark Brick: Ibstock, Milburn Ashen Brown Blend
- Light Buff Brick: Ibstock, Hardwicke Lenton Cream Multi
- Roof Tile: Russell Grampian interlocking tile (Slate Grey)

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

30. The development 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.

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

31. The approved landscape works shall be implemented in accordance with the timescales agreed in Condition 11. 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.

32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to E 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 hereby approved shall be constructed without prior planning permission being obtained from the Local Planning Authority.

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

Attention is Drawn to the Following Directives:

1. The applicant is advised that the proposal to discharge to the surface water sewer in East Bank Road is acceptable. Based on the existing positively drained surfaces within the site - with a reduced discharge rate by 30% and the off site positively drained surfaces that need to pass through the site at 40 litres per second - an overall discharge rate of 68 litres per second is acceptable. The storage design including 683m3 is also acceptable in at tank proposed at the bottom of the site. Due to the extreme topography, it is recognised that this is an extremely difficult site in which to include SuDS techniques.

2. The applicant is encouraged to review the comments / information provided by Yorkshire Water in its consultation response to the Planning Service on 18th May 2017.

3. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

   The notice should be sent to:-

   Highway Co-Ordination
   Sheffield City Council
   Town Hall
   Sheffield
   S1 2HH

   Telephone: 0114 273 6677
   Email: highways@sheffield.gov.uk

   Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

   Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

4. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.

5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website here:

   http://www.sheffield.gov.uk/home/roads-pavements/Address-management

   For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

   Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

6. Dependent upon the nature of the highway works being undertaken, you may be required to pay a commuted sum to cover the future maintenance of new and/or improved highway infrastructure.

   The applicant is advised to liaise with Highways Maintenance Division early on to determine the approximate cost. In the first instance contact should be made with the S278 Officer:

   Mr J Burdett
   Highways Development Management
   Highways Maintenance Division
   Howden House, 1 Union Street
   Sheffield
   S1 2SH

   Tel: (0114) 273 6349
   Email: james.burdett@sheffield.gov.uk

7. The proposed development is located near to the track and overhead line of the South Yorkshire Supertram. The developer is advised that there needs to be close liaison with South Yorkshire Supertram Limited at Nunnery Depot, Woodbourn Road, Sheffield, S9 3LS, (Telephone Sheffield (0114) 2759888). All works carried out on site and within the vicinity of the site need to be in accordance with the "Supertram Code of Practice for Working On or Near the Tramway". This Code of Practice is available both upon request from Supertram, or online at: http://www.supertram.com/workingonsystem.html.

   The applicant is advised that method statements may be require to be submitted to South Yorkshire Passenger Transport Executive (SYPTE) and/or Stagecoach Supertram for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to parts of the development impacting on the tramway, including - where required - a construction traffic management plan.

Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the tramway is closed. This must be booked via Supertram, with any associated costs being covered by the developer.

It is advised that once planning permission has been granted and at least six weeks prior to works commencing on site SYPTE must be contacted. SYPTE will require sight of method statements and drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the tramway.

It is advised that matters in relation particular the drainage, boundary fencing, barriers, lighting, landscaping and associated method statements should be discussed with SYPTE and Stagecoach Supertram to ensure that the safety, operational needs and integrity of the tramway is maintained.

8. The applicant is advised to contact the Council's Development Services, Land Drainage, Howden House, 1 Union Street, Sheffield, S1 2SH(Telephone Sheffield 2735847) to seek approval for the proposed drainage arrangements, as soon as possible, prior to the commencement of development.

9. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

Mr S Turner
Highway Adoptions
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 4383
Email: stephen.turner@sheffield.gov.uk

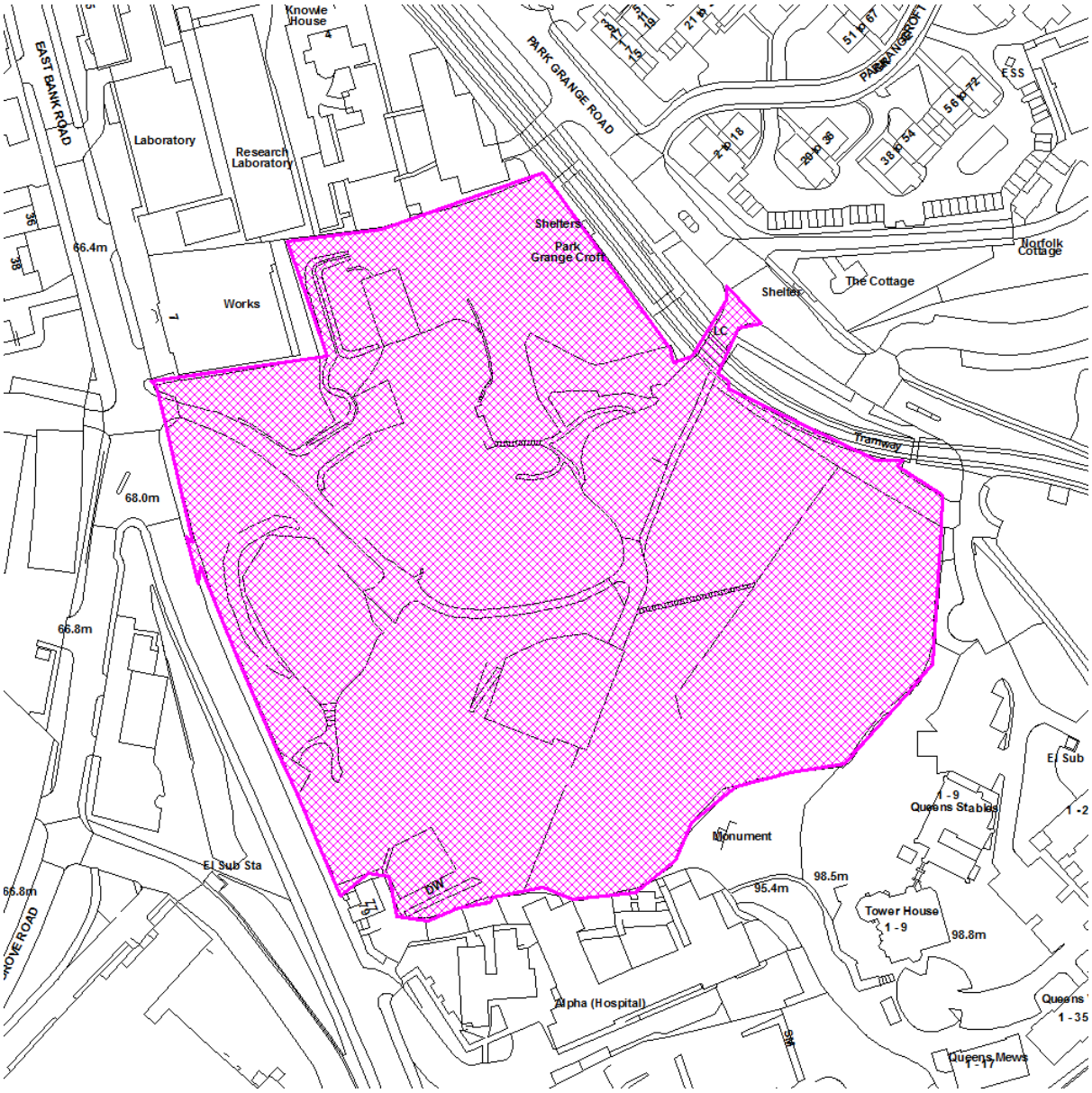
10. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process,

or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

11. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:
Richard Harris
Ecology Manager
Sheffield City Council
Meersbrook Park
Brook Road
Sheffield
S8 9FL
Tel: 0114 2734481
E-mail: richard.harris@sheffield.gov.uk

12. 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.

Site Location



LOCATION AND PROPOSAL

Planning permission is sought to construct a modern residential development comprising 77 dwellings and associated landscaping, drainage and highway works. The dwellings vary in size and comprise of 3 and 4 bedroom units.

The application site is land that was previously occupied by the East Hill Primary and Secondary School. The schools closed and all buildings were demolished several years ago.

The application site lies to the east of the City Centre between Park Grange Road and East Bank Road. The site slopes steeply uphill from East Bank Road towards Park Grange Road and has a number of existing mature trees around the areas of cleared former school buildings.

The site is surrounded by mixed industrial and commercial uses as well as the Supertram line and the Norfolk Park housing area along its north eastern boundary. Further neighbouring properties of note and abutting the site's southern boundary are the Queen's Tower apartment complex and Queen's Tower Lodge, which both have Grade II listed building status.

Although currently restricted, main vehicle access to the site was taken from East Bank Road with a secondary access across the tram tracks from Park Grange Road.

This application has been submitted by Sheffield Housing Company (SHC) and Sigma Capital Group Plc. SHC is a long term regeneration vehicle working across the city to build new homes in Sheffield and Sigma is a provider of Private Rented Sector housing. The proposals form part of Phase 3 of a project that is a partnership between SHC, Sigma, Keepmoat Homes and Sheffield City Council. Overall, the partnership has a 15 year plan to build 2,300 homes in seven of Sheffield's neighbourhoods.

It is proposed to construct the development in a phased approach (Phase 1 and Phase 2). The approach is proposed for project delivery and CIL payment purposes.

RELEVANT PLANNING HISTORY

16/02941/EIA: An EIA Screening request was made for the site and it was determined that an Environmental Statement was not required (09.08.2016).

SUMMARY OF REPRESENTATIONS

The application has been advertised by neighbour notification letter, site notice and press advert.

In total, 2 representations have been received from a local resident (neutral comment) and from Replicast Ltd. (objection), which is the neighbouring manufacturing company situated immediately beyond the site's northern boundary.

1. Neutral Comment:

- The SHC has now built a large number of properties in the area however it has not created anything that could be used as a shop, e.g. Sainsbury or Tesco. Existing nearby shops are too “down market” for the residents and this means that people will have to use their cars to get anything fresh.
- SHC should be obliged to provide at least one retail unit.

2. Objection Comment:

Replicast Ltd. is a manufacturing company situated immediately beyond the site’s northern boundary. The objection states:

- The proposal is guaranteed to cause a significant impact to our business.
- It appears that there are a number of areas that are not suitable to build upon due to the landscape which appears to be forcing the developer to concentrate the development adjacent to our company.
- As a manufacturing company we generate noise, waste and odours – all of which are within environmental legislation requirements.
- To build new homes directly adjacent to the boundary will result in owners complaining to the Council about the company, despite it being there for over 50 years.
- The developer should be restricted from building properties directly adjacent to the company. Plots 1, 2, 5, 6, 8 and 9 positioned directly adjacent to the company should be removed from the development and replaced with a tree lined barrier to minimise any possible impact to the development and problems with residents once developed.
- The proposed development has the potential to severely impact on light entering our site. There is a two storey office block at one end and the building of residential properties will block light entering them.
- The development, being so close, has the potential to impact due to subsidence and this causes great concern.

PLANNING ASSESSMENT

1: Land Use Policy – The Principle of Development

1.1: National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how it expects them to be applied. The key goal of the NPPF is the pursuit of sustainable development and it is advised that there should be a presumption in favour of it. It should involve seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

Furthermore, the NPPF is clear that *"where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a*

whole; or specific policies in this Framework indicate the development should be restricted."

The following assessment has due regard to these overarching principles – including high quality design, transport, climate change, and conservation / enhancement of the natural environment.

1.2: Local Planning Policy

The Sheffield Local Plan is the statutory development plan for the whole of the Sheffield District (excluding the Peak Park). The current Plan comprises the Core Strategy (2009) and 'saved' policies from the Unitary Development Plan (1998). The UDP Proposals Map also remains part of the current Plan and identifies the site as falling partly within a Business Area and partly in an Open Space Area.

- Development in the designated Business Area:

This designated area is positioned on the north / west portion of the site and previously contained school buildings and hard play spaces.

UDP Policy IB7 (Development Business Areas) states that housing (use class C3) is unacceptable outside the city centre. However, this designation from 1998 is now out of date and the land use policy aspirations for the area have changed and the policy is superseded by Core Strategy Policy CS3 (Locations for Office development). This site is clearly not suitable for office use.

A Draft City Policies and Sites document and Draft Proposals Map, which would have replaced the UDP policies and map, were published in April 2013. Although never formally submitted to Government for public examination, and never adopted, the proposals identified the area as Flexible Use and Open Space, which is considered to be more up to date than the UDP Proposals. Although as a document it now has no weight, it does demonstrate the Council's future aspiration for the site and it is considered unlikely that this vision will change given the positive regeneration that is currently occurring in Norfolk Park. A Flexible Use designation in this area would allow for a residential use to dominate the site subject to other policy considerations.

In light of the above, the principle of building new dwellings on this part of the site is acceptable; the construction of 77 units on a previously developed and sustainably located site will have a positive impact on the City's housing land supply. Therefore, the proposal is concluded to be compliant with the aspirations of the UDP and emerging policy designations described above.

- Development in the designated Open Space Area:

This designated area is positioned on the east portion of the site and relates to land that was previously used as the school's play field. The proposed scheme results in the loss of open space to accommodate to new housing adjacent to Park Grange Road. The playing field was included in the Sheffield Playing Pitch

Strategy 2011, with a site classification of low quality, low value and no community access. The site has not been used since the school closed in August 2011.

Despite the limited amenity value of the space, Sport England originally made a non-statutory objection to the proposed development because it would lead to the loss of a playing field facility.

UDP Policy LR5 (Development in Open Space Areas) relates to the positive contribution of open space areas and seeks to ensure that new development does not damage/detract/harm their character. Furthermore, Core Strategy Policy CS47 (Safeguarding Open Space) does not permit development on open space unless these areas are proved to be surplus to requirements.

A quantitative assessment of open space provision within the catchment of the site has confirmed that there is a surplus of open space overall in the area but a shortage of outdoor sports facilities and allotments. However, colleagues in the Parks and Countryside section have confirmed that they do not require the site for either use and, instead, would prefer a financial contribution to be made by the applicant towards improving existing facilities in the area. The aim of such funding would be to assist the creation of a relatively small number of high quality hub sites offering multiple pitches, as identified in the Council's Outdoor Sports Strategy 2014. Currently, these areas include St.Aidan's and Arbourthorne playing fields.

To this end, a financial contribution of £40,000 has been proposed by the applicant, which is intended to be used towards by the Council the capital projects in the Norfolk Park area. This level of contribution has been calculated using Sport England's estimated facility costs and is based on the size of pitch possible on the land, allowing for the topography of the area and character of the site.

It is confirmed that the proposed approach to Open Space loss is acceptable in land use policy terms. Furthermore, Sport England has withdrawn its original objection on the basis of this contribution. It is recognised that the site currently has limited value in the local area and that the mitigation contribution will help to pay for enhancements – such as drainage, access controls, changing facility improvements – at formal open space areas where it is needed and wanted. The contribution will be secured by legal agreement.

For the reasons above, it is concluded that the proposal is acceptable in terms of policies LR5 and CS47.

1.3: Informal Planning Advice Note (IPAN)

An IPAN has been prepared by the Planning Service for the part of the application site that was contained council housing. The document provides advice on policy as well as the development issues and opportunities. They have not been approved by the Planning Committee and have no formal status in their own right, although the policies and the evidence they are based on do.

The IPAN encourages the principle of housing development on the site.

For the reasons above, it is concluded that there are sufficient national and local policies to justify the housing use across the site in the areas proposed. Therefore, the principle of residential development at this location is concluded to be acceptable.

2: Proposed Density

Core Strategy Policy CS26 (Efficient Use of Housing Land and Accessibility) states that housing development should make efficient use of land but accepts that the density of new developments needs to be in keeping with the character of the area and support the development of sustainable, balanced communities. It sets out appropriate density ranges for different locations depending on accessibility but states that exceptions can be made where the proposal achieves good design, reflects the character of an area or protects a sensitive area.

Policy CS26 states that the density target for the site should be 40 – 60 dwellings per hectare because of the site's proximity to the Supertram route and numerous high frequency bus routes. However, the provision of 77 homes on the site's developable area (2.0 hectares) equates to a net density of 38.5 dwellings per hectare, which is just below the recommended density.

It is considered that the proposed density is appropriate and justified. The new development is being introduced into a site that is heavily constrained by mature tree planting, vegetation and topography, which subsequently impacts on the position and number of dwellings proposed. It also incorporates features that have been requested by the Council in the IPAN. Finally, it is believed that a more dense development would not be in-keeping with the character and appearance of existing housing in the surrounding area, which includes lower density and family sized dwellings.

Taking the above considerations into account, it is confirmed that the proposed density can be justified at this site and, therefore, it can be accepted under the exceptions highlighted in Policy CS 26.

3: Proposed Mix

Core Strategy Policy CS 41 (Creating Mixed Communities) encourages development of housing to meet a range of housing needs, including a mix of prices, sizes, types and tenures. It is expected that this policy be implemented principally through the development management process and planning applications.

The Council's SHLAA Interim Position Paper (2016) identifies that in 2016 only 23% of all houses completed in the City were either houses or bungalows with the remainder being apartments.

The proposed accommodation is a mix of 3 (45no.) and 4 (32no.) bedroom dwellings in semi-detached, detached and townhouse house types. The designs comprise of 2, 2.5 and 3 storey heights. There are no bungalows proposed. The

tenures will be mixed, comprising of 19no. open market housing and 58no. private rented sector (PRS) units.

Given the site's accessible location, the proposal falls short of the expectations of Policy CS 41 (part a.) because more than half the new homes will be 3 bedroom units. However, it is generally the case that this policy is more relevant to dense city centre apartment schemes and student schemes, which often propose limited mix, rather than the nature of family housing proposed. Therefore, it is considered that this shortfall should be given limited weight at this site.

Furthermore, this mix deficiency should be considered against the more positive characteristics of the development. Positively, the proposed development will lead to more houses being built in the City (SHLAA) and enhance its wider housing mix. It will also support the construction of more houses in an accessible location that will be available for larger households, especially families, in a mixture of tenures. It is also noted that there are 9 house types proposed in a variety of different character areas for future residents to choose from. All of these aspects are considered to be consistent with the aspirations of Policy CS41 (including Part b.) and they are considered to outweigh the mix deficiency identified.

It is concluded that the proposed development will support the objective of creating mixed and balanced community, in accordance with Policy CS 41.

4: Design

UDP Policy BE5 (Building Design and Siting) expects good overall design and the use of high quality materials. Original architecture is encouraged, but new development should also complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS 74 (Design Principles) reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city.

4.1: Scale and Architecture (including Materials)

The proposed house types vary across the site and the 2 – 3 storey scale is considered to be consistent with the size of surrounding buildings and thus acceptable.

In terms of the proposed architecture, the new dwellings have contemporary design with clean lines and crisp detailing. Positively, the architecture is not specific to tenures.

All of the properties will be constructed from either a dark brown brick (Plots 1 – 48) or a light buff brick (Plots 49 – 77) and these contrasting colours will be arranged to define the character areas proposed across the scheme. The roofs will be pitched gables, some house types have dormer windows, and all will be constructed from an interlocking tile (slate grey). This is considered to be a simple

and acceptable material palette, which is in-keeping with the surrounding built environment that generally comprises of brown brick and stone.

On the main elevation of each dwelling, it is proposed to incorporate alternate projecting courses to break up the extent of brickwork between the windows at first floor level. Additionally, large picture frame window openings with grey framed windows are proposed to be set in reveals in order to create additional visual interest to the elevations and enhance natural light to habitable rooms.

4.2: Housing Layout

The proposed layout comprises of several character areas that combine together to create a new housing development within a significant wooded setting.

At the heart of the scheme is a “Spine Street” (Character Area 1) that climbs through the site in a curved route from the main vehicle / pedestrian entrance on East Bank Road (east) to a new pedestrian entrance on Park Grange Road (west). The street is intended to be fronted by new properties up to 2.5 storeys high and it will be an adopted route with a tarmac finish and footpaths to either side.

Leading from the “Spine Street” will be “Shared Surface Streets” (Character Area 2) that are intended to be areas of smaller groups of houses accessed via more low key shared surface streets that will be cul-de-sacs. These streets are intended to be block paved with no footpaths. There are two of these areas proposed - one on the northern end and one on the south eastern end of the site – and the layout of the houses and their proposed relationship to existing trees, boundaries, and land uses are considered acceptable. Indeed, the arrangement of new dwellings with front elevations addressing Park Grange Road and overlooking the Supertram route is considered to be a particularly welcomed and successful part of the scheme.

Additionally, there are proposed to be a number of private driveway spaces that will serve 5 or less houses and, again, these will be low key spaces accessed from the main “Spine Street”.

In terms of the streetscene, all of the proposed properties have their own front door, enclosed rear garden areas and in curtilage car parking provision. The layout enables many of the new car parking spaces to be positioned to the side, leading to less hardstanding to front areas and more front gardens. Furthermore, a hierarchy of boundaries is also proposed which will enhance the quality of the development. The main entrance includes low stone walls to replicate the site’s East Bank Road frontage and all of the houses on the main “Spine Street” have low front boundary walls (brick/railing) to define the curtilage. Front boundaries are not proposed in the “Shared Surface Streets” because of the more low key environment proposed. These arrangements are all welcomed, having a positive impact on the appearance of the streetscenes and the overall quality of the development.

4.3: Pedestrian Routes

The footpaths created along the main “Spine Street” will provide new formal pedestrian access between East Bank Road and Park Grange Road, which is welcomed.

There are more informal pedestrian routes proposed within the development, including an existing footpath that runs through woodland at the centre of the site and is intended to be part of an amenity route for residents. However, Members are advised that South Yorkshire Police has raised concern about this route because it runs behind rear gardens and is not closely overlooked by habitable room windows. The Police have therefore request that the route be omitted from the scheme Your Officers have not pursued it on the basis that it is considered that the route will enhance pedestrian activity and movement through the woodland which provides an amenity for residents, which will in turn help to police the space and hopefully discourage any anti-social activity.

Overall, the proposed scale, architecture and layout are acceptable. It is concluded that the development will sit well within the local context as well as creating a sense of place and character, in accordance with the aims of the Policies BE5 and CS74.

5: Impact on Heritage Assets

Queen’s Tower apartment complex and Queen’s Tower Lodge, which have Grade II listed building status are located to the south east of the site boundary but are well screened by a belt of trees.

UDP Policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) and BE19 (Development Affecting Listed Buildings) expect new development to preserve the character and appearance of heritage assets and their setting.

Whilst the development will alter the setting of the buildings to some degree it is considered that the development’s proposed design, scale, layout and material palette will preserve the character and appearance of the listed buildings in an acceptable manner and will not harm the setting.

Therefore, the proposed development is considered to be consistent with the requirements of policies BE15 and BE19.

6: Sustainability Issues

Core Strategy Policy CS64 relates to ‘Climate Change and the Sustainable Design of Developments’ and expects development to achieve a high standard of energy efficiency, make the best use of solar energy, passive heating and cooling, natural light and ventilation, and minimise the impact on existing renewable energy installations.

The submission includes a Sustainability Statement confirming that the development will aim to incorporate sustainable design principles where possible. The developer (Keepmoat Homes) proposes to adopt a Sustainability Strategy

containing robust practices with respect to site pollution, waste generation and material selection.

The statement also indicates that the developer proposes to construct energy efficient homes and that the forecast emission rate will be 4.53% improvement beyond Building Regulations Part L compliant emission rate. Furthermore, it indicates that the development will enhance the health and wellbeing of future occupiers by including suitable living/dining/family spaces, natural light to rooms, gardens, recycling facilities, open landscapes spaces, and an overall site layout to ease travel for cyclists and pedestrians.

In light of this statement – as well as the overall design and quality of the scheme – it is concluded that the proposed development meets the aims of Policy CS64. Given the positive sustainability measures set out in the statement, a condition is recommended to ensure that the development proceeds as proposed.

Policy CS65 of the Core Strategy says that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy, if feasible and viable.

The submission includes a Project Viability Report which states that the provision of renewable technology would render the scheme unviable and, therefore, it formally requests that a planning condition requiring the delivery of 10% renewable is not included within the development. To justify their case, the applicant calculates that the delivery of renewables would increase the project's development costs by an additional £71,950, thus rendering the project unviable of the basis that it would reduce the residual land value and / or reduce the development (profit) margin to an unfeasible level in line with market risk. It also advises that insistence upon the renewable target would result in implications on the quality of the development, including value engineering, and it could lead to non-delivery of the development.

In terms of viability, as well as the viability dispensations of Policy CS65, Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to "comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable."

In light of the above, it is concluded there is sufficient evidence to justify non-compliance with the 10% renewable energy requirement required by Policy CS65 in this instance.

Overall, the proposed development is considered to align with the guidance of the NPPF and the requirements of Core Strategy Policies CS64 and CS65.

Guideline CC1 of the Council's supplementary planning guidance 'Climate Change and Design (2011)' requires green roofs to be incorporated into all large scale developments where feasible and design considerations allow. There are no green

roofs provided as part of this development as the house designs do not lend themselves to such an approach.

7: Amenity

UDP Policy H15 ‘Design of New Housing Developments’ expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met. It also expects that walls or fences are provided around rear garden areas next to roads, footpaths or other open areas.

7.1: Amenity Impact for Existing Residents and Businesses

For existing residents situated beyond the north and south boundaries of the application site, it is considered that the amenity relationship will be acceptable. The distance between the new and existing properties is substantial and they will be separated by gardens, tall walls, and roads (including the Supertram route). Therefore, it is considered that there will be no overlooking, overshadowing or over dominance issues created by the new dwellings for existing residents in the area.

The development’s relationship with the surrounding commercial land uses is acceptable. In terms of overlooking and overshadowing, businesses are not generally afforded the same level of amenity protection as residential accommodation. In this instance, it is considered the scale, position and orientation of the proposed dwellings situated closest to the shared boundaries will not have such a detrimental impact on the neighbouring commercial windows as to warrant the refusal of this application.

It is concluded that the amenity environment for existing residents will be acceptable. The regeneration of the site and creation of a new residential development containing family housing, enhancements to streets and upgraded landscape will have a positive impact on the amenity of existing as well as future residents.

7.2: Amenity Impact for Future Residents

The main issues relate to privacy, outdoor garden provision and the surrounding environment.

Privacy

A large proportion of dwellings have their habitable room windows either overlooking the adjacent street or overlooking their private gardens and the woodland / land space beyond, which is considered to be acceptable in privacy terms.

The greatest potential for overlooking between dwellings will occur in the south-eastern portion of the site where the land levels increase and rear garden boundaries adjoin each other. Following amendments to improve greatest areas of

concern, it is concluded that there will be no direct overlooking of habitable spaces at substandard distances within the development. The proposed rear gardens generally range between 7 - 10m long at this point and given the steep slopes and juxtaposition between elevations, it is considered that the privacy distances are within accepted levels for a new development of the scale, density and site limitations proposed.

Outdoor garden provision

The shape, size and level of garden spaces vary across the site – but it is advised that the majority of the new dwellings will achieve more than 50 square metres of private space, which would normally be expected for the type of housing proposed.

The size of new gardens varies due to the arrangement of the buildings and will provide options for potential future occupiers. A number of the gardens will have to be built over different levels because of the topography of the land, but this is considered to be unavoidable due to the character of the site. Some gardens will rise upwards or slope away and access between levels will be achieved through the inclusion of steps. In spite of this, all properties include patio areas and level spaces immediately adjacent to their rear elevations (accessed via patio doors) to ensure that there is some flat amenity space next to the house for the enjoyment of occupiers.

Orientation of Dwellings

There will be properties within the scheme that have north and east facing rear elevations / gardens surrounded by tall trees. Whilst this layout is not ideal, it is recognised that a successful housing layout and viable development cannot be achieved at this site if all of the dwellings face the same way with south and west facing private gardens that are not overshadowed by trees. Furthermore, the site has significant topographical constraints and there is onus upon the developer to keep the existing broadleaved trees so far as possible from an ecological and visual/residential amenity perspective.

Therefore, the proposed layout of the development from an amenity point of view is accepted and, for the reasons above, is not considered to be an issue to warrant the refusal of this application.

A condition is proposed to require the developer to seek the prior approval of the Local Planning Authority if any trees are proposed to be felled. This is to ensure that extensive tree felling does not occur in the future as a consequence of resident pressures and to ensure that the character of the development is not harmed by this.

Noise Environment

A Noise Impact Assessment has been submitted to address the site's relationship with this neighbouring land uses. It is concluded that the main ambient noise across the application site is primarily associated with road traffic and tram noise.

The noise generated by surrounding businesses – which include Replicast Ltd. (objector) – was not particularly audible or problematic although some plant and equipment could be heard.

The assessment makes a number of recommendations to mitigate against noise impact, which includes:

- Enhanced glazing and construction specification for all bedroom windows facing onto Park Grange Road;
- Enhanced glazing specification for all habitable room windows adjacent to the boundary shared with Replicast Ltd.
- Installation of a 1.8m acoustic reflective timber barrier installed along the northern boundary of the plots adjacent to the commercial use to the north of the site.

The Environmental Protection Service (EPS) has confirmed that the proposed noise assessment work is acceptable and, notwithstanding the objection received from Replicast Ltd., it is concluded that the proposed mitigation measures will achieve an acceptable residential environment. Conditions are recommended to achieve specified levels.

8: Highways

UDP Policy H15 (Design of New Housing Developments) expects new development to provide safe access to the highway network, appropriate off-street parking and does not endanger pedestrians.

Core Strategy Policy CS53 'Management of Demand for Travel' includes a package of measures to make better use of road space. In new developments, this policy encourages the implementation of Travel Plans (Part d.) for new developments (Part d.), the active promotion of more efficient and sustainable use of vehicles and incentives for using alternatively fuelled vehicles (Part e.), and the application of maximum parking standards to manage the provision of private parking spaces.

8.1: Impact on Existing Highway Network

The Transport Assessment considers the impact of the development on the highway environment and estimates that vehicular traffic likely to be generated by the proposed development will be: AM peak (08:00am – 09:00am): 32 vehicles (two way), PM peak (17:00pm – 18:00pm): 29 vehicles (two way).

To assess the impact of the proposed site access junction and its interaction with Olive Grove Road junction, the proposed site access with East Bank Road and Olive Grove Road has been modelled as a right/left staggered junction. The Transport Assessment contains capacity assessments at these junctions and the results indicate that whilst there will be some slight reduction in capacity, the junctions will still operate well within their theoretical capacity.

With regard to existing accident history for the roads around the site, the Transport Assessment identifies that there has been 3 slight and one serious injury in the study area but the serious collision was because the driver failed to look properly; failed to judge other person's path or speed.

It is concluded that the proposal raises no concerns from a highway capacity perspective or safety of roads around the site. Furthermore, it is acknowledged that the site is well located and highly accessible to modes of transport other than the private car, including various buses along East Bank Road and Park Grange Road as well as the Supertram route.

8.2: Car Parking Provision

Car parking provision is provided at 2 spaces per dwelling plus 19 visitor parking spaces which equates to 173 spaces across the site. Overall, the level and nature of parking is considered acceptable for the scale of the scheme and position of the site.

Given the site's proximity to the City Centre, as well as the extent of commuter car parking that occurs on East Bank Road, it will be required as part of this development that the applicant funds a Traffic Regulation Order for double and single yellow lining to the new highways being created as part of this development, as well as the enforcement of this Order, to restrict on-street car parking during specified periods. This is proposed with the main aim of preventing commuter car parking spreading to the new roads within the development and reducing the potential conflicts that may arise between commuters and new residents. It is considered that this will enhance the amenity of the new housing being created for residents and discourage further commuting into the City Centre by private cars. The design and implementation of the proposed scheme will be secured by condition.

8.3: Travel Demand

Overall, the proposed development is considered to include an acceptable package of measures that will help to make better use of road space by promoting sustainable forms of travel and mitigating the negative impacts of transport, in accordance with the relevant policies described above. However, further detail and potential proposals for improvement for connection to the cycle network are required should be submitted to the Local Planning Authority for consideration and this information is proposed to be secured by condition.

8.4: Public Transport

South Yorkshire Passenger Transport (SYPTE) and Stagecoach Supertram have commented on the proposals and raise no objection, subject to conditions in relation to the drainage, boundary fencing, barriers, lighting, landscaping in order to maintain the safety, operational needs and integrity of the tramway during construction of the development.

SYPTE has also identified that the Transport Assessment references the Supertram system and the key areas of the city it provides access to. Therefore, SYPTE has indicated that it would welcome a proportion of investment (circa £50,000) in order to provide new and improved facilities for Park Grange Croft tram stop and increase the attractiveness of this public transport option.

Whilst it is recognised that public transport should always be promoted and facilities improved where necessary, your Officers consider that SYPTE's investment request is not justified in this instance because it is considered that the financial contribution does not reasonably relate to the scale of the development proposed. The existing tram stops on Park Grange Road are functional and already include real time information displays on both inbound and outbound platforms, which are extremely useful for tram users. Therefore, it considered that the upgrades would mainly be for aesthetic and modernisation reasons. In this instance, it is not considered to be reasonable for the development to fund such an upgrade, especially when similar works have not been requested from other SHC schemes in the locality, despite proposing more housing on immediately adjacent sites to other stops.

9.0: Air Quality

UDP Policy GE23 (Air Pollution) states that development will be permitted only where it would not locate sensitive uses where they would be adversely affected by sources of air pollution.

Core Strategy Policy CS 66 (Air Quality) encourages action to improve air quality in all areas of the City, particularly where residents in road corridors with high levels of traffic will be exposed to levels of pollution above national targets.

An Air Quality Assessment is not required because of the scale of development and the anticipated number of vehicle movements per hour.

It is anticipated that the proposed development will result in dust generation during the construction phase (earthworks, construction and trackout) and in an increase in traffic movement in the local area which is likely to have some impact on local air quality, post development. However, given the extent of the proposed development and the background levels of air pollution in the vicinity of the site the Council's Air Quality Officer has stated that the impact on local air quality will be insignificant.

As the urban area of Sheffield is an Air Quality Management Area (AQMA) it is recommended that consideration should be given to possible of mitigation measures during the construction and operational phases, in order to achieve a neutral impact on local air quality. Specifically:

- Construction Phase (including earthworks, construction, and trackout),

The Council's Air Quality Officer recommends that appropriate mitigation measures at this site should focus on dust control and exhaust efficient delivery vehicles to help reduce the likely impacts of construction and vehicle exhaust emissions as well as dust soiling during the construction phase.

Therefore, it is recommended that these measures be included within a Construction Environmental Management Plan (CEMP), that is proposed to be secured as a pre-commencement condition.

- Operational Phase

The applicant has agreed to install a home electric charging point for electric vehicles into 10% of the dwellings hereby proposed. In addition, it is proposed to install infrastructure that provides capacity for an extra circuit to be easily added to the dwelling if residents require in the future. It is advised that this will include an enhanced circuit board as well as a blank conduit and trunking behind the plasterboards. These proposals are welcomed and support the Council's desire to achieve air quality impact neutrality where possible. It is also considered to be a positive response to the new National Air Quality Plan (July 2017) as well as the Guidance by Environmental Protection UK / Institute of Air Quality Management "Land-Use Planning & Development Control: Planning for Air Quality (January 2017). Again, the provision of these facilities will be secured by condition.

The development is concluded to be compliant with UDP Policy GE23 and Core Strategy Policy CS66.

10.0: Ecology

UDP Policy GE11 (Nature Conservation and Development) states that the natural environment will be protected and enhanced and that the design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

A Preliminary Ecological Appraisal has been submitted in support of the application and provides a generally thorough characterisation of the site, its habitats and species.

Protected species have been recorded on site and it is recommended that the identified habitat be safely removed under Natural England licence outside of the species breeding period (December to June inclusive). The Ecological Appraisal recommends that further monitoring work is undertaken to inform the licence application.

There are no buildings present on site to provide bat roosting opportunities but a mature beech tree (T3) has been identified as having 'Moderate' bat roost potential. It has been confirmed that that this tree will be retained as part of the development. Soft fell techniques are proposed for any tree removal work planned where there is considered to be low bat potential.

The site has the potential to provide good habitat for a range of bird species (including conservation priority species) as well hedgehogs. Given their full (birds) or partial protection (hedgehogs) by law, it is recommended that any arboricultural

operations, scrub clearance and construction works be undertaken with care and outside of the bird breeding and nesting season.

The Council's Ecology Unit generally agrees with the course of action set out in the Ecological Appraisal. Furthermore, it is considered that retention of broadleaved woodland in the centre of the site as well as areas of scrub / grassland will keep valuable habitats for a range of wildlife and continue to contribute important linkages to other green spaces in the wider area. The removal of non-native and invasive shrubs and replacement with native, nectar-rich species (ideally of local provenance) is encouraged.

Furthermore, the inclusion of bird and bat boxes as well as 'Hedgehog Highways' as part of the development are all considered to be positive enhancement that will contribute to the conservation and improvement of the natural environment.

In light of the above, it is concluded that the proposal is compliant with Policy GE11, subject to the recommendations of the Ecological Appraisal being conditioned.

11: Landscape

UDP Policy BE6 'Landscape Design' expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

UDP Policy GE15 (Trees and Woodland) also requires developers to retain mature trees, copses and hedgerows, wherever possible, and to replace any trees which are lost.

The site is currently overgrown and received little landscape management over recent years. The landscape proposals include the felling and retention of trees as well as the addition of new elements, including new trees, ornamental shrub, hedge and bulb planting.

The proposals will see a number of existing trees removed but the majority of these are small, low in quality and have little amenity value. Therefore, there is no objection to their removal.

All of the high quality and the majority of the moderate quality trees, as outlined in the supporting Tree Assessment, will be retained which is positive. Furthermore, it is confirmed that a commemorative Turkey Oak specimen – planted by employees of the former school during the Coronation year – will also be retained.

An updated Tree Protection Plan has been submitted, which shows the methods of protection during the construction phase. The content of the plan is acceptable and will be conditioned.

The overall impact of this landscape design will be a scheme which is complementary to the new housing development and acceptable with regards the aims of Policy BE6 and GE15.

12: Public Art

UDP Policy BE12 (Public Art) encourages the provision of these works in places that can be readily seen by the public and as an integral part of the design of major developments.

The applicant is committed to the provision of Public Art and intends to engage with the community to involve local people by creating activities through their community engagement budget. However, they anticipate that this will be delivered towards the end of the construction programme.

The overall commitment to provide Public Art is welcomed and it is recommended that a condition be imposed which expects the applicant to put forward a strategy that includes a timetable for the proposed community involvement, implementation on site, completion date etc. It is concluded that this approach would achieve Public Art works as part of the project and satisfy Policy BE12.

13: Mobility Housing

UDP Policy H7 (Mobility Housing) and the associated Supplementary Planning Guidance encourages the incorporation of 25% of homes within a new development to be built to the Mobility Housing Standard. However, this can no longer be required following the findings of the Government's Housing Standards which were required to be implemented by all planning authorities from 1 October 2015.

The proposal includes 3% mobility homes within the development, which is understood to be a requirement that has been imposed by the landowner (i.e. Sheffield City Council) as part of the sale. This is not a planning requirement, and may be subject to change, but its inclusion is welcomed nonetheless as improves the variety of accommodation available on the site.

14: Flood Risk & Drainage

Core Strategy Policy CS67 relates to (Flood Risk Management) and, in part, seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also promotes sustainable drainage techniques and management where feasible and practical.

A Flood Risk Assessment (FRA) confirms that the site falls within Flood Zone 1, which means it has a low probability and risk of flooding. Therefore, there are no concerns in relation to flood risk.

With regard to drainage, the steep topography of the land is such that it is an extremely difficult site in which to include SuDS techniques. Furthermore, the IPAN identifies that infiltration maps from British Geological Society indicate poor infiltration potential as a result of geohazards, shallow water tables in some parts of the site and low bedrock permeability. Therefore, surface water is proposed to be

discharged into East Bank Road via a storage tank (683m3) at the bottom of the site and discharged into the sewer at a rate of 28 l/sec.

Yorkshire Water and the Lead Local Flood Authority (LLFA) have confirmed that the principle of the proposed drainage works is acceptable, subject to conditions which include the submission of final details of the drainage design (including calculations, model results and management proposals).

For the reasons given above, subject to conditions the proposal satisfies the flood risk and drainage expectations of Policy CS 67.

15: Coal Mining Legacy

It is confirmed that there are coal mining features and hazards within the application site and surrounding area. As such, it is within a designated "Development High Risk Area".

The Coal Authority initially raised objection because its records indicate the existence of a recorded mine entry (shaft) and the submission did not adequately address its inter-relationship with the proposed residential plots. It is understood that its position is 0.9m to the north of the planning boundary.

The applicant's engineers have responded by stating that the mine shaft was found and surveyed in 1980 (and filled to an unknown specification) and that it is reasonable to assume the plotted position can be relied on. Furthermore, borehole and trial pits were carried out as close to the mine shaft as possible (trees permitting) during the site investigation work with rock head established at only 1.4m depth.

Following further consideration, the Coal Authority has concluded that it is content to take the professional opinion of the engineer's reports and has withdrawn its initial objection. However, it is considered that there remains a land instability risk within the garden areas of Plots 8 – 13, which are closest to the north boundary. Therefore, it is request that Permitted Development rights be removed for the erection of any extensions or curtilage buildings at Plots 8 – 13 in order to enable the safety and stability implications of coal mining legacy to be revisited in the event of future householder development proposals at the site.

Therefore, subject to the recommended condition being applied, it is concluded that the coal mining legacy issues have been satisfied.

16: Education Provision

The Council's School Organisation Project Team has supplied details about the schools potentially affected by the proposed development.

At the primary stage, this development falls within the Norfolk Park NIJ catchment area, which has a catchment population that exceeds the number of places at the school. It is anticipated that there will be continued pressure on places at primary

level in the short term across the wider area, which may require small-scale or temporary increases in places either at Norfolk Park NIJ or at other local schools.

At the secondary stage, this development falls within the Springs Academy catchment area. Current forecasts indicate that as catchment residents any children who reside in the proposed development would be likely to get a place at the school.

For school places planning purposes, developments in this area should not be viewed on a stand-alone basis. The proposed development is in the Arbouthorne area and this is one of the areas where additional primary and secondary school places are identified as a priority under the Community Infrastructure Levy (Adopted Regulation 123 List, April 2015).

17.0: Archaeology

The IPAN identifies that the application site lies within the boundary of the former Sheffield medieval deer park. In the post-medieval period, the park was enclosed in piecemeal fashion, and included Norfolk Park, the Queens Tower and East Hill House. This is the site of East Hill House and grounds but was replaced by the former schools in the 1950s. Its history is not known in any detail and no archaeological work is known to have been undertaken in the immediate vicinity. For this reason, the IPAN considers the potential for some archaeological potential within the application site.

UDP Policy BE22 (Archaeological Sites and Monuments) states that development will not normally be allowed which would damage or destroy significant archaeological sites and their settings.

At pre-application stage the applicant submitted an archaeological desk-based assessment, which concluded that the site's potential was very low or nil. The South Yorkshire Archaeology Service (SYAS) accepted these conclusions and recommended that no further archaeological work was needed and that no conditions would be necessary should a planning application be submitted for this area.

This document has been submitted in support of this application and it is considered that there have been no changes in circumstance since SYAS's pre-application advice. Therefore, it is considered reasonable to conclude that the proposal will not damage or destroy significant archaeology and, therefore, it does not conflict with the requirements of Policy BE22.

18: Community Infrastructure Levy (CIL)

The site is within Charging Zone 3 and therefore the charge that is levied upon this application equates to £30 per square metre. The money from this development will be pooled to help the city's strategic infrastructure needs, as set out on the Regulation 123 List.

19: Affordable Housing

Core Strategy Policy CS 40 (Affordable Housing) states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. The Affordable Housing Interim Planning Guidance (IPG) was updated in 2014 and it should be read alongside Policy CS40.

IPG Guideline 2 identifies the site as being located within the "Manor/Arbourthorne/Gleadless" Affordable Housing market Area and there is no contribution required towards affordable housing provision.

RESPONSE TO REPRESENTATIONS

It is considered that the comments made in relation to the impact on the adjacent business (Replicast Ltd.) have been addressed in the assessment above.

With regard to the representation made in relation to the lack of retail space within the development, there is no policy requirement for the applicant to provide such a use on the site. The site has a sustainable location and it is close to the retail facilities in the City Centre as well as Manor Top. Furthermore, given the site constraints it is considered that it would be difficult to accommodate such a facility on the application site.

SUMMARY AND RECOMMENDATION

This application will see the development of a vacant site to create 77 new dwellings and associated works. The site is previously developed land in need of redevelopment and the proposal will change this space into a new high quality residential environment that follows a design approach, which is appropriate to the overall setting and context. The development will result in the loss of some designated Open Space land but the material consideration of local and national policy is considered to provide the opportunity for allowing this to happen. Indeed, the applicant's agreement to compensate against this loss with mitigation funding (£40,000) to allow the Council to enhance better sporting facilities elsewhere in the local area and the overall benefits of the proposals, which promote good urban design principles and include high quality architecture and landscape enhancements, weigh positively in the development's favour and overcome this land use policy shortfall.

In all other regards, and as set out earlier in this report, the proposal either satisfies local and national policy or there is considered to be reasonable justification for the development where there is some conflict or requirements cannot be met. The imposition of appropriate conditions will ensure that the development is satisfactory, where further details or information is required. Furthermore, appropriate CIL contributions will be secured in accordance with the associated regulations.

The application is therefore recommended for approval subject to the listed conditions and the successful completion of a legal agreement with the following Heads of Terms:

Head of Terms:

Before the commencement of the development, the developer shall pay the sum of £40,000 towards the enhancement of formal open space at either St Aidan's playing field or Arbourthorne playing field.

Case Number	17/00445/FUL (Formerly PP-05801110)
Application Type	Full Planning Application
Proposal	External alterations and change of use of dwelling/osteopathic studio to 5 bed House in Multiple Occupation (Use Class C4), self-contained 1 bed flat (Use Class C3) and osteopathic studio (Use Class D1) (amended plans scanned on 09 June 2017)
Location	C J Osteopathy Ltd 1 Sale Hill Sheffield S10 5BX
Date Received	02/02/2017
Team	South
Applicant/Agent	R Bryan Planning
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

2. Unless required to comply with any of the following conditions, the development must be carried out in complete accordance with the following approved documents received via email dated 09 June 2017:

   Site/Red Line Plan Ref: 1SH-PL-01-A.
   Site Layout Plan Ref: 1SH-PL-02-A.
   Floor Plans Ref: 1SH-PL-03-A.
   Elevations Ref: 1SH-PL-04-B.

   Reason: In order to define the permission.

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

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

3. A sample of the stonework for the new front boundary wall 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.

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

   a) New windows.
   b) New doors.
   c) New rooflights.

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

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

5. Before first occupation of the corresponding elements details of a scheme(s) shall have been submitted to and approved in writing by the Local Planning Authority that ensures future occupiers of the one bedroom self-contained unit and the House in Multiple Occupation will not be eligible for resident parking permits within any surrounding designated Permit Parking Zone. Future occupation shall then occur in accordance with the approved details.

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

6. Before any of the hereby approved residential and House in Multiple Occupation uses commence suitable bin storage, including screening, shall be in place in accordance with details which shall firstly have been submitted to and approved in writing by the Local Planning Authority. Once in place the agreed details shall thereafter be retained.

   Reason: In the interests of the amenities of the locality and future tenants.

7. Notwithstanding the hereby approved plans, before the self-contained one bedroom apartment and/or House in Multiple Occupation are occupied a layout plan showing the location of the retained and any new boundary treatments shall have been submitted to and approved in writing by the

Local Planning Authority. The agreed boundary treatments shall be in place before first occupation of the self-contained one bedroom apartment and/or House in Multiple Occupation.

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

8. The osteopath studio use shall not commence unless a scheme of sound attenuation works, designed to restrict noise transmission between this use and the hereby approved House in Multiple Occupation and one bedroom apartment, has been implemented, the details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to installation. The approved works shall be thereafter retained.

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

Other Compliance Conditions

9. Notwithstanding the hereby approved plans the ground floor window within the front elevation of the one bedroom self-contained apartment fronting Sale Hill shall at all times be clear glazed.

Reason: To ensure futures residents benefit from suitable outlook.

10. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that order, the osteopath studio shall be used solely for the use hereby permitted and shall not be used for any other purpose within Use Class D1.

Reason: In the interest of highway safety and the amenities of the occupiers of adjoining property.

11. The osteopathy studio shall not be used on any Sunday or any Public Holiday and shall be used only between 0800 hours and 1930 hours on any other day.

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

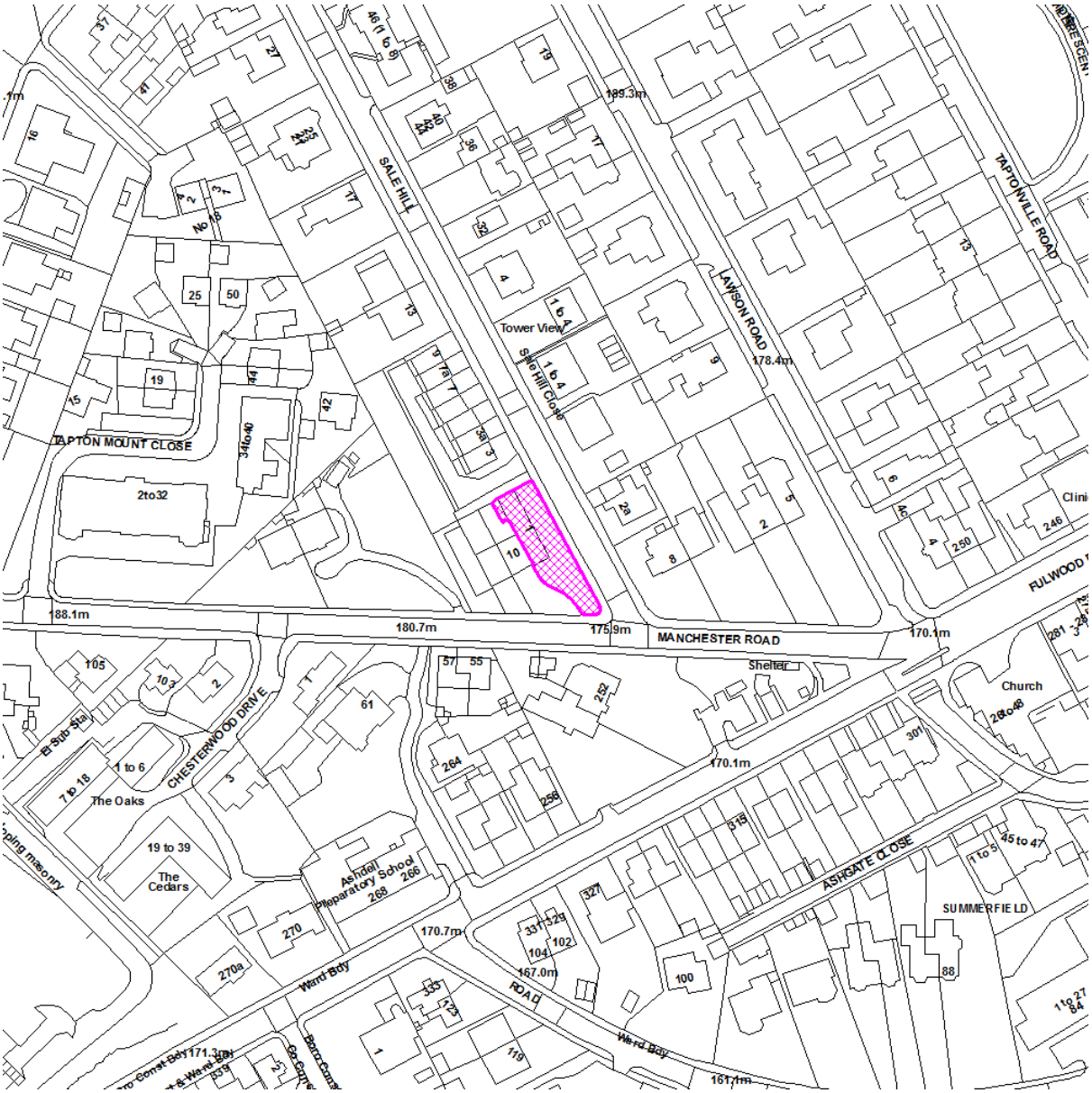
Attention is Drawn to the Following Directives:

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. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process,

or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

Site Location



INTRODUCTION

Members are reminded that this scheme was presented at the previous committee meeting for consideration and was deferred for a site visit.

The below assessment has been amended to address some of the key issues/questions raised at the previous meeting, with a particular note to car parking and shared housing density.

LOCATION AND PROPOSAL

This application relates to a two storey end terrace stone property located within the Broomhill Conservation Area, which has frontages onto both Manchester Road and Sale Hill. The plot does not benefit from a private rear amenity area, although, owing to it being set back from the road frontages, it does have a reasonable amount of garden space to the frontages.

The property, which also benefits from accommodation in its pitched roof space, is currently utilised as an osteopathic clinic at ground floor and a four bedroomed family unit on the first and second floor. A single storey pitched roof extension is set on the northern side of the property and currently accommodates a kitchen and seating area associated with the clinic and a single garage.

Following revisions to the submitted plans the proposal would see the property split into three separate uses, which are broken down as follows:

1. The osteopathic clinic will be retained but is now located at ground and first floor. This unit would not expand notably in size and at ground floor would provide a reception area, toilet, kitchen and treatment room, with a second treatment room being provided at first floor.

2. A self-contained one bedroom unit would occupy the space currently used as a single garage at ground floor and the roof space of the existing single storey extension.

The accommodation for this unit would see a living room and kitchenette at ground floor, with a bedroom and en-suite bathroom at first floor.

3. The provision of a five bedroom House in Multiple Occupation (HMO) (Use Class C4) within the main two storey building.

The ground floor of this unit would provide a kitchen/dining space and bedroom, while two bedrooms would be provided on the first and second floor respectively.

It is noted that the originally proposed front extension has been removed from the scheme. However, several external alterations are still being proposed, these being:

- The removal of a porch from the Sale Hill elevation.

- The replacement of the existing openings within the single storey section of the building, including the garage doors, with increased/new glazing.
- The introduction of roof lights into the front roof slope of the single storey section of the building.
- The erection of a new section of stone wall along the Sale Hill frontage.

The proposal is also to remove the existing two parking spaces from within the red line boundary, but the applicant has provided evidence that they have rights to park vehicles on the access path to the immediate north, which is within their ownership.

The site is located within a Housing Area and as such the vast majority of the surrounding units are in some form of residential use, be that as dwellinghouses, apartments or HMOs. Broomhill centre is located very close to the application property, being approximately 140 metres to the east.

RELEVANT PLANNING HISTORY

The use of part of the ground floor as an osteopathy clinic was granted planning permission in January 2006 under planning reference 05/04290/CHU.

SUMMARY OF REPRESENTATIONS

Aside from the extensive information provided by a residents group that challenges the figures used by the local planning authority to determine the density of HMOs in a defined radius of the application site, which is discussed in more detail within the below assessment, the following additional representations have been received.

- Councillor Magid has objected to the application, having provided the following comments:

‘This application seeks to add to a cluster of HMO's at the bottom end of Sale Hill going round the corner to Manchester Rd. Sale Hill is poorly served in conservation area terms compared to neighbouring roads with these HMO's and a number of apartments and housing blocks of poor architectural merit, like the neighbouring 3 Sale Hill. I also note the velux-type windows proposed and the poor maintenance of buildings and gardens that often goes hand in hand with conversion to HMO's.

I believe the council is encouraging students to move into purpose built blocks in the city centre and note the huge increase in provision for this and the next academic year. There appears no need for more residential house conversions at this time - the opposite should be happening. I believe CS41 should apply here and the application should be refused - it is not suitable for the conservation area and not helpful to local community cohesion.’

Councillor Harpham has objected to the application, having provided the following comments:

‘I would like object to this application for change of dwelling as a Councillor representing this area. I feel it is unnecessary for even more buildings/residences

in the Broomhill area to be converted to Houses in Multiple Occupation as there already exists an overwhelming amount. I would strongly urge the planning committee to take this into consideration.'

- Broomhill Action Neighbourhood Group (BANG)

BANG have stated that they object to this application on the same grounds as those put forward by the existing residents.

- 21 representations have been made by 16 neighbouring residents, which raise objections to the proposal. These are as follows:

- The density figure put forward by the local planning authority is inaccurate/out of date and should be amended based on additional information provided by residents.

- There are already a number of HMO properties in close proximity to the application property. Therefore, even if the density figure for the purposes of Policy CS41 is under 20%, given the location of the existing HMO's in the area to the application property, there would be an excessive concentration in a more localised area than the 200 metre radius identified within CS41. This should be accounted for. Particular note is made to the units to the immediate north of the application site (numbers 3-11 Sale Hill).

- The provision of an additional HMO unit here will only serve to harm the sense of wellbeing for local residents and the preservation of community cohesion.

- The density figure is misleading because of the amount of small apartments within the radius.

- The scheme would be contrary to Sections a), b) & c) of Policy H5 within the Sheffield Unitary Development Plan (UDP).

- There is limited car parking in the area and this proposal would add to this demand/shortfall, which will also increase parking problems in nearby areas that do not have parking restrictions.

- Inconsiderate parking is an issue along Sale Hill.

- In the application it is stated that one of the two existing car parking spaces will be lost. However, the track to the north is not allowed to be used for parking because of the access rights of neighbouring properties.

- The existing student houses create issues with litter and this proposal would add to this.

- Noise associated with students will lead to disturbance to neighbouring family houses and exacerbate existing disturbance in the area. A few representations list complaints made to responsible authorities in relation to existing HMOs within the area.

- The proposal is for a seven bedroom property with no communal areas, excluding a small kitchen. This is both overdevelopment and is more likely to lead to a group of younger students occupying the premises.

- The one bedroom unit in the revised scheme does not seem large enough for residential occupation.

- The proposal would discourage single family ownership on this block.

- The city is already over supplied with student accommodation.

- This proposal would devalue neighbouring properties.

- Amendments to the scheme have failed to address previous concerns around issues such as HMO density and car parking.

- The applicant actually objected to a similar application on a neighbouring property recently.

PLANNING ASSESSMENT

Land Use

Although being moved to a slightly different section of the building, the current osteopathic use will be retained at a similar scale to existing. As such, this use, which was originally granted in 2006, is accepted from a land use perspective.

The site is located within a Housing Area, as defined by the adopted Sheffield Unitary Development Plan (UDP) and, as such, Policy H10 (Development in Housing Areas) within this document lists a number of uses that are either classed as preferred, acceptable or unacceptable.

The proposed one bedroom unit falls within Use Class C3 (Dwellinghouses) which is considered to be a preferred use within Policy H10 and is therefore supported from a land use perspective.

Given that Use Class C4 (Houses in Multiple Occupation) did not exist when the UDP was adopted in 1998, this element of the proposed use must be judged on its own merits, which are discussed further below.

Creating Mixed Communities

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP seeks to avoid a concentration of flats, shared housing and bed-sits in Housing Areas that would cause serious nuisance to existing residents.

The issue of serious nuisance in the context of Policy H5 is considered further in the Amenity of Neighbouring Residents Section below, while in terms of spatially quantifying what an appropriate community mix should be, the most up to date

policy is CS41 (Creating Mixed Communities) within the Sheffield Development Framework Core Strategy (CS).

In this instance it is section d) within Policy CS41 that is most relevant, as this seeks to limit to 20% the amount of shared housing units within a 200 metre radius of an application site. The definition of shared houses within the policy includes HMOs and purpose built student developments.

In this case, there are 81 shared housing units out of a total of 437 units within the relevant 200 metre radius. This results in the current percentage of shared units within 200 metres of the application site being 18.5%, which is under the 20% threshold.

It should be noted that this final density figure has been arrived at following further information being provided by both surrounding residents, who object to the scheme, and the applicant. This information has included surveys of properties within the relevant radius to demonstrate if these are (or are not) in use as shared houses.

In this particular case any evidence and counter evidence has been heavily scrutinised by officers with the help of the Sheffield's Council Tax Section and the Private Sector Housing Team. This has ultimately only seen the density figure shift from the original projection of 17.5%, to the figure now considered as accurate 18.5%.

The neighbours have suggested that a more localised survey should be considered given the amount of HMO's and small apartments in closer proximity than the recognised 200 metres radius. This is not an approach that is considered reasonable for consistency reasons with regard to CS41, but is discussed in more detail with regard to Policy H5 in the Amenity of Neighbouring Residents Section below. In addition, Policy CS41 and the basis for the 200m radius, as opposed to a smaller or greater one, were examined by the Planning Inspector for the Core Strategy in detail, and therefore have significant weight. There is no policy basis within CS41 for any other measurement.

Based on the above the proposed new shared housing unit is considered to be acceptable from a housing density perspective.

Amenity of Neighbouring Residents

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

Policy H5 also seeks to avoid a concentration of flats, shared housing and bed-sits in Housing Areas that would cause serious nuisance to existing residents.

Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or

security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

Given the limited external alterations proposed and the established uses on the site it is not considered that the scheme would create issues for existing residents in relation to privacy, shadowing or dominance.

Within their representations a number of local residents have expressed concerns about the potential for noise and disturbance from the residents of the new shared housing unit and the impact this would have on the living conditions of existing residents.

In addition, at the recent committee meeting the percentage/concentration of other similar shared housing units within a closer proximity of the application site than the 200 metres advocated in Policy CS41 was also discussed, with clarity on this matter requested.

Fifty metres was highlighted as the radius to be explored further during the committee meeting and after further investigation it has been identified that:

1. 38% of residential units within a fifty metre radius of the application site are within a shared housing use.

2. 72% of residential units within a fifty metre radius of the application site would fall into the flats, shared housing and bed-sits definition set out in Policy H5.

In relation to the amount of shared housing within a fifty metre radius (point 1 above), it has been demonstrated within the Density Section of this assessment why a radius of 200 metres is actually the appropriate way to assess this with regard to creating mixed communities and it is vital that a consistent approach is maintained in this regard.

However, Policy H5 does require consideration of the potential for serious nuisance to be created by an over concentration of a mixture of shared housing, bed-sits and flats, and no particular radius is defined to assess this.

It is not contested that 72% of properties being used as shared housing, bed-sits and flats within a fifty metre radius of the site is sufficient to constitute a concentration. Policy H5 however, further requires consideration of the potential for this application to cause serious nuisance to existing residents from an amenity perspective, when considered as part of this concentration.

It is firstly noted that within the representations received from surrounding residents, and as part of the two verbal representations from neighbours at the recent committee meeting, it has been demonstrated that anti-social/nuisance issues created by some residents within the surrounding shared housing is experienced. The issues raised seem to relate more towards litter from the shared housing units set to the direct north of the application site, although issues such as noise nuisance are also identified.

The definition of what should constitute serious nuisance is subjective, but officers feel it has not been demonstrated that the existing issues associated with surrounding residents are so serious that this should rule out the possibility of a further shared housing unit within close proximity, particularly when it has already been demonstrated that this would not unbalance the community mix.

In addition, the likelihood of this new shared housing unit creating serious nuisance in its own right needs further consideration. This is always a difficult issue to deal with, because the assumption that all occupiers of this type of accommodation will cause nuisance, be that serious or otherwise, is unreasonable. A few other noteworthy points in this respect are:

1. The bedrooms within the proposed HMO are large and all benefit from en-suite facilities, which could easily appeal to more mature students or key workers at the hospitals for example.

2. The applicant is to continue to work within the osteopathic studio and, whist this cannot be guaranteed in perpetuity, this does ensure there is a degree of general supervision present at various times.

3. There is ample room within the site for appropriate bin storage and the final details of this are to be secured via a planning condition should Members be minded to approve the scheme.

4. As discussed further in the section below, given the limited external private amenity space, this property is considered to be better suited to the accommodation under consideration, rather than as a family unit. The other alternative would be to utilise the property as apartments, which would likely place a similar number of residents on the site and also require assessment against Policy H5.

It light of the above and on balance, it is considered that the proposed uses would not either separately, or in combination with other similar uses in the immediate vicinity, lead to serious nuisance to existing residents.

Amenity of Future Residents

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

It has been agreed with the applicant that notwithstanding the annotation on the submitted plans, the ground floor windows serving the one bedroom apartment and facing Sale Hill will not be obscure glazed, as this would have resulted in a very poor outlook for this resident. This change would be secured via a planning condition should Members be minded to approve the scheme. As such, it is considered that all habitable rooms would be provided with suitable outlook, natural light and privacy.

Partly owing to concerns expressed by officers about the original scheme with regard to the amount of bedrooms being proposed in comparison the amount of internal communal space, such as living rooms and kitchens, the application revisited the proposed layout/uses. It is now considered the proposed large kitchen/dining space that will serve the revised five bedroom HMO would be acceptable in respect of the ratio between bedrooms and communal living space.

Although small, the one bedroom apartment provides future residents with a living/kitchen space and, as Sheffield does not have adopted space standards, this accommodation is accepted from this perspective.

Future residents will be afforded external amenity space, but as these amenity areas front onto the adjoining highways they are not very private and would also be fairly noisy.

Whilst this is not an ideal situation, it could also reasonably argued that the amenity space provided suits the type of residential uses now being proposed, as opposed to a family house, which would see children playing adjacent to a busy road with little privacy. In addition, the proposed future tenants would not have such reliance on this external space for essential amenity and would be more likely to utilise local green spaces, which would not necessarily be so easily the case for a family with young children for example.

When the osteopath clinic was originally approved in 2006 (see reference 05/04290/CHU) it had several measures imposed to ensure noise was not an issue for residents occupying the family house on the upper floors. This included ensuring that the people running the business lived in this dwellinghouse, which will now no longer be the case. As such continued measures need to be put in place to ensure noise transmission/nuisance does not become an issue between the proposed uses. The following measures are therefore proposed:

- Limiting the hours of opening to those imposed in the earlier permission, these being no operation on any Sunday or any Public Holiday, and between 0800 hours and 1930 hours on any other day.

- Requiring fabric improvements to the internal walls and ceilings, as deemed relevant by further investigations.

- Ensuring that no alternative D1 uses can take place without further planning permission being obtained.

Based on the above, the scheme is considered to be acceptable from an amenity perspective with regard to future residents.

Highways

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if there would be appropriate off-street car parking for the needs of the people living there.

Section d) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

The existing garage and car parking space to the frontage are proposed to be removed and therefore no car parking will be provided within the red line boundary of the application site.

The applicant has stated that a track, which is approximately 2.8 metres wide and set to the immediate north of the application site, is within their ownership and they have rights to park two vehicles on this area. However, as discussed at the previous committee meeting, other residents in this row of terraces do have pedestrian access rights across this path and it is acknowledged that this creates potential for conflict.

As such, owing to a lack of clarity being provided from the applicant's team in respect of the exact nature of the arrangements for this track, such as the exact access rights of other residents, it is felt that these spaces should at this stage be disregarded and the scheme be considered as car free.

A car free scheme is deemed reasonable in a sustainable location such as this, which is within the immediate vicinity of the many amenities available within the Broomhill District Shopping Centre and its associated excellent public transport links. The site is also it is also within a reasonable walking distance of Sheffield University and the hospitals.

In relation to the commercial use, this will continue to operate at a similar intensity to existing and, owing to the sustainable location, on-site car parking provision could not reasonably be insisted upon.

In terms of the residential/shared housing element, it is acknowledged that demand for parking spaces could be a little higher than would be the case for a family house. However, to ensure future residents are not encouraged to own a vehicle and also to ensure an undue burden is not placed on the existing on-street car parking spaces, a condition is to be imposed to prevent future residential occupiers from acquiring a parking permit should Members be minded to approve the scheme.

It is also noted that the two central properties on this row of four terraces also do not have dedicated off-road car parking, so this is not a unique arrangement in the immediate area.

Given the above the scheme is therefore considered to be acceptable from a highways perspective.

Design/Conservation

Policy BE16 (Development in Conservation Areas) within the UDP states that new development should preserve or enhance the character of such areas.

The National Planning Policy Framework (NPPF) also needs consideration. Of most relevance is Paragraphs 132 to 134, which state that when considering the impact of a proposed development on the significance of a designated heritage asset (such as a conservation area), great weight should be given to the asset's conservation.

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Originally the scheme proposed an extension to the front of the single storey element, but this was felt to be harmful to the conservation setting as it had to prominent an appearance within the existing street scene. As a result it has been removed from the proposals.

The proposed removal of the porch to the Sale Hill elevation is accepted as this is not an original feature.

Subject to final details, the replacement of the existing openings within the single storey section of the building, including the garage doors, with increased glazing will create more coherent elevation in comparison to the original. It will also create a more appropriate and welcoming entrance into the clinic.

The new roof lights will follow conservation principles, being that they will not project above the plane of the existing roofslope, and they will be limited in number. Such rooflights are not uncommon in conservation areas.

The new section of wall fronting Sale Hill will match in with the existing wall and is therefore acceptable.

Given the limited scale and high quality of the proposed alterations, it is felt that the scheme would not lead to harm to the relevant conservation assets, be that substantial or otherwise.

Community Infrastructure Levy (CIL)

The scheme would be liable to the CIL at a rate of £30 per square metre.

RESPONSE TO REPRESENTATIONS

The majority of the matters raised in the representations have been addressed in the above assessment. The other matters are addressed as follows:

- Inconsiderate parking is an issue along Sale Hill.

In response, there is no suggestion that future tenants of this scheme would park inconsiderately and this can be enforced by parking services if it becomes an issue.

- The proposal would discourage single family ownership on this block.

In response, this may or may not be the case, but ultimately the proposal does not result in an exceedance of the shared housing density limits set out in Policy CS41 and discussed in the above assessment.

- The city is already over supplied with student accommodation.

In response, this unit could be occupied by young professionals or key workers. Furthermore, if there is not demand for a shared house then it may well become a family house in the future.

- This proposal would devalue neighbouring properties.

In response, the impact on the value of surrounding properties is not a material planning consideration.

- The applicant actually objected to a similar application on a neighbouring property recently.

In response, again this is not actually a material planning consideration.

SUMMARY AND RECOMMENDATION

Whilst it is noted that there is a high concentration of shared housing, bed-sits and flats in the immediate vicinity of the application property, it has not been demonstrated that the existing anti-social issues associated with surrounding residents are so serious that this should rule out the possibility of a further shared housing unit within close proximity, particularly when it has been demonstrated that this would not unbalance the community mix.

In addition, the likelihood of this new shared housing unit creating serious nuisance in its own right is limited when factors such as the internal layout and external space for bin storage are accounted for.

From a land use perspective the osteopathic clinic already exists on the site and is simply being slightly relocated within the building, while the proposed one bedroom apartment is a preferred use within this defined Housing Area.

After significant scrutiny, it is concluded that the inclusion of a House in Multiple Occupation within the building would not result in the 20% density restriction for shared housing within a defined 200 metre radius of the application site being exceeded.

The proposed future residents would be provided with suitable living conditions in respect of matters such as privacy, outlook and light. In addition, given the limited amenity offered by the external garden areas it is felt the site is better suited to the residential uses proposed, as opposed to a family house.

It is considered that given the sustainable location, in close proximity to the many amenities and public transport options within Broomhill Centre, a car free scheme

would be acceptable. In addition, a condition is being proposed to stop future tenants being eligible to join the adjacent residents parking scheme, which will discourage car ownership and mitigate any impact on the adjoining highways.

Based on the above the scheme is being recommended for conditional approval.

Case Number	16/04323/REM (Formerly PP-05544472)
Application Type	Approval of Reserved Matters
Proposal	Erection of 207 dwellinghouses and associated works (Application to approve details in relation to appearance, landscaping, layout and scale - matters reserved by 13/01674/OUT for Outline application for residential development with all matters reserved except access) (amended plans showing alterations to proposed link road received 21 August 2013)
Location	Land South Of Arnold Lavers Oxclose Park Road North Sheffield S20 8GN
Date Received	15/11/2016
Team	City Centre and East
Applicant/Agent	ID Planning
Recommendation	Res Mats App Conditionally Legal Agreement

Time Limit for Commencement of Development

Approved/Refused Plan(s)

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

    1. Planning Layout -1613.01F
    2. Engineering Layout - P15-537-202F
    3. Landscape Masterplan - R/1918/1F
    4. Street Scenes - sheet 1 - 1613.04C and sheet 2 - 1613.041B
    5. Cross Sections - 1613.05C
    6. POS Area - 1613.08
    7. Planning External Works - Levels Plan 20174-05
    8. House Types:-

- PA25.01 PA25 Planning drawing (as)
- PA25.02 PA25 Planning drawing (op)
- PA34.01.A PA34 Planning drawing (as)
- PA34.02.A PA34 Planning drawing (op)
- PA48.01 PA48 Planning drawing (as)

- PA48.02 PA48 Planning drawing (op)
- PA48.03 PA48 Planning drawing (as)
- PA48.04 PA48 Planning drawing (op)
- PB35.01 PB35 Planning drawing (as)
- PB35.02 PB35 Planning drawing (op)
- PB41.01 PB41 Planning drawing (as)
- PB41.02 PB41 Planning drawing (op)
- PD51.01 PD51 Planning drawing (as)
- PD51.03 PD51 Planning drawing (op)
- PD410.01 PD410 Planning drawing (as)
- PD410.02 PD410 Planning drawing (op)
- PD411.01 PD411 Planning drawing (as)
- PD411.02 PD411 Planning drawing (op)
- PT41.01 PT41 Planning drawing (as)
- PT41.02 PT41 Planning drawing (op)
- PT42.01 PT42 Planning drawing (as)
- PT42.02 PT42 Planning drawing (op)
- PT310.01 PT310 Planning drawing (as)
- PT310.02 PT310 Planning drawing (op)

9. Earthworks - P15-537-201D
10. Metal Railings - B.01
11. Knee Rail - B.02
12. Timber Fence - B.03
13. Screen Wall - B.04
14. Energy Report by Award Energy Consultants Oct 16
15. Ecological Assessment, Protection Plan & Mitigation Strategy by FPCR March 2017
16. Acoustic mitigation figure plan ref: 16/0362/R1/F1 rev 4
18. Site plan showing barrier locations and heights plan ref:16/0362/F10
19. Pond sections - p15-537 20518.
20. Cole Jarman Planning Noise Assessment Report ref: 16/0362/R1 dated 31st August 2017

Reason: In order to define the permission.

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

2. Prior to the commencement of the relevant phase of development, unless it is agreed in writing by the Local Planning Authority that it is not practical, a detailed Employment and Training Strategy for that phase, designed to maximise local opportunities for employment from the construction of development shall have been submitted to and approved in writing by the Local Planning Authority.

   The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local

Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

3. No phase of the development shall commence until details of the implementation, adoption, maintenance and management of the sustainable drainage system relating to that phase have been submitted to and approved in writing by the Local Planning Authority. The system(s) shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation, and a management and maintenance plan for the lifetime of the relevant phase of development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

   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 phase of the development shall commence until full details of measures to protect the existing trees and hedges to be retained within and adjacent to that phase, 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(s) and plan(s) 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)

5. Prior to the commencement of development details of the phasing of the scheme to include timescales/schedule for the provision of the public open space areas shown on the approved plans, shall be submitted to and

approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved phasing.

Reason: In the interests of the appropriate development of the site.

6. Prior to the commencement of the retaining walls on the eastern boundaries of the site full details of the design, specification and appearance of the retaining walls and any associated screen fencing to neighbouring/adjoining residential dwellings shall be submitted to and approved in writing by the local planning Authority, thereafter the retaining wall/structure shall be provided in accordance with the details approved by the Local Planning Authority.

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

7. 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.

8. A sample panel of the proposed masonry relevant to that phase of the development shall be erected on site illustrating the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the building works.

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

9. Within three months of the commencement of the development full details of the spread/distribution of facing and roofing materials across the development site shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the spread/distribution of facing and roofing materials shall be carried out in accordance with the approved details.

Reason: In the interests of the appropriate development of the site.

10. Prior to the commencement of any ground works associated with the provision of the onsite open space (green link) full details of any works required to tie the new cycle route and new areas of public open space into the existing Heathlands Park (to include levels, any required retaining structures, new or altered boundary treatment and landscaping works) shall have been submitted to and approved in writing by the local planning authority. Thereafter the works shall be carried out in accordance with the approved details.

Reason: in the interest of the appropriate landscaping and to ensure an acceptable connection is made to Heathlands Park.

11. Each phase of the development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water from property driveways within the relevant phase will be prevented from spilling onto the public highway. 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. Once agreed, the measures shall be put into place prior to the occupation of the relevant dwellings and shall thereafter be retained.

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

12. The approved landscape works shall be implemented prior to each phase of the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas within the relevant phase 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.

13. Within 3 months of the commencement of development full details of the location (on and off site), specification and timescales for the provision of 9 bird nesting boxes (for house sparrows and starlings) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the bird boxes shall be provided in accordance with the approved details.

    Reason: In the interest of biodiversity enhancements.

14. Within 3 months of the commencement of development a Landscape Management and Maintenance Plan for the public open space areas shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include short, medium and long term aims and objectives and maintenance schedules for all distinct areas and shall detail management responsibilities for the lifetime of the development. The open space areas shall be implemented and thereafter managed and maintained in accordance with the approved details.

    Reason: In the interests of the visual amenities of the locality and the long term maintenance of the public open space.

Other Compliance Conditions

15. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-

enacting that Order, no windows or doors shall be altered, replaced, inserted or formed in the elevations of the plots shown on figure 16/0362/R1/F1 rev 5 of the Cole Jarman Planning Noise Assessment ref: 16/0362/R1 dated 31st August 2017 (which are to have enhanced glazing and ventilation installed) without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of future occupants, bearing in mind the specific noise environment affecting these properties.

16. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order no enlargement, improvement or other alteration or extension of the plots shown on figure 16/0362/R1/F1 rev 5 of the Cole Jarman Planning Noise Assessment ref: 16/0362/R1 dated 31st August 2017 (which are to have enhanced glazing and ventilation installed); which would otherwise be permitted by Class A to C inclusive of Part 1 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015 shall be carried out without prior planning permission.

Reason: In the interests of the amenities of occupiers of future occupants, bearing in mind the specific noise environment affecting these properties.

17. The development shall be carried out in complete accordance with the FPCR Oxclose Farm, Halfway, Sheffield Ecological Assessment including ecological protection plans and mitigation strategy dated March 2017 and/or any subsequent amendment or revision which has first been agreed in writing with the Local Planning Authority.

Reason: In the interests of Biodiversity enhancement and protection.

18. Driveways and vehicle parking areas shall not at any time be finished with loose gravel or chippings.

Reason: In the interests of highway and pedestrian safety.

19. The acoustic glazing and ventilation specifications identified in The Cole Jarman Planning Noise Assessment ref: 16/0362/R1 dated 31st August 2017 shall be installed in the dwellings shown on the Cole Jarman Plan/Figure Ref: 16/0362/R1/F1 rev 5 prior to the occupation of the relevant dwellings.

Reason: In the interests of mitigating the effects of noise.

20. The acoustic glazing and ventilation specifications identified in The Cole Jarman Planning Noise Assessment ref: 16/0362/R1 dated 31st August 2017 shall be installed in accordance with the Cole Jarman Plan/Figure Ref: 16/0362/R1/F1 rev 5 prior to the occupation of the relevant dwellings.

Reason: In the interests of mitigating the effects of noise.

Attention is Drawn to the Following Directives:

1. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

   To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

   If you require any further information please contact:

   Mr S Turner
   Highway Adoptions
   Highways Maintenance Division
   Howden House, 1 Union Street
   Sheffield
   S1 2SH

   Tel: (0114) 273 4383
   Email: stephen.turner@sheffield.gov.uk

2. 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.

3. The applicant should be aware that a legal agreement has been completed in respect of this proposal.

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website here:

   http://www.sheffield.gov.uk/home/roads-pavements/Address-management

For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk.

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

5. The applicant is advised that planning conditions imposed on outline planning consent 13/01674/OUT relate to this development must be discharged/complied with.

6. 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.

7. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

   To arrange the dilapidation survey, you should contact:

   Highway Co-Ordination

   Telephone: 0114 273 6677
   Email: highways@sheffield.gov.uk

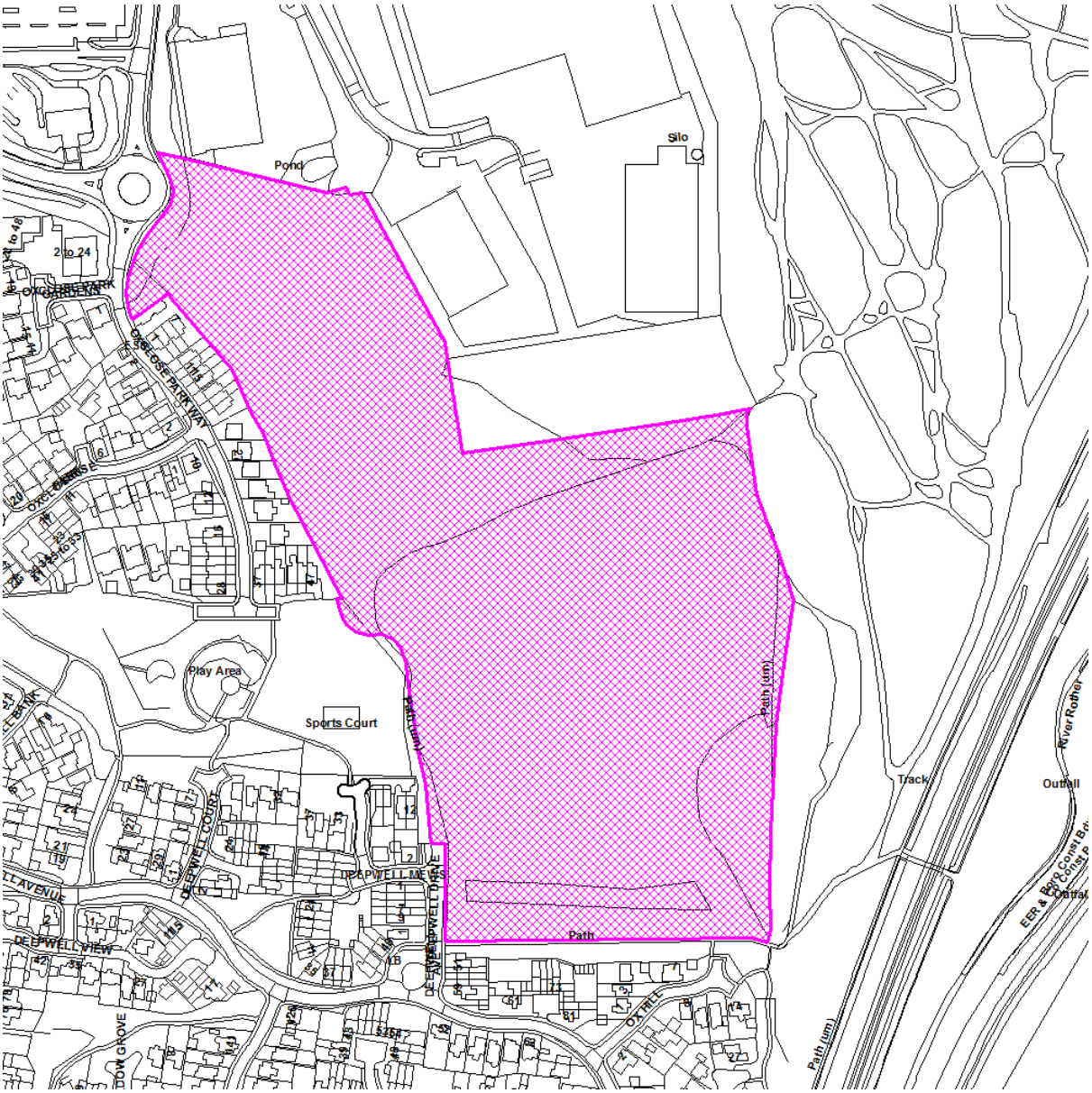
8. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:
   Richard Harris
   Ecology Manager
   Sheffield City Council
   Meersbrook Park
   Brook Road
   Sheffield
   S8 9FL
   Tel: 0114 2734481
   E-mail: richard.harris@sheffield.gov.uk

9. The applicant is advised that the Local Planning Authority has reason to believe that the application site may contain species and/or habitats protected by law. Separate controls therefore apply, regardless of this

planning approval. Please contact Natural England for more information in this respect.

10. The applicant is advised that prior to first purchase/occupation of any dwelling residents should be made aware of the noise mitigation measures integrated into the relevant dwellings

Site Location



INTRODUCTION

Members will recall that this application was originally intended to be considered at The Planning and Highways Committee of the 11th July 2017. It was however withdrawn from the agenda following the receipt of further representations from Arnold Laver following the publication of the original report.

The application is now presented to members following detailed consideration of the additional representations received.

LOCATION

This application relates to approximately 7.95 hectares of greenfield land which largely comprises of rough open grassland and is located off Oxclose Park Road, Halfway.

The site falls within three different land use designations, as defined by the adopted Sheffield Unitary Development Plan (UDP) proposals map:

- A significant proportion of the northern part of the site is designated as General Industry Land with Special Industries.
- A central strip approximately 100 metres in width is within a designated Business Area.
- A small strip of designated Open Space is set along the southern part of the site (outside of the developable area of the site)

The Arnold Laver National Production Centre (granted 2001) is located immediately to the north/north east of the site. Further to the north beyond Arnold Laver is a Morrison's Supermarket.

Bordering the site to the south and west are the established modern residential estates of Oxclose and Deepwell. Part of the western boundary also borders the Heathlands open space which runs in a westerly direction through the above highlighted housing estates.

To the east is an extensive area of landscaping and woodland planting, part of which has been designated as a Site of Nature Conservation Importance (SNCI) which is crisscrossed by a number of public footpaths. The eastern boundary of the site also adjoins an Area of Natural History Interest. Beyond these established landscape features are the railway line and the River Rother.

Topographically, there are significant changes in level across the site, with the land falling approximately 21m in height from the north-west corner of the site (adjacent to the Morrison's roundabout) to the south east embankment adjacent to the railway line. The site has historically been used informally for public recreation with the permission of the landowner. The majority of the developable area of the site comprises of scrub/grassland.

PROPOSAL

Members may recall that they previously resolved to grant outline planning consent (subject to completion of the legal agreement) for residential development on this site in June 2016. With the exception of access (to, but not within the site) all matters relating to the outline consent were reserved for subsequent approval.

This application now seeks approval of the reserved matters relating to the outline consent including layout, scale, appearance and landscaping.

A total of 207 dwellings are proposed comprising of a mixture of two, three, four and five bedroom properties, 25 of which are to be affordable housing.

RELEVANT PLANNING HISTORY

13/01674/OUT - Outline application for residential development with all matters reserved except access (amended plans showing alterations to proposed link road received 21 August 2013) – Granted Conditionally subject to a legal agreement, which was subsequently completed.

Prior to the grant of the above highlighted consent, permission was sought for a supermarket on a large section of the application site (to the south of Arnold Laver) under planning reference 10/02077/FUL, this application was refused and subsequently dismissed at appeal.

SUMMARY OF REPRESENTATIONS

- Arnold Laver

Arnold Laver and their representatives have made a number of representations during the consideration of this reserved matters application, they also made extensive comments on the outline application. The comments raised are centred on ensuring that the proposed residential development does not constrain the operations of their existing business, which would put at risk future investment and jobs.

Arnold Laver's representatives consider that the noise modelling exercises and methodology used by the applicant to assess the noise impact of Arnold Laver's operations are inaccurate and alternative forms of noise assessment (BS 4142:2014 'Methods for rating and assessing industrial and commercial sound') are required that will clearly indicate the propensity for complaints to arise from future residents of the proposed development. They state that until further noise modelling is undertaken the layout of the site is not considered to be acceptable.

The representations also argue that the system of alternative mechanical ventilation (Sonair) proposed by the applicant has been downgraded from a whole house ventilation system and is not fit for purpose.

In response, although agreement could not be reached on the methodology for assessment of noise, the amenity section of the following planning assessment details the relevant findings and conclusions of the submitted noise information.

As noted in the introduction to this report further representations have been received from Arnold Laver's legal representative (Queens Counsel - Ruben Taylor) the key arguments raised on behalf of Arnold Laver in addition to those already highlighted above their arguments are summarised as follows:

The consideration of the likelihood of complaint is a material consideration in the determination of the reserved matters application as such it is argued that it would be irrational and thus unlawful not to require a BS4142 noise assessment to be undertaken as this is the only method available for assessing the likelihood of future noise complaints (statutory noise nuisance).

The council should consider whether a deed of noise easement is required. Such a deed would remove the rights of future occupiers to complain in relation to noise emissions from Arnold Laver.

The acceptability of the layout submitted for reserved matters has not been properly assessed in relation to noise and further mitigation is required to minimise the impacts of noise.

No assessment has been made of the acceptability of the noise levels that have been applied to this scheme; the government has used higher noise standards on the HS2 project.

The nature and characteristics of the noise impact i.e. the impulsivity, tonality and irregularity of the noise have not been adequately assessed and there is no recognition of the late night or seasonal nature of the operations.

The noise correction/penalties applied by the applicant are insufficient and higher corrections should be applied.

- Members of the Public

7 letters of representations from members of the public have been received, the issues raised are summarised as follows:

- The scheme does not include any provision of play facilities which is likely to lead to over occupancy and accelerate damage to the existing facility within the Heathlands Park.
- The development is being built too close to the southern boundary of the site which abuts a public footpath; a larger buffer should be provided
- Trees are being removed and yet there do not appear to be suitable proposals to replace them.
- Bats and foxes are regularly seen on the site.
- The proposed boundary treatment between plots 116 and 117 (knee rail) will not deter people from accessing the path and will lead to damage to the landscaping.

- Linking Road 6 to Deepwell Mews will increase the volume of traffic on Deepwell Avenue, which is already a very busy road and increasing flows will give rise to highways safety issues.
- Motorbike access needs to be prevented/controlled.
- The developer should consider historic coal mining and the impact this will have on ground water and habitats.
- The proposal has not evolved the scheme in light of resident's comments as required by the NPPF.
- Previous objections have been ignored relating to privacy and landscaping.
- A resident's fence height should be increased as their view is now going to be of houses and roofs.
- Noise issues within garden areas.
- Loss of privacy due to overdevelopment.
- The scheme will remove off road bikers, which is good
- The site lies in the catchment area of Halfway Infant School. What consideration is being given to enhancing the school facilities to meet the needs of families who move into the housing?
- The impact on local schools in the catchment areas and community services, such as dentists and doctors, needs to be addressed.
- The siting and scale of plot 35 is too close to Number 11 Oxclose Parkway. This dwelling is located much closer than other properties and should be moved away.
- The development would cause considerable disruption not only during construction but then following completion. No forethought has been given to existing residents of the local area and how they would be affected.
- Traffic would increase from vehicles, parking would become more difficult and the environment would suffer.

Community Consultation Exercise

In addition to the Council's statutory consultation process, prior to the formal submission of this application the applicant's team carried out an independent consultation exercise. The Council's policy on pre-application consultation is set out in the adopted revised Statement of Community Involvement (SCI) August 2014, which encourages developers to undertake pre-consultation in order to involve communities in planning decisions and allow comments to be taken on board at an early stage of the process.

Over 150 letters were sent to local residents and local Mosborough Ward Councillors inviting them to attend a drop in public consultation exercise. The public consultation was staffed by the developer and their representatives. Approximately 50 people attended the exhibition and there was opportunity to leave feedback on the day or via email. A limited number of responses were received, 8 in total, which included a mixture of comments in support and objection. The consultation process is considered too broadly accord with the aims and objectives of the Council's revised SCI.

PLANNING ASSESSMENT

National Planning Policy Framework

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

Principle of development

The principle of redeveloping this site for residential purposes is established by the outline planning consent (13/01674/OUT). As such, the main issues to be considered as part of this reserved matters application are the layout, scale, appearance and landscaping of the site. It is should be noted that whilst the principal means of access to the site from Oxclose Park Road was approved under the outline consent, the detailed position and design of the roads within the application site is considered as part of this reserved matters application.

Housing Density

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the Sheffield Development Framework Core Strategy (CS) requires appropriate housing densities to ensure the efficient use of land. The recommended density for this type of site is between 31-50 dwellings per hectare. Discounting the large areas of open space from the overall site area of 7.9 hectares, the development achieves a net density of 31 dwellings per hectare which accords with the target set out in CS26.

House Type Mix

Policy CS41 (Creating Mixed Communities) within the CS promotes development which meets a range of needs and does not lead to concentrations of certain forms of residential development. Part b) of Policy CS41 encourages the provision of a greater mix of housing within developments, including homes for larger households, especially families.

The scheme includes a wide range of house types including two, three, four and five bed dwelling houses, which accords with Policy CS41. In addition, the scheme includes the provision of two and three bedroom affordable houses. The mix of house types within the development is therefore considered to comply with Policy CS41.

Layout

The NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, is indivisible

from good planning, and should contribute positively to making places better for people.

Policy CS74 (Design Principles) within the CS seeks to deliver high-quality development which respects, take advantage of and enhances the distinctive features of the city, its districts and neighbourhoods. Policy BE1 (Townscape Design) within the adopted Sheffield Unitary Development Plan (UDP) states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design.

Policy BE5 (Building Design and Siting) within the UDP states that good design and the use of good quality materials will be expected in all new buildings.

The layout of the site is constrained by a number of factors, including the significant sloping topography, an existing power line, drainage easements which crisscross the site, the neighbouring railway line and commercial use (Arnold Laver) and noise associated with their operations. There is also a need to provide suitable vehicle and pedestrian access to and within the site and a requirement to provide public open space on site.

The main access to the site is taken from the existing roundabout at the end of Oxclose Park Road, with a secondary access and connection to the neighbouring Deepwell estate provided via Deepwell Mews.

A small area of open space is proposed adjacent to the main site entrance (Oxclose Park Road), and the spine road then leads into the site largely following the alignment of the north east boundary.

A large linear open space dissects the site (east to west), connecting the existing heathland open space (within the neighbouring housing estate) with the woodlands, which form the east boundary of the application site. The open space, which is considered to be a hugely positive addition to the scheme, incorporates naturalistic planting to enhance the biodiversity of the site, sustainable urban drainage, in the form of an attenuation pond, and pedestrian footpaths to enable access.

The spine road continues through the open space with an indirect connection provided to Deepwell Mews in order to discourage ‘rat running’, which was an issue raised by residents as part of the outline planning consent. The layout incorporates a variety of streets including a number of cul-de-sacs, home zone type spaces and private drives.

All of the properties have main front or side elevations addressing the new streets and, where necessary/relevant, dwellings have be positioned to front and overlook the main central open space area, address corners or terminate a view. The layout helps to animate the streets and provides some welcome natural surveillance of the open spaces.

The integration of car parking varies depending upon the house type and design of the street. On the more traditionally designed highways (footway and carriageway)

and within private drives parking is generally in-curtilage. A large majority of this parking is positioned down the side of houses, particularly on those plots fronting the spine road, which is welcomed as it will ensure that the street scene comprises of dwellings with small front gardens that are not cluttered by cars.

Some of the small cul de sacs and non-traditional (home zones) roads incorporate a mixture of parking designs, a large majority of which remain on plot with some integrated into the design of the street.

The layout is considered to be logical and well-structured with properties fronting onto primary and secondary routes and providing good natural surveillance onto both streets and proposed open space areas.

Appearance

The proposal provides a range of detached, semi-detached and terraced (town house) house types, which are all intended to be of a modern standard style using traditional materials. The house types vary in appearance but they all follow a similar architectural language and to a large extent reflect the context set by the adjoining housing estates.

In terms of differentiation across the house types, there is considered to be an acceptable mix, including dwellings that have projecting gables, projecting bay windows and pitched roof front dormers. A range of detached and integral garages are proposed.

In terms of materials, the properties will largely be constructed from red brick with grey roof tiles, but this will be interspersed with some buff/brown brick facing properties. The choice of materials reflects the site context and is similar to the dwellings which have been constructed on the adjoining estates.

The majority of the highways and footpaths will be of tarmac, although some of the cul-de-sacs and private drives will be of contrasting materials, such as block paving. This approach is considered to be acceptable and helps define the road hierarchy.

Levels, Retaining Structures and Site Enclosures

As noted earlier in report, there are significant level differences across the site and a cut and fill exercise is required in order to form more appropriate site levels which can accommodate the proposed dwelling houses and associated roads.

Existing site levels are proposed to be raised in the northwest corner of the site to enable the spine road to be connected to Oxclose Park Road. The properties to the west of the spine road will remain at a lower level than the adjoining housing estate. A steeply sloping embankment (approximately 1 in 3 gradient) is required between the spine road and eastern common boundary shared with Arnold Laver to enable the road to be formed.

A significant number of retaining structures are required, with most of these being located in the south and eastern part of the site, where the land falls at various different gradients from west to east. Where possible these retaining structures have been positioned between plots to minimise their visibility. However, in some cases this has not been possible, most evident of which is the retaining wall which runs along a large majority of the south eastern boundary of the site adjacent to the woodland. This structure is required as the levels of the site have had to be adjusted in these areas in order to accommodate acceptable highways gradients.

The southern retaining wall will be a timber crib lock system, which is considered appropriate on the woodland boundary, and will enable the wall to be colonised by plants overtime and have some biodiversity benefits for the site.

The overall enclosures of the site will be a mix of walls, railings, screen fencing (acoustic where required) and feature hedging, while a highways retaining structure is also required on part of the spine road for safety reasons. This approach is considered to be acceptable for a modern residential development.

Scale

The new houses will all be two or two and a half storeys high, which is considered to be wholly acceptable in this location and consistent with the scale of surrounding dwellings on the neighbouring housing estates.

Landscaping

Policy BE6 (Landscape Design) within the UDP advises that good quality landscape design will be expected in new developments.

A comprehensive landscape design has been put forward as part of this reserved matters application.

As noted earlier in the report, a substantial area of public open space is to be provided within the site running east to west and connecting the existing Heathlands Park with the woodlands adjacent to the eastern site boundary. This centrally located area of open space will incorporate areas of amenity grassland, wildflower planting, native hedge planting and a mixture of native trees.

The design of the landscape scheme has been strongly influenced by the submitted ecological reports and planning conditions attached to the outline consent, which identify requirements for biodiversity enhancement of the site.

Additional tree planting is proposed throughout the site, including some structured planting along the eastern side of the proposed spine road and around the site entrance at Oxclose Park Road. Native hedgerows are to be incorporated as boundary treatments along the entirety of the southern site boundary, adjacent to the existing public footpath and within the new open space.

It is considered that the proposed landscaping is acceptable and the large centrally located open space area will significantly enhance the landscape character of the site.

Highways

The NPPF promotes the location of developments that generate significant movement to be where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Section f) within Policy IB9 (Conditions on Development in Industry and Business Areas) within the UDP states that new development or change of use applications should be adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking.

Core Strategy Policy CS53 (Management of Demand for Travel) sets out a variety of ways in which the increased demand for travel will be managed across the City.

The principle of access into the site and the ability of the adjoining highways network to accommodate traffic associated with this development was concluded to be acceptable as part of the outline application. Various planning conditions were imposed on the outline consent requiring highways improvements, including new cycle links to and within the site and funding a review of existing traffic regulation orders in the locality.

As previously agreed at outline stage two new access points into the site are proposed. A new spur is to be formed from the Oxclose Park Road roundabout, which will serve as the main access into the site, and a secondary access will be provided by connecting Deepwell Avenue into the estate.

Concerns were raised as part of the outline application that ‘rat running’ would be encouraged through the neighbouring estates if direct access was created from Oxclose Park Road roundabout to Deepwell Mews/Avenue. When determining the outline permission the principle of accessing the site from Deepwell Mews/Avenue was agreed, so long as only an ‘indirect’ connection through the site was provided.

The layout and alignment of the proposed highways submitted as part of this reserved matters application has taken on board the desire for an indirect link only. For example, no direct line of sight is provided from the main spine road to Deepwell Mews/Avenue, and anyone wishing to access Deepwell Mews is required to negotiate a series of bends and cross the central open space, which, to an extent acts as a visual deterrent. As such, it is considered that the layout proposed will discourage ‘rat running’.

Different designs of highway have been put forward as part of the scheme. For example the main spine road is a traditional construction with a footway on one side and a dedicated cycle route on the other. This cycle route will provide a connection from Oxclose Park Road through the estate to Deepwell Mews, as required by conditions attached to the outline consent. Offsite works are also

proposed within the adjoining Heathlands Park to ensure that the cycle route is connected into the existing network.

The car parking provision across the site is considered to be appropriate with a majority of dwellings of 3 bedrooms or more having at least 2 vehicle spaces. The spaces are generally provided in the curtilage of the properties through driveways and garages located either to the side/rear of the property. Additionally, there is space throughout the development that will be available for use by visitors.

The overall level of parking provision proposed and the design and layout of the public highways is considered acceptable.

Noise - Amenity of Future Residents and Surrounding Commercial Uses

Section b) within Policy IB9 (Conditions on Development in Industry and Business Areas) within the UDP states that new development or change of use applications should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

IB11 (Housing and Residential Institutions in Industry and Business Areas) within the UDP states that Housing (C3) will be permitted only where the development would:

a) Not further constrain industrial or business development to protect the environment of the new housing.
b) Not suffer from unacceptable living conditions including air pollution, ground contamination, noise, other nuisance or risk to health and safety.

The NPPF and the Noise Policy Statement for England is the relevant national planning policy guidance in relation to Noise and is supplemented by the National Planning Practice Guide.

Para 123 of the NPPF identifies planning policies and decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life and recognises that existing business wanting to develop in continuance of their business, should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

The most notable sources of potential noise disturbance affecting this site are from the railway line, set approximately 130 metres to the east, and Arnold Laver National Production Centre, which is located to the north east of the site. Road traffic noise is also a component of the existing noise environment. Existing residential uses are located to the west.

It is noted that Arnold Laver National Production Centre is a key employer and protecting their ability to operate successfully going forward is a significant material consideration in the assessment of these proposals.

The Arnold Laver site has two boundaries (west and south) that abut the proposed development. Arnold Laver‘s western boundary will be separated from the

proposed housing by a tree lined buffer and a new spine road. In combination, the road and buffer provide a separation distance between the proposed dwellings and Arnold Laver's western site boundary of between 24 and 42 metres. Arnold Laver are currently located at a lower level than the application site, and the level difference between the sites is proposed to be increased in order to accommodate the spine road connection with Oxclose Park Road. The entire southern boundary of Arnold Laver will be separated from the new housing by a section of grassland and tree planting approximately 55 metres wide, which is understood to be outside the ownership of both the applicant and Arnold Laver.

Detailed assessment of noise issues affecting this site, and the implications for the operations of Arnold Laver, formed a major part of the consideration of the outline application. It was concluded at outline stage, following the submission of extensive noise information, including modelling and on site testing, that a suitable noise environment could be provided for future residents subject to the inclusion of enhanced glazing specifications and mechanical ventilation systems in certain dwellings. It was also concluded that these noise mitigation measures would suitably protect Arnold Laver's continued operations.

On the basis of the above, two planning conditions were imposed on the outline consent relating to noise:

Condition 18 requires that the following noise standards (internal and external) are to be achieved:

- Bedrooms: LAeq 15 minutes - 30 dB (2300 to 0700 hours)
- Living Rooms: LAeq 15 minutes - 40 dB (0700 to 2300 hours)
- Bedrooms: LAmax 45dB (2300 to 0700 hours)
- Private Gardens: LAeq (16 hour) - 55dB (0700 to 2300 hours)

Where the above noise criteria cannot be achieved with windows partially open there would be a requirement to include a system of alternative acoustically treated ventilation to habitable rooms.

Condition 19 requires that validation testing is carried out prior to the occupation of the dwellings to ensure that the above highlighted noise standards are met.

The detailed layout of the site is proposed as part of this reserved matters application. The proposed layout in general follows the principles contained within the indicative layout submitted with the outline application. However, the exact layout and position of proposed dwellings and roads, and details of site levels have now been provided, and on that basis further assessment of noise affecting the specific form of development now proposed has been undertaken

The submitted report assesses the acceptability of the site layout from a noise perspective and identifies which properties require enhanced glazing specifications and/or alternative methods of mechanical ventilation to be installed in order to mitigate the effects of the identified noise sources, and to ensure compliance with Condition 18 of the outline planning consent

The principle noisy activities at the Arnold Laver site comprise of fork lift truck & HGV movements, loading & unloading, extract systems, hammering, sawing and wood cutting and the general operation of machinery associated with the production facility. It is also noted that Arnold Laver can operate 24 hours a day.

The submitted Noise Assessment identifies the noise issues affecting the site and these reports have been considered alongside the observations and noise monitoring undertaken (following several visits to the site) by the Council's Environmental Protection Service.

In relation to the submitted noise assessments, it is considered that the methodology used, the criteria applied for noise levels and the predicted noise levels are satisfactory to your officers. The noise assessment have taken account of the nature and characteristics (tonal and impulsive) of the noise sources affecting the site by adding appropriate noise penalties to the noise level/noise modelling calculations. It follows that the submitted layout and details of mitigation meet the requirements of Condition 18.

Arnold Laver's noise consultants have stated that a decision on this reserved matters application and the acceptability of the layout proposed cannot be reached until the submitted noise information is supplemented by a British Standard BS 4142:2014 Assessment. They argue that this type of assessment will identify the propensity for noise complaints to arise in the future, which could affect the continued operation of their business. However, your officers are of the opinion that Conditions 18 and 19 set the noise parameters to be achieved at the reserved matters stage and that it is not lawful to seek to revisit the noise limits in Condition 18 under the guise of reserved matters.

In relation to statutory nuisance complaints BS 4142: 2014 confirms that the determination of noise amounting to nuisance is beyond the scope of the British Standard and the Council's Environmental Protection Service has confirmed that BS 4142: 2014 does not meet the comprehensive requirements of a statutory noise nuisance investigation. As such it would not be used when assessing the validity of any potential statutory noise nuisance complaints in the future, should any be made.

It should also be noted that the Council's Environmental Protection Service has not received any noise complaints from residents of existing properties on Oxclose Park Way, a number of which are located closer to Arnold Laver than parts of the proposed development.

Noise assessments for residential applications can be undertaken using various standards and methodology, with the main requirement being to accurately measure any noise source likely to affect dwellings, and in this case demonstrate that the proposed scheme meets the prescribed noise standards for habitable rooms and gardens areas set out in condition 18.

BS 4142:2014 identifies that the standard is not intended to be applied to the derivation of indoor sound levels arising from sound levels outside, or the

assessment of indoor sound levels. As such it could not be used to determine the scheme's compliance with condition 18 of the outline approval.

Furthermore the BS goes on to identify that where a new noise sensitive receptor is introduced and there is extant industrial and/or commercial sound, it ought to be recognised that the industrial and/or commercial sound forms a component part of the acoustic environment. In such circumstances other guidance and criteria in addition to or alternative to (BS 4142:2014) can also inform the appropriateness of both introducing a new sensitive receptor and the extent of required mitigation.

It was concluded as part of the outline permission that there was sufficient noise data available for a clear decision to be made on the suitability of residential development on this site without a BS 4142 Assessment. The methodology for assessing noise was agreed at the outline stage and it is not open to re-visit it as part of a reserved matters submission.

The noise information provided by the applicant has demonstrated to your officers' satisfaction that that the layout and design of the scheme is acceptable from a noise perspective and that a suitable mitigation scheme can be implemented to ensure that Arnold Laver and the railway line will not create any undue noise disturbance to the proposed new residents. As a result Arnold Laver will not be constrained by the development.

The mitigation measures proposed include two different specifications of glazing and two different types of ventilation systems (mechanical and trickle ventilation). The proposed method of mechanical ventilation has been changed during the consideration of the application and the Environmental Protection Service has confirmed that the amended system (Sonair) will provide appropriate ventilation for residents and suitably mitigate the impacts of noise. The Sonair system is considered more suited to domestic installation such as this scheme and will give occupants greater flexibility and control than the previously specified system.

The type of mitigation a dwelling will have installed will be based on the location of the property on the site and associated exposure to the identified noise sources. For example, those dwellings located closest to Arnold Laver (north east site boundary) and the railway line (eastern boundary) will receive the highest levels of protection from noise. While the further you move away from these noise sources the less mitigation is required.

During the course of the application the applicant has agreed to increase the number of dwellings which will receive the highest levels of protection and areas of acoustic fencing have been added to parts of the site boundary. However, not all properties require enhanced noise mitigation measures to be installed, with a large number of dwellings requiring nothing other than standard double glazing owing to the relative distance from the noise sources affecting the site and screening that will be afforded from other dwellings within the scheme.

It is also recognised that the layout of the development itself reduces the propagation of noise across the site as the siting and position of the proposed properties affords screening to other properties within and adjoining the site. The

noise reports also demonstrate that the layout and inclusion of the highlighted mitigation results in noise levels in gardens falling within the World Health Organisation standard for external use thus according with the requirements of condition 18.

It is deemed necessary to remove permitted development rights from certain plots in order to prevent them from extending or making alterations to those dwellings (including replacing windows and doors) that have had noise mitigation measures installed. Allowing changes to be made to these dwellings without the consent of the local authority could reduce the effectiveness of the integrated noise mitigation.

The restriction on permitted development rights will enable the local planning authority to advise future occupants on the need to provide enhanced glazing specifications and/or integrate alternative ventilation systems in any proposed future alterations to a property.

The applicants will also be informed by way of a directive that they must include full details of the glazing specification and mechanical ventilation systems, and explain why these measures are required in any future sales particulars, so that residents are fully aware of the noise mitigation measures integrated into the dwelling they are purchasing.

In light of the above the proposal is considered to be acceptable from a noise perspective and in no way would impact on the future successful operation of Arnold Laver.

General amenity issues

The layout is designed so that adequate separation distances are provided between dwellings and the proposal does not give rise to any unacceptable overlooking, overshadowing or overbearing of any existing or proposed properties. Properties have adequate garden areas and future residents are afforded access to high quality public open space.

In light of the above the proposal is considered acceptable from an amenity perspective.

Affordable Housing

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

The target within CS40 is between 30 & 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the revised Community and Infrastructure Levy and Planning Obligations Supplementary Planning Document (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the south east area and sites within this area have a target of 10% for affordable housing provision.

The requirement to provide 10% (of the gross internal floor area) of the proposed development as affordable housing was secured by Condition 16 of the outline approval. The 10% provision equates to a total of 25 dwelling comprising of 2, 3 and 4 bedroom homes which will be delivered on site.

The affordable housing will been secured by way of a Section 106 Agreement.

Flood Risk and Drainage

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include requiring the new development to limit surface water run-off and promoting the use of sustainable drainage techniques.

It is proposed to form an attenuation basin/pond close to the eastern boundary of the site, within the newly created open space. This feature will intercept the surface water discharge (associated with the new development) before releasing it (at a restricted rate) into the adjoining watercourse which is located in the adjacent woodland.

The attenuation pond has been designed meet Yorkshire Water's strict design standards in order to enable it to become adopted and form part of the formal surface water infrastructure associated with the development.

Surface water runoff rates are restricted to a 1 in 1 year greenfield rate of 5 litres/second/hectare, as secured by planning conditions associate with the outline consent.

Ecology and Nature Conservation

Paragraph 118 of the NPPF states that in determining planning applications, local authorities should aim to conserve and enhance biodiversity and should encourage opportunities to incorporate biodiversity in and around the development.

UDP Policy GE11 (Nature Conservation and Development) states that the natural environment will be protected and enhanced and the design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Ecology assessments were undertaken as part of the outline consent and identified that there were a number of protected species in the vicinity of the site. However, these concluded that the proposed scheme was not considered to give rise to any substantial harm to any protected species or habitats.

As required by Condition 27 of the outline consent, updated ecology surveys and reporting have been carried out and submitted for consideration as part of this current application.

The updated surveys consider the impact on plants/trees and animals within and adjoining the application site.

- Plants, Trees and Habitats

The report identifies that habitats within the site are dominated by semi improved grassland with small areas of ruderal and scrub vegetation, planation woodland, bare ground and semi natural woodland. The majority of these habitats (species poor semi improved grassland, tall ruderal and scattered scrub vegetation) are of low conservation value and there loss is not considered to be of concern.

The semi natural woodland to the east of the site will be enhanced to reduce scrub and promote biodiversity. Further buffer planting, suitable for inclusion in the areas of the power and drainage easement will be planted along the eastern boundary to provide some screening and separation to the existing badger set located further to the east.

It is noted that statutory undertakers (water and power) have recently undertaken work close to the south eastern boundary of the site to amend/alter power lines and to clear vegetation affecting existing infrastructure and established drainage easements. The clearance/maintenance works have been undertaken with a European Protected Species License and have resulted in the removal of some early mature broad leave woodland.

Due to the presence of this infrastructure there are substantial constraints in terms of replacement planting in this location of the site. Under the same license substantial improvement works have been undertaken to the off-site ponds, where newts are recorded, to enhance the biodiversity of these features, which have become overgrown and this is seen as a positive.

On site most of the groups of trees/scrub and scattered mature and immature trees are considered to be of low conservation value and their loss would not result in any significant loss of local biodiversity. The scheme also includes new replacement native tree (including fruit bearing species) and shrub planting.

There are no designated hedgerows on the site, however new native species hedgerows are to be provided within the central open space and along the southern boundary to provide linear features and corridors for wildlife movement. New types of grassland and scrub planting will also be established within the site, around the new pond feature and through the new open space areas, significantly enhancing the sites biodiversity.

- Protected Species

Bats

No roosts were identified on site and none of the existing trees within the site were deemed suitable to accommodate a roost. The site was not considered to offer any significant foraging resource for bats, and the proposed on site and off site landscape and biodiversity enhancements will ensure that the development does

not have an adverse impact on bats. Bat boxes are proposed to be provided in the adjoining woodland to enhance roosting opportunities for existing bats.

Birds

Suitable nesting habitat is present for variety of species within and adjoining the site and the biodiversity enhancements proposed including the planting of native fruit bearing trees that will provide enhanced foraging for various species. It is also proposed to provide additional bird nesting boxes for house sparrows and starlings within and adjoining the site.

Badger

An active sett is located 40 metres to the east of the site within the woodland and an inactive outlier sett was located within the site. The inactive sett was monitored and with no signs of use was declassified from being a sett and has now been removed.
The submitted reports confirm that following surveys, there was little evidence that the site was being used for foraging purposes and as such the redevelopment of the site is not considered to harm the badgers foraging habitat.

As noted above statutory undertakers have removed some trees and scrub (under license) close to the off-site sett. However, it is proposed to provide some replacement buffer planting and the general enhancements to promote species rich grassland that will provide enhanced foraging provision for Badgers.

Reptiles

Limited evidence of grass snakes activity was recorded as part of the reptile surveys and it is considered that the on-site and off-site biodiversity and landscape enhancements will result in insignificant effects on species as a result of the development.

Newts

Species are recorded in the off sites ponds and the redevelopment of the site is unlikely to give rise to any harmful impacts. It is noted that any works affecting newts require a separate license from Natural England.

In light of the above the proposal is not considered to give rise to any substantial ecological harm and various biodiversity enhancements both on and off site are proposed. As such the proposal is considered to accord with Policy GE11 of the UDP and the NPPF.

Sustainability

Policies CS63, 64 and 65 of the CS set out the Council's approach to dealing with climate change and sustainability.

Policy CS63 sets out the overarching principles for mitigating the impacts of climate change including strategic locational factors for development, giving priority to development and higher density development located in sustainable locations that are well served by public transport, giving preference to developing previously developed sites/land, encouraging walking and cycling and the use of public transport. Design should also increase energy efficiency, reduce waste, eliminate flood risk through the use of sustainable drainage and increase biodiversity.

By virtue of the grating of the outline planning consent the acceptability of this site as a sustainable location for new housing has been established. Notwithstanding this the site is within easy walking distance of several public transport modes, including the Supertram and will make efficient use of land. The development will also include sustainable drainage systems and biodiversity enhancements are also proposed.
Policy CS64 (Climate Change, Resources and Sustainable Design of Development) within the CS until recently required hosing schemes to achieve Code for Sustainable Homes (CFSH) Level 3, however CFSH has now been abolished.

Policy CS65 also requires, if it is feasible and viable that 10% of the development's energy needs are provided by a decentralised low carbon or renewable resource and a condition was attached to the outline planning consent securing this.

The applicant has submitted a sustainability statement indicating that enhancements to the buildings fabric will be undertaken to reduce the energy demand of the dwellings (by 10%) rather than using a domestic renewable energy equipment such as Photovoltaic cells. This approach is now accepted by the council and has the added benefit of minimising long term maintenance costs for future residents (associated with domestic renewables) and is a more reliable method of reducing energy demand in the longer term.

The measures above will ensure that the scheme is designed to produce fewer carbon emissions and increased energy efficiency than a scheme designed to meet the minimum statutory requirements. It is considered that the final scheme complies with the policy requirements set out within the Sheffield Development Framework Core Strategy.

Public Art

Policy BE12 (Public Art) within the UDP encourages public art as an integral part of the design of major developments.

No proposals are put forward as part of this reserved matters scheme and the future details are secured by Condition 22 of the outline consent.

Archaeology

Policy BE22 (Archaeological Sites and Monuments) within the UDP advises that development will not normally be allowed which would damage or destroy significant archaeological sites and their settings. Where disturbance is

unavoidable, it is determined that development will only be permitted where there is an adequate archaeological record of the site and if the find is significant, that remains are preserved in their original position.

The desked based assessment submitted with the outline application concluded there was limited likelihood of archaeological remains on this site. However, Condition 14 within the outline consent secured the requirement to undertake site investigations to ascertain the exact archaeological potential of the site.

Open Space

Policy H16 (Open Space in New Housing Development) within the UDP requires the developer to make a contribution to the improvement or creation of recreation space in the locality, in line with details set out in the Supplementary Planning Guidance on Open Space Provision in New Housing Development (SPG).

Policy H16 also seeks sites that are over one hectare in size to provide 10% of open space on site and this can result in adjustments to the required contribution.

In this case the applicant is providing some 7.55% of the desired 10% informal open space provision on site, which was agreed as part of the outline consent. As the outline permission was submitted prior to the introduction of the CIL Regulations, a Section 106 Agreement was signed (with the outline consent) securing additional financial contributions towards informal and formal open space enhancements on a tariff basis. The exact level of contribution is based on the number of bedrooms proposed in each property.

The Section 106 requirements remain in force and there is no need to require a further 106 Agreement as part of this reserved matters application to secure open space contributions. The scheme that has been identified for this contribution is Heathlands Open Space, which is the public park set to the immediate west.

RESPONSE TO REPRESENTATIONS

The majority of the issues raised within the representations have been addressed in the above planning assessment. The remaining issues are addressed as follows:

- The Impact on Local Services (education and medical) was assessed as part of the outline consent and it was concluded that there was adequate capacity to accept new patients in local practices and that there is spare capacity in both primary and secondary schools within the catchment to deal with any extra demand that this development would create. As such no mitigation was required to be secured as part of the outline planning consent and this issue cannot be revisited as part of the consideration of reserved matters approval.

- Financial contributions have been secured to enhance the Heathlands Park.

- Landscaping is proposed in addition to boundary treatment along the southern boundary of the site in order to prevent people from crossing into the site from the existing public footpath.

- The redevelopment of the site will remove any historic use by motorbikes.

- There is no right to a view within planning legislation.

- Conditions are attached to the outline consent relating to land contamination.

- Issues to do with raising existing fence heights are private non planning matters.

- Arnold Laver representatives argue that if there is a risk of adverse implications for Arnold Laver as a result of potential noise complaints from future residents, then a deed of noise easement may be required. Such a deed of easement would, they say, remove the rights of future residents of the proposed development to object to noise generated from Arnold Laver activities. Such an approach is not deemed necessary in this case as appropriate mechanisms (planning conditions) are already in place, to protect the operations of Arnold Laver and the amenities of future residents.

- The penalties added to the modelled/recorded noise level are consistent with those previously discussed with Arnold Laver consultants during the consideration of the outline application and take account of the characteristics of the noise sources including the 24/7 nature of the Laver operations.
-
- Comments have been raised that no consideration has been given to the validity of the noise standards imposed by condition 18 of the outline planning consent and how these relate to the World Health Organisations 'Observed Effect Levels' identified in the NPSE and guidance contained in the NPPG. Arnold Laver's representatives assert that higher noise standards should be imposed. The noise levels within the proposed properties and gardens that are required to be achieved are identified in condition 18 of the outline planning consent. However, the prescribed noise levels in Condition 18 were determined to be acceptable to protect the amenities of residents and the operations of the Arnold Laver as part of the outline consent. These standards cannot, as a matter of law, be revisited or altered as part the consideration of this reserved matters application

SUMMARY AND RECOMMENDATION

Outline planning consent was granted on this site for residential development in July 2015. This application seeks agreement of the matters reserved from that

approval, namely the appearance, scale, layout and landscaping. The scheme is for 207 dwellings and the associated infrastructure.

The appearance, landscape, layout and scale of proposed development are considered to be acceptable and the proposal will create a high quality modern housing development contributing towards delivering the council's housing targets.

The layout of the highways is considered acceptable and has been designed to minimise potential 'rat running' through the site into adjoining established housing estates.

The scheme includes a substantial area of on-site amenity space and financial contributions have been secured under the previous outline planning permission towards enhancements to existing open spaces in the area.

The proposal is not considered to harm any established protected species or habitats and a significant package of on and off site enhancements has been secured.

The applicant has demonstrated that a suitable noise mitigation scheme can be implemented to ensure that the Arnold Laver National Production Centre and the adjacent railway line will not create any undue noise disturbance to the proposed new residents. As a result the future operation of Arnold Laver will not be constrained by the proposed development.

The applicant will be providing 25 affordable houses on site which equates to 10% of the gross internal floor area of the development, the details of which will be secured by Section 106 Agreement.

In light of the above it is recommended that the application is approved subject to the listed conditions and to the completion of a legal agreement with the following Heads of Terms.

Heads of Terms

The applicant shall provide 25 affordable dwellings on site as indicated on the approved plans

Case Number	16/04169/FUL
Application Type	Full Planning Application
Proposal	The construction of an extension to the shopping centre for leisure (use class D2), catering (A3, A4 and A5), retail A1, offices B1, non-residential institution (D1), police station and/or car showroom (sui generis), car parking (including multi-storey car park), servicing, landscaping, vehicular and pedestrian access/egress and off site highway works, public realm and associated demolition
Location	Meadowhall Centre Meadowhall Way Sheffield S9 1EQ
Date Received	04/11/2016
Team	City Centre and East
Applicant/Agent	Quod (Leeds)
Recommendation	GC Subject to Legal Agmt Sec of State

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:

   LEISURE HALL (MASTERPLAN DRAWINGS)

   TLH-BDP-00-00-DR-A-201100-P Rev A - General Arrangement Masterplan - Level 00 - Lower Mall Level - As Proposed - dated 21.04.2017
   TLH-BDP-00-00-DR-A-201102-P Rev A - General Arrangement Masterplan - Level 00 - Land to the west of Next - As Proposed - dated 21.04.2017

TLH-BDP-00-01-DR-A-201110-P Rev A - General Arrangement MasterPlan - Upper Mall Level - As Proposed - dated 21.04.2017
TLH-BDP-00-02-DR-A-201120-P Rev A - General Arrangement MasterPlan - Upper Mall Mezzanine Level - As Proposed - dated 21.04.2017
TLH-BDP-00-04-DR-A-201140-P Rev A - General Arrangement MasterPlan - Terrace Level - As Proposed - dated 21.04.2017
TLH-BDP-00-06-DR-A-201160-P Rev A - General Arrangement MasterPlan - Roof Level - As Proposed - dated 21.04.2017
TLH -BDP-LH-00-DR-A-201201-P Rev A - General Arrangement Plan - Leisure Hall - Lower Mall Level - Level 00 - As Proposed - dated 21.04.2017
TLH-BDP-LH-01-DR-A-201211-P Rev A - General Arrangement Plan - Leisure Hall - Upper Mall Level - Level 01 - As Proposed - dated 21.04.2017
TLH-BDP-LH-02-DR-A-201221-P Rev A - General Arrangement Plan - Upper Mall Mezzanine Level - As Proposed - dated 21.04.2017
TLH-BDP-LH-04-DR-A-201241-P Rev A - General Arrangement Plan - Terrace Level - As Proposed - dated 21.04.2017
TLH-BDP-LH-06-DR-A-201261-P Rev A - General Arrangement Plan - Roof Level - As Proposed - dated 21.04.2017
TLH-WSP-CP-00-DR-T-SK-0201-P Rev A - Proposed Red Car Park - Level P1 - dated 21.04.2017
TLH-WSP-CP-01-DR-T-SK-0202-P Rev A - Proposed Red Car Park - Level P2 - dated 21.04.2017
TLH-WSP-CP-00-DR-T-SK-0203-P - Proposed Yellow Surface CP - dated 14.10.2016
TLH-WSP-CP-00-DR-T-SK-0210-P - Proposed CP on the land to the west of Next - dated 14.10.2016
TLH-WSP-MS-P1-DR-T-SK-0204-P - Proposed Yellow Multi-Storey Car Park - Level P1 - dated 14.10.2016
TLH-WSP-MS-P2-DR-T-SK-0205-P - Proposed Yellow Multi-Storey Car Park - Level P2 - dated 14.10.2016
TLH-WSP-MS-P3-DR-T-SK-0206-P - Proposed Yellow Multi-Storey Car Park - Level P3 - dated 14.10.2016
TLH-WSP-MS-P4-DR-T-SK-0207-P - Proposed Yellow Multi-Storey Car Park - Level P4 - dated 14.10.2016
TLH-WSP-MS-P5-DR-T-SK-0208-P - Proposed Yellow Multi-Storey Car Park - Level P5 - dated 14.10.2016
TLH-WSP-MS-P6-DR-T-SK-0209-P - Proposed Yellow Multi-Storey Car Park - Level P6 - dated 14.10.2016
TLH-BDP-LH-DT-DR-I-205400-P Rev A - "WC, Changing & Shower Facilities and Shop Mobility Layout Plans" - dated 21.04.2017
TLH-BDP-00-AS-DR-A-203201-P Rev A - General Arrangement - Proposed Site Sections - Sheet 1 - dated 21.04.2017
TLH-BDP-00-AS-DR-A-203202-P Rev A - General Arrangement - Proposed Site Sections - Sheet 2 - dated 21.04.2017
TLH-BDP-00-AS-DR-A-203203-P Rev A - General Arrangement - Proposed Site Sections - Sheet 3 - dated 21.04.2017
TLH-BDP-00-AE-DR-A-204201-P Rev A - General Arrangement - Development Elevations as Proposed - dated 21.04.2017

LEISURE HALL (INTERNAL MALL)

TLH-BDP-LH-AS-DR-A-203311-P Rev A - Leisure Hall Block 1 & 2 GA Sections L&M - Sheet 1 - dated 21.04.2017
TLH-BDP-LH-AS-DR-A-203312-P Rev A - Leisure Hall Block 1 & 2 GA Sections N&P - Sheet 2 - dated 21.04.2017
TLH-BDP-LH-AS-DR-A-203313-P Rev A - Leisure Hall Block 2 General Arrangement Sections Q & R - Sheet 3 - dated 21.04.2017
LEISURE HALL (EXTERNAL)
TLH-BDP-LH-AE-DR-A-204301-P Rev A - Leisure Hall - GA Sectional Elevations - External Elevations - Sheet 1- dated 21.04.2017
External Elevations - Sheet 2 - dated 21.04.2017
TLH-BDP-LH-AE-DR-A-204303-P Rev A - Leisure Hall - GA Sectional Elevations - External Elevations - Sheet 3 - dated 21.04.2017
TLH-BDP-LH-AE-DR-A-204305-P Rev A - Leisure Hall - GA Sectional Elevations - External Elevations - Sheet 4 - dated 21.04.2017
TLH-BDP-LH-AE-DR-A-204306-P Rev A - Leisure Hall - GA Sectional Elevations - External Elevations - Sheet 5 - dated 21.04.2017
TLH-BDP-MS-BS-DR-A-215401-P Leisure Hall - Bay Study - Bay study 1 & 2 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-215402-P Leisure Hall - Bay Study - Bay study 3 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-21 5403-P Leisure Hall - Bay Study - Bay study 4 - dated 14.10.2016
TLH-BDP-CP-BS-DR-A-215404-P Leisure Hall - Bay Study - Bay study 5 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-215405-P Leisure Hall - Bay Study - Bay study 6 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-215406-P Leisure Hall - Bay Study - Bay study 7 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-215407-P Leisure Hall - Bay Study - Bay study 8 - dated 14.10.2016
TLH-BDP-MS-BS-DR-A-215408-P Leisure Hall - Bay Study - Bay study 9 - dated 14.10.2016
TLH-BDP-CP-BS-DR-A-215409-P Leisure Hall - Bay Study - Bay study 10 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-215410-P Leisure Hall - Bay Study - Bay Study 11 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-215411-P Leisure Hall - Bay Study - Bay Study 12 - dated 14.10.2016
TLH-BDP-LH-BS-DR-A-215412-P Rev A - Leisure Hall - Bay Study - Bay Study 13 - dated 21.04.2017

LEISURE HALL (ROOF)

TLH-BDP-LH-AE-DR-A-274301-P Roof - South Elevation - dated 14.10.2016
TLH-BDP-LH-AE-DR-A-274302-P Roof - West Elevation - dated 14.10.2016
TLH-BDP-LH-AE-DR-A-27 4303-P Roof - North Elevation - dated 14.10.2016
TLH-BDP-LH-AE-DR-A-274304-P Roof - East Elevation - dated 14.10.2016

TLH-BDP-LH-BS-DR-A-275301-P Rev A - Roof - Bay Studies - Vertical Support & Glazing - Sheet 1 - dated 21.04.2017
TLH-BDP-LH-BS-DR-A-275502-P Roof - Bay Studies - Pavilions - Sheet 2 - dated 14.10.2016
TLH-BDP-LH-XX-DR-A-273301-P Rev A - Roof - Sections and Sectional Perspectives - Heart Space - Sheet 1 - dated 21.04.2017
TLH-BDP-LH-XX-DR-A-273302-P Roof - Sections and Sectional Perspectives - Arcade - Sheet 2 - dated 14.10.2016
TLH-BDP-LH-XX-DR-A-273303-P Rev A - Roof - Sections and Sectional Perspectives - Cafe Court & Terrace - Sheet 3 - dated 21.04.2017
TLH-BDP-LH-XX-DR-A-273304-P Roof - Sections and Sectional Perspectives - High Street - Sheet 4 - dated 14.10.2016
TLH-BDP-LH-XX-DR-A-273305-P Roof - Sections and Sectional Perspectives - Park Lane - Sheet 5 - dated 14.10.2016

EXISTING CINEMA BUILDING

TLH-BDP-XX-AE-DR-A-204307-P Ex-Cinema Building - GA Sectional Elevations - General Arrangement Elevations - As Existing and Proposed - dated 14.10.2016

LANDSCAPE

TLH-BDP-00-00-DR-L-901100-P Rev A - Landscape Key Plan - Level 00 - dated 21.04.2017
TLH-BDP-00-01-DR-L-901101-P Rev A - Landscape Key Plan - Level 01 - dated 21.04.2017
TLH-BDP-00-04-DR-L-901140-P Rev A - Landscape General Arrangement MasterPlan - As Proposed - dated 21.04.2017
TLH-BDP-00-00-DR-L-941201-P Rev A - Landscape Trees Retention / Removal Plan - Level 00 - Sheet 1/2 - dated 21.04.2017
TLH-BDP-00-00-DR-L-941202-P Rev A - Landscape Trees Retention / Removal Plan - Level 00 - Sheet 2/2 - dated 21.04.2017
TLH-BDP-00-00-DR-L-941210-P Landscape Trees Retention / Removal Plan - Land to the west of Next - dated 14.10.2016
TLH-BDP-00-00-DR-L-971201-P Rev A - Landscape General Arrangement Plan - Level 00 - Sheet 1/2 - dated 21.04.2017
TLH-BDP-00-00-DR-L-971202-P Rev A - Landscape General Arrangement Plan - Level 00 - Sheet 2/2 - dated 21.04.2017
TLH-BDP-00-00-DR-L-97 1210-P Landscape General Arrangement Plan - Land to the west of Next - dated 14.10.2016
TLH-BDP-00-01-DR-L-971203-P Rev A - Landscape General Arrangement Plan - Level 01 - Sheet 1/2 - dated 21.04.2017
TLH-BDP-00-01-DR-L-971204-P Rev A - Landscape General Arrangement Plan - Level 01 - Sheet 2/2 - dated 21.04.2017
TLH-BDP-00-00-DR-L-971301-P Landscape Detail Plan Area 1 - Level 00 detail 01 - dated 14.10.2016
TLH-BDP-00-00-DR-L-971302-P Landscape Detail Plan Area 2 - Level 00 detail 02 - dated 14.10.2016

TLH-BDP-00-00-DR-L-971303-P Landscape Detail Plan Area 3 - Level 00 detail 03 - dated 14.10.2016
TLH-BDP-00-01-DR-L-971304-P Landscape Detail Plan Area 4 - Level 01 detail 04 - dated 14.10.2016

SUPPORTING MATERIAL

TLH-BDP-LH-AE-DR-A-204311-P Leisure Hall - GA Sectional Elevations - General Arrangement Elevations - Sheet 1 - dated 14.10.2016
TLH-BDP-LH-AE-DR-A-204312-P Leisure Hall - GA Sectional Elevations - General Arrangement Elevations - Sheet 2 - dated 14.10.2016
TLH-BDP-LH-AE-DR-A-204313-P Leisure Hall - GA Sectional Elevations - General Arrangement Elevations - Sheet 3 - dated 14.10.2016
TLH-BDP-LH-AE-DR-A-204314-P Leisure Hall - GA Sectional Elevations - General Arrangement Elevations - Sheet 4 - dated 14.10.2016

Reason: In order to define the permission

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

3. No development shall commence until a phasing scheme for the development has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan.

   Reason: In order to allow the development to be implemented in phases in the interests of the proper planning of the development.

4. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

   a) been carried out; or
   b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before and of the units in The Leisure Hall building are brought into use.

   Highway Improvements:

   - Sheffield Road Improvements (Vulcan Road to M1 Junction 34S) -as shown on PBA drawings 33909-5515-022 Rev A and 33909-5515-023 Rev A, submitted to Local Planning Authority on 4th November 2016.

   - Alsing Road Gyratory Works - as shown on PBA drawing 33909-5515-021 Rev A, submitted to LPA on 4th November 2016.

- M1 Junction 34N Northbound On-Slip increased lane merge (Tiger Tail) - as shown on PBA drawing 33909-5515-019 Rev B.

- Meadowhall Way Cycling Infrastructure -as shown on PBA drawings 33909-5505-033 and 33909-5505-034, submitted to LPA on 4th November 2016.

- M1 Junction 34N Roundabout - as shown on PBA drawing 33909-5515-020 Rev A, submitted to LPA on 4th November 2016.

- M1 Junction 34S Roundabout - as shown on PBA drawing 33909-5515-024 Rev A, submitted to the LPA on 4th November 2016.

- Five Weirs Walk additional lighting between Weedon Street and Meadowhall Way - as on PBA drawing 33909-5520-002, submitted to LPA on 4th November 2016.

- Weedon Street Ped/Cycle Crossing - as shown on PBA drawing 33909-5520-001, submitted to LPA on 4th November 2016.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

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

6. No development shall commence until a detailed Implementation Plan, to be prepared in accordance with the Employment, Training and Procurement Strategy submitted as part of the application, and which shall include arrangements to review and report back on progress achieved to the Local Planning Authority has been submitted to and approved by the Local Planning Authority. Thereafter the Implementation Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

7. No development of any relevant phase shall commence until full details of measures to protect the existing trees and shrubs to be retained in that phase, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented on that phase. 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.

8. No development of any relevant phase shall commence until full details of the proposed surface water drainage design, including calculations in that phase, has been submitted to and approved by the Local Planning Authority including the arrangements for surface water infrastructure management for the life time of the development. The development shall thereafter be carried out in accordance with the approved details for that phase. These works shall be carried out concurrently with the Development of the relevant phase and shall be operating to the satisfaction of the Local Planning Authority prior to any of the units in The Leisure Hall building being brought into use. Drainage should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site.

   Reason: To ensure surface water flooding and pollution management control.

9. Before development on any relevant phase commences a Construction Logistics Plan (CLP) and Delivery and Servicing Plan (DSP) for that phase shall be submitted to and approved by the Local Planning Authority in accordance with the outline CLP and DSP submitted as part of the application. Thereafter the development of that phase shall be carried out in accordance with the approved plans.

   Reason: In the interests of minimising congestion on the highway and in the interests of traffic safety.

10. No development of any relevant phase, including any demolition and groundworks, shall take place on that phase until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) for that phase that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

    - The programme and method of site investigation and recording.
    - The requirement to seek preservation in situ of identified features of importance.
    - The programme for post-investigation assessment.
    - The provision to be made for analysis and reporting.

- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post investigation works.

Thereafter the development of that phase shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

11. No development of any relevant phase shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development for that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points for that phase.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

12. 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. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

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

13. No later than twelve months after any of the units in The Leisure Hall building are brought into use a report reviewing the usage and distribution of disabled parking spaces throughout the centre along with proposals to redistribute spaces to address any shortfalls identified shall be submitted to and approved by the Local Planning Authority. Should any changes be need these will be implemented in accordance with the approved details within 6 months of the report being approved.

    Reason: In the interests of ensuring convenient access for disabled people

14. Full details of the following matters shall be submitted to and approved by the Local Planning Authority before any of the following works are undertaken. Thereafter the approved details shall be implemented before any of the retail, food and drink or leisure units are brought into use.

    1. External seating and raised planters.
    2. Street Furniture
    3. Format of the coloured metal framing to the domed glazed leisure hall roof and the arrangement of solid, fitted and clear glass panels
    4. Depth of reveal to the glazed opening to the Oasis Cinema and curtain walling system
    5. Green wall system to the deck car park stair towers
    6. External balustrade designs
    7. Cross section of the green wall planting system to the multi-storey car park.
    8. External steps to the terrace
    9. Elevation and cross section of The Leisure Hall facing the multi storey car park
    10. Specification/product details of lighting column and luminaires
    11. Detailed design and overall elevation of embossed and perforated decorative metal cladding

    Larger scale details of the following matters (minimum 1.20)

    1. Silver metal feature bands to the multi-storey car park
    2. Cross sections showing how the cladding to the external elevations of the lower mall units is detailed on the reveals to openings
    3. Cross section to the soffit of the terrace (above the lower mall units)
    4. The type of cladding fixing system and junctions with other materials
    5. Junction of the glazed extension and restaurant pods that pierce the south elevation of The Leisure Hall
    6. The polycarbonate on the cinema, including the channel and integral LED strip.
    7. Typical sections through the CRG and FRP showing the fixings and junctions

8. The feature ribbon across the front of the main leisure hall, incorporating he lighting and soffit

Reason: In the interests of the visual amenities of the locality and in order to provide inclusive access.

15. Before any of the units in The Leisure Hall building are brought into use the cycle parking accommodation as shown on the approved plans including the cycle hub facilities shall have been provided in accordance with those plans and, thereafter, such cycle parking accommodation and cycle hub facilities shall be retained.

Reason: In the interests of delivering encouraging sustainable access to the site.

16. Before any of the units in The Leisure Hall building are brought into use, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with the Framework Travel Plan submitted as part of the application.
The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation of The Leisure Hall building, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan policies T8, T10 and Sheffield and Core Strategy Policies CS 51, CS 53.

17. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of the safety of road users.

18. Before any of the units in The Leisure Hall building are brought into use a scheme for variable message signs (VMS) both within the car parks and on the highway in accordance with drawing number 33909/5524/004 'Proposed Variable Message Signs' shall be submitted to and approved by the Local Planning Authority. The approved VMS system shall be implemented and operational before any of the units in The Leisure Hall building are brought into use and before the new multi-storey or surface car parks are brought into use whichever is the first and thereafter permanently retained.

    Reason: In the interests of minimising congestion on the highway and in the interests of traffic safety.

19. Before any of the units in The Leisure Hall building are brought into use details of real time public transport information screens adjacent to the main entrances and exits to The Leisure Hall shall be submitted to and approved by the Local Planning Authority. The approved screens shall be implemented, working and switched on before the first occupation of The Leisure Hall and thereafter permanently retained in working order.

    Reason: In the interests of encouraging sustainable travel to the site in accordance with the National Planning Policy Framework and Policy CS 51.

20. Before any of the units in The Leisure Hall building are brought into use the pedestrian and cycle improvements shown on drawing number 33909/5505/032 shall be implemented in accordance with details, drawings and specifications submitted to and approved by the Local Planning Authority prior to the works being implemented.

    Reason: In the interests of encouraging sustainable access to the site.

21. Before any of the units in The Leisure Hall building are brought into use details of 100 low emission parking spaces along with signage to be provided close to the main entrances of the shopping centre shall be submitted to and approved by the Local Planning Authority. Thereafter the approved low emission parking arrangements shall be provided before any of the units in The Leisure Hall building are brought into use and permanently retained unless alternative arrangements are approved by the Local Planning Authority.

    Reason: In the interests of mitigation the air quality impacts of the development.

22. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No units in The Leisure Hall building shall be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11

(Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

23. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy 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 CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

24. 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 the development of any relevant phase is commenced, 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.

25. The approved landscape works shall be implemented before any of the units in The Leisure Hall building are 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.

26. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans before any of the units in The Leisure Hall building are brought into use. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works for the Leisure Hall building commencing on site and shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

27. Prior to the construction of the ramp between the upper level of the red car park and the entrance to The Leisure Hall a feasibility assessment into reducing the gradient of the ramp shall be submitted to and approved by the

Local Planning Authority. Thereafter the approved scheme shall be implemented before any of the units in The Leisure Hall building are brought into use and thereafter retained.

Reason: In the interests of providing convenient access for disabled people.

28. Before any of the units in The Leisure Hall building are brought into use details of a proportion of the external seats and benches shall be provided with seatbacks and armrests in accordance with BS8300 details of which shall be submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be implemented before any of the units in The Leisure Hall building are brought into use and thereafter retained.

Reason: In the interests of providing convenient access for disabled people.

29. Details of raised kerb drop-off areas for both the western Leisure Hall entrance and the yellow surface car park entrance in accordance with BS8300 shall be submitted and approved by the Local Planning Authority before any of the units in The Leisure Hall building are brought into use. Thereafter the approved details shall be implemented before any of the units in The Leisure Hall building are brought into use and thereafter retained.

Reason: In the interests of providing convenient access for disabled people

30. Before any of the units in The Leisure Hall building are brought into use a minimum of 25 rapid electric charging points along with associated signage shall be provided and thereafter retained unless upgraded to reflect changing vehicle charging technology. Details of the location of the chargers and signage shall have been submitted to and approved by the Local Planning Authority prior to their implementation.

Reason: In the interests of encouraging sustainable travel to the site and mitigating the air quality impact of the proposal.

31. Before any of the units in The Leisure Hall building are brought into use a scheme shall be submitted to the Local Planning Authority for approval of details for providing electric vehicles to security and other operational centre staff for use on the shopping centre site. The approved scheme shall thereafter be implemented in accordance with the timescales agreed in the approved scheme.

Reason: In the interests of mitigating the air quality impact of the proposal.

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

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

Other Compliance Conditions

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any replacement thereof) the Class A3, A4 and A5 units hereby permitted, shall be used for such uses only and for no other purpose, including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

    Reason: In order to prevent the permitted development change of use from food and drink uses to retail class A1 in the interests of protecting the vitality and viability of existing town centres and limiting the retail impact to that assessed in the application.

34. The disabled parking spaces shall be provided with access zones in accordance with BS8300 and the external steps and ramps shall be designed to comply with standards in BS8300.

    Reason: In the interests of providing convenient access for disabled people.

35. The cinema unit hereby permitted shall be used for such use only and for no other purpose, including any other purpose in Class D of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

    Reason: In order to define the permission and ensure the leisure impacts are as assessed in the planning application.

36. 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.

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

37. The class A1 element of the scheme permitted, with the exception of 130sq.m, shall only be located within the area shown on the approved Retail Zone Diagram. For the avoidance of doubt, other retail uses permitted (ie Class A3/A4/A5) can also be provided within this area.

Reason: In order to define the permission and ensure the scheme is delivered in accordance with the submitted details because the retail class A1 floorspace is justified on the basis that it is necessary to provide a link between the existing shopping malls and the new Leisure Hall.

38. No units in The Leisure Hall building shall be brought into use 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.

39. The surface water discharge from The Leisure Hall building and multi-storey car park site shall be reduced by at least 30% compared to the existing peak flow. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet to the river outlet proposed, then a discharge rate of 5 litres per second per hectare should be demonstrated. The surface water discharge from the car park plot to the West of Next Home and Garden Store shall be restricted to 10.5l/sec for the whole site or with an additional agreed allowance for discharge to the highway if deemed to be feasible.

Reason: To ensure satisfactory drainage arrangements and to comply with the National Planning Policy Framework.

40. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated November 2016, reference 33909/4001, by Peter Brett Associates, and the following mitigation measures detailed within the FRA:

- Preferential flow paths for overland flow are maintained and directed away from buildings and critical infrastructure on the site.
- Building plant and utility services will be raised as high as practicable above ground level.
- The existing access width for the River Don must be maintained.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

41. With the exception of the cinema, the Class D2 floorspace hereby permitted shall not exceed 6 no. units in total without the prior approval of the Local Planning Authority.

Reason: In the interests of ensuring the leisure floor space takes the form of large scale leisure uses which are unlikely suitable to form part of the Sheffield Retail Quarter Scheme (SRQ) which is part of the justification for concluding that the SRQ site is not sequentially preferable, and in order to ensure the proposal is consistent with Core Strategy Policy CS7.

42. The development shall be carried out in accordance with the dust mitigation measures included in the Construction Environmental Management Plan, submitted with the planning application.

Reason: In the interests of mitigating the air quality impacts of the development.

43. The maximum gross internal area (GIA) of the leisure hall building (excluding the multi-storey car park) shall not exceed 52,969sq.m. Of this, the maximum quantum of A1, A3/A4/A5, B1, D1, D2 and approved Sui Generis uses shall not exceed 35,805sq.m GIA.

Of this, the maximum GIA of the mix of uses provided for by this planning permission are as follows:

(a) A maximum of 7,181 sq.m gross internal floor space for Class A1 retail uses;
(b) A maximum of 11,034 sq.m gross internal floor space for Class A3/A4/A5 uses;
(c) A maximum of 16,693sq.m gross internal floor space for Class D2 uses;
(d) A maximum of 4,256sq.m gross internal floor space for Class B1 uses;
(e) A maximum of 3,222sq.m gross internal floor space for approved Sui Generis uses;
(f) A minimum of 1,202sq.m gross internal floor space for Class D1 uses.

Reason: In order to define the permission and to ensure the retail, leisure and highway impacts are as assessed in the application submissions.

44. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

45. The development shall incorporate 2 changing places disabled toilets designed in accordance with BS8300

Reason: In the interests of providing convenient access and facilities for disabled people.

46. Tactile paving shall be provided at crossing points and changes in level in accordance with DFT Guidance On The Use Of Tactile Paving.

Reason: In order to provide convenient access for disabled people.

47. None of the approved floorspace shall be occupied by any Class A1 retailer who at the date of such occupation, or within a period of 24 months immediately prior to occupation, occupies retail floorspace in their own unit in Sheffield City Centre (delineated on plan number QUOD1); unless a scheme which includes a legally binding obligation on the retailer committing them to retaining their presence as a retailer within Sheffield City Centre with at least 75% of the level of floorspace, for a minimum period of 5 years following the date of their occupation of retail floorspace within the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise the impact of the proposal on the vitality and viability of Sheffield City Centre.

48. The landscape scheme for the site shall be designed and implemented to mitigate the potential localised wind conditions which require mitigation as set out in the Wind Strategy of the Design and Access Statement.

Reason: In the interests of the amenity of future users of the site.

49. The scheme shall be lit in accordance with the Lighting Strategy section of the Design and Access Statement with the exception of the lighting to the upper level of the multi-storey car park where a scheme shall be submitted to and approved by the Local Planning Authority before the multi-storey car park is brought into use for lower level lighting columns unless this can be shown to not be feasible or sustainable. Thereafter the approved details shall be implemented before the car park is brought into use.

Reason: In the interests of public safety and the visual amenity of the locality.

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. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

3. The Environment Agency has provided the following advice

Environmental Permit - Flood risk activity

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Don and Car Brook, designated as 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits.

It can take up to two months to determine the application from being duly made. Every effort will be made to process it as quickly as possible, but the applicant is reminded that works should not commence until the permit is granted.

Contaminated Soil

Contaminated soil that is, or must be, disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to the Hazardous Waste pages on GOV.UK for more information.

4. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

5. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

   The notice should be sent to:-

   Highway Co-Ordination
   Sheffield City Council
   Town Hall
   Sheffield
   S1 2HH

   Telephone: 0114 273 6677
   Email: highways@sheffield.gov.uk

   Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

   Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

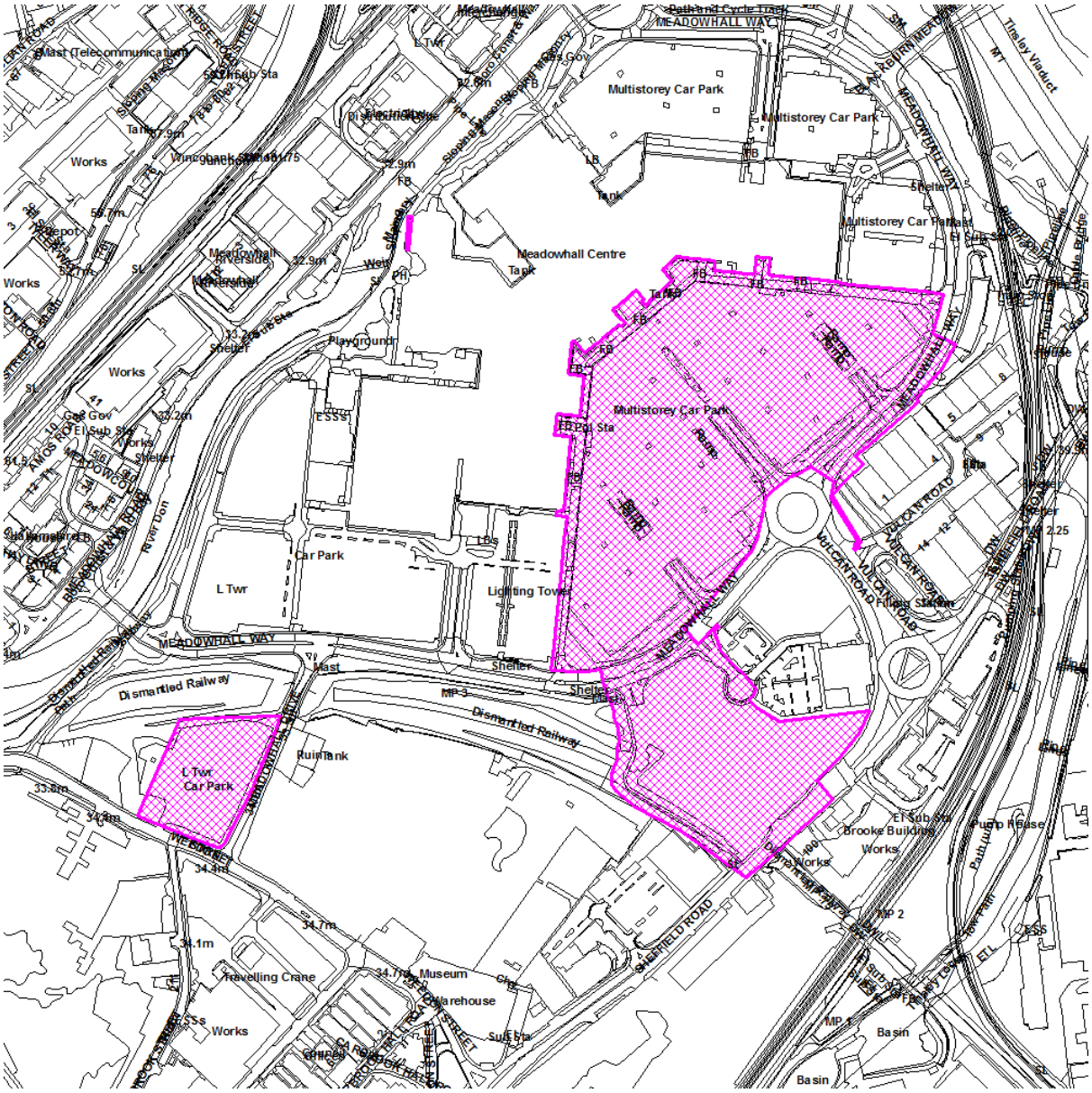
6. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

   To arrange the dilapidation survey, you should contact:

   Highway Co-Ordination

   Telephone: 0114 273 6677
   Email: highways@sheffield.gov.uk

Site Location



1.0 LOCATION AND PROPOSAL

1.1 The existing shopping centre opened in 1990 and covers 1.4 million ft² of floor space with some 230 retail outlets, 50 places to eat and drink, and an 11-screen cinema. Meadowhall currently has 143,843m² gross internal area of which the vast majority (130,069m²) is retail with 9,280m² catering and the remaining 4,495m² leisure use. Currently there are some 9,364 car parking spaces for visitors of which 301 are blue badge spaces and 212 are parent and child spaces. In addition to this there are 1,143 spaces for staff, 262 contractor spaces and 33 coach parking spaces. Floorspace is listed below.

Land Use	**Floor area (m² GIA)**	**% of Total Centre GIA**
Retail	130,069	90.4
Catering	9,280	6.5
Leisure	4,495	3.1
Total	**143,843**	100

1.2 The applicant says the intended purpose of the Development is to maintain Meadowhall's position in the regional retail market. This is to be achieved by broadening its offer to provide a wider mix of leisure uses and food and drink outlets to make the centre a more family-oriented destination. A new multi-level mall which connects with the existing malls by developing part of the existing deck car parking to the south east side of the shopping centre is proposed. Most of the new shopping, leisure and food and drink floorspace will be housed under a curved glass roof.

1.3 The original scheme was modified on 28.4.2017. The principle changes are as follows:-

- Removal of the foodstore and replacement with a flexible use unit to be used for a flexible range of uses including leisure (D2), Offices (B1) and/or car showroom (sui generis).
- Reduction in the size of the cinema, to include up to 14 screens and 1,920 seats (indicative).
- A small additional retail infill unit to the west of Debenhams.

1.4 The table below compares the floorspace as original submitted with the modified scheme.

Floorspace table (m²)

Uses	Original Scheme GEA	Modified Scheme GEA	Original Scheme GIA	Modified Scheme GIA
Catering (A3/A4/A5) (Incl. seating areas)	11,188	11,058	10,682	10,561
Cinema	5,301	4,286	4,903	4,200
B1/D2 unit	1,300	1,300	1,202	1,202
Leisure (D2)	8,490	10,204	7,854	9,439
Foodstore	3,301	-	3,054	-
Flexible leisure/office/car showroom	-	3,301	-	3,054
Transitional retail (A1)	7,135	7,213	6,635	6,708
A3 (with A1 catering)	511	511	473	473
Police Station	168	168	168	168
Total Floorspace	**37,394**	**38,041**	**34,971**	**35,805**
Shared facilities and services/circulation space	17,837	18,149	17,918	17,164
Total gross floorspace	**55,231**	**56,190**	**52,889**	**52,969**
MSCP	54,518	54,518	50,653	50,653
Total new floorspace	**109,749**	**110,708**	**103,542**	**103,622**

1.5 The table below shows the proportions that the different uses make-up of the proposed extension. The retail uses are just less than 20% and the food and drink and leisure uses just less than 75%.

	Existing GIA (m²)	Proposed GIA (m²) November 2016	Proposed GIA (m²) April 2017	Increase (%) April 2017
Retail*	130,069	10,162	6,708	19%
Food and Beverage**	9,280	9,350	9,229	26%
Leisure***	4,494	12,757	16,693	47%
Total**		**34,971**	**35,805**	**100%**

** Maximum retail (some may be used for A3/A4/A5).*
*** Figures include seating areas outside f&b units, however exclude 'café court' seating.*
**** Includes cinema (and former foodstore unit as 100% leisure).*
***** Including all uses (ie, additional Unit and Police Station) but excluding shared facilities and services/circulation.*

1.6 The extension as a whole will deliver approximately a 25% increase in floor space excluding the communal space. The retail floorspace increases by approximately 5%, the food and drink by approximately 99% and the leisure by approximately 371%.

1.7 The applicant has confirmed that they are willing to accept the following controls on the development.

- Restrictions preventing the new A3/A4/A5 units in The Leisure Hall (TLH) converting to A1 in future, by removing Permitted Development (PD) rights.
- Restrictions on the existing Oasis foodcourt converting to A1 by removing PD rights.
- A restriction preventing the existing cinema space being converted to A1 use in future.

1.8 There are no named operators for the leisure space but in addition to the cinema the applicant says that there is known demand for 10 pin bowling, indoor golf and a gym.

1.9 The existing cinema will remain in leisure use with interest having been expressed for indoor climbing/zip wire uses.

1.10 The food and drink uses are intended to complement the food court but also provide a medium and high end offer which the applicant considers to be under represented in the centre.

1.11 The existing yellow and part of the red deck car park which are located on the south side of the centre will be demolished to accommodate The Leisure Hall. The new facilities will principally be housed in a distinctive glazed dome over 4 levels. The extension will have active glazed frontages and

open out on to a paved and landscaped terrace space. The removal of part of the deck car parking allows for the creation of new entrance space with ground level car parking and pedestrian and cycle connections.

A new multi-storey car park will be constructed to the east side of the extension and surface car parking will be provided adjacent to the Next Home and Garden store to the south of the centre. The multi- storey car park will have 6 levels and the top level will connect directly to The Leisure Hall. This along with the retained parts of the red and yellow car parking will result in the same overall level of car parking.

A vacant site on Meadowhall Drive will be used for temporary car parking for construction workers and provide customer overflow capacity in addition to the parking provided within the land to the west of Next during construction works.

1.12 The new floorspace will be provided across four levels.

1.13 Lower Ground Floor – There will be surface level pedestrian/cycle and vehicular access from Meadowhall Way to this level. It will contain the majority of the leisure floorspace, the flexible use unit for leisure/office/car showroom, shopmobility, a cycle hub and police station.

1.14 Upper level – This will mainly contain food and drink and retail uses, a leisure unit, internal communal space and an external terrace. It will connect directly with the existing shopping malls and can be entered from the multi-storey car park and the upper level of the remaining part of the yellow deck car park.

1.15 Mezzanine level – This will contain mezzanine space for the retail units and changing rooms and plant space.

1.16 Terrace level – This will contain the new cinema and food and drink units along with an external terrace. The existing Vue cinema currently has 11 screens whilst the new facility will have up to 14 screens with a seating capacity of up to 1,920 people.

1.17 The west elevation of the existing cinema façade which is solid brickwork is to be opened up to create a double height space with a glazed wall that covers a substantial portion of the west façade. Works to the façade are to facilitate leisure use such as indoor rock climbing.
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1.18 The applicant predicts that the scheme is expected to create 540 FTE jobs on average over the 3 and half year construction period. The number of permanent fulltime equivalent jobs created within Sheffield is expected to be within the range of approximately 600 to 1000.

1.19 If granted permission the development is expected to be open in 2021.

2.0 SUMMARY OF REPRESENTATIONS

Objections

2.1 A total of 48 objections have been received the main points are summarised below.

2.2 An objection has been received on behalf of the Stocksbridge Regeneration Company who is the developer responsible for the Fox Valley retail, office, restaurant and leisure scheme at Stocksbridge. The grounds of objection are as follows:

- The Fox Valley scheme which has revitalised the centre and faced significant challenges in bringing forward would be undermined by the Meadowhall proposal, and Stocksbridge significantly harmed.
- The scheme is not a leisure hall but a large scale general expansion of Meadowhall with substantial retail and food and drink elements. The Leisure floorspace is just over a third and the food and drink element would establish a critical mass that it would become a food and drink destination in its own right.
- As there are no leisure occupiers identified it raises the prospect of attempts being made to secure its retail use in the future.
- The stated rationale for including retail in the proposed mix is largely unpersuasive and no evidence is produced to show it would be unviable without this element.
- Core Strategy Polices seek to maintain Meadowhall around its present size The application conflicts with Core Strategy policies CS7 and CS14, and a Spatial Strategy which emphasises the City Centre, and restricts Meadowhall.
- The City Centre has lost trade through increased competition in recent years, whilst Meadowhall has been able to consolidate and strengthen its position. The proposal would accelerate this trend and put at risk the planned investment in the City Centre. It is disingenuous for the application to suggest that Meadowhall has, or is at risk of, falling behind its counterparts, or falling out of favour with customers. It is not credible to argue that a major extension at Meadowhall will not have a significant impact on delivering and maintaining the success of the City Centre retail scheme when over a fifth of the units in the city centre lie empty.
- The impact analysis is flawed as it ignores any increase in spending in existing shops as a result of the proposal and the weighting system used in the impact assessment places two much emphasis on large centres thereby distorting the impact on smaller centres.
- “The Leisure Hall” would compete directly with the Fox Valley scheme across all key sectors. The impact on this investment would be significant, with knock on effects for the rest of the centre.

- The benefits put forward in favour of the scheme are unpersuasive in that it is not a failing centre in need of renewal, the tax and employment benefits will be offset by reductions elsewhere, the environmental benefits are modest and items described as benefits are in fact mitigation for impacts.
- In conclusion the proposal conflicts with development plan policy and strategy, and it would harm the City Centre, and have a significant impact on Stocksbridge.
- The Stocksbridge Regeneration Company considers the changes to the scheme made in May 2017 do not address their grounds of objection. They consider the changes suggest a desire to simply secure planning permission for an amount of floorspace and therefore members should have little confidence in the scheme in front of them. They argue the food and beverage expansion is not simply about bringing the centre up to date or dealing with expectations but to create an eating and drinking destination in its own right. The evidence does not show the level of food and drink expansion proposed is driven by customer demand. They also disagree with applicant's assertion that Fox Valley is not closely integrated with the existing centre and they consider the railway line does not act as a barrier between the two.

2.3 A number of individual businesses operating within the Fox Valley development have objected on the basis that TLH will have an adverse impact on their business, have a harmful impact on the scheme and surrounding towns and pose a risk to existing business investment in the scheme.

2.4 A letter raising concerns has been received on behalf of the owner of Crystal Peaks Shopping Centre and Retail Park. They make the following main points;

- The proposal is not in accordance with the development plan policies CS7 and CS14 which emphasise the City Centre as the key location for retail and leisure development and say Meadowhall will remain around its present size.
- The new joint Retail and Leisure Study for Rotherham and Sheffield will assess the need for retail and leisure development and recommend a policy approach in the Sheffield Local Plan. Given the scale of the application proposals it would be premature to grant permission as it would undermine the plan making process to determine the scale and location of new retail and leisure development.
- The Meadowhall development will attract trade from a wide area. The market share of centres such as Crystal Peaks will inevitably be impacted upon over time by the Meadowhall proposals. It will make it difficult for existing centres such as Crystal Peaks to attract investment and occupiers and for centres to maintain their positions in the retail hierarchy. It is therefore likely that any potential investment in Crystal Peaks will be undermined by the extension of Meadowhall.

2.5 A representation has been received from Aberdeen Asset Management who has key development interests in The Moor. They are concerned about the potential impact a larger Meadowhall could have on The Moor and the City Centre as whole. Their representation takes the form of a series of questions/statements which they consider need answering. These are;

- No justification is provided for the quantum of additional retail space.
- The submission does not properly address the direct impact on The Moor cinema and food and drink investment.
- The submission should consider the potential impact of a scenario where TLH draws potential tenants and SRQ does not go ahead.
- TLH could attract existing tenants from the City Centre further eroding the City Centre offer.
- TLH will increase the attractiveness of Meadowhall raising the prospect of customers visiting Meadowhall rather than the City Centre.
- The submission needs to consider the impact of THL increasing the draw of existing tenants.
- The car park adjacent to Next Home and Garden will bring Next within Meadowhall and increase its cumulative offer.
- The cumulative impact of the scheme on the long term performance of the City Centre should be assessed and the potential impact on wider investor confidence in the City Centre reviewed.
- Further justification as to why the proposals cannot be located in the SRQ should be provided.
- Further clarification is needed as to why other cities are considered comparable to Sheffield when Sheffield City Centre is more fragile and smaller scale.

2.6 Atkinson's department store of the Moor considers the proposal will be catastrophic for the City Centre in the context of a tentative start on rebuilding the City Centre.

2.7 New River, owner of the Ridings Centre, and Orion Capital Managers, owner of Trinity Walk Centre, both in Wakefield have objected to the proposal. They are concerned about the impact on Wakefield City Centre and planned investment proposals in the town centre. They consider that TLH will operate in the same catchment area and is contrary to national policy which promotes town centres first. They consider it is crucial to improve leisure and food/drink in Wakefield to improve footfall and dwell time and the proposal will be in direct competition with planning investment in the town centre. They request that the impact assessment is extended to include Wakefield town centre. Orion Capital Managers maintain their objection to the amended scheme as they consider the amendments increase the harm to centres and scale of non-retail leisure uses remains a significant concern. The number of cinema screens proposed brings it into closer competition with the Wakefield planned investment.

2.8 A number of individual retailers have objected on the basis that the proposed extension will undermine the health and have a harmful impact on the City Centre and local centres by diverting customers and trade away from these centres.

2.9 A number of market traders have objected. They consider the extension will impact on town and city centres and markets which rely heavily on footfall. The extension will also add to the traffic problems at Meadowhall.

2.10 Rotherham Council are generally supportive of the investment in Sheffield City Region however they consider it will have a harmful impact on the vitality and viability of Rotherham town centre and the planned investment in the centre. Therefore they have objected on the following grounds:

- The proposed extension to Meadowhall Shopping Centre is likely to have a significant adverse impact upon the vitality and viability of Rotherham town centre; and
- The proposed extension is likely to have a significant adverse impact upon planned investment in the Forge Island site and also existing investment across the remainder of the town centre.

2.11 Other representations against the proposal include the follow comments:

- The development will divert people away from the City Centre and the Moor and undermine the City Centre's health and be harmful to the trading environment. Sheffield City Centre is the priority for investment in order to compete with other successful City Centres. It will have a significant negative impact on Sheffield City Centre, Rotherham, Barnsley, Penistone Town Centre, other local towns, the Fox Valley Centre, and other shopping areas in Sheffield. No more retail A1 space should be allowed at Meadowhall.
- The extension should only be given permission if the SRQ is delivered.
- The Oasis area should not be permitted to change to retail in order to avoid impacting on the City Centre.
- The application should be revised to remove the A1 retail element and the bowling alley if justified in terms of the leisure impact.
- It will create traffic congestion and the transport network cannot cope. This traffic congestion will require more investment to resolve the problems. Meadowhall should charge for car parking.
- The development will worsen air pollution.
- The new jobs will come at the expense of existing jobs and many of the companies at Meadowhall pay below the living wage. Meadowhall should agree to pay the living wage and companies opening at Meadowhall should not be allowed to close branches in the local area.
- It will generate more business rates but the development will not have the same knock on benefits that investment in town centres has.

Representations in support

2.12 A total of 405 representations have been received in support of the proposal. The main points are summarised below.

Sheffield Chamber of Commerce has commented that it is important that Meadowhall evolves due to rising customer expectations being met by similar developments across the country. The Leisure Hall will allow it to do this by meeting the needs of its customers. The scheme will help the area to consolidate its position as one of the most attractive places to invest. It will drive the economy forward due to the construction and permanent jobs created and the local businesses that will be involved in the development. The business rates it will generate will be critical to providing social services in the future at a time of severe public sector cuts. The Chamber of Commerce fully supports the proposal.

2.13 Similar comments to those of the Chamber of Commerce have been made by a number of individual retailers.

2.14 Barnsley and Rotherham Chamber of Commerce have strongly supported the application due to the economic benefits, additional jobs created, and in order to ensure the region does not lose visitors and Meadowhall can continue to make a valued contribution to the local economy.

2.15 Most of the other representations in favour of the scheme have been received from people who already shop at Meadowhall. The comments are summarised below.

2.16 Comments in favour

- The improved food/leisure offer will allow Meadowhall to compete with Leeds, Manchester and the Trafford Centre. The centre needs to modernise and provide more variety to continue attracting visitors. It will allow Meadowhall to be an all-day shopping experience and encourage visitors to stay longer and employees to stay after work.
- The extension will allow Meadowhall to meet customer expectations, the provision of leisure and a wider mix of facilities will make it more of a family venue whilst leisure is important for the health and wellbeing of the city. It will provide an alternative to Centertainment which is too busy.
- It will improve the shopping choice and experience bringing in extra shoppers and allow Meadowhall to attract higher end retailers. The city is big enough to support a city centre and out of town shopping.
- It will improve the food and drink choice and experience including the premium offer which Meadowhall does not have
- It will deliver local jobs, stimulate the economy through the local supply chain and encourage more investment in the city. It will raise the profile of the city and counter perceptions of the region being regressive.
- It will bring more visitors/tourists to the city which will help the local economy and Sheffield City centre will have the opportunity to attract these visitors.
- It will increase business rates

- It will deliver transport and highway improvements and the improvements to parking will make visiting easier
- It will improve the appearance of the development and make it more spacious and attractive. It will reduce congestion. The increase in landscaping and outdoor space is supported as something that Meadowhall lacks.
- There is good access to the site but the tram/train facilities need improving.

2.17 The applicant has submitted a Statement of Community Involvement in support of the planning application. The following consultation was undertaken;

- A two-stage consultation process designed to capture feedback on the initial plans and allow feedback to be incorporated into the final submission;
- A bespoke project website which details the proposals and provides an online feedback mechanism has been live since the launch of the consultation on 12 May 2016;
- The distribution of a stakeholder brochure to all SCC councillors, relevant Officers and third party stakeholders from across Sheffield City Region, which outlined the proposals and publicised the consultation process;
- Public exhibitions held at Meadowhall in June 2016 (1,441 people attended), and in Sheffield City Centre and at Meadowhall in October 2016 (883 people attended);
- Meetings held with elected representatives, community groups and other interested parties throughout 2016;
- A dedicated telephone line and email address was set-up to enable the local community to contact the development team directly;
- A public relations and media advertising campaign to publicise the proposals and advertise the consultation process.

2.18 Details of the feedback received and how the design team responded to the issues raised are set out in the Statement of Community Involvement. A total of 408 written feedback forms were completed at the June event and in general 98% agree with the plans to provide more options for leisure and dining at Meadowhall. At the October event a total of 37 written feedback forms were completed with 94.5% of respondents expressing support for The Leisure Hall and nobody expressing opposition to the proposals. A total of 51 website questionnaires were received during the public consultation process and 90% agreed in general with plans to add/extend Meadowhall to provide more options for leisure, activities and dining.

Do not object

2.19 A total of 3 representations were received which are neither in favour of or against the scheme.

2.20 The Director of the Council's Major Projects Team who is leading the Sheffield Retail Quarter Project welcomes the investment but considers some points need further review. He would like to see the new retail (class

A1) floorspace reduced where possible but does understand that it is necessary to provide an amount of transitional retail space between the new leisure offer and the existing retail offer. It is explained that the updated proposals for the SRQ site are currently being developed and will be subject to a new outline planning application later in 2017. He considers the SRQ must come forward to balance the proposals at Meadowhall. He seeks assurance that there will be a limit or reduction to the 30% of new retail floorspace and that the new scheme and existing Oasis and cinema areas are restricted from future class A1 retail uses through planning controls.

2.21 Barnsley Metropolitan Borough Council has no objections to the application subject to the imposition of conditions restricting the quantum and uses to those specified in the application, the removal of permitted development rights (via a legal agreement), removing permitted development rights for food and drink units in the Oasis to change to A1 retail, removing permitted development rights for the food and drink units in the extension and only permitting the non-food retail areas and food store to sell comparison goods and convenience goods respectively.

2.22 Doncaster Council has advised that they consider the sequential test assessment submitted with the application to be robust and agree that no other sequentially preferable site exists in Doncaster. Although there will be competition with leisure uses in Doncaster the impact will mainly be on non-town centre sites. Whilst the impact of the cinema may be considered negligible, they are concerned and would wish to be assured that the Meadowhall proposals will not have a detrimental impact on the cinema provision as part of the Civic and Cultural Quarter at Waterdale, Doncaster. The amendments are welcomed as the reduction in the scale of the cinema will reduce the likelihood of it impacting in the Cultural Quarter. The impact of the food and drink and food store uses on Doncaster is not considered to be significant. Therefore on balance Doncaster raise no objections to the proposals.

2.23 South Yorkshire Passenger Transport Executive (SYPTE) has advised that the proposed location is well served by public transport. They are satisfied with the proposed improvements to Tinsley Tram stop, the bus service enhancements, and bus stop improvements. SYPTE are working with the applicant and other stakeholders to improve the Passenger Transport Interchange but accept that no improvements are required as part of this application. They consider the proposal shows a clear commitment from the development to encourage public transport usage.

Design Panel Comments

2.24 Sheffield Sustainable Development and Design Panel considered the scheme in May 2016.

2.25 The panel supported the objective of increasing the leisure element of the centre and creating a more outward looking development. The design team

was urged to be bolder in terms of the landscape approach and in terms of ensuring greater connections between the centre and its surroundings.

2.26 The curved form and massing of the extension was supported. It was accepted that the shopping centre could accommodate the dramatic contrast between the new development and formal composition of the existing centre.

2.27 It was considered that the form and massing of the cinema and multi-storey car park needed to be developed further and the impact of the scale and massing of the extensions from the north needed to be carefully assessed.

2.28 The landscape design was considered to be critical in creating a more outward facing development and the panel were unconvinced by the proposal for the external areas and landscaping at the early stage when they saw the scheme. They considered a landscape hierarchy should be developed and the approach should extend beyond the car park. The applicant was encouraged to use permeable paving, solar shading and mitigation of pollution factors.

2.29 The panel were supportive of the architecture of the glazed extension but felt that further consideration should be given to the modelling of the cinema block and the external treatment of the elevations of the multi-storey car park.

2.30 The panel were keen to understand how the development would integrate with public transport and considered connections to the tram stop to the south would be critical to this.

2.31 The panel encouraged the greater use of photovoltaic cells and questioned why green roofs were not proposed more widely.

2.32 In conclusion the Panel was supportive of the principle of extending the existing shopping centre as proposed. The form and architectural approach articulated was supported, although further consideration of the form and treatment of the Cinema block and multi-storey car park was required. The landscape was identified as a critical element of the proposals to develop a more outward-facing and attractive shopping centre better connected to its surroundings. However, the proposals felt relatively lacklustre at this stage and required greater emphasis to maximise the quality and benefits that the landscape could provide.

3.0 PLANNING ASSESSMENT

3.1 Policy

3.1.1 The NPPF states that the government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be

placed on the need to support economic growth through the planning system.

Shopping and Leisure Policy

3.1.2 The policy background consists of the National Planning Policy Framework, Sheffield Unitary Development Plan and Sheffield Core Strategy.

National Planning Policy Framework (NPPF)

3.1.3 Applications for retail and leisure development not in a town centre and not in accordance with an up-to-date Local Plan must pass the sequential test. An impact assessment is also needed if the development has more than 2,500m² of floorspace. As Meadowhall is not identified as a town centre in either the UDP or the Core Strategy and as this proposal has more than 2,500m² of floorspace, both sequential and impact tests are required.

3.1.4 The NPPF says that if an application fails to satisfy the sequential test or is likely to have a significant adverse impact, it should be refused.

Sequential test

3.1.5 The sequential test applies to proposals for main town centre uses (including shops, cinemas, restaurants, bars and pubs, and other leisure and entertainment uses) that are edge of centre or out of centre and not in accordance with an up to date plan. It means that main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. For out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

3.1.6 Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale. Four recent court judgements have clarified the extent of flexibility required for considering the suitability of alternative sites: Dundee, Zurich Assurance, Moreton-in-Marsh and Mansfield. The Secretary of State's decisions at Rushden Lakes and Honiton Road, Exeter are also relevant. These judgements and decisions provide the following guidance.

- The starting point for the consideration of the sequential test should be the development proposed by the applicant;
- Alternative sites do not have to accommodate exactly the scale and form of the proposal, but the proposed development should not be completely transformed;
- Based upon recent Secretary of State decisions, there is no requirement to consider disaggregation (i.e. breaking up the proposal into parts and spread across more than one sequentially preferable site);
- Flexibility can include the consideration of removing elements like car parking where such provision already exists on/near sequentially preferable sites; and

- The area or approach of the sequential test should not differ from applicant to applicant, or be influenced by the business requirements of a particular operator or developer. Instead it should be based upon the type of development being proposed.

Impact

3.1.7 The Impact Assessment should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal;
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area.

Unitary Development Plan

3.1.8 The application site is within Meadowhall Regional Shopping Centre. As Meadowhall is not identified as a town centre in the UDP the proposal is 'out of centre'.

3.1.9 Policy S5 applies to all out of centre retail development. It says that retail development other than within or at the edge of the Central Shopping Area will be permitted provided that:

- It would not undermine the vitality and viability of the City Centre as a whole,
- It would not jeopardise private sector investment needed to safeguard the vitality and viability of the Central Shopping Area,
- it would be easily accessible by public and private transport
- It would not have a significant harmful effect on public transport or other movement on the surrounding road network
- It would not result in a significant increase in the number and length of trips
- It would not take up land required for other uses.

3.1.10 Policy S8 is concerned specifically with development at Meadowhall. Shops, food and drink outlets, leisure and recreation facilities are listed as acceptable but proposals for major non-food development will not be permitted where they would undermine the strategy of concentrating such development with the Central Shopping Area and District Shopping Centres by:

- significantly and harmfully increasing the retail draw of Meadowhall; or
- facilitating relocation of forms of retailing from the Central Shopping Area that are fundamental to its vitality and viability;
- significantly and harmfully expanding forms of retailing fundamental to the continuing vitality and viability of existing Centres.

3.1.11 Non-retail development will be permitted provided that:

- It would not undermine the vitality and viability of the City Centre as a whole; and
- It would not jeopardise private sector investment needed to safeguard the vitality and viability of the City or put at risk the regeneration strategy for the Central Shopping Area; and
- there would be sufficient capacity in the highway network and there would not be a significant increase in the number and length of customer trips.

3.1.12 Policy LR2 says that new leisure and entertainment facilities will be promoted where they satisfy various criteria listed in the policy. The policy also requires entertainment and leisure developments which attract a lot of people not to undermine the vitality and viability of the evening economy of the City Centre and comply with policy S5.

Core Strategy

3.1.13 Policy CS 7 ‘Meadowhall’ says that the shopping centre will remain around its present size and large scale leisure uses that cannot be located in the City Centre or at its edge may be located close to the interchange. New development around the Meadowhall Centre should be integrated with the existing development. It also says that transport measures, including Travel Plans, will be employed to mitigate the transport impact of development on the strategic road network and to reduce air quality impacts.

3.1.14 Policy CS 14 says that Meadowhall Shopping Centre 'will remain at around its present size' and that major non-food retail development will not occur outside the City Centre’s Primary Shopping Area and District Centres and their edges. The commentary on the policy defines major non-food development as usually consisting of increases in gross floorspace of more than 2,500m².

3.1.15 Policy CS 15 says that major leisure facilities will be located in the Lower Don Valley if there are no sites suitable or available in or at the edge of the City Centre.

3.1.16 Policies CS 7 and CS14 might appear to be inconsistent with the NPPF as they appear to place an embargo on development at Meadowhall and on major out of centre retail development, rather than allowing for the possibility of such development. However the appeal decision for the Next Home and Garden near Meadowhall established that these policies could be regarded as up-to-date provided they were applied in the context of the sequential and impact tests in the NPPF.

Summary of policy background

3.1.17 The NPPF's sequential and impact tests satisfactorily cover the policies in the UDP and Core Strategy that relate to prioritising City Centre

development and assessing impact. The main policy assessments of the application are therefore whether it complies with the sequential and impact tests set out in the NPPF. The following sections consider the proposal in terms of the sequential and impact tests.

Assessment of the proposal against shopping and leisure policy
Policy in favour of the development

3.1.18 The applicant's note, rightly, that the proposal would be highly accessible by public and private transport. The proposal therefore satisfies the criterion in UDP policy S5 that relates to accessibility. It is also consistent with Core Strategy policy CS15, which supports major leisure development in the Lower Don Valley because it is more accessible to the wider region than the other non-central locations. The Lower Don Valley includes Meadowhall.

3.1.19 However the support in CS15 is conditional on sites in or at the edge of the City Centre not being able to accommodate the development. The sequential approach must be satisfied.

The Sequential Approach – a Location Specific Need

3.1.20 National Planning Practice Guidance, which advises how national planning policy is to be put into effect, notes that the sequential test should recognise that some proposals have particular market or locational needs that may only be accommodated in specific locations and cannot be satisfied elsewhere.

3.1.21 The applicant argues that the proposed development is an example of such a market / locational requirement. They say the proposal is led principally by a need to respond to the current problems of limited leisure offer, inferior cinema provision and inadequate food and drink provision. It is needed to improve the customer experience and respond to competition from other retail locations and the internet. This need can be satisfied only by development at Meadowhall. Locating the proposal elsewhere would mean that these needs would not be satisfied.

3.1.22 Specifically, they need to update and increase Meadowhall's food, drink and leisure content and relocate and improve the cinema. They say the retail floorspace is needed to ensure a link between existing malls and the proposed development. Their arguments are considered below.

Food and Drink

3.1.23 The applicant explains why the current food and beverage offer at Meadowhall does not meet customer needs and why an increase in food and drink floorspace is needed.

3.1.24 The current food and beverage offer at Meadowhall regularly over-trades and the proposal is needed to reduce congestion. At peak times there are long waits in the restaurants at the upper level of the Oasis and the food

court seating is often full. They have submitted a survey report to show there is congestion in the food court and capacity problems on Saturdays and Sundays when long waits are experienced at many of the restaurants with their own seating. There is poor feedback from customers about waiting times. Evidence has been submitted to show that spending on food and drink has been increasing and is set to grow.

3.1.25 The range and quality of food and drink uses needs improvement. They say the food and drink offer in TLH will offer different eating zones with different experiences. There will be a fast food cafe court, street food pop ups on the outside terrace, casual restaurants and fine casual dining. A wider choice of food outlets will meet customer needs and will increase dwell time and evening stay.

3.1.26 There is evidence from a household survey that reduced congestion, more shops, a better environment and more places to eat and drink would encourage customers to visit more often. Representations in favour of the scheme show that many customers would support increased food and drink provision, a wider range of restaurants and a less congested environment for eating in order to provide a better family destination and an extended leisure day out.

3.1.27 An increase in food and drink floorspace would allow Meadowhall to compete with other regional shopping destinations. Food and drink uses at Meadowhall occupy only 7% of its area whereas in other regional malls between 8%-12% of floorspace is dedicated to food and drink.

3.1.28 They consider an increased provision of food and drink and leisure uses and more food and drink uses are needed to support the leisure scheme.

3.1.29 For these reasons, the applicant concludes that there is a site specific need for improved food and drink facilities at the centre.

Cinema

3.1.30 The applicant considers the cinema in the Oasis is outdated and fails to meet customer demands. Attendance has declined over the last two years. They say this is partly due to its location within the centre and partly due to its structure.

3.1.31 They say that its location is peripheral, poorly related to car parking, and that being within a food court environment is inappropriate. They say it has low patronage in the evenings as Meadowhall is not an evening destination but no evidence has been submitted to show that visitation rates reduce in the evening. Your officers place little weight on these as reasons for location specific development.

3.1.32 The applicant also says that modern cinemas require greater floor to ceiling heights to accommodate larger screens and steeper seat raking. The necessary improvements cannot be accommodated in the existing cinema

because it is constructed over 2 levels with constrained floor to ceiling heights. Even if it were possible to accommodate higher auditoria, modern cinemas have greater spacing between rows which would result in a significant reduction in seats. The applicant's supporting submission shows that it would be possible to achieve only one level of screens within the existing cinema envelope. Rebuilding on the site to achieve the same capacity would, they argue, be unacceptable in massing terms and the loss of continuity of trade would be unacceptable in operation terms.

3.1.33 Your officers accept that the supporting submissions demonstrate that a modern cinema refurbishment could not be accommodated within the existing structure due to the greater floor to ceiling heights demanded. It would certainly not be desirable in townscape terms to significantly increase the height of the cinema block, which appears as an extension, in order to rebuild it on the same site. It is therefore concluded that there is a site specific need for a cinema in the new extension.

Retail

3.1.34 The applicant argues that the retail space is required:

- To link the existing malls and TLH. To accommodate the space and create a circuit with the existing malls TLH has to be separate from the existing malls and built on part of the car park. To integrate it with the existing centre the walk between the malls needs to be attractive to customers. Shops will provide that attraction.
- To assist with the viability of the leisure extension: the rent per ft^2 for retail uses will be twice that of food and drink and leisure uses and will be an important contributor to the viability of the scheme.

3.1.35 The applicant argues that only retail uses can fill the linking space. Food and drink uses might be considered an appropriate alternative to retail but they argue that:

- Food and drink uses could not link the malls and TLH because they would be open only from midday. During the morning, visitors would be walking past dead frontages.
- The proposed development will already provide an adequate increase in food and drink uses and there will be limited demand for more.
- The narrow linking malls would be unattractive to restaurant customers. The applicant has submitted a design analysis purportedly showing that the malls would be too narrow if forecourt seating were provided at the front of the food and drink units and has provided examples from other indoor shopping centres where food and drink units face on to wide malls and public spaces.
- The narrow frontage and the depth of the units would be unattractive to food and drink operators and difficult to let. The applicant’s specialist food and drink advisors say the layout and configuration of the linking malls are unsuited to restaurant operators and would not allow the planned mix of tenants.

- Food and drink uses need to be clustered together to optimise rents and the customer experience and operators will want to be located near to the cinema and public realm areas.

3.1.36 They also point out that the Council's Major Projects team that are promoting the SRQ scheme recognise in their comments the need to provide an amount of 'transitional' retail space between the leisure offer and that of the existing retail offer.

3.1.37 However your officers consider that:

- The design analysis does not attempt to re-design the linking malls to remove the concerns over the width of external seating areas and pedestrian walk ways. It would be feasible to accommodate restaurants in place of the transitional retail units, not all of which have a deep and narrow footprint. Some unit frontages could be set back to allow forecourt seating in front and create the more spacious environment required.
- Food and drink units would provide an active frontage for visitors entering the shopping area for most times of the day when the centre is open. Therefore it is difficult to accept the applicant's argument that the visitor's experience is going to be fundamentally affected in a negative manner due to the lack of immediate presence of shops upon arrival at TLH.
- There has been no design analysis to show that the extension cannot be redesigned to bring the food and drink areas closer to the existing malls. If placing food and drink floorspace in the linking malls would result in an over-supply, this could be rectified by a re-design of the extension.
- Whilst there is no doubt that the Class A1 space would help the overall viability of the proposed development, the applicant has never provided any evidence to demonstrate that the development would be unviable without the Class A1 floorspace.

3.1.38 In conclusion there is insufficient evidence to conclude that the transitional retail is required to support the proposed extension from a financial, design and functional operation perspective.

Leisure Uses

3.1.39 The applicant has submitted a leisure review which argues there is a strong demand from various leisure operators for space within the centre. Their analysis also shows that comparable regional shopping centres such as the Trafford Centre, Bluewater and the Metro Centre have expanded to include Class D2 leisure floorspace alongside cinema and food/drink space. Inclusion of Class D2 leisure space is commonplace in these types of facility. However, little detail is provided on the type and scale of space demanded from either operators or customers.

3.1.40 The applicant argues that the leisure offer is essential for Meadowhall to compete effectively by providing a wider offer to attract customers and provide something that the internet shopping cannot offer.

3.1.41 There is limited evidence that the leisure space will meet customer demands. No survey evidence has been submitted to show that the leisure floorspace is being provided to respond to customer demands although over 300 representations from existing customers were received in support of the application. Roughly 25% of these appear to support the case for more leisure facilities at the centre.

The Sequential Approach – Alternative Sites

3.1.42 Despite this purported location-specific need the applicant has taken a comprehensive approach to the sequential approach and considered whether there are suitable alternative sites within, or at the edge of, the principal centres within the primary catchment of the proposal, ie, Sheffield, Rotherham, Chesterfield, Doncaster and Barnsley.

3.1.43 They have assessed sites of 3.5 hectares, which is the area of The Leisure Hall (TLH) and the multi-storey car park. In the case of City Centre sites, with good access to car parking, they have considered a site size of 2.6 ha which represents TLH with no car parking. To be robust the applicant has also considered some sites below 2.6 ha.

Sheffield Sites

The Moor

3.1.44 The sites for phases 2 and 3 of the Moor have been considered. However the applicant concludes that even combined, these are not large enough to accommodate TLH without car parking. In addition phase 2 is under construction and largely let so is not available.

Eyre Street (Staples Site)

3.1.45 The applicant argues that this site is not large enough at 1.2 hectares and not available as the Staples unit and car park are currently in use.

Former Castle Market

3.1.46 The applicant argues that the site is not large enough at 1.5 hectares. An archaeological investigation of the site is currently taking place, and the amount and location of new development can only be determined once the investigation is complete. Therefore it is uncertain whether the site is suitable and it is not available whilst the archaeological works are underway.

Sheffield Retail Quarter Site

3.1.47 The SRQ site has been the subject of a number of applications the most recent being 15/02917/OUT**,** where the Council endorsed the principles of the development, but stopped short of granting outline planning permission. The most recent planning application included an allowance for the following amounts of floorspace (GIA):

A1/A2	71,582m²
A3/4/5	5,777m²
C3	7,768m²
B1	37,038m²

3.1.48 The applicant argues that the SRQ scheme is primarily retail led and there is no leisure in the scheme. They have calculated that the TLH floorspace could not be accommodated adequately in the SRQ scheme taking into account the maximum parameters set for the development and its key elements such as the HSBC offices and John Lewis store (about 20,000m² GIA) and car park. They conclude that if TLH were accommodated in the scheme as well as the key elements there would only be 10,000m² available for other retail development.

They argue that reducing the scale of retail development within the SRQ scheme to accommodate TLH would completely transform it from a retail led scheme, which would be contrary to the objectives of regenerating the City Centre whilst failing to respond to the retail demand.

3.1.49 The applicant points out that the Council's Major Projects Team have not said in their comments on the application that the SRQ site is sequentially preferable. They also claim that it has been accepted on appeal that even if a site is sequentially less preferable it is acceptable provided the more central site would not be delayed, stalled or otherwise impaired as a consequence of the development permitted at the less central location.

3.1.50 They also point out that despite the NPPF statement that failure to satisfy the sequential test means that an application should be refused, case law has established that the sequential test is only one consideration to be weighed in the planning balance.

Sequential Test Conclusions

Location-specific needs

3.1.51 The applicant argues that the proposal satisfies the sequential test as it is location specific because it serves a need that can be met only at Meadowhall. National Planning Practice Guidance says that where a location-specific need is argued, 'robust justification must be provided'. Your officers accept the specific locational need shown in this case: that the provision of additional food and drink uses responds to customer demands and existing congestion in the shopping centre; that it is reasonable to

update the existing cinema and that since it cannot be refurbished on its existing site a new location also at Meadowhall is needed.

3.1.52 However your officers are not convinced that the transitional retail space is essential for the development to go ahead. Whilst leisure facilities are a common feature of regional shopping facilities there is a limited amount of detailed information on customer demands and it is not clear that the proposed amount of leisure space is required.

3.1.53 It is also questionable whether the same amount of public circulation space would be needed in alternative sites, particularly those which are already adjacent to public realm so there should be more flexibility in terms of the scale of retail and leisure floorspace. Nevertheless it is concluded that the applicant has demonstrated flexibility in terms of the multi-storey format of the development and not requiring on-site car parking for central locations.

Sheffield Sites

3.1.54 Your officers consider that the applicant has assessed an appropriate range of sequentially preferred sites and accept that, of the sites considered in Sheffield, only the SRQ site is worthy of consideration.

3.1.55 Whilst the endorsed SRQ scheme does not include any leisure uses there is no reason why it could not. Indeed leisure uses with regional catchments would be supported by Core Strategy Policy CS14. The fact that the SRQ site could accommodate a larger amount of retail floorspace than proposed at Meadowhall is no reason to dismiss it as being unsuitable.

3.1.56 Although the John Lewis store would occupy part of the site and the HSBC offices remove part of the area available for development, there would still be an area available to accommodate a large amount of floorspace across a range of land uses.

3.1.57 In the Honiton Road decision, the Secretary of State found a sequentially preferable site in Exeter City Centre to be available in principle despite it being in a mixture of ownerships, already occupied by an operational bus and coach station and retail units, and not available for immediate development. Given the similarities with the SRQ site, in terms of constraints to development, it is concluded that the SRQ site should also be considered as 'available'.

3.1.58 However it is clear that the endorsed SRQ scheme could not accommodate the Meadowhall scheme in its entirety, without any flexibility in scale or loss of leisure uses. Although the SRQ could accommodate the proposed Class A1 retail floorspace, its proposed A3/4/5 space is equivalent to only 81% of the space proposed by Meadowhall (7,110sq m) excluding external seating areas and only 57% if all the external seating is included. The SRQ scheme does not allow for Class D2 leisure uses, so this part of the Meadowhall scheme could not be accommodated.

3.1.59 However, it is understood that the SRQ scheme is changing and given that planning permission has been granted on part of the site, the recently endorsed scheme can no longer be implemented. It is understood that in the revised scheme;

- The amount of Class A1 retail floorspace (excluding the department store unit) will be similar to the level of floorspace within the endorsed scheme - i.e. about 50,000m².
- The revised scheme will introduce a larger element of food and drink and leisure floorspace which could comprise around one quarter of the total non-department store floorspace.

3.1.60 It is also understood that the revised scheme will include residential, office, hotel and car parking uses. The potential revisions suggest that the SRQ scheme is likely to become more in line with TLH scheme. The site could accommodate all of the land use classes proposed in the Meadowhall application and has a total site area which is likely to be large enough to accommodate different development mix, format and scale scenarios.

3.1.61 However, although preliminary pre-application discussions have taken place between SCC's major projects team / Queensberry and SCC as local planning authority, no information is publicly available at this stage. It cannot be concluded that the SRQ site represents a sequentially preferable alternative because;

- There is no information about the form and content of the scheme or plans against which it is possible to test whether the required elements of TLH (taking into account flexibility) could be accommodated. In particular previous versions of the SRQ scheme have not accommodated leisure uses and a significant proportion of TLH scheme comprises big format leisure spaces (eg trampoline hall, bowling). It seems unlikely that these large space-demanding leisure uses would be appropriate for the SRQ scheme.
- The representations from the Major Projects Team who are promoting the SRQ scheme do not indicate that they consider it to be a suitable sequentially preferable alternative which could accommodate the required elements of TLH scheme even allowing for flexibility. The Council would be in a difficult position if it refused an application on the basis that the SRQ site is sequentially preferable where the promoter of that scheme was not objecting on that basis and not willing to provide evidence to support its availability and suitability in a Public Inquiry.

Rotherham, Doncaster, Barnsley and Chesterfield Sites

3.1.62 None of the other adjoining authorities has objected on the basis that there are sequentially preferable sites available within their boundaries.

Summary of conclusions on the Sequential approach

3.1.63 In summary the applicant has shown that there are location-specific elements in the Meadowhall scheme – the food and drink uses and cinema – that cannot be accommodated other than at Meadowhall. As disaggregation of the applicant's proposal into separate elements is not required by Government guidance the proposal satisfies the sequential approach.

3.1.64 If it were considered that the food, drink and cinema elements were not needed at Meadowhall then the SRQ site might be considered as a sequentially preferred and available alternative. However there is no evidence that any existing scheme proposed on the SRQ site is capable of accommodating the Meadowhall development in its entirety.

3.1.65 The application is therefore acceptable under the sequential approach.

Retail and Leisure Impact Assessment

3.1.66 The National Planning Policy Framework requires impact assessments to consider:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the Study Area of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area.

3.1.67 The second of these impacts will be considered first.

Retail Impact on vitality and viability of existing centres

3.1.68 Overall, the applicant expects the proposed Class A1 floorspace to achieve an annual retail turnover of £45.6 million in 2021. This would draw trade from higher order centres over as wide an area as does the existing retail floorspace. A weighting has been applied to the destinations from which trade will be drawn on the basis that like competes with like. It is also assumed that some trade will be diverted from online sales. It is also expected that trade will be drawn from existing retailers at Meadowhall.

3.1.69 The applicant has predicted that the trade draw of the scheme from adjoining centres will be as follows.

Town / City Centre	% Impact		Trade Diversion to Proposal	Change in Turnover – Post Development (2016-2021)
	Comparison	Overall		
Sheffield	-1.9%	-1.7%	£15.8m	+£92.2m
Rotherham	-1.0%	-0.7%	£1.2m	+£15.3m
Crystal Peaks	-0.6%	-0.5%	£0.9m	+£20.0m
Spital Hill	-0.2%	-0.1%	£0.0m	+£0.5m
Darnall	-0.2%	-0.1%	£0.0m	+£0.8m
Firth Park	-0.2%	-0.0%	£0.0m	+£0.1m
Barnsley	-1.2%	-1.1%	£2.2m	+£20.3m
Doncaster	-0.4%	-0.4%	£1.5m	+£18.5m
Chesterfield	-0.4%	-0.4%	£1.5m	+£43.5m
Worksop	-0.2%	-0.2%	£0.2m	+£13.6m

3.1.70 The trade draw from the main centres in 2021 would be a maximum of -1.7% (from Sheffield City Centre). They conclude that that level of impact would not undermine the long-term vitality and viability of existing centres, given their existing trading performance, and the expectation that centres will benefit from increases in spending so trade at a higher level in 2021 than they do presently.

3.1.71 They predict the cumulative impact of the development, taking into account the proposal and outstanding commitments (schemes with planning permission) but also including the SRQ scheme, to be as follows.

Sector	Town / City Centre	Proposal	Commitments	Cumulative Impact
Comparison Turnover	Sheffield	-1.9%	+22.7%	+20.8%
	Rotherham	-1.0%	-4.9%	-5.9%
	Crystal Peaks	-0.6%	-4.9%	-5.5%
	Spital Hill	-0.2%	-0.0%	-0.2%
	Darnall	-0.2%	-0.5%	-0.7%
	Firth Park	-0.2%	-1.8%	-2.0%
	Barnsley	-1.2%	+5.8%	+4.6%
	Doncaster	**-0.4%**	**-3.3%**	**-3.6%**
	Chesterfield	**-0.4%**	**-0.3%**	**-0.7%**
	Worksop	**-0.2%**	**0.0%**	**-0.2%**
Overall Turnover	Sheffield	-1.7%	+20.8%	+19.1%
	Rotherham	-0.7%	-4.4%	-5.1%
	Crystal Peaks	-0.5%	-7.3%	-7.8%
	Spital Hill	-0.1%	-4.6%	-4.7%
	Darnall	-0.1%	-1.4%	-1.5%
	Firth Park	-0.0%	-0.8%	-0.9%
	Barnsley	-1.1%	+30.5%	+29.3%
	Doncaster	-0.4%	+16.3%	+15.9%
	Chesterfield	-0.4%	-0.4%	-0.8%
	Worksop	-0.2%	-0.2%	-0.4%

3.1.72 They note that this assessment assumes all commitments will come forward, which they may not, and that the assessment does not allow for commitments to compete with each other, which they will. This means that the impacts shown in the table are likely to be a worst case scenario. They consider the cumulative impact will not have a significant adverse effect on any centre.

3.1.73 The Council's consultants, GVA, accept much of the applicant's retail impact assessment but disagree with the sales density figures used to define the predicted turnover and the weightings used to calculate trade diversion. GVA also considers it likely that the extension will make Meadowhall a more attractive shopping destination for comparison goods shopping so existing visitors are likely to spend more and visit more often and new visitors will be attracted. This means that existing floorspace could uplift its trading

performance. As a consequence GVA have produced 3 alternative impact scenarios:

- (1) The first adopts the same approach to the turnover of the extension as the applicant but revises the pattern of trade diversion from existing stores and centres, hence the higher levels of diversion from city centre and Crystal Peaks
- (2) The second assumes that the proposed comparison goods floorspace will attract a sales density which is the same as the existing floorspace at MSC at the assessment years.
- (3) The third assumes that the turnover of the existing comparison goods floorspace at Meadowhall will rise by 5% as a consequence of the effects of the extension, and the new comparison goods floorspace will also achieve this same trading density.

3.1.74 The table below summarises the differences between the applicant's and the Council's consultants impact scenarios for the two centres with the highest impact.

Table 3: Quod and GVA forecast comparison goods impacts upon Sheffield City Centre and Crystal Peaks district centre (based 2021/2022 pre-impact turnover levels)

	Quod Assessment	**GVA Assessment 1 (Quod Sales Density Methodology)**	**GVA Assessment 2 (Constant Market Share Sales Density Methodology)**	**GVA Assessment 3 (Turnover Uplift Methodology)**
	(2022)	(2021)	(2021)	(2021)
Sheffield City Centre	£ 14.3m -1.9%	£ 19.2m -2.3%	£ 19.9m -2.4%	£43.7m -5.2%
Crystal Peaks district centre	£0.9m -0.6%	£1.4m -0.9%	£1.4m -0.9%	£3.1m -2.0%

3.1.75 GVA has produced another assessment of the cumulative impact on the comparison goods turnover of the City Centre showing the impact with and without the SRQ scheme. This is shown in the following table.

Table 4: Cumulative comparison goods impacts on Sheffield city centre				
	Quod Assessment	**GVA Assessment 1 (Quod Sales Density Methodology)**	**GVA Assessment 2 (Constant Market Share Sales Density Methodology)**	**GVA Assessment 3 (Turnover Uplift Methodology)**
Including SRQ	+20.8%	+ 15.6%	+ 15.5%	+12.6%
Excluding SRQ	-	-6.2%	-6.4%	-9.2%

3.1.76 This predicts a cumulative negative impact on City Centre turnover of between 6% and 9% if the SRQ scheme were not to go ahead but a cumulative positive impact of 21% if it did.

Retail Impact on Centres

Sheffield City Centre

3.1.77 The applicant argues that their predicted impacts are unlikely to damage retailing in the City Centre because it is performing well, functions as an important regional centre with a strong comparison offer and is well represented by national multiple retailers. The applicant acknowledges that the centre lacks modern retail floorspace but they point to the substantial demand recognised by the City Council's retail advisors for the SRQ (Lunson Mitchenall), and the ongoing developments on The Moor.

3.1.78 The Council's planning consultants, GVA, disagree. They note that recent retail studies show the centre has a high vacancy rate and is not able to maintain its market share in comparison goods shopping trips. It also has a more limited catchment than Meadowhall. GVA says the evidence indicates a vulnerable city centre which is failing to compete effectively with other shopping destinations and they consider the city centre is in a fragile state of health and is vulnerable to further competition in the sub-region.

3.1.79 GVA say TLH is intended to provide types of retail and leisure uses - particularly the comparison shopping, food and drink uses and cinema - which are important to the city centre's health.

3.1.80 As the City Centre is vulnerable to competition, relatively small trade impacts could have noticeable effects. Taken together, and without the SRQ, they are likely to have a significantly adverse effect on the City Centre as a whole. If the SRQ scheme is not delivered then the cumulative impact of TLH and other commitments will be negative – between 4% and 9%. (It should be noted that the higher impact figure of 9% assumes a 5% uplift in the trading impact of the existing floorspace at Meadowhall. Whilst some uplift is likely there is no robust evidence of what level this might be.)

3.1.81 However it is necessary to consider the impact on the City Centre in the future taking into account planning investment notably the SRQ scheme which is currently being revised. Both the Council's consultants and the applicant's assessments show that the financial impacts of the SRQ scheme will outweigh the impacts of TLH and commitments. The SRQ would have a significant positive impact on city centre comparison trade of around 17%. Assuming the SRQ is delivered, the predicted impact on the city centre of the comparison floorspace proposed at TLH would reduce this positive impact by only 2%-5%.

3.1.82 The SRQ could increase the market share of the City Centre, provide additional modern retail units to attract and retain retailers in the City Centre and add to its overall attractiveness. Therefore if it is likely that the SRQ scheme will go ahead it can be accepted that TLH will not have a significant harmful impact on the City Centre. The fact that the Council's Major Projects team and their advisors who are delivering the SRQ scheme have not said that TLH will undermine the project would suggest that they are confident that it will go ahead.

Crystal Peaks

3.1.83 The solus impact on the comparison goods sector is predicted to be between 0.6% and 2% and the cumulative impact 4.4% for comparison goods and 0.9% for food/beverage spending. The centre is considered to be healthy with a wide range of national and local retailers, a lower than average level of vacancies and it has been able to attract new occupiers in recent years. Whilst further impacts on the comparison goods sector could be a concern it is considered that TLH proposal will not have a significant harmful impact. The representation from Crystal Peaks does not claim that the development will have a significantly harmful impact.

Rotherham Town Centre

3.1.84 Rotherham has objected on the basis that the proposal is likely to have a significant adverse impact upon the vitality and viability of Rotherham town centre. Their report to committee identifies an impact of between 1.1% and 2.5% as assessed by their advisors GVA, although this included the foodstore impact which has now been withdrawn from the scheme. They consider that due to the fragility of the town centre it is susceptible to even

low levels of impact. They point to a noticeable amount of trading overlap and continuing higher than the national average vacancy levels and lower than average proportions of comparison goods and service uses.

3.1.85 The applicant has identified a potential impact of 0.7% up to £1.2m by 2021 represents less than 8% of the forecast increase in turnover of Rotherham Town Centre between 2016 and 2021(£15.3 million). They point out that post development the retail turnover of the Town Centre will increase over the next five years. They also say that Meadowhall and Rotherham have a different retail offer with Rotherham's offer focused on the lower end of the retail spectrum and there being little overlap in the clothing and footwear sector. They draw attention to Rotherham Town Centre's position in the Venuescore Retail Rankings having improved since 2011 – rising from being 270th to 259th in 2016. They argue the removal of the foodstore from the scheme represents an important change to the scheme the convenience goods sector represents a substantial element of Rotherham's Town Centre offer.

3.1.86 The proposal will undoubtedly have a negative impact on Rotherham's town centre which is already in a fragile state. Given its poor starting position a small impact is likely to be more critical. The poor state of health of the existing centre is a consequence of development already permitted at Meadowhall and Parkgate Retail Park, the effects of which will already have been felt. Given this, the relatively small impact of the proposal, and the different retail offer of the two centres, it is judged that the level of impact on Rotherham town centre is not sufficient to be considered to be significantly adverse which is the planning test for refusing permission.

Wakefield City Centre

3.1.87 Wakefield City Centre is located beyond the primary catchment area and on the periphery of the study area. The applicant argues that the limited overlap of the core catchment areas means that the proposal will have a negligible impact on the vitality and viability of Wakefield City Centre. The Wakefield Retail, Leisure & Town Centres Study (August 2013) prepared by GVA on behalf of Wakefield Council, identifies that the City Centre retail offer has recently been enhanced through the Trinity Walk scheme. Given the above, the applicant's conclusion that the proposal will not have a significant adverse effect on Wakefield is accepted.

Stocksbridge District Centre and Fox Valley Project

3.1.88 TLH is predicted to draw 2.5% of its turnover from the zone within which Stocksbridge is located. The turnover of the centre is dominated by its convenience offer which will not be affected now that the convenience store has been removed from the scheme. The comparison goods offer serves a local catchment and there is limited overlap with Meadowhall. The trade diversion is identified to be up to 0.1% or approximately £25,000 up to 2021 whilst the turnover of the centre as a whole is £49m. GVA predicted the Stocksbridge centre would lose up to 0.5% of its turnover based on their

alternative scenarios referred to above. This very limited impact cannot be considered to be significantly adverse.

3.1.89 The Fox Valley Project falls outside the District Centre so has no protection in retail planning policy terms**.** The relevance of any impact on Fox Valley is if it has tangible knock on effects for the health of the district centre. However GVA considers that although Fox Valley could lose some trade as a consequence of the MSC expansion, the trading effects are unlikely to be significant.

Analysis of Food and Drink Impact

3.1.90 It is estimated that the new food and drink floorspace will achieve a turnover of £27million of which £10 million will be drawn from Sheffield City Centre, equivalent to 2.6% of the City Centre's food and drink turnover. Barnsley's Town Centre will lose £1.7m (2.7% of its turnover), Rotherham's £1.1 million (2.4%) and Doncaster's £1.2 million (0.8%). The percentage impacts on the cafe and restaurant sector may be higher because those shown here are calculated for the food and drink sector as a whole, which includes pubs, bars, and nightclubs which are unlikely to be significantly impacted by TLH.

3.1.91 However these impacts will be more than offset by the expected growth in food and drink spending between 2016 and 2022 of £27 million in Sheffield, £4m in Barnsley, £3m in Rotherham and £12m in Doncaster. The applicant also points out that their assessment is a worst case scenario as it assumes no impact on existing facilities at Meadowhall. The applicant also points out that the food and drink spending in the catchment is significantly below the national average, probably due in part to the lack of offer, so some of the spending drawn by new facilities will be new spending.

3.1.92 The applicant argues that for food and drink customers the City Centre and Meadowhall offer different experiences so would not be seen as competing. The city centre has a broad range of visitors/customers (office workers, students, residents, tourists). It can offer architecturally interesting buildings, which are important to some food and drink operators, such as green spaces, public squares, museums, theatres and music venues. They state that the City Centre appeal is to independent operators as well as the national brands.

3.1.93 They argue that a more comprehensive food and drink offer could be offered both at Meadowhall and in the City Centre and at other town centres.

3.1.94 They argue that due to economies of scale it is more likely that an operator would be attracted to a city if there was the opportunity to open more than one outlet. For example, 3 of the 4 food operators recently attracted to the Moor scheme have already been trading at Meadowhall. They say a number of other regional shopping centres have a strong food and drink offer alongside a successful City Centre food and drink offer.

3.1.95 Your officers consider that the food and drink element of the proposal is, by itself, unlikely to have a significant adverse effect on the vitality and viability of any centre.

Analysis of Cinema Impact

3.1.96 The applicant argues that the cinema is likely to impact mainly on Centertainment and unlikely to have a significant impact on the Curzon or Showroom cinemas as these serve a different market. The Odeon serves a relatively local catchment - principally South and South East Sheffield and the City Centre. They argue Sheffield City Centre is underprovided with Cinema screens relative to other regional centres and demand for an additional 9 screens has been demonstrated by the 'Light' development on the Moor. Given this, and as it benefits from the significant local student population, daytime workforce and visitors to Sheffield, the assessment concludes that the Meadowhall proposal would be unlikely to undermine cinemas in the City Centre.

3.1.97 The cinema will replace the existing cinema and there will be no change in number of seats. However the increase in number of screens from 11 to 14 would increase the number of film screenings and this is likely to increase attendance rates. The majority of this is likely to be diverted from Centertainment which, being out of centre, has no planning protection. It is considered that there is unlikely to be significant diversion from the City Centre.

Analysis of other Leisure Uses

3.1.98 Other than for cinemas, there is no accepted methodology for leisure impact assessments so the applicant has adopted a broader qualitative assessment for potential leisure uses that might occupy TLH. They have considered Ten-Pin Bowling, Table Tennis, Health and Fitness Uses, Trampolining, Indoor Golf, Children's Indoor Centre and Unique Leisure offers such as Legoland.

3.1.99 Trampolining, Indoor Golf and Children's play centres are usually located out of centre so are offered no special protection in planning terms. Table Tennis is primarily catered for in sports centres and clubs and a commercial table tennis operation would be a fundamentally different offer. There is no evidence that it would have a harmful impact. Most Health and Fitness uses are located out of centre so have no planning policy protection; it is also argued that the high footfall at Meadowhall and large number of staff would support a facility. City Centre gyms are likely to serve the City Centre population and workers and unlikely to be impacted significantly by the Meadowhall Scheme. Ten-Pin Bowling operations are located outside existing centres except for the MFA Bowl within Firth Park district shopping centre. The applicant's assessment explains that it is focused at a lower end of the market and offers a regular bowling league, which is unlikely to be provided in larger facilities. The applicant considers MFA Bowl will continue to trade successfully and draw from the local catchment area. Your

officers have no reason to disagree with this assessment. A leisure offer such as Legoland would be unique to the region and therefore would have no impact on existing centres.

The replacement cinema is likely to generate a higher number of trips to Meadowhall and there is likely to be some further fairly limited indirect impacts on the retail and leisure sectors in the city centre.

Impact on investment in existing centres

Sheffield City Centre

3.1.100 The principal investment in the City Centre is The Moor (Phases 1-3) and the Sheffield Retail Quarter (SRQ).

Sheffield Retail Quarter

3.1.101 The NPPF says the impact should include assessment of the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. The applicant argues that for planning investment to be a planning consideration a project must be well advanced. In the case of the SRQ they consider it is arguable whether it meets these criteria as there is no clear evidence that there is any certain planned development.

3.1.102 Notwithstanding the above the applicant states that the clear market objective for SRQ is to provide modern retail floorspace to meet the requirements of both existing retailers represented in the City Centre (such as John Lewis), which will include larger floorplates, and new retailers not currently represented. The applicant points out that much of the floorspace is likely to be occupied by retailers already represented in the City Centre and that many retailers operate both in centre and out of centre operations alongside each other.

They consider TLH will not undermine investor confidence to a level that would cause significant impact for the following reasons:

- The City Centre function is made up of unique cultural and architectural advantages and supported by the office and residential customer. It is multi-dimensional and not susceptible to competition from any one particular land use.
- There is a strong retail demand in the City Centre demonstrated by the evidence submitted in support of the SRQ application. This demand exceeds the floorspace that will come forward as part of SRQ and that the SRQ will be a step change in the City Centre offer.
- The scale of comparison goods retailing proposed in TLH is small in comparison to that currently in the City Centre and that proposed in the SRQ scheme.

- The predicted trade draw of the Meadowhall Scheme from the City Centre will be more than offset by the increased turnover delivered by the SRQ.
- The City Centre comparison retail space trades well and is not fragile it just requires modern retail floorspace to satisfy the strong demand.
- The SRQ scheme currently contains no leisure use and as a consequence TLH will not compete directly with it.
- The food and drink element of SRQ will largely be of a scale that replaces existing food and drink space that will be redeveloped. It will meet the needs of existing shoppers rather than provide a destination food and drink offer.

3.1.103 The applicant considers that both schemes can co-exist whilst allowing the City Region's economy to grow.

3.1.104 Whilst there are obviously differences between the two schemes there is a significant amount of overlap in their content, both in respect of the recent outline planning application scheme and the revised scheme which is due to be brought forward in the near future. There is a significant risk that the Meadowhall extension and SRQ will compete directly for tenants which will affect the ability of the SRQ scheme to attract sufficient tenants and negotiate leasehold deals which allow for a viable development.

3.1.105 However of particular relevance are the comments of the Council's major projects team on the scheme. These are as follows.

"The investment planned for Meadowhall is welcome and takes forward the growth of the City and City Region.

"Given that we are bringing forward plans for the Sheffield Retail Quarter (SRQ), we would like to see this amount of space reduced where possible, given that we do understand that it is necessary to provide an amount of transitional retail space between the new leisure offer and that of the existing retail offer.

"The City Council worked up its own proposals for a revised masterplan for the SRQ site, which led to the endorsement resolution in 2016. Queensberry Real Estate Ltd is the City Council's Development Manager and updated proposals for the remainder of the SRQ site are currently being developed and will be the subject of a new outline planning application later in 2017. We believe that the SRQ must come forward as critical development in the City Centre to balance the proposals at Meadowhall. Therefore, we seek reassurances that there will be a limit or reduction to the 30% of new retail floor space and that the new scheme and existing Oasis and Cinema areas are restricted from future Class A1 retail uses through planning controls".

3.1.106 The representation does not suggest that there is a significant concern that TLH will undermine the investment in the SRQ scheme.

3.1.107 Since this representation was received TLH has been amended reducing the amount of retail floorspace (removing the foodstore) and the applicant has confirmed that they are willing to accept controls limiting future changes of use from food and drink to retail for the existing floorspace in the Oasis and for the food and drink floorspace in TLH and preventing the Cinema space being used for retail purposes as requested by the Major Projects Team representation.

Existing Investment

3.1.108 In addition to planned and committed investment, there is a need to consider existing investment. This relates to investment which has already been made, such as existing businesses within the city. Existing traders and landlords need to invest in their property and businesses to ensure they are attractive and relevant for their customers' needs.

3.1.109 The proposal could affect viability and confidence within Sheffield city centre by falling turnover levels, the loss of footfall and vitality within the centre. Whilst some improvements have been made particularly with respect to the Moor further improvements are still required. The SRQ scheme is important in improving existing investor confidence. The existing main investor in the SRQ scheme has not raised any concerns that TLH will impact on the deliverability of the scheme. Therefore there is no reason to conclude it will not be delivered and that there would be a significant adverse impact on existing investment.

The Moor

3.1.110 Phase 2 is completed comprising of a large retail unit, four smaller retail units totalling 3,364 square metres gross, six food and drink units (1,678 square metres), gym (operated by Sweat!) and a nine-screen cinema (The Light). The retail units all have confirmed occupiers as do two of the food and drink units.

3.1.111 The final phase 3 which has not been commenced will occupy the former McDonald's restaurant and Adams retail store at the top of The Moor opposite Debenhams). Planning permission has been approved for 5,163 square metres of shops, financial and professional services, restaurants and cafés.

3.1.112 The applicant argues that the majority of occupiers who have committed to phase 2 are already represented at Meadowhall which is evidence of dual trading at both locations. They argue that the Moor developments have come forward with full knowledge of the larger SRQ proposal and there is no evidence that the more distant and smaller scale Meadowhall scheme will undermine the delivery of the final phase.

3.1.113 Your officers agree that the Moor developments have come forward with full knowledge of the SRQ proposal and its positive and negative impacts on them and there is no evidence that the more distant and smaller Meadowhall scheme will undermine the delivery of the final phase.

Fox Valley Stocksbridge

3.1.114 The TLH applicant argues that the Fox Valley scheme has attracted tenants alongside Meadowhall including traders represented at Meadowhall who are able to do so because of the different roles of the centres.

3.1.115 It is considered that the impact on investment in the Fox Valley scheme does not form a strong basis for resisting the application as it is an edge of centre scheme and the NPPF only requires the impact on existing, committed and planned public and private investment in a centre. In addition the trading impacts are not likely to be significant and Stocksbridge town centre itself is unlikely to be seriously reduced.

Crystal Peaks

3.1.116 The representation received provides no evidence of any planned investment projects for this centre that will be undermined by the proposal. The proposal is likely to have an adverse impact on existing investment but given the health of the centre this in not considered a significant enough issue to justify resisting the application.

Rotherham

3.1.117 Rotherham Council have objected on the basis that the proposal is likely to have a significant adverse impact upon planned investment in the Forge Island site and also existing investment across the remainder of the town centre. The emerging development scheme at Forge Island comprises food/beverage, hotel and cinema uses. It is intended to help create a new and vibrant Leisure Quarter in the centre of Rotherham that complements the existing shopping centre.

3.1.118 Rotherham accepts that TLH will not affect the hotel use and will not fundamentally affect a cinema operator's interest in Forge Island. However given the proximity of Rotherham Town Centre to Meadowhall they are concerned that some food and drink operators may prefer Meadowhall over Rotherham and not have the confidence to invest in Forge Island. They consider there needs to be a critical mass of food and drink uses in order to ensure the viability of the Forge Island development and unless food and drink operators are attracted the cinema will not be attracted.

3.1.119 The TLH applicant argues that food and drink market at Forge Island will be generated by the other uses on the site and that a cinema will support restaurant uses supplemented by the hotel neither of which are likely to be

undermined by TLH. They also argue that the food and drink markets for the two sites will be different. They say the interest in Forge Island is more likely to be the fast/contemporary casual and national brands whilst TLH will be attractive to the more aspirational and varied food offer aligned with Meadowhall customer profile. Their view is supported by Davis Coffer Lyons as leading specialist advisor on the food and drink industry.

3.1.120 Your officers agree with the applicant's appraisal.

Wakefield

3.1.121 Given the minimal impact on Wakefield Centre and there is no evidence of operator interest in the Town Centre being discouraged. It is concluded that the proposal will not have a significant harmful impact on the investment in the centre.

Conclusion

3.1.122 The centre most affected by TLH extension will be Sheffield. The SRQ development is the critical project for the improving the City Centre which is considered to be in a vulnerable centre. However the Council's Major Projects team do not consider TLH will prejudice the delivery of this project. Given this, it can reasonably be concluded that it will go ahead and deliver the necessary step change in the City Centre regeneration. This means that whilst TLH will have a negative trading impact on the City Centre, this will be outweighed by the positive benefits of the SRQ project. Taking this into account, the City Centre will see an improvement in its vitality and viability. Given this, there is insufficient evidence to conclude that the proposal will have a significant harmful impact on the vitality and viability of the City Centre or the investment needed to regenerate the City Centre. The impact of TLH on other centres will be harmful but not to a degree that is considered to be significantly adverse for the reasons given above.

3.1.123 Whilst in general terms the SRQ site would appear to be a sequentially preferable site there is insufficient evidence to robustly conclude that it could accommodate the necessary elements of the scheme allowing for reasonable flexibility. There is no publicly available information about the content of the scheme as it is in a state of flux and there are no plans against which to test the proposal. It seems unlikely that the scheme would be suitable to accommodate the big box leisure elements proposed in TLH scheme. In addition the promoters of the SRQ have not said that it is sequentially preferable.

3.1.124 It is not possible to guarantee with 100% certainty that the SRQ scheme will go ahead and that the final scheme when further developed could not accommodate TLH development. However a conclusion must be reached on the evidence available at the current time and this does not support the

conclusion that the proposal would have a significantly adverse impact or that the SRQ site is sequentially preferable.

3.1.125 On the positive side the proposal will improve the choice of the leisure and retail offer in a highly accessible location. There will also be benefits in terms of increased linked trips between the shopping, food and drink and leisure uses. It will address the existing food and drink congestion issues and deficiencies with the cinema whilst meeting customer needs and assist in Meadowhall continuing to attract visitors and spending from outside the local area. It is judged that these benefits do not outweigh the harmful impacts on existing centres and therefore in retail policy terms the overall impact of the development is harmful but not significantly harmful. Therefore these negative impacts need to be weighed with the other benefits and dis-benefits of the scheme in the planning balance.

3.1.126 In order to ensure the retail impacts are no greater than predicted it is recommended that the following controls should be secured by conditions and legal agreement should permission be granted.

- A condition removing permitted development rights for the new Class A3/4/5 floorspace in the proposed extension to change to Class A1 retail use.
- A legal agreement preventing the existing Class A3/4/5 floorspace in the Oasis area of the existing shopping centre from changing to Class A1 floorspace via the removal of normal permitted development rights.
- A legal agreement preventing the future change of use of the existing Class D leisure floorspace in the existing cinema to Class A retail use.
- A condition controlling the number of Class D leisure units within the proposed extension and to ensure that big box leisure uses are provided which are unlikely to be suitable to accommodate in the City Centre.
- A condition to ensure the applicant cannot accommodate retailers who also have a presence in the city centre unless such retailers commit to remaining in the city centre for a period of 5 years.

3.2 Access Issues

Policy

3.2.1 One of the Core Planning Principles in the National Planning Policy Framework is to “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable”.

3.2.2 The NPPF also advises that significant developments should be supported by a Transport Assessment and this should take account of whether;

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development.
- Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

3.2.3 Core Strategy policy CS7 is concerned with development at Meadowhall and says that a wide range of transport measures, including Travel Plans, will be employed to mitigate the transport impact of new development on the strategic road network and to reduce adverse impacts on air quality.

Core Strategy policy CS51 describes the Council's strategic policies for transport. These are:

- Promoting choice by developing alternatives to the car
- Maximising accessibility
- Containing congestion levels
- Improving air quality
- Improving road safety
- Supporting economic objectives through demand management measures and sustainable travel initiatives

3.2.4 Core Strategy policies CS54 and CS55 seek to improve provision for pedestrians and cyclists. These policies give priority to improving routes in the Lower Don Valley. The Brightside Lane and Attercliffe Common routes to the City Centre are key routes for bus priority measures.

3.2.5 Unitary Development Plan policy S10 says that new development in shopping areas will be permitted provided that it would be served adequately by transport facilities and provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

Background

3.2.6 The highway network around the site is congested at busy times in particular focussed on the access junctions to the M1 at Junction 34 (north and south) and the access routes that link Meadowhall to those junctions. Saturdays and the period between November and early January are the busiest times at Meadowhall. Visitor car parks are rarely full and the available overflow parking was only used on two occasions during 2015. Since November 2014, staff have been required to use the staff car park at Alsing Road which lies outside the ring road around the centre. The 2016 surveys suggested a combined proportion of 81% of users travelled by car and 16% of visitors use public transport, few currently walk or cycle.

3.2.7 The shopping centre is very well served by public transport. There is a covered link between the Passenger Transport Interchange (PTI) which is

served by heavy rail, tram and numerous bus services. The Tinsley tram stop will be closer to The Leisure Hall than the PTI and is served by a stop for the X1 express service which has recently been introduced between Rotherham and Sheffield via the Tinsley Link. The Tram Train, which is due to become operational in 2018 and will provide a connection between Rotherham and Sheffield City Centre will also stop at Tinsley South Supertram stop.

3.2.8 Meadowhall currently has 9,364 permanent parking spaces, including 301 Blue Badge and 212 parent and child spaces within the main centre. In addition there are 1143 staff parking spaces, 263 contractor spaces and 33 coach spaces on Alsing Road. Three existing overspill car parks on Meadowhall Drive, Weedon Street and to the south west of the Next Home and Garden store are used infrequently to provide a further 1500 spaces.

Access to the site

3.2.9 The red car park and new surface yellow car park outside TLH will be accessed from the Meadowhall Way/Vulcan Road roundabout. The upper deck of the new car park will be accessed as existing from Meadowhall Way and there will be an egress as existing onto the Meadowhall service road from the lower level. There will be a drop off layby in front of TLH.

3.2.10 The existing access from Meadowhall Way into the Yellow car park (the first to the north of the Vulcan Road roundabout) will become a dedicated access into the Yellow multistorey car park.

3.2.11 The existing servicing road from Meadowhall Way will no longer serve the Yellow car park, and will be a dedicated delivery and servicing vehicle road operating one-way.

3.2.12 The new surface car park on the Land to the West of Next will utilise the existing signalised junction on Meadowhall Way and will allow for all movements. There will also be a left-in, left-out priority junction onto Sheffield Road with a central island to prevent right turn movements.

3.2.13 The mini-roundabout on the access road from Meadowhall Way serving Costa Coffee and Next Home and Garden will be removed and replaced with a simple continuation of the carriageway without a junction.

3.2.14 A variable message signing system will be developed including Meadowhall Way, Vulcan Road, Meadowhall Road and Sheffield Road. This will seek to improve the efficiency of vehicle movement around Meadowhall through providing real-time car park occupancy information.

Car parking

3.2.15 Automatic Number Plate Recognition data shows that in 2015 (the most recent year with full data at the time the application was submitted) the

overall car parking capacity was not exceeded on any day. The data suggests that on no day during 2015 was the overall capacity exceeded but that on 11 days demand exceeded 90% capacity and on a further 14 days demand exceeded 80% of capacity. Saturdays tend to be significantly busier than other days and demand increases between late October through to early January. In terms of the staff car park on a weekday the maximum recorded accumulation was 926 vehicles (81% of the capacity). On a Saturday, maximum accumulation was lower at 746 vehicles, or 65% of capacity. On Sundays accumulation was lower still; a maximum of 576 vehicles or 50% of capacity.

3.2.16 At present once 80% occupancy is reached an assessment is made on the traffic levels coming into the Centre then a process of interventions will begin to encourage more efficient use of the car parks and directing drivers to the overspill car parks.

3.2.17 TLH extension will be built on the yellow and part of the red car park resulting in a significant reduction in parking. However overall number of spaces will remain the same as the new multi-storey car park will accommodate 1802 spaces over 6 levels, the new surface car park outside TLH entrance will accommodate 220 spaces and new surface car park on the land to the west of Next Home and Garden will provide 867 spaces. The proportion of Blue Badge spaces will increase from 3.2% to 4.4% (115 more spaces). There will however be a reduction in the parent and child spaces from 2.3% to 1.9% (35 fewer spaces). There will be a total of 12 electric vehicle charging spaces in the Upper Red and 12 in the MSCP Yellow.

3.2.18 There will be no additional staff parking provided and this will be accommodated by spare capacity within the existing car park and enhanced travel plan arrangements.

3.2.19 As part of the revised Yellow, Red and new surface car park at Land to the West of Next, the layout of parking has been redesigned to improve efficiency for example by the introduction of one way circulation.

Car Parking and Highway Network Management

3.2.20 Prior to the scheme being implemented, should permission be granted, a strategy will be developed in conjunction with the Council and Highways England to implement a Variable Message Signage scheme on the local highway network including; Meadowhall Way, Vulcan Road, Meadowhall Road and Sheffield Road. This will seek to improve the efficiency of vehicle movement around Meadowhall through providing real-time car park occupancy information.

3.2.21 It is proposed that a network of internal VMS will provide drivers with real-time space occupancy information on each level of the Yellow car park and each zone of the Red car park.

3.2.22 The traffic model uses existing traffic counts to provide a profile of parking accumulation for each day. The additional trip arrivals and departure are added, taking account of the likely increase in dwell time for internal linked trips, in order to provide a revised parking accumulation profile with development in place.

3.2.23 A separate assessment has been undertaken relating to staff trip generation.

3.2.24 Parking accumulation assessments have been carried out taking into account demand created by the new development and the increased dwell time expected due to the wider range of facilities provided. These show that for the revised scheme (see below) the maximum capacity of the visitor car parks is expected to be exceeded on no occasions with 90% capacity exceeded on 17 occasions. For the alternative leisure scheme (see below) the maximum capacity will be exceeded on 8 occasions with 90% capacity exceeded on 22 occasions.

3.2.25 The overall demand is predicted to be less than the capacity of the overflow car parking. In practice it is considered that the demand for overflow parking is likely to be less than the model predicts as the demand profile is likely to change with extended evening and Sunday usage. It also does not take into account the impact of enhanced Travel Plan measures. The analysis indicates that the surface car park adjacent to Next is only likely to be in operation during Saturdays and peak periods due to the increased efficiency of operation of the Red and Yellow car parks.

Servicing

3.2.26 It is anticipated that the increased floor space will result in an increase in delivery and servicing trips of around 29%. This equates to some 45 additional service trips on a weekday with some 4 additional vehicles during the morning peak.

Transport Modelling

3.2.27 In order to determine the impact of the proposal on the operation of the highway network it is necessary to firstly make an estimate of the likely number of additional vehicular trips. This has been done by the development of a first principles model.

3.2.28 The calculation of the estimated number of vehicular trips is carried out using the following steps:

- The number of person trips is calculated for each element of the development proposal. The person trips are calculated using the TRICS database (Trip Rate Information Computer System)

- Estimates of the number of internally linked trips are then derived. These are trips which will occur between the existing Meadowhall Centre and the new facilities and between the differing elements of the new facilities.
- A percentage mode share is then applied, in this instance 80% of the person trips have been assumed to be made by car as either a driver or passenger.
- A car occupancy factor is then applied (ranging from 1.1 – 2.9) which then allows the estimate of new car trips to the development to be determined.

3.2.29 A number of differing traffic generation options have been considered in order to ensure a robust assessment has been undertaken and also due to slight changes in the makeup of the development proposals. The table below indicates the vehicular traffic generation estimates for each of the options considered.

1. Original (now superseded as application was amended in May 2017)
2. Revised (application as amended in May 2017)
3. Alternative Leisure Use (Sensitivity analysis undertaken to consider a regional leisure attraction such as Sealife).

Peak Hour Vehicle Trip Generation (with percentage uplift from 'existing' in brackets)

Scheme	**Weekday PM (17:00-1800)**			**Saturday (12:00-13:00)**		
	Arr	**Dep**	**Tot**	**Arr**	**Dep**	**Tot**
Existing Meadowhall	1,977	1,766	3,743	3,252	2,398	5,650
Original (superseded)	166 (8%)	159 (9%)	325 (9%)	228 (7%)	198 (8%)	426 (8%)
Revised	148 (7%)	176 (10%)	323 (9%)	249 (8%)	227 (9%)	476 (8%)
Alternative leisure use	151 (8%)	282 (16%)	433 (12%)	418 (13%)	252 (11%)	670 (12%)

Peak Hour Public Transport Trip Generation

Scheme	**Weekday PM (17:00-1800)**			**Saturday (12:00-13:00)**		
	Arr	**Dep**	**Tot**	**Arr**	**Dep**	**Tot**
Original (superseded)	70	70	140	110	100	210
Revised	65	75	140	124	119	243
Alternative leisure use (Sealife)	76	192	268	282	159	441

3.2.30 The above vehicle trip estimates have been used as inputs to separate highway impact and public transport assessments. For the highway assessments the additional trips relate to a weekday PM peak (17:00 to 18:00) and a Saturday peak (12:00 to 13:00). For both assessments, the distribution of trips reflects the current observed pattern at Meadowhall.

3.2.31 The Sheffield Area Aimsun Model (SAAM) which covers the whole of the Sheffield metropolitan area has been utilised to assess the impacts arising from the development over a wide area. LinSig, ARCADY and PICADY models have been developed to assess the development impacts on local junctions.

3.2.32 Four scenarios have been assessed; a 2026 Do Minimum (DM) scenario, which accounts for agreed committed development as well as background traffic growth, 2026 Do Something (DS) scenario which includes the additional traffic associated with TLH, 2026 Do Something with Mitigation (DSM) which includes the additional traffic associated with TLH plus the proposed highway mitigation., 2026 Do Something Alternative Leisure (DSMAL) which is the traffic associated with the Alternative Leisure proposal and proposed highway mitigation.

3.2.33 The Network statistics which can be derived from the model provide an overview of how the highway network as a whole is performing. The statistics that can be derived from the model are as follows:

- Travel time (s/km): the mean time taken for vehicles to travel through the network in the modelled time period.
- Delay time (s/km): the mean delay incurred by vehicles travelling though the network in the modelled time period
- Flow (veh/hr): the mean number of vehicles which pass through the network in the modelled time period
- Speed (km/hr): the mean speed of vehicles
- Density (veh/km) the mean number of vehicles per km of road space and is an indicator of queuing and congestion
- Mean Queue (veh): the mean number of vehicles classed in queuing in the model, averaged over the modelled period

3.2.34 The tables below detail the Network statistics for Options 1 and 3 (option 2 was not modelled given the similarity in flows to option 1 and the fact that the flows are lower than option 3).

	PM Peak (1700-1800)				
	Units	**2026 DM**	**2026 DS**	**2026 DSM**	**2026 DSAL**
Travel Time	sec/km	184	186	183	183
Delay	sec/km	121	123	120	120
Flow	veh/km	111,936	111,706	113,387	113,032
Speed	km/hr	31	31	31	31
Stop Time	sec/km	103	105	103	103
Density	veh/km	18	18	18	18
Mean Queue	veh	23,679	22,820	22,794	23,150

	Saturday Peak (1200-1300)				
	Units	**2026 DM**	**2026 DS**	**2026 DSM**	**2026 DSAL**
Travel Time	sec/km	172	175	171	172
Delay	sec/km	109	112	108	109
Flow	veh/km	92,483	92,361	92,639	93,127
Speed	km/hr	36	36	36	36
Stop Time	sec/km	94	97	94	94
Density	veh/km	13	14	13	13
Mean Queue	veh	14,878	15,498	15,179	15,077

3.2.35 The tables above indicate that for both development options the highway mitigation proposed results in overall improvements in the operation of the highway network. With reductions in travel time occurring at the same time as greater flows are passing through the network.

3.2.36 Individual junction modelling has also been undertaken at the following locations:

- M1 Junction 34(N)
- M1 Junction 34(S)
- Alsing Road Gyratory
- Meadowhall Way / Vulcan Road
- Vulcan Road / Sheffield Road Roundabout
- Meadowhall Way / Tinsley Link Road
- Meadowhall Way / Meadowhall Road / Jenkin Road
- Brightside Lane / Hawke Street / Upwell Street

3.2.37 The local junction modelling results indicate that the development proposals (all options) do not have a significant adverse impact on their operation. M1

junction 34N is shown to operate slightly beyond its design capacity during the PM peak in the 2026 DSM scenario but operates better than in 2026 under the DM scenario.

3.2.38 Junction 34(S) and the Alsing Road Gyratory are subject to minor reductions in the Practical Reserve Capacity; however this is not such that the junctions would be adversely affected.

3.2.39 In terms of public transport impacts, the model has identified TLH will generate between 140 and 268 additional public transport trips per hour during the weekday peak, and 243 to 441 trips during the Saturday peak hour.

Mitigation

3.2.40 In order to mitigate the impact of the development the applicant is proposing the following.

Off-site Highway Improvements

- Junction 34 (north) – the provision of a free-flow slip road from Meadowhall Road onto the northbound M1 merge plus widening of the circulatory lanes between Meadowhall Road (west) and the M1 merge. Includes potential for signalising free flow slip road if monitoring shows it results in excessive queueing on the Tinsley Viaduct;
- Junction 34 (south) – widening of the circulatory carriageway to four lanes between the M1 merge and the A631 viaduct entry as well as improvements to the Shepcote Lane entry and the Sheffield Road entry and exit;
- Sheffield Road / Vulcan Road signalised roundabout improvement;
- Widening of Sheffield Road between Vulcan Road and M1 Junction 34 (south)
- Improvement of the Alsing Road gyratory -this involves the widening of the Meadowhall Road (south) approach to provide a three-lane entry and widening of the circulatory carriageway between Meadowhall Road (south) and Meadowhall Road (north) to provide a total of four lanes.
- Funding for a potential controlled parking zone if monitoring shows it is required within 500m of the site to deal with potential staff overspill parking.
- Variable Message Signs, some of which are off and some on site.

3.2.41 The modelling of the highway improvements shows that they more than mitigate the impacts of TLH. The network-wide statistics show an overall improvement in travel time, vehicle delay and total flow accommodated as compared with the DM scenario.

Public Transport Improvements

3.2.42 As TLH is likely to result in more people visiting and staying at the centre in the evening the applicant has put forward the following improvements to

ensure visitors and staff are able to travel easily by public transport during the evening.

- Improvement to bus services' X1 and X78 frequencies between 21:00 and 00:00 Monday-Saturday from 30 minutes to 20 minutes.
- Improvement to bus service 3 frequency between 19:00 and 00:00 Monday-Saturday from 30 minutes to 20 minutes.
- Improvement to bus service 71 frequency to every 30 mins in the evenings and Sundays between 19.00 hours and 00.00. All the above bus service enhancements will be funded for a period of 3 years following the opening of TLH at which point it will be down to the operators to decide if the enhanced services are viable.
- Realtime information to be provided at two Bus Rapid Transport stops adjacent to The Source**.**
- The Meadowhall South-Tinsley tram stop will be enhanced with high quality waiting shelters incorporating electronic real time information displays, seating, litter bins, CCTV, improved lighting and signage. These improvements are to be secured by a S106 contribution at an estimated cost of £300,000.

Travel Plan

3.2.43 A 2013 travel survey showed 52% of staff travel by car, 43% by public transport, and 5% by active modes. Meadowhall has approximately 25 million visitors per year and averaged over a 4 year period surveys indicate that 78% of visitors travel by car, 2% by taxi, 19% by public transport and 1% by active modes.

3.2.44 A Framework Staff and Visitor Travel Plan have been submitted in support of the application. Given that TLH is not intended to be operational until 2021, the Framework Travel Plan will be finalised prior to first occupation.

3.2.45 Meadowhall already has a travel plan. The new travel plan will incorporate targets and measures for staff, as the previous Travel Plans have, but also for visitors to the Site.

3.2.46 A full-time Travel Plan Coordinator has been in place since April 2015.

3.2.47 Staff travel plan targets are already in place and it is envisaged that these will be applicable for the first five years following the opening of TLH. Visitor targets will be set following a survey but it is expected that the main switch is likely to be from the car to public transport.

3.2.48 The indicative targets are as follows:

Staff

- Reduce the proportion of staff coming to work by car by 10% and to reduce by one-third the proportion of single occupancy car journeys with an increase in the number of people car sharing, increasing the average car occupancy from 1.3 to 1.5.

- Increase the proportion of people using public transport to 60% from 43%.
- Triple the proportion of staff cycling to the Centre from 1% to 3%.
- Increase the proportion of people who walk to work by 25%; from 4% to 5%.

Visitors

- Reduce the proportion of journeys made by car from 78% to 75%.
- Double the number of visitors cycling and walking to Meadowhall.
- Increase the proportion of visitors using public transport from 19% to 22%.

3.2.49 The existing travel plan already provides a number of measures to encourage sustainable travel that will continue such as;

- Cycle parking and lockers plus funding towards purchasing a bike.
- Car share schemes and Electric Vehicle Charging points.
- Discounts on public transport tickets and free travel tickets during the Christmas period.
- Marketing and promotion of sustainable travel initiatives.

Proposed Travel Plan Measures

3.2.50 The hard measures to encourage sustainable travel to the site including cycle, pedestrian and public transport improvements are listed elsewhere in this section. Some of the measures included in the travel plan are described below.

Walking and Cycling measures include considering:

- The feasibility of operating a cycle hire scheme across local communities.
- Enhancement of the pedestrian routes between Meadowhall and Tinsley (either the canal or Junction 34 South underpass) through upgrading lighting, signage, CCTV to improve perceived personal security and attractiveness.

Public Transport Improvements

- Meadowhall PTI will continue to be monitored and improved as required and in association with SYPTE and Northern Rail.
- Rebrand Meadowhall South-Tinsley tram stop as ‘Meadowhall Leisure Hall’ providing improved waiting facilities with real-time travel information. Work with SYPTE to introduce a ‘Leisure Ticket’ to allow families and/or couples to travel at a reduced rate.

Sustainable Car Travel

- The Development will provide a total of 12 electric vehicle charging spaces in the Upper Red and 12 in the MSCP Yellow.

- Develop a strategy for encouraging greater car sharing amongst staff across all stores.

Marketing and Awareness

- Real-time travel information will be placed in appropriate locations to inform visitors and staff of current travel conditions on the local and strategic highway networks, in addition to public transport timetabling information.

3.2.51 The Travel Plan recognises the importance of it being a living document that should be continually developed, implemented, monitored and evaluated.

Cycling and Walking Improvements

- On Sheffield Road, adjacent to the new surface car park on Land to the West of Next, a segregated footway and cycleway will be implemented to connect to the existing provision to the east and west.
- A toucan crossing and section of segregated footway and cycleway will be introduced on the eastern side of Vulcan Road connecting to Meadowhall Way.
- A toucan crossing will be provided adjacent to the Yellow multi-story car park access with segregated footway/cycleway connecting to TLH. This provides the route from Meadowhall South-Tinsley tram stop to TLH and Meadowhall.
- An existing crossing on Meadowhall Way between the surface car park and Meadowhall will be removed and pedestrians directed to an existing crossing closer to TLH. This will form part of a signed route from the new surface car park with a 4.0 metre footway along the length directly into TLH.
- A new toucan crossing facility will be provided across the bellmouth of the access into the new surface car park on Land to the West of Next.
- 24 Sheffield cycle stands, providing 48 spaces, will be provided in two locations at the ground level of the MSCP adjacent to a cycle hub; a facility containing 5 unisex changing rooms with showers and lockers space for 50 cyclists.
- The cycle hub will be signed on Meadowhall Way and Vulcan Road to ensure cyclists are aware of their locations. The cycle parking will be highly visible with natural surveillance and CCTV, and will also be covered.
- Improvements to the pedestrian cycle link from Weedon Street to Meadowhall Way comprising of street lighting and a pedestrian island refugee on Weedon Street.

Delivery and Service Plan (DSP)

3.2.52 A detailed DSP will be produced should planning permission be granted and will provide the final detail of the logistics activity expected during the operational phase, this will be controlled by planning condition.

Construction Logistics Plan

3.2.53 An outline Construction Logistics Plan has been submitted with the application. It is envisaged that a detailed CLP will be produced at the post-granted discharge of conditions stage by the appointed contractor. A draft construction plan has been prepared and the quantities of materials and number of vehicle trips estimated. Construction hours are expected to be between 0800 – 1800 Monday to Friday; and 0800 – 1300 Saturday with deliveries allowed one hour either side of the construction hours. Strategic roads will be used for construction vehicle routeing wherever possible and use of local roads will be minimised. It is expected that up to 540 Full Time equivalent construction workers will be on-site at any one time over the duration of the construction period. Parking for construction workers and contractors will be provided on the land to the north west of Meadowhall Drive. It is estimated that approximately 300 parking spaces can be provided on this parcel of land. A construction workforce Travel Plan (TP) will also be produced and implemented. The use of a vehicle booking system will be investigated as a way to manage and control deliveries to site. This would help minimise deliveries during peak hours and ensure contractors do not turn up without prior notification of their arrival. Successful sub-contractors will be issued with a route map and delivery schedules that they must pass on to their drivers.

Assessment of Impacts

Construction impacts

3.2.54 The traffic impacts have been assessed over the 4 year construction period. A total of 26,372 one way Heavy Goods Vehicle trips are predicted and 2962 Light Good Vehicle trips over this period.

3.2.55 During the busiest construction period there are predicted to be up to 724 two way trips per day.

Vehicle Type	Average Daily One-Way Trips	Average Daily Two-Way Trips
HGVs	56	112
LGVs	6	12
Cars	300	600
Total	**362**	**724**

3.2.56 By making assumptions about the routing of construction traffic and using travel to work data it is possible to estimate the number of additional vehicles on the main routes around the site. The levels of increase are small in terms of the assessment criteria for judging impacts on severance, driver delay, pedestrian delay and amenity, fear and intimidation and accidents. Therefore none of the impacts are judged to be significant. However in order to mitigate the impacts a Construction Logistics Plan will

be implemented which will include measures such as controlling the timing of deliveries, specifying access routes and a provision of a construction workers travel plan.

Completed development highway impacts

3.2.57 The transport modelling shows that there will be an overall substantial benefit to the operation of the network across Sheffield as whole with the development and traffic mitigation measures in place. The network will be able to accommodate increased flows with reduced delays. Making the network slightly less congested with the development in place means that the applicant is mitigating over and above what is required for their development thereby reducing the congestion in future years that would have resulted from already committed development. The scheme will result in no detriment to the safety of the operation of the network.

3.2.58 There will be some improvement and worsening of individual junction operation with both reductions and increases in delays and queuing at some junctions. There will be a major overall benefit at J34N with reductions in driver delay on the A631 Tinsley Viaduct of 500 seconds and Meadowhall Road South-west of 30 seconds. There are some benefits and dis-benefits at J34S with major reduction in driver delay of 523 seconds, 159 seconds and 58 seconds on M1 diverge, Shepcote Lane and A631 Tinsley Viaduct respectively but increases in driver delay of 33 seconds on Sheffield Road (W).

3.2.59 In terms of local junction modelling the junctions which are impacted adversely are the Alsing Road Gyratory and Meadowhall Way / Vulcan Road. The practical reserve capacity of the Alsing Road Gyratory reduces for the Saturday peak by 4% to 3%, however overall there is very little impact on queues or driver delays at the junction. At the Meadowhall Way / Vulcan Road junction there is an increase in driver delay of 38 seconds on Meadowhall Way east.

3.2.60 None of the dis-benefits identified are judged to be significantly adverse and are outweighed by the overall improvements to the operation of the highway network.

3.2.61 The development will retain the same level of car parking as existing but there will be increased demand and dwell time. The modelling appears to show that the overspill parking will be required on an increased number of occasions particularly with the alternative leisure scenario (Sealife sensitivity test). However the modelling does not take into account improvements in the variable message signs which will allow the car parks to operate more efficiently or the travel planning and public transport enhancements. The transport assessment is also a very robust assessment of the likely traffic generation and does not include any allowance for by pass trips. Overall it is concluded the car parking provision will be adequate and the level of provision will not have a material impact on the highway of safety.

3.2.62 The improvements to pedestrian, cycle and public transport are a significant benefit for all users of the centre. The facilities for servicing are also considered to be satisfactory to serve the development.

Restriction on River Don Development (RDD)

3.2.63 The applicant also benefits from a 2008 planning permission for the River Don Development which is a large mixed development of offices, residential, local centre and hotel to south west of the Meadowhall Shopping Centre. The planning permission is still extant and is controlled by parameters that limit the minimum and maximum scale of development. This development is accounted for as one of the committed developments in the transport assessment.

3.2.64 The applicant has offered a planning obligation that will limit the RDD to the minimum parameters as approved in the planning application. It is estimated that this would represent a reduction in the AM peak hour trips by 652 and the PM peak hour trips by 524 from that allowed under the maximum parameters. It is stated that this would more than off-set the total leisure hall trip generation during the PM peak.

3.2.65 The applicant says they are mindful of proposals to establish a new centre of excellence in metals and materials manufacturing within the vicinity of Meadowhall, known as the Advanced Manufacturing Innovation District (AMID), and conscious that there will be a need to ensure that the transport infrastructure will be able to accommodate both this development as well as TLH and RDD proposals. Also as part of the emerging transport strategy for the area there may be a need to accommodate a new link road between the M1 at Junction 33 and the A6109 Meadowhall Road/Brightside Lane corridor; potentially constructed through the RDD masterplan area.

3.2.66 The applicant considers that this restriction on the quantum of the RDD is not required for mitigation of TLH only for the reasons referred to above. Your officers accept this conclusion.

3.2.67 Given that this restriction is not necessary for the development to go ahead it does not meet the tests for a valid planning obligation which are that it is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.

3.2.68 Whilst this does not prevent the applicant entering into a lawful planning obligation it does mean the Local Planning Authority should give it no weight in determining this application

Highways England

3.2.69 Highways England has issued a formal recommendation that planning permission not be granted until 14.9.2017. They are aware that the application is being considered by committee in advance of their

recommendation being removed. They have confirmed that in principle they are happy to support the plans for the expansion of Meadowhall, however there are some minor issues to be finalised relating to the mitigation proposed for junction 34N to ensure that the development does not compromise the safety and efficiency of the Strategic Road Network (SRN). The Road Safety Audit has highlighted that the proposed mitigation relating to the SRN has outstanding matters to be resolved. Highways England is optimistic that solutions can be found and that some outstanding matters can be resolved through the use of planning conditions. They are content for Members to delegate the final decision to officers subject to Highways England removing its current holding recommendation and a legal agreement being signed.

3.3 Air Quality

Policy

3.3.1 National Planning Policy Framework (NPPF) and Practice Guidance

Paragraph 124 of the NPPF states:

"Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan."

The National Planning Practice Guidance gives guidance to Local Planning Authorities on how to assess air quality impacts, it states,

"Will the proposed development (including mitigation) lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants or fail to comply with the requirements of the Habitats Regulations." If Yes:

"Consider how the proposal could be amended to make it acceptable or, where not practicable, consider whether planning permission should be refused."

UK Air Quality Plan

3.3.2 The Government published the Air Quality Plan for Nitrogen Dioxide (NO_2) in the UK (2017) at the end of July 2017. The Government proposes that intervention to improve air quality should be targeted to the areas where air quality problems are likely to persist. It says that a leading role for local authorities is essential and direct financial support will be provided to help local authorities develop and implement their plans so that the air quality limits are achieved within the shortest time possible. A wide range of innovative options should be explored such as changing road layouts to reduce congestion and pollution, encouraging the take up of Ultra Low

Emission Vehicles, retrofitting technologies and new fuels and encouraging public transport. If these measures are not sufficient, local plans could include access restrictions on vehicles, such as charging zones or measures to prevent certain vehicles using particular roads at particular times.

Sheffield and Rotherham are authorities that are required to produce a local action plan by March 2018 to consider the base option to achieve the statutory NO_2 limit values within the shortest possible time. This may need a Clean Air Zone (CAZ) by 2020 with or without a charging element. This is to be determined through a locally led Feasibility Study, which will help to identify all the CAZ areas and necessary interventions to facilitate compliance. The Government's modelling identifies exceedance of the EU Limit Values as only occurring on certain roads which are not close to Meadowhall. The locally led Feasibility Study may identify other areas, as the Council's monitoring shows that there are many more areas of Sheffield that continue to be in breach of NO_2 gas.

Core Strategy Policy CS 66 states

3.3.3 "Action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets."

Air Quality Action Plan

3.3.4 The Air Quality Action Plan (AQAP) for Sheffield was approved in July 2012. The implementation of this Air Quality Action Plan seeks to reduce air pollution in Sheffield to achieve national air quality targets and EU limit values by 2015.

Clean Air Strategy

3.3.5 The Council has agreed in 'outline' principle that it should adopt a Clean Air Strategy, which will acknowledge the UK Air Quality Plan. The priorities in terms of emissions and mitigation are likely to be a shift away from diesel to alternative low emission fuels such as electric, gas / biogas, hybrid, hydrogen and in particular tackling emissions from buses, taxis and goods vehicles. This is in line with the recommendations of the DEFRA funded 2013 Sheffield Low Emission Zone Feasibility Study.

3.3.6 Once the Sheffield Clean Air Strategy is endorsed we will then be seeking to update our Air Quality Action Plan (AQAP) to reflect this.

3.3.7 Growing Sustainably: A Bold Plan for a Sustainable Sheffield was approved by cabinet in March 2017 One of the objectives of this strategy is wanting a city where air quality is good and where air pollution is reduced to a point well below the European Health Limit Values. The strategy seeks to encourage the take-up of low emission fuels and technologies which cause

less pollution whilst making public transport cycling and walking as attractive and easy as possible.

Air Quality Modelling

3.3.8 The application site lies within Sheffield's city wide air quality management area and close to Rotherham Air Quality Management area 1.

3.3.9 The assessment considers the air quality as of 2015 which is the baseline, the air quality in 2021 without committed development, the air quality in 2021 with committed development and the proposal, and the air quality in 2021 with committed development and the alternative leisure proposal. As the most traffic is generated by the alternative leisure proposal (a single regional leisure attraction such as Sealife) the following assessment of the impacts focuses on this as the worst case.

3.3.10 The guidance developed by the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) has been used to assess the significance of the air quality impacts. The guidance sets out three stages: determining the magnitude of change at each receptor, describing the impact, and assessing the overall significance. The guidance is non-statutory but widely accepted.

3.3.11 Air quality impacts have been predicted using the ADMS-Roads dispersion model (v4.0.1.0). Nitrogen Dioxide (NO_2) has been modelled at 28 residential receptors and 25 locations in the vicinity of where air quality is monitored. 2019 emission factors and background concentrations have been used whilst 2021 traffic flows have been used in order to provide a conservative assessment of the effects of the proposed development as road traffic emissions are predicted to decline with time.

3.3.12 The monitoring indicates that high pollutant concentrations exist close to the main road network in the vicinity of the Site where traffic volumes are high and traffic is congested.

Nitrogen Dioxide Air Quality Impacts

3.3.13 The ADMS Roads model has been run to predict NO_2, PM10 and PM2.5 concentrations at each of the existing receptor locations for the baseline years of 2015 and 2021. Of the 28 receptor locations modelled, annual mean NO_2 concentrations exceed the objective at 23 locations in 2015. There are no exceedances of PM10 or PM2.5 objectives. By 2021, the number of receptors with exceedances of the annual mean NO_2 objective is predicted to reduce to 9 due to the reduction in vehicle NOx emissions as a result of the Euro 6 / VI emission standards.

3.3.14 By 2021 $N0_2$ concentrations exceed the objective at 9 out of the 28 receptors without the development.

3.3.15 The modelled impacts for the alternative leisure proposal are as follows:

3.3.16 With the development 10 receptors exceed the objective in 2021. This is one more than without the development; the impact is described as moderately adverse. At all of these 10 receptors the NO_2 contributions are worsened.

3.3.17 At 26 of the 28 receptors the NO_2 impact is predicted to increase as a result of the development, at 2 receptors the impact is predicted to reduce.

3.3.18 Where the NO_2 impact increases the magnitude of the impact is described as small at 4 receptors and medium at 22 receptors. Where the impact reduces the magnitude is described as imperceptible at 1 receptor and small at the other.

3.3.19 Of the 26 receptors where the impact is worsened it is described as negligible at 4 receptors, and minor adverse at 11 receptors, moderately adverse at 8 receptors and major adverse at 3 receptors. Where the impact is beneficial it is described as negligible at both receptors.

3.3.20 Of the 10 receptors that are predicted to exceed the objective with the development in 2021 the impact is described as moderate adverse at 7 receptors and major adverse at 3 receptors.

3.3.21 On first reading the NO_2 impacts described above appear to be a significant concern. However it should be noted that the air quality impacts have been assessed in 2021 using 2019 emission factors, not 2021 emission factors. The emission factors change as advances in vehicle technology reduce emissions in the future. It should also be noted that the transport assessment, the outputs of which are used in the air quality assessment, is very robust in that it does not allow for reduced trips due to linked trips or due to the travel plan enhancements.

3.3.22 The applicant has run the assessment again this time utilising the 2020 emission factors which assume cleaner vehicles due to improved vehicle technology. The predictions show that using emission factors from one year later result in the air quality impacts at all receptors being less than they would be without the extension in the opening year if modelled using the 2019 emission factors. What this means is that the effect of the extension and already committed development on air quality one year after its opening would be no greater than the effect on air quality of already permitted development on its own in the opening year.

Small Particles

3.3.23 Concentrations of PM_{10} and $PM_{2.5}$ are predicted to be below the relevant objectives at all existing receptor locations in 2021. All of the changes in PM_{10} and $PM_{2.5}$ concentrations are imperceptible, with the significance being negligible at all receptor locations.

Mitigation

3.3.24 The following improvements are proposed as part of the application and will have some beneficial impact in improving air quality although this cannot be quantified accurately. Because of this the applicant's air quality consultants have concluded that the residual affect will remain as assessed above without the mitigation.

Proposed mitigation;

- Upgrades to bus services X78 / X1 / 3 / 71 in the evenings;
- Enhancing the environment for pedestrians and cyclists travelling to and from Meadowhall, including new crossings, a cycle parking hub, segregated cycle lanes and a new shared footway / cycleway;
- Highway Management plans supported by Variable Message Signage (VMS);
- The installation of 12 electric charging bays on the upper level of the red car park and 12 in the multi-storey car park;
- A Car Park Management Plan to provide 100 low emission car parking spaces in the most convenient locations;
- A Travel Plan;
- Delivery and Servicing Plan;
- Taxi Clean Air Zone which involves the applicant only licencing taxis which wait in the taxi pick up ranks to vehicles which have cleaner engines, that is to Euro 6 diesel, Euro 4 petrol or hybrid petrol or better;
- The developer to use reasonable endeavours to obtain construction deliveries for TLH and operational deliveries by Euro 4 vehicles;
- A contribution of £100,000 to be used to fund nitrogen dioxide reduction initiatives that arise out of the action plan to be prepared in response to the Air Quality Plan for Nitrogen Dioxide (No2) in the Uk (2017);
- Meadowhall to join the ECO stars scheme and consider electric vehicles for security and other staff;

Dust from Construction Impacts

3.3.25 During construction and demolition there is the potential for dust to cause annoyance. The Institute of Air Quality Management (IAQM) has issued guidance on the assessment of dust from demolition and construction. This provides advice on assessing the magnitude of the impact and the sensitivity of the area.

3.3.26 Based on the IAQM criteria the dust emissions magnitude is considered to be large. The study area is considered to be of high sensitivity on a worst case basis due to the adjoining car park use.

3.3.27 Standard high risk mitigation measures from the IAQM 2014 guidance will be included within the Construction Environmental Management Plan (CEMP). These include a long list of measures such as monitoring dust around the site; using water suppression when demolition is undertaken, ensuring vehicles entering and leaving the site are covered.

3.3.28 The air quality assessment concludes with the appropriate mitigation in place the construction effects will not be significant.

Summary

3.3.29 The development will worsen nitrogen dioxide pollution at receptors where the air quality already exceeds the national air quality objectives and this is clearly a harmful negative impact of the development. However the assessment predicts that one year after the development has opened the air quality impacts will be no worse than they would have been without the development in the opening year. The development will therefore delay the time it takes to achieve the nitrogen dioxide air quality objectives by a short period. Whilst this is a concern, given the limited difference to the baseline scenario it is concluded that the impact is not so severe that it justifies resisting the development. However the negative air quality impact needs to be weighed with all the other positive and negative impacts of the development in coming to an overall conclusion.

3.4 Sustainability

Policy

3.4.1 The NPPF says that at its heart is a “presumption in favour of sustainable development”, which should be seen as a “golden thread” running through both plan-making and decision-taking.

3.4.2 The NPPF identifies three dimensions to sustainable development - economic, social and environmental – which should be considered together:

3.4.3 Economic role – contributing to building a strong, responsive and competitive economy.

3.4.4 Social role – supporting strong, vibrant and healthy communities, by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;

3.4.5 Environmental role – contributing to protecting and enhancing our natural, built and historic environment This includes helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change.

3.4.6 Core Strategy Policy 63 is titled – Responses to Climate Change.

It states that action to reduce the city’s impact on climate change will include:

- giving priority to development in the City Centre and other areas that are well served by sustainable forms of transport; and

- promoting higher densities of development in locations that are well served by sustainable forms of transport; and
- promoting routes that encourage walking, cycling and the use of public transport; and
- designing development to increase energy efficiency and reduce energy consumption and carbon emissions; and
- promoting developments that generate renewable energy; and
- Reducing the volume of waste disposed of in landfill sites and generating energy from waste.

Action to adapt to expected climate change will include:

- locating and designing development to eliminate unacceptable flood risk
- giving preference to development of previously developed land where this is sustainably located
- adopting sustainable drainage systems
- Encouraging environments that promote biodiversity, including the city's Green Network.
- Designing development to minimise the relative heating of urban areas.

3.4.7 Core Strategy Policy CS64 seeks to ensure new buildings are designed to reduce emissions of greenhouse gases and function in a changing climate.

3.4.8 Non-residential developments over 500 sq. m gross internal floor-space should achieve a BREEAM (BRE Environmental Assessment Method) rating of very good.

3.4.9 Core Strategy Policy CS65 states that development over 500 sqm should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy unless it is shown to be not viable or feasible.

3.4.10 Guideline 1 of the Supplementary Planning Document and Practice Guide 'Climate Change and Design' states that green roofs will be required on all larger developments and should cover at least 80% of the total roof area.

Assessment

Economic role

3.4.11 The proposal will deliver economic growth in terms of the Gross Added Value generated and additional spending in the local economy. It will generate additional employment and the employment and training strategy will endeavour to ensure that the deprived communities of Tinsley and Darnall benefit from these. It will enable Meadowhall to continue to compete with other centres outside the region and continue to attract visitors to the city from a wide area. It will deliver some improvements to the operation of the highway network as outlined in the access section above which will allow additional traffic to move on the network more efficiently. There will however be a harmful impact on surrounding shopping centres as outlined

in the Retail and Leisure policy section above although the this would not be to the extent that it would have a significantly adverse impact.

Social role

3.4.12 The site is highly accessible by public transport, the second most accessible location in the city after the City Centre. The scheme has been designed to promote sustainable access with the walking, cycling and public transport improvements proposed. The new extension will deliver a high quality built environment. It will have a negative impact on air quality and therefore a small harmful impact on the health of people who live in that part of Tinsley where air quality already exceeds the limit values designed to protect health. The negative health impacts need to be balanced against the health benefits of increased employment both of which cannot be accurately quantified. Whilst it cannot be guaranteed that the Tinsley community will benefit from the employment opportunities the Employment and Training Strategy will maximise the chances of doing so.

Environmental role

3.4.13 The application site comprises of previously developed land and the built and natural environment of the site is not sensitive. There will be small improvements to biodiversity as a result of the landscape scheme and green roofs where the use of native species and fruiting and flowering species will be prioritised. The applicant advises that their corporate responsibility policies will incorporate best practice waste reduction measures developed in line with the waste hierarchy to reduce, reuse, and recycle. They also say that central waste management is provided by British Land across the Meadowhall premises and recycling and landfill avoidance is prioritised, a 57% recycling rate was achieved for Meadowhall Shopping Centre in 2015/2016. Whilst this is welcome it cannot be given any weight as it is not under the control of the local planning authority.

3.4.14 The design quality of the scheme is high and it will enhance the built environment. The scheme has been designed to respond to the Council's sustainable design policies by incorporating sustainable drainage, green roofs, sustainable design and generating renewable energy. The applicant has carried out a BREEAM pre assessment for Core and Shell which indicates that the scheme should be able to meet the target design of Very Good as set out in CS64 with a possibility of meeting BREEAM Excellent.

3.4.15 The applicant is proposing photovoltaic panels on the roof to meet the 10% renewable energy requirement of policy CS65. By a combination of efficient structure design, efficient building services as well as the use of PV panels for energy generation the applicant considers it is possible to achieve a CO_2 reduction of about 20% over Building Regulations Part L 2013. The applicant says the design team will adopt measures for reducing the embodied carbon in materials; optimising material efficiency and considering

the wider environmental impact when selecting materials. The contractor will be encouraged to use demolition materials on site where feasible and the responsible sourcing of materials will be a consideration when selecting contractors.

3.4.16 The Meadowhall Centre is defended against flooding to greater than a 1 in 100 year flood event with an allowance for climate change for the lifetime of the development. The surface water drainage system for TLH will be designed to reduce the existing peak discharge by 30%. The runoff from the other plots which do not have a drainage system will be designed to meet the Greenfield runoff rate. Therefore it can be concluded the development has been designed to be resilient to climate change.

3.4.17 Overall it is concluded that the development is sustainable.

3.5 Socio Economic and Employment Issues

3.5.1 One of the core planning principles of the NPPF is to proactively drive and support sustainable economic development to deliver the houses, businesses and industrial units, infrastructure and thriving local places that the country needs.

3.5.2 The NPPF advises that significant weight should be placed on the need to support economic growth through the planning system.

3.5.3 The preamble to the Core Strategy spatial policies identifies challenges for the future. One of these is Economic Transformation. It says that a "key challenge in the face of decline of the older metal and related industries is to move from recent economic recovery to real transformation and secure jobs for the future. This will mean increasing the proportion of the city's economy in sectors with good growth prospects, such as in services, knowledge-based business, advanced manufacturing and sustainable technologies."

3.5.4 Current projections (dependent upon occupier and type) are for the creation of between 600 and 1000 FTE permanent jobs, and an average of 540 FTE jobs over the lifetime of the construction project of approximately 3.5 years. The head count for permanent jobs is likely to be higher due to part time and shift work. The predicted number of permanent jobs is a net figure for Sheffield taking into account potential employment reductions in other centres within Sheffield.

3.5.5 An employment and training strategy has been submitted covering both the construction and operational phases of the development. The Vision for this Employment and Skills Strategy is to ensure that throughout the construction and operational phases of TLH, local people have access to jobs, training opportunities, traineeships and apprenticeships, and employers can access a suitably qualified, skilled and experienced workforce. Local businesses will also have access to supply chain opportunities, and contractors and occupiers will have access to appropriate

local suppliers. The Strategy also aims to engage local school children, raising their aspirations and attainment.

3.5.6 A Steering Group will be set up to oversee and deliver the strategy and will comprise the developer, the local authority and other agencies as appropriate.

3.5.7 Some of the strategic objectives of the strategy are described below:

Construction Phase

- 25% of the workforce coming from the local authority area, and 30% from the Sheffield City Region postcodes.
- Aiming to achieve 3% of the workforce being apprentices on site during the construction period.
- A minimum of 30% of the construction value to be sourced from within 25 miles, of which 15% to be Small to Medium Enterprises.

Operational Phase

- A target of 50% of operational use vacancies being taken by people from Sheffield City Council area, and 80% from within the Sheffield City Region.
- Look to employ an apprentice as part of the management team and provide support for further apprentices as part of the operational use.
- Ensure that opportunities for learning, training and education continue as part of the Community Programme at end use.

3.5.8 A series of actions are proposed to ensure that local businesses maximise their opportunities to benefit from the development. The strategy also includes working to maximise apprenticeship opportunities and working with the supply chain to maximise training support to new and existing employees, including NVQs. A minimum of one project per year will be developed with local schools with regards to the construction element.

3.5.9 The Council's Investment Support Manager has worked with the applicant to develop the employment and training strategy and is satisfied with the submission. A delivery plan will be conditioned to secure the employment and training initiatives set out in the strategy.

3.5.10 In addition to the above the applicant is also committing £100,000 to a work ready programme which will be secured by a S106 agreement. This will comprise of pre-employability support for young people not in education employment or training. A pre-apprenticeship training programme specifically directed to the construction industry. Capacity building comprising of assistance for Small and Medium size Enterprises to achieve accreditation to allow them to tender for contracts. They will apply across Sheffield and the Sheffield City Region but with priority to Darnall, Tinsley and Wincobank areas. The training will be delivered by the Source.

3.5.11 The employment benefits of the development are significant for Sheffield particularly when allied to a commitment to target the benefits towards local people living in the areas around Meadowhall which experience significant levels of deprivation. It should be noted that although the development is not predicted to have a displacement impact on employment in other centres based on their current baseline it could impact on potential future employment growth in these centres as the extension will be capturing some of the region's growth.

Economic Impacts

3.5.12 The applicant predicts that the employment will generate between £2.1m and £3.5m additional spending in the local area each year by employees. It also says that much of this would be expected to be spent within Meadowhall itself.

3.5.13 Gross Value Added is the value generated by each employee. The net new jobs created by TLH in Sheffield are estimated to create £24m of added value each year. Whilst Sheffield is predicted to capture this level of Gross Added Value if the extension were not to go ahead some of this Gross Added Value may have been captured by other centres within the catchment area.

3.5.14 It is estimated that the extension may deliver an additional £7.2m business rates per annum for Sheffield. As the retail study predicts that the development will capture a proportion of spending growth there is not likely to be a reduction in floorspace within the catchment area and therefore not likely to be a reduction in business rates elsewhere. If the extension were not to proceed and some of this growth captured by the extension were to be captured by adjoining centres it would be likely to result in some increases in business rates in those centres. However this would probably not be to the same extent as at Meadowhall because the growth in spending at other centres might result in existing floorspace trading at a higher level rather than new floorspace being constructed.

3.5.15 It will secure a Community Infrastructure Levy (CIL) Contribution of approximately £325,000 of which just less than £50,000 would be likely to be allocated to the Darnall Ward as the local contribution. The main body of the CIL contribution should be spent in accordance with Regulation 123 list which includes projects that could benefit the local area. It is intended that the local area partnership will decide how the local contribution is spent and this may or may not be spent in the Darnall Ward.

3.5.16 Increases in spending in the local area can be given some weight as they are likely to benefit the local economy. A local finance consideration is a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy. The National Planning Practice Guidance advises that whether a 'local finance consideration' is material to a particular

decision will dependant on whether it could help to make the development acceptable in planning terms. It makes it clear that it would not be appropriate to make a decision based on the potential for a development to raise money for a local authority or other government body. Where a local finance consideration is considered to be material the local planning authority would clearly need to state how it has been taken into account and its connection to the development. As it is not clear how the increased business rates or the CIL contribution will be spent and therefore whether it would help to make the development acceptable in planning terms, it is concluded that these particular local financial benefits are not material to the decision.

3.6 Design and Landscaping Issues

Policy

3.6.1 The National Planning Policy Framework says that one of the core land-use planning principles is to seek to secure high quality design. Planning decisions should aim to ensure developments:

- Function well and add to the overall quality of the area.
- Establish a strong sense of place.
- Optimise the potential of the site to accommodate development, support local facilities and transport networks.
- Respond to local character and history whilst not discouraging innovation.
- Create safe and accessible environments.
- Are attractive due to good architecture and appropriate landscaping.

3.6.2 Unitary Development Policy BE5 is concerned with building design and siting. It states that good design and good quality materials will be expected in all extensions. Some of the principles promoted are as follows;

- All extensions should respect the scale, form, detail and materials of the original building.
- Design should be of a human scale where possible, particularly in large scale developments, the materials should be varied and the overall mass of buildings broken down.
- Building design, landscaping and lighting should promote personal safety.

3.6.3 Policy BE6 is concerned with landscape design and states that landscape should provide an interesting and attractive environment and promote nature conservation and use native species where appropriate.

3.6.4 Policy BE7 is concerned with the design of buildings used by the public and says that these will be expected to allow people with disabilities safe and easy access to the building and appropriate parking spaces.

3.6.5 Policy BE12 promotes public art in new developments.

3.6.6 Core Strategy Policy CS74 is concerned with design principles. It states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city. Development would contribute to place making, help transform the character or physical environments that are lacking distinctiveness.

Context

3.6.7 Meadowhall Shopping Centre is the 8th largest indoor shopping centre in the country and lies to south west of the M1 Tinsley viaduct between junctions 34S and 34N. It lies on the valley bottom of the River Don and there are extensive views of the site from the Wincobank area and the M1 Tinsley Viaduct. It is contained within the Meadowhall Way ring road on all sides except the North West where it has a long frontage to the River Don. It is surrounded by industrial and commercial development the nearest residential communities are Wincobank approximately 300m to the North West and Tinsley approximately 400m to the East. However the existing transport infrastructure is a significant barrier to movement between these communities and the centre. Meadowhall interchange is located to the north of the centre and this is served by bus, rail and tram services and linked directly to the centre by a pedestrian bridge. The Tinsley Tram stop is located to the East of the centre.

3.6.8 The existing shopping centre does not respond well to the surrounding streets as the frontages are dominated by car parking which encircle the shopping centre. The shopping mall is set back behind the car parks and the buildings are inward facing with glazed entrances and limited window openings. The deck car parks screen the building from street level and there is a lack of legibility as to the location of the building entrances and lack of clear attractive routes for pedestrians and cyclists to the building entrances through the car parks.

3.6.9 The shopping centre is a massive development approximately 600m by 300m comprising of a series of linked buildings faced in red and buff brick. The design approach is neo classical, the roofscape is prominent from the motorway and Wincobank - it is dominated by a prominent green plant screen, domes, towers and glazed roof lights aligned with the shopping malls. The deck car parks which front Meadowhall Way are faced in concrete.

Proposed Leisure Hall

3.6.10 TLH will remove a substantial part of the red and yellow deck car park and replace it with the TLH, a surface car park and a multi-storey car park. The red and yellow car parks are the main arrival point at the centre and the removal of part of the deck car park will have the effect of opening up views of the building from the main approach to the centre along Vulcan Road. Clearly defined segregated pedestrian and cycle links have been designed into the space outside TLH proving legible routes from the Tinsley tram stop and the cycle network to the building entrance.

3.6.11 The lower entrance level will contain leisure uses, the cycle hub and shop mobility storage area. There will be two pedestrian entrances into TLH, one from the surface car park and one from the multi-storey car park and individual entrances to the leisure units. This lower level facade has been designed with capless curtain wall glazing around the entrances and a substantial part of the facade adjoining the yellow surface car park arrival point. There will be gold coloured metal cladding around the shop fronts and a sliver embossed aluminium cladding above the shop fronts that will form a unifying linking plinth along the base of the multi-storey car park and along the facade of the retained part of the red deck car park.

3.6.12 The lower entrance level will link to the upper level by lifts and escalators and by an external staircase to the terrace. This upper level will connect to the existing Park Lane, Arcade and High Street malls by bridging over the service road and forming a pedestrian circuit with the existing malls. It will contain the transitional retail units linking to the existing malls and a cafe court and restaurants facing on to substantial areas of covered public realm contained under a striking undulating glass roof. At this level there will be a continuous curved glazed wall facing on to a substantial landscaped external terrace. There will be bi-folding doors allowing activity to spill onto the south east facing terrace during warm weather. The upper edge of the glazed facade is defined by the eaves formed by an undulating sliver metal ribbon which rises over and projects out further to emphasise the entrances. The front edge of it will be lit. There will be three primary entrances to the terrace and also an entrance from the multi-storey car park. Two restaurant pavilions with curved corners and eaves will break out through this glass facade on to the landscaped terrace. They will have glazed frontages and be faced with gold coloured metal cladding and have green roofs. The main feature of the new extension when viewed from the south will be the massive undulating glass roof which will be predominately clear glazed with some solid panels towards the top and rear. It will be the centre piece of the new extension creating a new identity for the centre and enclosing a light and spacious space that contains the new facilities and enclosed public realm. The general form of the roof design is fixed but the pattern of the glazed panels will require further design development.

3.6.13 At the terrace level and contained under the undulating glass roof are additional restaurants and the cinema. This level will be accessed via lifts and escalators from the upper level with walkways that bridge over the circulation routes below one of which links into an upper level of the multi-storey car park.

3.6.14 Two blocks frame the new undulating glazed roof extension and connect it at the east end with the multi-storey car park and at the west end with the Boots block. The eastern connecting element is occupied by a restaurant with offices or non- residential institution use above, which face onto to walkways connecting directly with the multi-storey car park. The western end is occupied by a new retail unit with restaurant above. They have

largely glazed facades with fascia of profiled GRP cladding and coloured metal louvres.

Multi Storey Car Park

3.6.15 The multi-storey car park is located to the east side of TLH and has six levels. For the south elevation the plinth will be faced in the silver embossed metal cladding with strips of perforated metal cladding above. A green wall will span between the floor levels which will be achieved with planter troughs containing climbers trained on wires spanning between the floor levels. There is a balance between the density of planting and free air flow rates for ventilating the car park and the amount of daylight entering the car park. For the less exposed parts of the north elevation of the car park the ramps between levels will be faced in gold coloured perforated metal cladding and car park levels faced in a perforated silver metal cladding. The green wall system will not be used to screen between the levels. The stair tower and plant rooms will be faced in painted concrete.

3.6.16 Park Mark accreditation will be targeted for the car park to ensure a safe and comfortable design.

Retained Red Car Park

3.6.17 Silver embossed metal cladding will be used to overclad the facade of the retained red deck car park. The green wall system will also be utilised on the facades of the car park and the glazing and pitched roofs to the existing stair towers will be removed and replaced with green walls on the upper parts.

New Cinema

3.6.18 The cinema and an adjacent block to the west are set within the scheme and will form a large rectangular mass sitting above the main building which will be prominent in views from the north. These elements are to be faced in a simple translucent polycarbonate cladding with a feature diagonal metal strip. The facade will be illuminated at night. The cinema roof will house solar panels which will be screened from ground level by the parapet but visible from the motorway and Wincobank area.

Oasis Cinema

3.6.19 The existing cinema extension which is located on the west side of the centre and faces the River Don will become vacant when the new cinema is developed in the extension. It is intend to re-use it for leisure purposes. It is proposed to open up the largely blank facade by forming a large rectangular panel of curtain wall glazing which is set in a deep reveal. This will open up views to the river and animate and create visual interest on this facade.

Public Art

3.6.20 The applicant has been requested to make a contribution towards the Tinsley Art Project which is a major public art project along the canal towpath between Tinsley Meadowhall South Tram stop and Holmes Lock in Rotherham. The project arose out of a £500,000 contribution from E.ON following the demolition of the Tinsley Cooling Towers in 2008. The project is a Sheffield City Council project and is overseen by a Board which includes Cllr Mary Lea, three members of the local community, and representatives from stakeholders including E.ON, Yorkshire Water, Canal and River Trust, Rotherham MBC, the Sheffield Culture Consortium and the Arts Council. The intention is that the artwork will attract a significant number of people to the area building on the recreational and ecological value of the waterway, reinforcing the footpath and cycle link between Sheffield and Rotherham and acting as a catalyst for further development. Alex Chinneck is the appointed artist and the artist's proposal will be announced in September.

Landscaping

Terraced Area

3.6.21 There is a landscape strategy within the Design and Access statement. The connection between the internal leisure hall space and the external terrace is to be achieved with a granite paving pattern that is uninterrupted by the line of glazing. The external terrace varies in depth and will contain raised planting beds in granite incorporating seating. There will be a dry water fountain incorporating lighting and framed by planters and seating. The two restaurants which break through the glazed wall of TLH will also be fringed by seating. The parapet to the external terrace will take the form of a glass balustrade or the embossed silver metal cladding that forms the unifying plinth to the building. The steps leading up the terrace from the lower level will be faced in granite and incorporate terraced planting and seating.

Surface Yellow car park

3.6.22 The existing planting adjoining Meadowhall Way is to be replaced with more seasonal and ecologically varied planting where the red and yellow deck car parks are demolished and replaced with a surface car park. The surface car park will incorporate single trees but also groups of three trees in larger beds. The pedestrian and cycle routes to the leisure entrance will be separated from the road by planting and the pedestrian and cycle route will also be separated from each other by planting. The pedestrian area outside the leisure entrance at the lower level which will be subject to higher pedestrian flows will be a minimum of 5.5m wide. This and the main pedestrian routes through the yellow surface car park will be faced in silver grey concrete paving, with this surface material crossing the adjacent access road to signal pedestrian priority.

Retained red car park

3.6.23 The existing planting around the Meadowhall Way frontage of the retained red deck car park is to be retained. The southern and eastern frontages of the car parking will incorporate green wall planting trained on a wire trellis system between the ground and first floor.

Multi Storey Car Park

3.6.24 The multi-storey car park will have a green wall facade treatment on the more prominent elevations consisting of climbers trained up wires with troughs designed into the elevations to green the upper levels. The plants will be pre-grown to give the appearance of a mature green wall and will include evergreen and deciduous plants to maintain leaf cover in winter and provide seasonal change.

Green roofs

3.6.25 Biodiverse green roofs will be provided on the two restaurant pods that break through the glazed wall of TLH.

Surface Car park adjacent to Next

3.6.26 The Sheffield Road and Meadowhall Way frontages of the new surface car park adjacent to the Next Home and Garden Store are to be planting with new ornamental tree and shrub planting. Individual and groups of trees will also be planted within the car park. Pedestrians will be directed by painted tarmac aisles to either the east or west side of the car park for routes leading to the centre and new leisure hall. The existing pedestrian route that runs down the west side of the Next Home and Garden store will be extended to Meadowhall Way and separated from the car park by a hedge.

Design and Landscaping Conclusion

3.6.27 The new extension is a significant departure from the neo classical design of the existing centre. The undulating flowing glass roof of TLH and the large rectangular mass of the cinema will contrast with the more traditional character of the existing centre. The different architectural styles are likely to complicate and confuse the overall design philosophy which may be seen as having a negative impact in long distance views. However the sprawling mass of the existing centre which is dominated by car parks and its busy roofscape is of no great architectural merit and in this context the harm will be limited and it is concluded that the centre can accommodate this level of change.

3.6.28 Balanced against this there will be a significant improvement in the appearance and quality of the main arrival point when approaching from the south along Vulcan Road. By removing a large segment of deck car parking and replacing it with surface car parking the building will be grounded and a significantly more attractive arrival point will be created particularly for pedestrians and cyclists.

3.6.29 The striking glazed roof and substantially glazed elevations will be more transparent and significantly more visually appealing than the existing frontage of concrete faced deck car parks. The airy internal spaces and landscaped south facing terrace will significantly enhance the experience for visitors whilst creating a more active outward facing frontage to the shopping centre.

3.6.30 The re-cladding and greening of the retained red deck car park will result in modest improvement in its appearance. The visual impact of the new multi-storey car park will depend to a large extent on the success of the green wall planting. It is substantially taller than the existing deck car park which it replaces and in a prominent location forward of the extension. Given its increased mass and functional character it will have a negative visual impact but the benefits of opening up the south side of the centre cannot be achieved without providing more of the car parking on a smaller footprint.

3.6.31 The creation of a surface landscape car park on the site to the west of the Next Home and Garden Store will improve the appearance of this vacant underused site. However a higher quality built frontage to Sheffield Road would be more desirable for this gateway site and its development for surface car parking is a lost opportunity.

3.6.32 The bulky rectangular mass of the cinema and adjacent block will stand out when viewed from the north and North West and create some visual tension with the existing domed roof features. However the simple polycarbonate clad elevations are considered to be an appropriate design response for accommodating the additional mass as it creates a foil for the existing busy roofscape of domes, towers, glazed atriums and roof plant screens.

3.6.33 The opening up of the existing Vue cinema elevation facing the river by introducing a large recessed glazed panel will significantly enhance the riverside frontage by creating a more visually interesting and active elevation facing the river and Meadowhall Road.

3.6.34 Overall the materials are of high quality with large areas of glazing. There are some concerns the proposed external material selections may compete with and thereby undermine the strong visual impact of the glazed dome; however this is not a major concern.

3.6.35 Overall the negative impacts of complicating the overall composition and the impact of large mass of the multi- storey car park are significantly outweighed by the overall quality of the new design. In particular;

- The creation of a striking new arrival point with a much more welcoming and legible entrance which will help to create a strong sense of place.
- The high quality extension design with high quality glazed elevations and domed roof creating an outward looking development that will deliver a distinctive transformation to the southern side of the centre.

- The creation of more attractive spaces both internal and external, with significantly more pleasant pedestrian and cycle connections along with opening up the Oasis elevation.

3.6.36 It is therefore concluded that the design and landscaping improvements are significant.

3.7 Disabled Access

3.7.1 The approaches to the building have been designed to be level or have gentle gradients, the entrances will be level and they will have automatic swing or sliding doors. There will be level access to the external terraces. Lifts will provide disabled access between the levels of TLH and between the car park and cinema levels. Wheelchair cinema spaces will be developed at a later stage in the design. The two toilet blocks in TLH will included disabled toilets and two changing places facilities without a shower will be provided in each of the blocks. The cycle hub will also include an accessible changing room and shower facilities.

3.7.2 The existing centre has 301 disabled parking spaces which represents 3.2% of the total. 85 of these are located in the red and yellow car parks which is 1.7% of the total for these car parks. The scheme will increase the disabled parking provision in the red and yellow car parks to 200 spaces which equates to 4% of the 4996 spaces provided as part of the development. The overall percentage of disabled parking bays will increase to 4.4% across the centre as a whole. The disabled parking bays have been sited so as to minimise the walking distance to building entrances.

3.7.3 Drop off areas for taxis and community transport vehicles are to be provided between the two entrances at lower mall level, a raised kerb for wheelchair adapted taxis will be provided adjacent to both the entrances. A satellite shop mobility service is to be provided at the upper mall level adjacent to the entrance from the multi-storey car park.

3.7.4 Overall the provision for inclusive access is considered to be satisfactory.

3.8 Ecology

3.8.1 The applicant has submitted an ecological assessment in support of the planning application. The majority of the site is covered by hard standing with ornamental planting adjoining the Meadowhall Way and the deck car park. The surface car park adjacent to the Next Home and Garden store comprises mainly of bare ground with some amenity grassland ephemeral vegetation and immature planting.

3.8.2 The habitats within the site are of low ecological value and the loss of these habitats is unlikely to have a significant impact. The ecology assessment recommends that native tree and shrub planting is provided where appropriate. It is unlikely that the development will have a significant impact on the statutory and non-statutory designated wildlife sites in the locality

provided good practice measures are adopted during construction to minimise impacts on watercourses. It is recommended that directional lighting is used to minimise the impact of light spillage on the disused railway embankment adjacent to the surface car park. Existing vegetation should be removed outside the bird breeding season or checked by an ecologist before it is removed.

3.8.3 Natural England and the Council's Ecology Service have been consulted. Natural England has no objections and the Ecology Service has no comments on the proposal.

3.8.4 Given the low ecological value of the site it is not considered proportionate to attach conditions relating to ecological issues. Landscaping conditions can be used to secure appropriate replacement planting.

3.9 Flooding and Drainage

3.9.1 According to Environment Agency (EA) Flood Maps, the car park adjacent to Next and temporary contractors car park are located in Flood Zone 2 as an area with a 'Medium Probability' of flooding), with the main leisure hall and multi-storey car park area being located in Flood Zone 3a ('High Probability' of flooding) and partly zone 2. The Flood Zone mapping represents the undefended scenario and therefore does not account for any flood defences along the River Don.

3.9.2 During the 2007 event, the overtopping of the flood defences protecting Meadowhall gave rise to flooding in the 'at grade' car park areas in excess of 1m deep and also shallow internal flooding in the parts of the main shopping area. It is known that the River Don exceeded its channel capacity during the June 2007 event; it is estimated that the 2007 flood was between a 1 in 150 and 1 in 200 year event. The flood defences to Meadowhall were upgraded following the 2007 event and now provide a much higher standard of protection.

3.9.3 The Development proposals for the leisure, retail and dining facilities, as well as car parking are classified as 'Less Vulnerable' land uses, these land uses are appropriate for Flood Zone 1, 2 and 3a if they have satisfied the Sequential Test. Less Vulnerable development is not required to pass the Exception Test in these zones.

3.9.4 Flood defences line the River Don adjacent to Meadowhall protecting TLH, multi-storey car park and surface car parking adjacent to Next up to and including the 1 in 200 (0.5% annual probability) flood event. Further flood defences are currently under construction as part of the Lower Don Valley Flood Defence Scheme (LDVFDS) which, once completed, will defend the whole of the Site including the temporary contractors parking from fluvial flooding for the 1 in 100 (1% annual probability) flood event up to 2039. Therefore it can be concluded that the development is satisfactorily protected from flooding.

3.9.5 The Environment Agency has no objections to the proposal subject to the recommended mitigation in the flood risk assessment being carried out before the development is occupied. This is incorporated into a planning condition.

Sequential Test

3.9.6 The NPPF Sequential Test has been undertaken by the applicant as part of the application (The Leisure Hall Flood Risk Sequential Test). As described in the retail section of the report above a sequentially preferable site needs to suitable when allowing for flexibility. These issues are covered in detail in the retail section and therefore are not repeated here.

3.9.7 The applicant has considered a number of sites in lower flood risk zones within the catchment area from Sheffield, Rotherham, Doncaster, Barnsley and Chesterfield. All of the sites are either unavailable or unsuitable, but further consideration has been given to the Sheffield Retail Quarter (SRQ) site in Sheffield City Centre. The logic used for the sequential test for the purposes of retail planning policy – outlined in the retail section above can be applied when assessing flood risk. This concludes that the scheme at Meadowhall, as currently proposed in its entirety by the applicant, could not be accommodated under the recent outline planning application (15/02917/OUT) without any flexibility on scale and loss of leisure uses.

3.9.8 In light of a revised scheme coming forward, it is understood that potential revisions to the SRQ scheme would suggest that it is likely to become more in line with Meadowhall scheme. As a result, the SRQ site has the potential to accommodate all of the land use classes proposed in the Meadowhall application and has a total site area which is likely to be large enough to accommodate different development mix, format and scale scenarios. However at present there is insufficient information about the detailed layout, scale and sizes of available plots to robustly conclude that the SRQ site is in practice a sequentially preferable alternative. Therefore the sequential test for the purposes of flood risk has been passed.

Surface Water Drainage

3.9.9 The area of TLH, multi-storey car park and adjacent surface parking is already positively drained with unattenuated flows to the River Don. The existing system will be adapted to restrict the peak discharge to be a 30% reduction over existing. In this location below ground attenuation in cellular storage and oversized pipes will utilised because of the practical construction constraints.

3.9.10 The surface car parking to the west of Next Home and Garden store is not positively drained. The majority of surface water drainage for the new area of car parking adjacent to Next Home and Garden is intended to drain to a watercourse in Sheffield Road. Part of the site may also drain to the local highway drainage network subject to further investigation. Attenuation and

water quality improvements will be achieved by utilising permeable block paving with sub-base storage discharging at an agreed rate to a combination of the watercourse and existing highway drainage.

3.9.11 The Lead Local Flood Authority has no objections subject to the submission of details controlled by planning conditions.

3.10 Lighting Strategy

3.10.1 A lighting strategy is included within the Design and Access statement. This sets minimum lighting levels for different areas of the site and criteria and for limiting light pollution on which the design will be based. Feature lighting is proposed to the green walls of the red deck car park, to the perforated panels to the multi-storey car park, to the ramps between the levels of the car park, to the edge and underside of the ribbon eaves of TLH, and a glowing effect to the lower level of the cinema facade defined by a diagonal line. Feature lighting will also be used to illuminate the front face of the planter seating and key planting elements on the terrace. Lighting will also be integrated into to the dry fountain design and the steps up to the terrace from the lower level. Timber columns of varying heights will be used to illuminate the external areas of the terrace. 15m high columns will be used to light the upper level of the multi-storey car park and lower columns to light the yellow surface level car park.

3.10.2 The lighting strategy is considered to be generally acceptable except for the 15m high columns on top of the multi storey car park which will be almost at the same level as the top of TLH glazed roof and is considered to be excessively assertive. A condition is proposed requiring consideration to be given to lower lighting columns in this location.

3.11 Heritage Assets

3.11.1 No ground works are proposed on the Meadowhall Way contractor parking site or in connection with the facade alterations to the existing cinema. Therefore the assessment of the potential archaeological impacts is confined to TLH site and associated car parking including the surface car parking area proposed adjacent to the Next Home and Garden store.

3.11.2 The historic environment assessment submitted with the application concludes that there is potential for the presence of buried archaeological remains, in particular relating to 19th and 20th century industrial works associated with the Sheffield Steel industry. The buried archaeology is located within TLH site and the car park site adjacent to Next and is likely to be of local significance. As the impact of development would be permanent and irreversible in nature the South Yorkshire Archaeological Service has recommended a condition which will secure an appropriate scheme of Archaeological mitigation, in accordance with national and local planning policy.

3.11.3 The assessment has considered the impact of the development on the setting of several heritage assets near the site such as the Scheduled Wincobank Hillfort and two sections of the Scheduled Roman Ridge. It concludes that the visual impact of the proposed development is likely to be minimal. Your officers concur with this conclusion.

3.12 Safety and Security

3.12.1 Terrorist attack is a significant consideration for a major shopping centre. The blast performance of the glass roof and an assessment of the vulnerability to vehicle intrusion will be considered at the next stage of the design. The service routes into the site will have controlled access and security barriers.

3.12.2 The security of the new car parks will also be a key consideration. All the existing car parks hold Park Mark Accreditation which aims to reduce crime and the fear of crime in parking areas. The applicant will be seeking accreditation for the new car parks.

3.13 Wind

3.13.1 The applicant has undertaken a wind assessment which shows that localised mitigation in the form of hard and soft landscaping will be required to the building entrances from the terrace, to some seating areas on the terrace and to the roof terrace to ensure they are suitable for the intended use. A condition is proposed requiring the applicant to carry out the appropriate mitigation which can be achieved by landscaping.

3.14 Ground Conditions

3.14.1 Detailed ground investigation reports have been submitted with the application which recommend some remedial works to protect human health. The reports have been considered by the Council's Environmental Protection Service and they have recommended conditions requiring a remediation strategy be submitted and carried out and a validation report be submitted on completion of the works.

3.14.2 The application site falls within a Coal Mining Development High Risk Area. A Coal mining Risk assessment has been submitted in support of the application and the Coal Authority have confirmed that they are satisfied that the development can be made safe and stable for the development and therefore they have no objection to the proposal.

4.0 SUMMARY AND RECOMMENDATION

4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan comprises of the saved policies in the Unitary Development Plan and Sheffield Development

Framework Core Strategy. The National Planning Policy Framework is a material consideration in planning application decisions.

4.2 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision making this means;

- approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless;
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

4.3 In policy terms the key considerations are NPPF tests of its impact on other town centres and whether it complies with the sequential test.

4.4 The centre most affected by the impact will be Sheffield City Centre. The SRQ project is the critical project for regenerating the City Centre. The Council's Major Projects Team do not consider the development will prevent this project going ahead, and this view is supported by the applicant's assessment. Therefore it can be presumed that that the project will proceed and the TLH's negative trading impact will be outweighed by the uplift that will be delivered by the SRQ. Given this there is insufficient evidence to conclude that it will undermine the vitality and viability of the City Centre. The impact on the City Centre and other centres will be harmful but not significantly adverse, which is the test in the National Planning Policy Framework for refusing planning permission.

4.5 Although the SRQ site would appear to be sequentially preferable there is insufficient evidence to robustly conclude that it could accommodate the necessary elements of the scheme allowing for flexibility. It seems unlikely that it could accommodate the big box leisure elements and the Major Projects Team have not said it is sequentially preferable.

4.6 The safeguards in planning conditions and the legal agreement will control the retail content of the scheme and should ensure it remains a predominately leisure and food and drink scheme.

4.7 The scheme will provide improved customer choice and experience and address existing congestion at food and drink outlets at peak times and meet the need for an updated cinema experience. It will enable the shopping centre to maintain its attraction relative to other competing centres and continue to attract visitors from outside the local area. It will also help to meet customer expectations of a wider leisure and food and drink offer. It is considered that these benefits on their own do not out outweigh the harmful impact on other shopping centres.

4.8 In access terms Meadowhall is the second most accessible location in the city after the City Centre. Its accessibility means that in principle it is an appropriate location for development that attracts a large number of people.

4.9 The transport modelling shows that the highway works proposed more than mitigate the impact of the development traffic and will help to accommodate other development traffic on the network and traffic growth. Although the amount of parking remains unchanged it is considered that the parking will be adequate to serve the existing and proposed development given the improved circulation and variable message signing and the other sustainable transport measures. It is concluded that parking capacity should not have a significant impact on the highway network. The travel plan will be a key aspect of minimising travel to the site by private car. The improvements to pedestrian, cycle and public transport access are significant benefits of the scheme. The scheme has been designed to provide inclusive access.

4.10 Overall it is concluded that in access terms the proposal is acceptable and the improvements to the operation of the network and the sustainable access improvements are a substantial benefits of the scheme.

4.11 The proposal will have a small negative impact on air quality and therefore on health in Tinsley which is already affected by poor air quality due to emissions from traffic. This is a significant concern as the Government objective is to secure compliance with the air quality standards as quickly as possible. The predictions indicate that the development will delay compliance by approximately 1 year. The worsening of air quality weighs against the scheme however given that the impact on achieving air quality objectives is for a short period it is judged that the harmful impact will be modest.

4.12 The scheme design is high quality and the TLH extension will be an attractive and striking new addition to the shopping centre. A distinctive arrival point will be created to a shopping centre that is currently dominated by car parks. A portion of the centre will become outward facing and there will be significantly enhanced pedestrian and cycle connections to the new arrival point. The new indoor and outdoor spaces will improve the visitor experience. It is considered that the physical alterations to the shopping centre are a significant benefit of the scheme.

4.13 The development will generate economic benefits in the form of 600-1000 jobs, increased local spending and increased Gross Value Added to the local economy. The objective of the Employment and Skills Strategy will be to maximise the potential for local people to benefit from the employment opportunities particularly targeted to the deprived Tinsley and Darnall communities. It is accepted that being in employment has public health and social well-being benefits. However there can be no guarantees on the number of people from Tinsley and Darnall who will secure employment. Recruitment must be expected to take place within the wider travel to work area although measures to enhance potential employees' prospects can be

more locally targeted. The NPPF advises that significant weight should be placed on the need to support economic growth through the planning system.

4.14 The scheme has been designed to be resilient to climate change and incorporate sustainable design through the BREEAM design process and by providing renewable energy.

4.15 Overall it is concluded that highway, design, employment and economic benefits outweigh the harmful shopping and air quality impacts. Therefore it is considered that the development should be supported.

Recommendation

4.16 Under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 where the local planning authority does not propose to refuse permission for development of 5,000m² of retail or leisure floorspace which is on edge-of-centre or out-of-centre land and not in accordance with the provisions of the development plan the Secretary of State must be consulted.

4.17 Highways England have also issued a formal recommendation that consent not be granted until some outstanding matters relating to the safety audit and Strategic Road Network are resolved. They are however content for members to delegate the final decision to officers subject to the removal of their holding recommendation.

4.18 Therefore it is recommended that members agree that that they are minded to grant planning permission subject to no objection from the Secretary of State; subject to the removal of Highways England holding objection; subject to the conditions listed on the agenda, and subject to the applicant entering into a legal agreement to secure the listed Heads of Terms.

4.19 Members are also recommended to grant delegated powers to the Head of Planning to agree further conditions/heads of terms to address Highways England requirements provided they do not result in significant planning impacts.

Heads of Terms

Highways

- A scheme for the signal control of the M1 Junction 34 (North) free flow from Meadowhall Road to the M1 on slip – as shown on PBA drawing 33909-5515-028. To be implemented if required by the Local Planning Authority and Highways England.

- A scheme for the provision of a Controlled Parking Zone – as shown on PBA drawing 33909-5520-006 and to be implemented if required

following a monitoring scheme to be agreed with the Local Planning Authority.

Public Transport Improvements

- A contribution of £297,000 to secure the improvements to the Tinsley South Supertram Stop as outlined in the Meadowhall South/Tinsley Tramstop Improvements dated 5.7.17.

- A contribution of £948,480 for subsidising improvements to bus services 3, 71, X1, X78 for a period of 3 years.

- A contribution of £20,000 to provide real time information at 2 bus stops on Meadowhall Way.

Air Quality Initiatives

- A scheme to ensure Meadowhall taxi waiting areas can only be used by low emission taxis and private hire vehicles.

- A contribution of £100,000 to be used to fund nitrogen dioxide reduction initiatives that arise out the local action plan to be prepared in response to the Air Quality Plan for Nitrogen Dioxide (N02) in the UK (2017).

- A commitment by British Land to participate in the ECO Stars Fleet Recognition Scheme for South Yorkshire for the shopping centre vehicle fleet and to implement any recommended measures.

- Commitment to use reasonable endeavours to establish:
    1. Deliveries of construction contracts for The Leisure Hall to use Euro VI vehicles or better.
    2. Deliveries for future operational activities to The Leisure Hall to use Euro VI vehicles or better.

Retail Impact Issues

- Removal of permitted development rights to change class A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways) in the Oasis to class A1 shops other than ancillary sales to the main use.

- Covenant to prevent the existing cinema changing to class A1 shops other than ancillary sales to the main use.

Other Issues

- A contribution of £250,000 towards the Tinsley Public Art project.

- £100,000 funding of a Work Ready Programme directed at the Sheffield and the Sheffield City Region but with priority to Darnall, Tinsley and Wincobank areas.

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SHEFFIELD CITY COUNCIL
Planning & Highways Committee

Report of:	Chief Planning Officer
Date:	12 September 2017
Subject:	RECORD OF PLANNING APPEALS SUBMISSIONS & DECISIONS
Author of Report:	Claire Woods 0114 2734219

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
12 SEPTEMBER 2017

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse advertisement consent for the replacement of 2 no. 48 sheet digital displays with 2 no. internally illuminated back to back digital portrait displays (7.5m x 5m) at Site Of Former Advertising Right No 0183 And No 0184 Adjacent Steelway Works 100 Sheffield Road Tinsley Sheffield S9 2FY (Case No 17/01507/HOARD)

3.0 RECOMMENDATIONS

That the report be noted

Rob Murfin
Head of Planning

12 September 2017