

Planning and Highways Committee

Tuesday 17 August 2021 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 Price (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Bob McCann, Zahira Naz, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams and Alan Woodcock

Substitute Members

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

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 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 Abby Brownsword on telephone no. 0114 273 5033 or by emailing abby.brownsword@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
17 AUGUST 2021**

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 5 - 8)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 9 - 12)
Minutes of the meeting of the Committee held on 27th July 2021.
- 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 13 - 14)
Report of the Director of City Growth
- 7a Application No. 21/01999/REM - Site Of Car Parks At Shalesmoor, Bridge Street And Plum Lane (Buildings 1A And 1B), Sheffield S3** (Pages 15 - 44)
- 7b Application No. 21/01998/REM - Land At Corporation Street, Spring Street, Water Street, Plum Street And Love Street, Sheffield, S3 8NS** (Pages 45 - 68)
- 7c Application No. 21/01102/FUL - British Rail Club Sports Ground, Farm Road, Sheffield, S2 2TP** (Pages 69 - 100)
- 7d Application No. 21/00366/FUL - 15A Broomfield Road, Stocksbridge, Sheffield, S36 2AR** (Pages 101 - 118)
- 8. Record of Planning Appeal Submissions and Decisions** (Pages 119 - 124)
Report of the Director of City Growth
- 9. Date of Next Meeting**
The next meeting of the Committee will be held on Tuesday 7th September 2021 at 2.00 p.m.

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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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Planning and Highways Committee

Meeting held 27 July 2021

PRESENT: Councillors Dianne Hurst (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Bob McCann, Peter Price, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams and Barbara Masters (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillor Zahira Naz and Councillor Alan Woodcock.

1.2 Councillor Barbara Masters acted as substitute for Councillor Woodcock.

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 Peter Garbutt declared a personal interest in Agenda Item 7a, Application No. 21/02186/FUL - JA Home Starlight, 335 - 337 Abbeydale Road, Sheffield, S7 1FS, as a local ward member. Councillor Garbutt declared that he had not given an opinion or made up his mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

3.2 Councillor Barbara Masters declared a personal interest in Agenda Item No, 7c, Application No. 20/03752/OUT - Daisy Chain Middlewood Villas, 95 Langsett Road South, Sheffield, S35 0GY, as joint owner of a property nearby. Councillor Masters declared that she had not given an opinion or made up her mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

3.3 Councillor Richard Williams declared a personal interest in Agenda Item No, 7c, Application No. 20/03752/OUT - Daisy Chain Middlewood Villas, 95 Langsett Road South, Sheffield, S35 0GY. Councillor Williams declared that he had received an email from an objector but had not given an opinion or made up his mind on the application prior to the meeting, therefore would take part in the discussion and voting thereon. The other Committee Members confirmed the same.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the meeting of the Committee held on 6th July 2021 were approved as a correct record.

5. SITE VISIT

- 5.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make any 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

6a. APPLICATION NO. 21/02186/FUL - JA HOME STARLIGHT, 335 - 337 ABBEYDALE ROAD, SHEFFIELD, S7 1FS

- 6a.1 An additional representation, along with the officer response and updated NPPF paragraphs were included within the Supplementary Report circulated and summarised at the meeting.

- 6a.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

- 6a.3 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted.

- 6a.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally for the reasons set out in the report and supplementary report, now submitted, Change of use of from retail (Use Class E) to pub/drinking establishment (Use Class Sui Generis), provision of a front covered terrace area, replacement of front windows and new first-floor windows, rear bin store and extraction flue to rear elevation at JA Home Starlight, 335 - 337 Abbeydale Road, Sheffield, S7 1FS (Application No. 21/02186/FUL).

6b. APPLICATION NO. 21/00266/FUL - QUALITY HOTEL SHEFFIELD, NORTH LANE END, SHEFFIELD, S35 3UH

- 6b.1 Updated NPPF paragraphs were included within the Supplementary Report circulated and summarised at the meeting.

- 6b.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of

the meeting.

6b.3 Andy Bainbridge, Councillor Mike Levery and Adam Hurst attended the meeting and spoke against the application.

6b.4 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.

6b.5 **RESOLVED:** That (1) an application for planning permission be REFUSED, for the reasons set out in the report and supplementary report, now submitted, for the use of hotel (Use Class C1) as 44 social housing dwellings (Use Class C3) (Amended Ownership Certificate received 21.04.2021) at Quality Hotel Sheffield, North Lane End, Sheffield, S35 3UH (Application No. 21/00266/FUL); and

(2) an amendment be made to condition 3 to delete the words 'it is considered that'.

6c. APPLICATION NO. 20/03752/OUT - DAISY CHAIN MIDDLEWOOD VILLAS, 95 LANGSETT ROAD SOUTH, SHEFFIELD, S35 0GY

6c.1 Two additional representations, along with the officer response and updated NPPF paragraphs were included within the Supplementary Report circulated and summarised at the meeting.

6c.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

6c.3 Derek Beetlestone attended the meeting and spoke in support of the application.

6c.4 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.

6c.5 **RESOLVED:** That (1) an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, now submitted, for the outline application (all matters reserved) for the erection of an apartment block comprising up to 10 apartments (Resubmission of application 20/02908/OUT) (Amended Plans) at Daisy Chain, Middlewood Villas, 95 Langsett Road, South Sheffield, S35 0GY (Application No. 20/03752/OUT); and

(2) it was requested that applications regarding access and scale be brought back to Committee for approval.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 7.1 The Committee received and noted a report of the Chief Planning Officer detailing new planning appeals received and planning appeals allowed or dismissed by the Secretary of State.

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 17th August 2021 at 2pm.



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 17/08/2021

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond, Chris Heeley and Dinah Hope 2039183

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

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.

Category of Report: OPEN

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Case Number	21/01999/REM (Formerly PP-09577768)
Application Type	Approval of Reserved Matters
Proposal	Erection of mixed use development comprising 2no. buildings up to 19 storeys with apartments at upper levels (Use Class C3) and ground floor retail units (Use Classes A1-A4) (Application to approve access, appearance, landscaping, layout and scale as reserved under planning permission no. 16/02518/OUT)
Location	Site Of Car Parks At Shalesmoor, Bridge Street And Plum Lane (Buildings 1A and 1B) Sheffield S3
Date Received	29/04/2021
Team	City Centre and East
Applicant/Agent	Asteer Planning
Recommendation	Grant Conditionally

Time Limit for Commencement of Development

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

Proposed Site Demolition Plan 05880_MP_00_0100
Lower Ground Level GA Site Plan - 05880_MP_00_1199 B
Ground Level GA Site Plan - 05880_MP_00_1200 M
Level 01 GA Site Plan - 05880_MP_00_1201 F
Level 02-06 GA Site Plan - 05880_MP_00_1202 B
Level 07 GA Site Plan - 05880_MP_00_1207 A
Level 08 GA Site Plan - 05880_MP_00_1208 C
Level 09 GA Site Plan - 05880_MP_00_1209 C
Level 10 GA Site Plan - 05880_MP_00_1210 C
Level 11-14 GA Site Plan - 05880_MP_00_1211 D
Level 15 GA Site Plan - 05880_MP_00_1215 C
Level 16 GA Site Plan - 05880_MP_00_1216 C
Level 17-18 GA Site Plan - 05880_MP_00_1217 A
Level 19 GA Site Plan - 05880_MP_00_1219 C
Roof Level GA Site Plan - 05880_MP_00_1220
1A and 1B South Elevations - Coloured Site Elevations - 05880_MP_04_1200-C
1A and 1B North Elevations - Coloured Site Elevations - 05880_MP_04_1201-C
1B West Elevation - Coloured Site Elevations - 05880_MP_04_1202-C
1A East Elevation - Coloured Site Elevations - 05880_MP_04_1203-C

1A West Elevation - Coloured Site Elevations - 05880_MP_04_1204-C
 1B East Elevation - Coloured Site Elevations - 05880_MP_04_1205-C
 1A and 1B Section A - 05880_MP_05_1200-A
 1A and 1B Section A - 05880_MP_05_1201-A
 Landscape General Arrangement - 1936.1-PLA-XX-XX-DR-L-0001 P11
 Hardworks General Arrangement - 1936.1-PLA-XX-XX-DR-L-0002 P05
 Levels and Drainage Strategy - 1936.1-PLA-XX-XX-DR-L-0003 P01
 Furniture General Arrangement - 1936.1-PLA-XX-XX-DR-L-0004 P06
 Softworks General Arrangement - 1936.1-PLA-XX-XX-DR-L-0005 P07
 Lighting Strategy - 1936.1-PLA-XX-XX-DR-L-0006 P07
 Tracking Layout - 1936.1-PLA-XX-XX-DR-L-0007 P07
 Boundaries - 1936.1-PLA-XX-XX-DR-L-0008 P06
 Ecological Enhancement - 1936.1-PLA-XX-XX-DR-L-0009 P04
 Artwork Strategy - 1936.1-PLA-XX-XX-DR-L-0010 P04
 Temporary Wildflower Works - 1936.1-PLA-XX-XX-DR-L-0011 P03
 Landscape GA Mark Up - 1936.1-PLA-XX-XX-DR-L-0013 P02
 Building 1A Entrance Typical Bay Study - 05880_B1_10_2201- C
 Building 1A Balconies and Windows Typical Bay Study - 05880_B1_10_2202 - C
 Building 1B Entrance Bay Study - 05880_B1_10_2201 - C
 Building 1B Upper Level and Balcony Bay Study - 05880_B1_10_2202 - C

Reason: In order to define the permission.

Approved/Refused Plan(s)

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

2. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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.

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

3. Notwithstanding the submitted plans a comprehensive and detailed hard and soft landscaping scheme for the site which includes plant species, specific hard surfacing materials and details of street furniture and bins shall be submitted to and approved in writing by the Local Planning Authority before the hard and soft landscaping works

are commenced.

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

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

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

5. Details of all proposed external materials and finishes, including sizes, fixing and 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.

6. 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 before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

7. Prior to the development being brought into use, full details of any proposed external lighting associated with the buildings and public realm hereby approved shall have been submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development

8. Prior to the commencement of development of the substation, full elevational details for the substation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved plans.

Reason: In the interest of visual amenity

9. Prior to the affected residential units being brought into use, full details of screen fencing to be constructed to the roof areas identified as zones to screen apartments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the screens shall be provided before the apartments are brought into use and maintained.

Reason: In the interests of amenity of residential occupiers.

10. 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. Plant noise emission levels should not exceed the LA90 background noise level at the nearest noise sensitive receptor during the periods of operation.

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

11. No above ground works shall commence until the highway improvements (which expression shall include traffic control, pedestrian, and cycle safety measures) listed below have either:
- i. been carried out; or
 - ii. 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 buildings are brought into use.

Highways Improvements:

- i. A scheme for the provision of appropriate cycling infrastructure around and into the site that will connect to Local Authority pedestrian and cycle infrastructure in the vicinity of the development and ensure the continued safe and free movement of pedestrians and cyclists.
- ii. The highway layout in the vicinity of Spring Street/ Love Street that will ensure access to all premises is maintained and that adequate turning provision within the highway is provided.
- iii. All materials in the highway to be to Sheffield City Council specifications.

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.

12. 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.

13. The dedicated parking spaces for disabled persons as shown on the approved plans shall be provided in accordance with those plans before the first occupation of the development. Such car parking shall only be used by holders of a 'Blue Badge' parking permit (or any subsequent scheme which supersedes this) and thereafter such car parking accommodation shall be retained for the sole use of such persons and shall not be sold off or let to persons who are not entitled to a 'Blue Badge'.

Reason: In the interests of inclusivity

14. No above ground works shall commence until a detailed management scheme for control of through traffic from Bridge Street to Corporation Street including proposals for access in the event of breakdowns or emergency is submitted to the Local Planning Authority for consideration and written approval. Any future changes to the approved management scheme must be approved in writing by the Local Planning Authority.

Reason: In the interests of road safety

15. The following Road Safety Audits must be carried out in accordance with and within the timescales of the Sheffield Road Safety Audit Standard 2018 and national guidance. The Local Planning Authority reserves the right to require the SCC Road Safety Coordinator to be part of the audit team: -
 - i. The applicant shall submit a stage 2 RSA, on completion of detailed design and before the tender documents have been submitted.
 - ii. The applicant shall submit a stage 3 RSA on completion of construction of the relevant section of highway or access to the highway.
 - iii. The applicant shall submit a stage 4 RSA post opening collision monitoring for the 12 months after opening of the highway scheme.

All audits shall be completed by appropriately qualified road safety audit engineers who shall be independent of the scheme design/process.

All issues raised by the Road Safety Audits shall be addressed by the applicant and works completed at the earliest opportunity and no later than 3 months from the date of the RSA.

Reason: In the interests of highways safety

Other Compliance Conditions

16. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a

view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6301 or 273 6125
Email: highwayrecords@sheffield.gov.uk

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. 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.

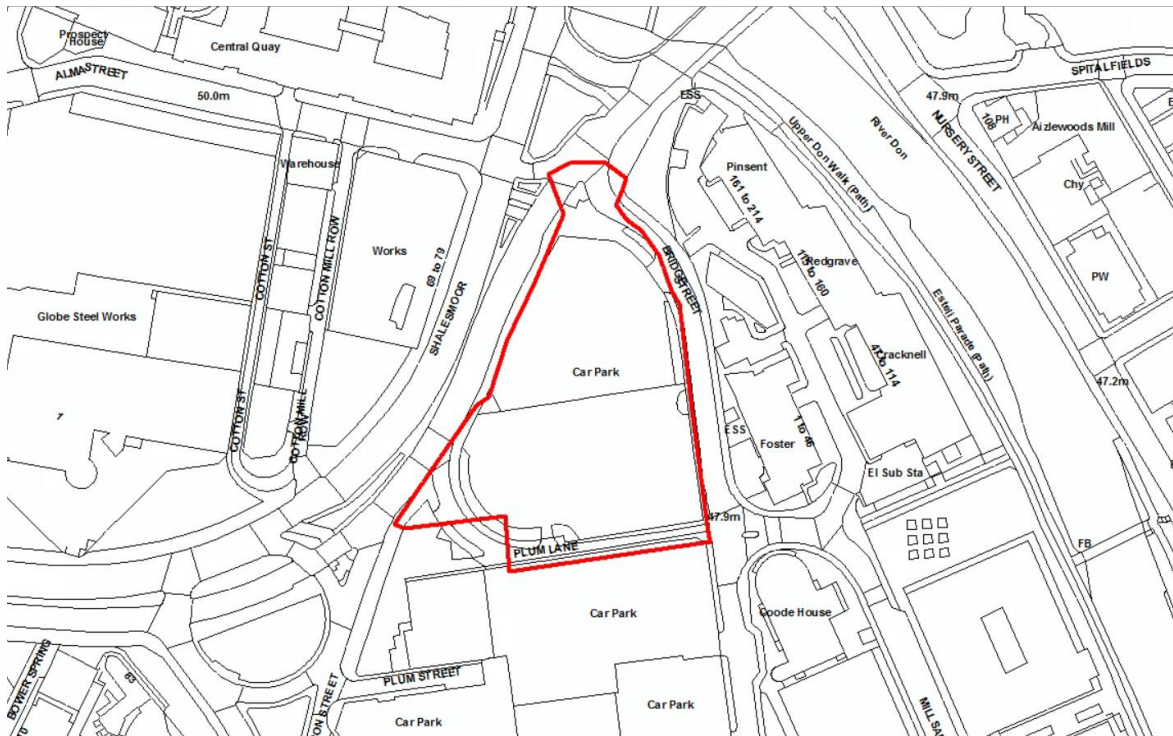
5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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.

Site Location



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LOCATION AND PROPOSAL

This application forms part of the West Bar Square redevelopment for which Outline planning permission was granted through application 16/02518/OUT. The approved outline application was the culmination of a significant amount of work from first concept in 2002; including a development brief in 2004; outline planning approval in 2007 (the developer then went into administration); and the signing of a development agreement in 2015 with Urbo who submitted the Outline application in 2016 and this application.

The outline consent approved the demolition of existing buildings and erection of buildings to form a mixed-use development comprising offices, residential, retail and leisure uses, public realm and parking on a triangular 3.04 hectare site bounded by West Bar, Corporation Street, Bridge Street and the Inner Relief Road.

The Outline consent approved the principal access into the site with all other matters, namely access (apart from principal access) scale, layout, appearance and landscaping reserved for future approval. As part of the approval, parameter plans were granted which set the location of the public square, maximum building heights and zones where particular uses were permitted. Conditions also control the amount of each use permitted in the overall scheme.

Owing to the scale of the site the development will be phased. The first phase will cover approximately half the site and comprise two office blocks, two apartment

blocks, a multi-storey car park and the public realm including West Bar Square and Soho Yard. Separate reserved matters applications will be submitted for each part of the development.

This application seeks Reserved Matters approval for two build to rent residential buildings; Building 1A is up to 19 storeys and Building 1B is up to 15 storeys. The proposals comprise 368 apartments and 460 square metres of A1-A4 retail floorspace at ground floor.

The application site is located within the northern part of the Outline approval development area and covers an area of approximately 0.68 hectares. The site is currently used as a surface car park. Bridge Street lies to the east, Corporation Street to the west and Plum Lane to the South. To the north of the site is an existing boundary wall which provides a vehicular barrier next to the junction with the Inner Relief Road.

RELEVANT PLANNING HISTORY

21/01998/REM - Reserved matters application proposing details for the access, appearance, scale, layout, landscaping and access for an office building (Use Class B1a) with ground floor retail units (Use Classes A1-A4) – Pending Consideration

20/02999/NMA - Application to allow minor amendment to condition 58 to 'No more than 700 car parking spaces, inclusive of existing temporary car parking and any new car parking provision, shall be provided within the site before parts a, c, d, e, f and g of Part 1 of Condition 20 are completed to the satisfaction of the Local Planning Authority' (amendment to planning approval 16/02518/OUT) – Granted

16/02518/OUT - Demolition of existing buildings and erection of buildings to form a mixed use development (maximum floor space of up to 140,000 sq metres) comprising office (Class B1), residential (Class C3), hotel (Class C1) and retail and leisure (Classes A1, A2, A3, A4, A5, D1 and D2) uses, provision of public realm space and car parking accommodation (Outline application - all matters reserved except for the principal means of access to the site from the junction of Bridge Street/Corporations Street) – Granted Conditionally

07/03813/OUT - Mixed use redevelopment for Class B1 (Business). Class A1 (Shops), Class A2 (Financial and Professional), Class A3 (Restaurants and Cafes), (A4 (Drinking Establishments) , Class A5 (Hot Food Takeaways), Class C3 (Dwellinghouses), Student Housing, and Class C1 (Hotels), and associated roof plant, car parking accommodation and access – Granted Conditionally subject to Unilateral Agreement

SUMMARY OF REPRESENTATIONS

16 letters of representation have been received. The main points raised are detailed below:

- A 19 storey building will completely overshadow adjacent residential buildings and will reduce the quality of life for residents
- Will lead to a loss of daylight, sunlight and privacy
- A more detailed sun path analysis should be undertaken
- Development will completely overlook existing residents, offering a direct line of sight to windows and balconies
- Development will be contrary to right to light for existing residents
- A building of this scale is not appropriate in the context of Sheffield
- The building is out of character, is much taller than surrounding development, it will be an eyesore, it will dwarf other buildings
- Development will have a claustrophobic impact to existing residential developments and will affect mental health
- Development will lead to a loss of views
- Will result in increased car usage and associated congestion, air pollution and health impacts
- Demolition works have been noisy and begin at 7.30am
- Conditions should be placed on future development to ensure work is undertaken within reasonable hours, this is particularly important due to increased home working as a result of Covid.
- Increased noise from retail and food/bar venues
- Air pollution from construction
- Loss of car parks as a result of the development will result in the loss of convenient parking for nearby residents
- There is very little parking in the local area, this development should include parking
- Question whether more flats are needed given that fewer people want to live in town centres and there is excess supply at present
- There are many empty hotels and flats in the City Centre, the same would happen to this development
- Welcome redevelopment of site but the scale is inappropriate
- Office 03 is too close to existing residential development and needs to be moved back from Bridge Street and reduced in height
- Bridge Street is not big enough to accommodate the increased amount of traffic
- Bridge Street should remain one way to car traffic and two way to active travel, the highways changes would be downgrading a strategic cycle route
- An off road, segregated cycle path should be provided to the Inner Ring Road, the current route is not up to standards set out in LTN 1/20, Gear Change and Sheffield Transport Strategy
- The Sheffield City Centre Plan details that main roads should have separate cycle routes. The roads should be redesigned, there is ample space without affecting the proposed buildings
- Development will devalue existing residential apartments
- Development should be required to contribute significantly to the creation of public green space and should provide a multi-use open air games area for young people and children

- Area would be better used as green space with children's play area, both are lacking in the area at present
- The development should include affordable homes
- Development should provide biodiversity net gain for example by including bat boxes
- During heavy rainfall water flows from Bridge Street into the site, the development does not include flood mitigation measures
- Question sustainability of the development

Councillors Douglas Johnson, Ruth Mersereau and Martin Phipps have commented on the scheme and raised the following concerns:

- The change to make the Bridge St/Corporation junction two way will regrade the cycle lane and crossing, as well as adding more traffic to what is currently a quiet area, and worsening air pollution
- Increased traffic in the area would make the uncontrolled crossings across Bridge St at the Snig Hill end inappropriate and impact on accessibility
- Making the Bridge St/Corporation St 2 way will impact on accessibility also, it is unclear from designs whether this junction would retain a controlled crossing across Bridge St by this junction, which is important for accessibility
- Increased traffic in the area could impact on bus routes running through Millsands and West Bar
- Plum Lane would be more appropriate to be used as both an exit and entrance point to this new development for motor traffic to avoid cycle conflict
- Support the comments and requests made by Cllr Douglas Johnson on 21st and 22nd July transport in his role as executive member for Transport, including:
 - Degradation of cycle infrastructure on Bridge St and loss of one way
 - Lack of consideration for how cyclists should safely travel to the complex in the transport plan, only addressing cycle parking
 - Lack of detailed mapping of traffic flow of cyclists and walkers along Bridge St
 - We would like to see a revised transport assessment and a road safety audit addressing the above
- The loss of light, in particular caused by block 1A in this application for the Foster block and the office block 3 for Coode are of particular concern. A more detailed analysis of light loss to existing properties should be provided
- Loss of privacy, again in particular caused by block 1A of this application for the Foster block and the office block 3 for Coode. These two buildings are proposed to face existing residential developments and properties will be able to see into each other, with only a narrow road between them (Setting the proposed developments further back might be part of a solution for this, as well as considering how privacy will be impact in design)
- The construction stands to be very disruptive and loud for these buildings, as raised by residents so the hours should be controlled.
- The height of the buildings is out of character for the area. Coode at 11 storeys is currently the tallest residential building in the area, with the other

buildings in the Riverside Exchange complex only being 5-7 storeys high. 18 storey buildings are out of keeping with existing height levels

- There is a real need for green space in the area - it would be good to utilise this space to include broader amounts of green space, e.g. a park.
- Noise from the proposed commercial units needs to be addressed so that design minimises it and so that planning permission prevents the units opening too late and disturbing residents in the new development and existing residents late into the evening
- 2 disabled car parking spaces is likely below 5% of overall capacity of the workplace in the development, so we would expect 5% of overall capacity to be met in the car park for the development as well as some disabled spaces for the flats
- We also expect that the car parking will contain significant capacity for electric vehicle charging
- Space needs to be available for drop off deliveries and maintenance
- Whilst it is welcomed that there is renewable energy produced on site, it is disappointing this is only the minimum planning requirement

PLANNING ASSESSMENT

Policy Context

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Sheffield's development plan comprises the Unitary Development Plan (1998) and the Core Strategy (2009).

Paragraph 219 of the NPPF states that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The assessment of this development proposal needs to be considered in light of Paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.

The principle of the development has been established through the approval of the Outline application, such that it is not considered necessary to repeat this assessment in full here.

In summary the redevelopment of the West Bar Site for a mixed-use development comprising high quality office space, residential accommodation, a hotel, multistorey car park and a range of A and D use classes is consistent with the aspirations of the West Bar Interim Planning Guidance, the Core Strategy and the NPPF.

Consideration will however be given to policies relevant to the more detailed aspects of the residential use including density and creating a mixed community.

The main issues for consideration as part of this application are those matters reserved from the outline approval including:

- Access and highways matters;
- Layout, appearance and scale; and
- Landscaping of the site

Consideration will also be given to other relevant issues.

The relevant issues will be assessed in relation to relevant national and local policies.

Proposed Use and Relevant Outline Conditions

Condition 52 places a limit of 2,500 square metres on the amount of retail (A1) floor space.

Condition 56 is also relevant and sets limits on the amount of floor space for different uses across the whole development site, as below:

The total combined gross floor space of the development shall not at any time exceed 140,000m² in accordance with the following minimum and maximum gross floor spaces:

- (a) Office (use Class B1a): a minimum of 51% of the total combined development floor space up to a maximum floor space of 85,000m².
- (b) Residential (use class C3) up to a maximum floor space of 50,000m² or 525 units whichever is the greater.
- (c) Retail, leisure and community (use class A1,A2, A3, A4, A5, D1 and D2) a combined a maximum floorspace of up to 5,000m² subject to the restrictions on retail (use class A1) use as identified in condition 52
- (d) Hotel (use class C1) up to 500 bedspaces or a maximum floorspace of 20,000m² whichever is the greater.
- (e) Car parking (sui generis) up to 700 car parking spaces not exceeding 25,000m²

The plans propose 368 apartments and 460 square metres of A1/A2/A3/A4 floorspace. This is the first reserved matters application for residential and falls within the parameters identified above. The total amount of retail floorspace proposed through this application and the 21/01998/REM is 705 square metres, again this falls within the limits identified in relevant conditions.

Condition 2 of the outline application approved a number of parameter plans which the development must be in accordance with. Of relevance to this are drawings which set out where C3 and A1/A2/A3/A4/A5 uses are permitted. The uses proposed through this reserved matters application are consistent with the land use parameter plans.

Density and Mixed Communities

Core Strategy Policy CS26 requires that housing development makes efficient use of land and states that the highest densities will be expected in the city centre. It goes on to set a minimum density of 70 dwellings per hectare in the city centre.

This approach is reflected in the NPPF where paragraph 125 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. It then identifies that policies should set minimum density standards for city centres. The NPPF recognises the need to boost the housing supply in paragraph 60.

It is considered that CS26 aligns strongly with the NPPF, particularly with regards to the setting of minimum density standards. As such it can be offered significant weight.

The proposed scheme has a density of approximately 541 dwellings per hectare. This is well in excess of the minimum requirements and will ensure the scheme makes efficient use of land and contributes towards the 5 year housing land supply. The proposal complies with Policy CS26 and Paragraph 125 of the NPPF.

Core Strategy Policy CS41 promotes the creation of mixed communities by encouraging development of housing to meet a range of housing needs. CS41 (a) is relevant to this application and states that a mix of housing types and tenures will be achieved by ensuring that no more than half the homes in larger development should consist of a single house type. 'Larger developments' are defined as more than 60 new dwellings and a single house type is defined as one with the same number of bedrooms and of the same design or generally similar characteristics

The NPPF highlights the importance of communities and details in paragraph 8 the social objective "to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations."

Paragraphs 61 and 62 go on to state that a housing needs assessment is required to determine the size, type and tenure of housing needed for different groups in the community.

The overarching aim of CS41 is to create mixed communities through the provision of a range of homes, this aligns with the NPPF as detailed above and can be offered moderate weight.

Building 1A will comprise of 33 studios (14%), 93 (41%) one bed apartments and 102 (45%) two bed apartments.

Building 1B will comprise of 77 (55%) one bed apartments, 42 two bed (30%) apartments and 21 three bed apartments (15%)

Across the scheme as a whole, no single unit type will account for more than 50% of the homes. The proposal includes a diverse range of unit types, this will be beneficial in creating a mixed community and is welcome. The proposal complies with relevant national and local policies in this regard.

Design (Reserved Matters: Appearance, Layout and Scale)

Policy

UDP Policy BE5 'Building Design and Siting' and Core Strategy Policy CS74 'Design Principles' set out the design principles for new developments. Policy BE5 requires development to incorporate good design, the use of high quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 states that high quality development will be expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods. It also states that development should contribute to place making and contribute to a healthy, safe and sustainable environment which promotes the city's transformation and helps to transform the character of physical environments that have become run down and are lacking in distinctiveness. Development should also enable all people to gain access safely and conveniently, providing, in particular for the needs of families, children, disabled and elderly people and should contribute towards creating attractive, sustainable and successful neighbourhoods.

Policy CS76 of the core strategy sets out a series of broad criteria which identify where tall buildings will be acceptable, these criteria seek to ensure that tall buildings help define gateway sites, mark areas of civic importance, principal activity nodes or key routes, form the focal points or enhance the city skyline, reinforce topography, support the vision for the city quarters and reflect the strategic economic vision for the city. Policy CS75 c) identifies the Inner Ring Road as gateway route in need of

improvement.

Paragraph 126 of the NPPF states 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development'. Paragraph 130 then goes on to set out a series of requirements including that development should add to the quality of the area; have good architecture, layout and landscaping; be sympathetic to local character and history; establish a strong sense of place and create welcoming and distinctive environments

The key principles contained within the local design policies relate to providing developments that are high quality, well designed, distinctive and sympathetic to local character. These principles align closely with national policies and can be afforded significant weight.

Relevant Conditions

Condition 50 of the outline approval requires that the reserved matters applications shall be in substantial accordance with the Design Principles set out the West Bar Square Design and Access Statement dated May 2016.

Condition 2 sets out approved drawings, one of these relates to maximum heights and indicates a maximum height of AOD (including plant).

The Design Principles set out in the Design and Access Statement referenced in condition 50 of the outline approval set out 5 key character areas for the site. This application falls within the Kelham Square, Corporation Street and Bridge Street character areas.

The following design principles were set out for these character areas:

Kelham Square

- The layout and distances between buildings should reinforce the hierarchy of pedestrian routes and the north south connectivity
- Active frontages should address the square
- Articulation of key gateways will provide way finding and routes throughout the development
- The heart of the development is a pocket square
- Routes leading to the square should incorporate Flood/SuDs; public art; wayfinding and signage; street furniture; opportunities for informal amenity and gathering; high quality materials and tree planting

Corporation Street

- Amenity pavilions to activate key gateways at the entrance to West bar Square

- No.1 West Bar Square to address the corner of Corporation Street and West Bar and to act as a gateway
- Buildings to display back edge of pavement layout to reinforce the enclosure to Corporation Street
- Active frontages to address primary routes through to West Bar Square
- A taxi drop off may be incorporated close to the main pedestrian access to the square
- A primary entrance space and gateway into the site with wide areas of planting and semi mature trees
- Softworks to wrap up Corporation Street to the entrance of West bar Square
- Planting zone to include SuDs and opportunities along the route between West Bar and Kelham Island to stop and rest.

Bridge Street

- Building footprints will deliver an adjusted minimum width of 3 metres along Bridge Street
- All buildings to be back edge of pavement to reinforce the enclosure to Bridge Street
- Active frontages to be incorporated where possible
- Vehicle access to use existing highways of Love Street and Plum Street
- Articulation of key gateways
- Bridge Street is a secondary route, it should incorporate semi mature tree planting; high quality materials; vehicular drop off areas; and an uncluttered route to Kelham Island

Scale, siting and appearance

The applicant has engaged in extensive pre-application discussions with the Council, during which a number of design changes have been made. The scheme presented as part of this application is consistent with the pre-application discussions.

The proposal is for an L shaped building and a linear building running north south within the site. The layout emphasises the north south routes as required in the design principles. Building 1A runs parallel to Bridge Street and provides an appropriate enclosure to this route, including a minimum 3 metre pedestrian route.

The buildings are sited with the tallest part closest to the junction of Bridge Street and Corporation Street, providing a prominent gateway to the northernmost part of the site. The buildings are positioned with a separation distance between them of between 15 and 22.5 metres; the area between them is a public square shown as Soho Square on the plans but referred to as Kelham Square in the outline consent. This is secondary to the main West Bar Square to the south, but provides important public and visual amenity.

Active uses are included on the elevations around the public square and main pedestrian routes through the site, creating activity and surveillance. The main

entrances to the buildings are also accessed off the square, increasing activity and ensuring well overlooked entrances to create increased safety.

The scale of the buildings varies between 10 and 19 storeys, with the highest part being at the maximum height set out in the parameter plans (109.3m AOD). The lower parts of the building have been sited to allow sunlight into Soho Square.

The scale of the buildings is significantly taller than surrounding development, which is at a maximum to the east of the site, being between 6 and 8 storeys at Millsands and 11 storeys at Coode House. However, it is considered that the application site acts as a gateway to West Bar and Kelham Island and can accommodate a building of this scale. The height will mark the site as a gateway and act as a landmark for the site and the Kelham Island Area. The scale of the building will support the regeneration and strategic vision for this important edge of City site. Core Strategy Policy CS76 identifies tall buildings are appropriate when they create landmarks in strategic locations such as this.

Buildings 1A and 1B have been designed with separate and distinct architectural approaches.

Building 1A is a linear building varying from 10 to 19 storeys. The design intent is to reflect the landscape and geology of the Peak District through horizontal 'strata'. The building has a strong horizontal emphasis and will include deep reveals and balconies to help break up the massing. The building will be constructed from a buff/light grey mixed brick stock.

Building 1B is a brick built L shaped building varying from 8 to 15 storeys in height. The design is more regular and ordered, reflecting the urban location and Kelham Island Conservation Area opposite the site. The proposal is to be constructed from buff/light red brickwork with patterned brick panels to add visual interest and break up the massing. Details indicate deep window reveals, with metal louvres and balconies, again these break up the massing and add visual interest.

Overall it is considered that the buildings are well designed and detailed and will be of high quality. The combination of the buildings will both reflect the character of the area whilst adding something distinctive and unique.

In light of the above, it is considered that the proposal is for well designed, high quality buildings that are suitable for this gateway location. The development is in line with the approved parameter plans and the design principles set out in the original design and access statement.

A substation is shown to the north of the site. This is a functional requirement and has been designed to be sited within a single-storey brick building constructed from materials to match Building 1A. Elevational details have only been submitted for two sides and so the final details will be secured by condition.

Heritage Implications

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that Local Planning Authorities shall have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The local and national planning policies referred to below reflect these statutory duties.

Unitary Development Plan Policy BE16 “Development in Conservation Areas” requires development to preserve or enhance the character or appearance of a conservation area.

Policy BE19 “Development Affecting Listed Buildings” is relevant and states that proposals for internal alterations will be expected to preserve the character and appearance of the building, and where appropriate, to preserve or repair original details and features of interest.

Chapter 16 of the National Planning Policy Framework 2019 (NPPF) Conserving and Enhancing the Historic Environment states that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. Paragraphs 194-203 are relevant and advise that the significance of a heritage asset should be considered and that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The Framework goes on to state that great weight should be given to the heritage asset’s conservation and that any harm to the significance of a designated heritage asset needs clear and convincing justification. 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.

It is considered that the principles of the local and national policies in relation to the conservation of heritage assets are closely aligned. However, the NPPF provides greater detail on how to assess and consider impact, including introducing the principles of ‘substantial harm and less than substantial harm.

The site is located opposite Kelham Island Conservation Area. However, it is not within the Conservation Area and is separated by the wide Inner Ring Road. The ring road provides a clear separation to the Conservation Area and the listed buildings it contains, with the character differing across each side of the highway. Although the proposal is tall and prominent it is not viewed within the context of the Conservation Area owing to the barrier created by the highway. As such it is considered that the development will not have a harmful impact on any heritage assets.

Highways and Access

Policy IB9 (f) expects development to be adequately served by transport facilities, provide safe access to the highway network and appropriate off-street parking.

Paragraph 110 of the NPPF states that in assessing applications it should be ensured that:

- Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location
- Safe and suitable access to the site can be achieved for all users; and
- Any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree

Paragraph 111 of the NPPF states that new development 'should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

Paragraph 112 goes on to state that priority should be first given to pedestrian and cycle movements and second to facilitating access to high quality public transport.

Trip generation and traffic modelling was undertaken as part of the Outline approval and these assessments are still relevant. The application site is in a highly accessible location close to a wide range of services, employment and education and within close proximity to a range of public transport.

The principal means of access into the site from Bridge Street was approved through the outline application. Condition 20 of the outline approval requires that before 46,000m² of gross internal floor space is brought into use, amendments to the Bridge Street Junction with the Inner Relief Road to enable two way traffic shall be implemented.

Vehicular access to the residential buildings will be via a realigned Plum Lane which will become a private estate road. Plum Lane will be accessed by Bridge Street and will have rising bollards part way down. The bollards will allow through traffic for service vehicles who will access onto Corporation Street. All other vehicles including taxis and private vehicles will be prevented from having through access by the bollards and will be able to turn in the turning area.

The number of service vehicles is expected to be low and management of the access road including the rising bollards will be the responsibility of Urbo.

A new servicing layby will be provided off Bridge Street to allow servicing of Building 1A.

Pedestrian access to the site will be provided from Plum Lane, Bridge Street and Corporation Street. The site will be permeable to pedestrians and will link with through routes from the rest of the West Bar Square development site.

Bridge Street is a suggested cycle route and a number of representations have raised concerns about the impact on cyclists of turning this into a two-way access. It is highlighted that permission was given to allow Bridge Street to be two-way at the junction with the ring road through the outline application. Condition 20 (part 3b) requires improvement to pedestrian and cycle safety and access to the site associated with each relevant phase. As such further consideration to cycle safety will be given when this condition is discharged.

It is also noted that improvements to the cycle infrastructure are being made around the site as part of the Connecting Sheffield City Centre project.

Condition 21 states:

“Each reserved matters application shall be accompanied by full details of suitable and sufficient cycle and motorcycle parking accommodation in accordance with the Council's most up to date cycle parking guidelines. The details shall include the shower/changing/drying and storage facilities to be provided within that phase/building. The development shall not be used unless such cycle and motorcycle parking and facilities have been provided in accordance with the approved plans and thereafter retained.”

The plans indicate that cycle parking will be provided in each building. A total of 184 cycle spaces will be provided for residents, this is in line with guidelines. However, due to ground floor constraints including plant, bin stores and receptions it has not been possible to allocate cycle spaces proportionate to the number of apartments in each building. Consequently, the cycle parking is concentrated in Building 1B (104 spaces for 140 apartments) whilst Building 1A only has 80 spaces for 228 apartments. This is not ideal, however the constraints of the buildings are acknowledged and residents will be able to access both buildings.

Cycle parking will also be provided in the commercial units and short stay parking will be provided in the public realm.

No parking is proposed as part of this application; however 450 parking spaces will be provided in a multi-story car park which will be the subject to a separate reserved matters application. In addition to general parking, this will also provide disabled parking and motorcycle parking. The Transport Statement indicates that the Multi Storey Car Park will be completed at the same time as completion of No.1 West Bar.

The Council's Highway Officer has confirmed that the Stage 1 Road Safety Audit reports no issues for the proposals for this area of the site. Cycle facilities along Bridge Street including connection to nearby existing or proposed cycle facilities will be reviewed, and any issues will be addressed as required by condition in the outline approval. The applicant will be required by condition to undertake and carry out works to correct any issues raised in Stage's 2, 3 and 4 Road Safety Audits.

It is acknowledged that objections to permitting 2-way travel along Bridge Street

have been made. However, to develop this site the applicant requires vehicular access, and there are inherent problems with any choice of access to this site. It was determined that immediate access between a carpark and the inner relief road would be detrimental to highway safety, it was also agreed that a large number of vehicles should not be forced to go onto the West Bar Grey to Green route, which would be the consequence of Bridge Street remaining one way. The remaining option was therefore to permit travel in both directions along Bridge Street which will have the least detrimental impact on highway safety.

Given that the left slip lane was conditioned before the latest IRR scheme was designed it was always envisaged that it would have to be accommodated. At the time of assessment (IRR feasibility stage), traffic volumes on Bridge Street even after the committed development is fully occupied, will permit cyclists to use Bridge Street with all other traffic (based on daily two way movements) in line with the new 2020 guidelines of LTN 1/20. There is a condition on the outline approval to review cycle and pedestrian facilities around the site (should anything further be required on Bridge Street at a later date). This has been discussed with the applicant and further cycling facilities have been proposed but not yet confirmed in detail. On predicted traffic volumes the Council's Transport & Traffic Design & Delivery Service set out a design which requires a safe way for cyclists to transition between the segregated crossing and Bridge Street which they can do through the slip on / off at the end of the proposed island.

The time scales for the development may have resulted in some confusion and in considering the proposed development Members need to note that the outline permission for this scheme was granted before the council transport schemes were proposed or new government guidance was provided but safeguards are in place to ensure these proposals safely tie in to the Council's scheme.

In light of the above the proposal is considered to be acceptable in highway terms and complies with the relevant national and local policies.

Access

Policy BE5 'Building Design and Siting' of the UDP requires that designs should meet the needs of users, particularly people with disabilities.

The NPPF, in paragraphs 92, 93 and 127, encourages a high standard of design and inclusivity for all members of communities using a development

The building and public realm have been inclusively designed to enable access for all. A number of amendments have been made during the course of the application to improve the accessibility of the proposal and in particular the public realm. The scheme complies with the requirements of local and national policy in this regard.

Landscaping

UDP Policy BE6 expects good quality landscape design in all new developments.

This requirement is reflected in paragraph 130 (b) of the NPPF which states developments should be 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping'. These policies align strongly and therefore significant weight can be attached to Policy BE6.

The public realm to be provided as part of this application includes the footways around the site to Corporation Street and Bridge Street, the construction of Plum Lane and the public space at Soho Yard and Soho Square. The scale of the public square is considered to be appropriate to provide amenity value and an appropriate enclosure between buildings.

The detail submitted with the application indicates that SuDs rain gardens will be provided along the Corporation Street frontage up to the junction with Corporation Street. This will continue the Grey to Green scheme at West Bar and soften the urban edge, it is welcome, although additional details are required.

Plum Lane will provide access into and through the site as detailed in the highway section. The route is hard surfaced with some planting and trees to soften the appearance.

Soho Yard and Square will provide the primary pedestrian route through the site. To the north a retaining wall is to be removed and graded and stepped access provided, this offers an improved access and links to the Kelham Island Area to the north and is welcome.

The public realm is predominantly hard surfaced, interspersed with trees, planted beds and soft landscaping to soften the area. Soho Gardens provides lawn areas with seating, it offers a more meandering route through providing a residential scale and amenity for residents.

Temporary landscape works are proposed to the south of Plum Lane before the next phase of the development is delivered. The temporary works will provide wildflower meadow planting, this will add visual interest until the next phase comes forward and a permanent solution is provided.

Whilst the design intent is generally acceptable there are a number of issues with the detail shown which need further consideration. Detailed comments have been passed on to the developer and will be addressed through conditions which will be attached to this approval.

In accordance with the above, the landscape principles proposed are acceptable and comply with relevant policies.

Security

South Yorkshire Police have provided comments on the scheme in relation to safety and security.

Paragraph 97 of the NPPF states that Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate....appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security.

Consultee comments have been passed onto the applicant so that they are fully aware of the key matters. In their response to consultation document the applicant responds to the comments made and details the proposed security measures.

These include a secure line to be provided to the entrance to the site in order to protect against hostile vehicles. The measures proposed include raised edge to planting, tree planting, sunken planting and bollards or lighting columns to form a secure line. Limited car movement through the site, controlled by bollards; doors designed to resist attacks; installation of Access Control Systems to allow access to authorised site users only; installation of video surveillance; installation of Intruder Detector Systems and alarms; creation of Security Management Plan and Emergency Management Plans.

Amenity

Policy IB9 (b) of the Unitary Development Plan states that development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

Paragraph 130(f) of the NPPF states the development should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

The principle aims of IB9 (b) and H5 are to ensure that existing and future users have a good standard of amenity. This aim is robustly reflected in paragraph 127 of the NPPF and as such it is considered that significant weight can be attached to the local policies.

Future Residents

The floor plans indicate that the residential accommodation will ensure that all habitable rooms have a window ensuring a source of natural light and outlook. The apartments are spacious and sizes are greater than some others granted elsewhere in the City. The separation distances between Buildings 1A and 1B vary between 15 and 22 metres, this is appropriate for an urban environment and sufficient to ensure unacceptable overlooking does not occur.

Acceptable noise conditions will be provided for future residents, condition 36 of the

outline application sets criteria for internal noise levels.

Existing Residents

The nearest residential properties are located to the east of the site at Foster Millsands. This is separated from Building 1A by a minimum distance of approximately 12 metres, increasing to approximately 21 metres to the south of the block owing to the angled building line of Foster Millsands.

The closest separation distance detailed above exists between a 16 storey part of Building 1A and one of the Millsands blocks. Greater separation distances exist between the taller element of the building and the Pinset and Redgrave Millsands blocks.

These distances are considered to be appropriate for an urban location such as this and are similar to others found elsewhere across the city. Whilst there will be a degree of mutual overlooking between the developments, this can be expected of a dense City Centre Environment where residents cannot be expected to enjoy the same levels of privacy as a suburban area.

The development is no closer to the highway than the Millsands development and to prevent development of a similar siting would be unreasonable and contrary to other permissions in the immediate locality. Furthermore, the siting to the back edge of the footway is considered necessary and desirable from an urban design perspective.

A distance of over 25 metres separates the development from Coode House, this is sufficient to ensure there is not an unacceptable loss of privacy.

All other residential developments and in particular those in Kelham Island are separated by such a distance that the development will not have a detrimental overbearing or overlooking impact.

Residents have raised concerns that the development will result in the loss of views, this is not a material planning consideration.

A daylight and sunlight study has been requested to enable a full evaluation of the impacts of the development on neighbouring residents to be understood. The applicant has declined to submit such a study and states that the height is in accordance with the approved parameter plans. This is correct, the outline approval approves the maximum height of the development across the whole of the application site. A sunlight study was submitted with the outline approval and the impacts of the development on residents to Bridge Street were considered and found to be acceptable.

In approving the parameter plans for height the impact on surrounding developments was considered and has been established. Whilst it would have been desirable to understand the specific impacts of the proposal in more detail, given that the

maximum height has been approved though the outline approval the request for a survey is not an essential requirement.

The development will provide acceptable amenity for future residents and will not have an unacceptable impact on the amenity of existing residents. As such it complies with relevant local and national policies in this regard.

Noise

Paragraph 185 (a) of the NPPF requires the mitigation and reduction to a minimum of potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life.

Noise was assessed at the outline stage and a number of conditions attached to the approval to ensure that the development would create a suitable noise environment for future users and would not result in unacceptable noise or disturbance during construction or when in use.

The current application is for residential use with commercial uses at ground floor, owing to the relationship between these uses it is considered necessary to add an additional condition in relation to noise to ensure the commercial uses do not have a harmful impact on the noise environment of the residential accommodation.

Contaminated land

Paragraph 183 of the NPPF requires that planning decisions take account of ground conditions and any risks arising from land instability or contamination.

Contamination was assessed at the outline stage and relevant conditions applied to the approval. It is not necessary to carry out an additional assessment.

Wind Impacts

It is commonly acknowledged that tall buildings can have an adverse impact on the local wind microclimate, resulting in a detrimental effect on pedestrian comfort levels and in the most severe cases, in wind safety issues.

An updated wind assessment has been submitted in support of the application. This uses the Lawson Comfort Criteria to analyse pedestrian comfort. This demonstrates that the wind conditions for the development will be generally calm with all amenity areas having conditions suitable for their intended use. The entrances will similarly have wind conditions suitable for their intended use. The scheme does not introduce any wind safety concerns.

It is concluded that the development will be acceptable with regards to wind impacts.

Sustainability

A key objective of local and national policy is the pursuit of sustainable development. The NPPF details three overarching principles of sustainable development; an economic objective; a social objective and an environmental objective.

Condition 31 of the outline approval states:

A sustainability report shall be submitted to the Local Planning Authority for approval with each reserved matters application which reviews the standards set out in condition numbers 17 and 30 and considers whether the sustainability measures should be enhanced in the light of relevant local and national policy and guidance at the time. The report shall include details of how the above mentioned standards are to be achieved and of any additional sustainability enhancements as agreed. The approved details shall be implemented before the relevant buildings are occupied.

Condition 17 requires the development to provide 10% of its energy requirements from a renewable or low carbon source whilst condition 30 requires the development to meet a minimum rating of BREEAM very good.

In economic terms the development will form part of the wider West Bar Square redevelopment. The inclusion of residential accommodation into the redevelopment will help to support the redevelopment of the area which will have significant economic benefits.

The social benefits of the scheme include the regeneration of the West Bar area to create a vibrant and attractive mixed use area with new residential, commercial, leisure and employment uses alongside an attractive public square and public realm.

In environmental terms the site is sustainably located and in close proximity to a range of excellent public transport options. The proposal will enhance the built environment and includes a number of measures to reduce its impact on the environment as detailed below.

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.

Core Strategy Policy CS65, relates to renewable energy and carbon reduction and requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

A sustainability statement has been submitted with the application, this details that the building will achieve a BREEAM excellent rating and will provide at least 10% of its energy from renewable sources, at present this is described as being through solar photovoltaic panels, air source heat pumps and heat recovery. Further details will be submitted as part of the discharge of conditions for the outline approval.

In addition, the development will provide a number of sustainable features, including

cycle parking, a green roof, low energy and smart lighting systems to reduce usage and SuDs.

Overall, the scheme is considered to represent sustainable development and meets the relevant policy and condition requirements.

Flood Risk and Drainage

Paragraph 159 of the NPPF states that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'.

Core Strategy Policy CS67 'Flood Risk Management' seeks to ensure that all developments significantly limit surface water run-off and utilise sustainable drainage systems where feasible and practicable.

The NPPF details at paragraph 169 that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Policy CS67 and paragraph 169 of the NPPF are considered to closely align and therefore significant weight can be attached to the local policy in this instance.

These issues were fully assessed at outline stage and relevant conditions attached. The site is located in flood zone 2, condition 15 and 41 set out the requirements in relation to flooding. Condition 15 requires the overland flow of water between Corporation Street and Bridge Street to be maintained and directed away from building entrances. Condition 41 includes a number of criteria which the development must comply with as below:

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated October 2015 Project Ref:32139/4001 Rev:D prepared by Peter Brett Associates LLP and the following mitigation measures detailed within the FRA:

1. Finished floor levels of the residential developments are set no lower than 49.2m above Ordnance Datum (AOD).
2. Finished floor levels of the commercial developments are set no lower than 48.9m above Ordnance Datum (AOD).
3. Flood Resilience and resistance measures will be incorporated into the proposed development as stated in the FRA.
4. Habitable spaces of residential development shall not be located on the ground floor of the development, except adjacent to Bridge Street.
5. Basement areas are only to be used for car parking or other non-sensitive uses with such other non-sensitive uses being agreed in writing by the Local Planning Authority in consultation with the Environment Agency.
6. Basement parking areas shall be free from flooding during the 1% (1 in 100) plus climate change flood event plus 300mm freeboard, by application of raised entrances or mechanical barriers where necessary to a level of 48.9m AOD.

7. Adequate protection of buildings mechanical/electrical plant and utility services will be incorporated into the development, either by exclusion from basement parking areas or raising the plant above 48.90m AOD (i.e. the 1 in 100 plus climate change flood level plus 300mm freeboard).

8. The overland surface water flow is maintained between Corporation Street and Bridge Street and directed away from building entrances.

In accordance with the above condition the information submitted with the application demonstrates that the residential and commercial finished floor levels comply with parts 1 and 2 of condition 41. Furthermore, there are no habitable residential spaces at ground floor and the only uses at lower ground level are bin and cycle stores which are not sensitive uses.

The levels information submitted with the application demonstrates that flows through the site will be maintained from Corporation Street to Bridge Street and directed away from building entrances.

The submitted detail complies with the requirements of condition 41.

Conditions 13 and 14 of the outline application require further approval of the final drainage scheme and this information will be submitted by the applicant in due course.

The information submitted in support of flooding and drainage is consistent with the outline approval and conditions and does not raise any additional issues. As with the original assessment these matters can be satisfactorily dealt with by condition

Other Matters

Public Art, Archaeology, Ecology, Biodiversity and Air Quality were all considered as part of the outline approval and subject to conditions. No further assessment is required as part of this reserved matters application.

RESPONSE TO REPRESENTATIONS

The main points raised in neighbour representation have been addressed in the above report. Those which have not are considered below:

- Issues of excess supply of apartments and lack of demand are raised, however the Government seeks to boost the supply of new homes and this application will support this aim
- It is highlighted that an Outline planning approval has already been granted on the site. The Outline approval grants permission for the redevelopment of the site and sets a number of parameters in relation to height and use amongst other things, the current application complies with these parameters.
- Noise and dust impacts during construction are controlled by conditions 8 and 9 of the outline approval which require the submission of a Construction Environmental Management Plan and measures to control dust. These conditions have already been agreed for the demolition phase.

- Impacts on Air Quality were considered at Outline stage.
- Highways issues are considered in the report and in the outline report. The final details of the highway improvements will be covered in detail in the Highways Section 278 legal agreement. Discussions between the applicant and the highways design team are already underway. This will include the cycle infrastructure. It is understood that Cllr Johnson attended a meeting with the development team and highways service on 2 August to discuss the cycle infrastructure.
- Loss of view and impact on prices are not material planning considerations.
- In relation to the provision of green spaces / public park, the outline approval incorporates grey to green sustainable landscape proposals; very generous pavement widths; high quality public realm including two new public spaces (West Bar Square and Soho Yard)
- Additional disabled parking and Electric Vehicle Charging provision will be made in the multi-storey car park application which is due to be submitted shortly

SUMMARY AND CONCLUSION

The Reserved Matters application for two residential buildings to the north part of the West Bar Square redevelopment site is broadly consistent with the detail submitted at outline stage, including the parameter plans and conditions.

The proposed development is well designed and will create landmark buildings, the quality and scale of which is appropriate for the gateway location to the north of the wider redevelopment site.

The development will provide a much needed boost to housing supply with a broad range of unit sizes, which is to be welcomed.

The development is acceptable in terms of the matters reserved by the outline approval, namely scale, siting, layout, landscaping and access and all other material considerations considered in the report. The scheme complies with the relevant local and national planning policies when taken as a whole and is recommended for conditional approval.

Case Number	21/01998/REM (Formerly PP-09539955)
Application Type	Approval of Reserved Matters
Proposal	Reserved matters application proposing details for the access, appearance, scale, layout, landscaping and access for an office building (Use Class B1a) with ground floor retail units (Use Classes A1-A4)(Application to approve access, appearance, landscaping, layout and scale as reserved under planning permission no. 16/02518/OUT)
Location	Land At Corporation Street, Spring Street, Water Street, Plum Street And Love Street S3 8NS
Date Received	29/04/2021
Team	City Centre and East
Applicant/Agent	Asteer Planning
Recommendation	Grant Conditionally

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:

Proposed General Arrangement Plan - Ground Floor - 05877_B1_02_2200 K
Proposed General Arrangement Plan - Levels 1-6 - 05877_B1_02_2201 K
Proposed General Arrangement Plan - Level 7 - 05877_B1_02_2207 K
Proposed General Arrangement Plan - Level 8 - 05877_B1_02_2208 K
Proposed General Arrangement Plan - Level 9 - 05877_B1_02_2209 K
Landscape General Arrangement - 1936.3-PLA-XX-XX-DR-L-0001 P07
Temporary Landscape General Arrangement - 1936.3-PLA-XX-XX-DR-L-0003 P05
Red Line Boundary - 1963.3-PLA-XX-XX-DR-L-0005 P04
Landscape GA Arrangement - Mark Up - 1963.3-PLA-XX-XX-DR-L-0012 P07
Hardworks General Arrangement - 1936.3-PLA-XX-XX-DR-L-1000 P02
Softworks General Arrangement - 1936.3-PLA-XX-XX-DR-L-2000 P02
Levels and Drainage Strategy - 1936.3-PLA-XX-XX-DR-L-3000 P04

Street Furniture - 1936.3-PLA-XX-XX-DR-L-4000 P03
Lighting Strategy - 1936.3-PLA-XX-XX-DR-L-4001 P02
Ecological Enhancements - 1936.3-PLA-XX-XX-DR-L-4002 P02
Proposed Masterplan 05061_MP_00_2200-B
Proposed Elevations North and South - 05877_B1_04_2200-D
Proposed Elevations East and West - 05877_B1_04_2201-D
Proposed Sections AA and BB - 05877_B1_05_2201-D
Ground Entrance North Façade Study - 05877_B1_10_2201-C
Typical Bay North Façade Study - 05877_B1_10_2202-C
Ground Level South Façade Study - 05877_B1_10_2203-B
Terrace Level South Façade Study - 05877_B1_10_2204-B
Existing Topographical Plan - 05877_MP_00_0002-B
Proposed Site Demolition Plan - 05877_MP_00_1200-B
Existing Site Location Plan - 05877_MP_00_0001-C

Reason: In order to define the permission.

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

2. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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.

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

3. Notwithstanding the submitted plans a comprehensive and detailed hard and soft landscaping scheme for the site which includes plant species, specific hard surfacing materials and details of street furniture and bins and the proposed mitigation measures to the area identified in the wind assessment as being within in the S15 category to the north east corner of the building shall be submitted to and approved in writing by the Local Planning Authority before the hard and soft landscaping works are implemented.

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

4. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local

Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

5. Details of all proposed external materials and finishes, including sizes, fixing and 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.

6. Prior to the development being brought into use, full details of any proposed external lighting associated with the buildings and public realm hereby approved shall have been submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development

7. No above ground works shall commence until the highway improvements (which expression shall include traffic control, pedestrian, and cycle safety measures) listed below have either:
 - i. been carried out; or
 - ii. 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 buildings are brought into use.

Highways Improvements:

- i. A scheme for the provision of appropriate cycling infrastructure around and into the site that will connect to Local Authority pedestrian and cycle infrastructure in the vicinity of the development and ensure the continued safe and free movement of pedestrians and cyclists.
- ii. The highway layout in the vicinity of Spring Street/ Love Street that will ensure access to all premises is maintained and that adequate turning provision within the highway is provided.
- iii. All materials in the highway to be to Sheffield City Council specifications.

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.

8. 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.

9. The building shall not be used unless that part of the road providing access thereto has been provided in accordance with the approved plans.

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

10. The dedicated parking spaces for disabled persons as shown on the approved plans shall be provided in accordance with those plans before the first occupation of the development. Such car parking shall only be used by holders of a 'Blue Badge' parking permit (or any subsequent scheme which supersedes this) and thereafter such car parking accommodation shall be retained for the sole use of such persons and shall not be sold off or let to persons who are not entitled to a 'Blue Badge'.

Reason: In the interests of inclusivity

11. The following Road Safety Audits must be carried out in accordance with and within the timescales of the Sheffield Road Safety Audit Standard 2018 and national guidance. The Local Planning Authority reserves the right to require the SCC Road Safety Coordinator to be part of the audit team: -

i. The applicant shall submit a stage 2 RSA, on completion of detailed design and before the tender documents have been submitted.

ii. The applicant shall submit a stage 3 RSA on completion of construction of the relevant section of highway or access to the highway.

iii. The applicant shall submit a stage 4 RSA post opening collision monitoring for the 12 months after opening of the highway scheme.

All audits shall be completed by appropriately qualified road safety audit engineers who shall be independent of the scheme design/process.

All issues raised by the Road Safety Audits shall be addressed by the applicant and works completed at the earliest opportunity and no later than 3 months from the date of the RSA.

Reason: In the interests of highways safety

12. 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. Plant noise emission levels should not exceed the LA90 background noise level at the nearest noise sensitive receptor during the periods of operation.

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

13. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the

Local Planning Authority. These details shall include:

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
 - b) Acoustic emissions data for the system.
 - c) Details of any filters or other odour abatement equipment.
 - d) Details of the system's required cleaning and maintenance schedule.
 - e) (Optional: Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building).
- The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

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

Other Compliance Conditions

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. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6301 or 273 6125
Email: highwayrecords@sheffield.gov.uk

3. 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

4. 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.

5. 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.

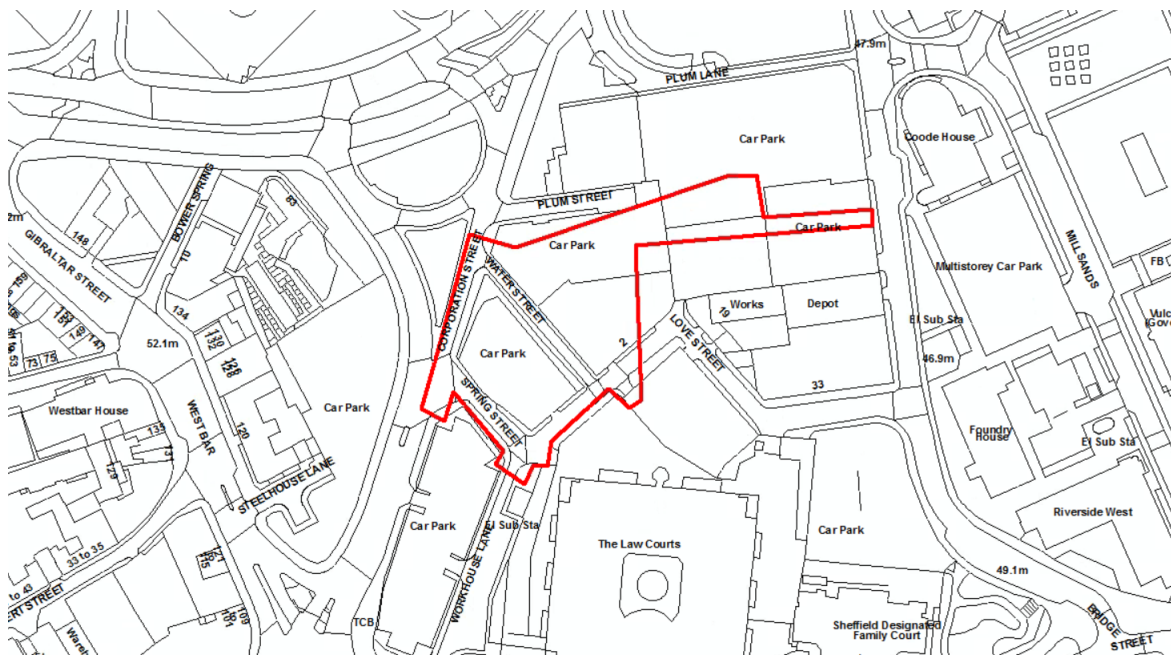
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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.

Site Location



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LOCATION AND PROPOSAL

This application forms part of the West Bar Square redevelopment for which Outline planning permission was granted through application 16/02518/OUT. The approved outline application was the culmination of a significant amount of work from first concept in 2002; including a development brief in 2004; outline planning approval in 2007 (the developer then went into administration); and the signing of a development agreement in 2015 with Urbo who submitted the Outline application in 2016 and this application.

The outline application approved the demolition of existing buildings and erection of buildings to form a mixed use development comprising offices, residential, retail and leisure uses, public realm and parking on a triangular 3.04 hectare site bounded by West Bar, Corporation Street, Bridge Street and the Inner Relief Road.

The Outline consent approved the principal access into the site with all other matters, namely access (except for principal access), scale, layout, appearance and landscaping reserved for future approval. As part of the approval, parameter plans were granted which set the location of the public square, maximum building heights and zones where particular uses were permitted. Conditions also control the amount of each use permitted in the overall scheme.

Owing to the scale of the site the development will be phased. The first phase will cover approximately half the site and comprise two office blocks, two apartment

blocks, a multi-storey car park and the public realm including West Bar Square and Soho Yard. Separate reserved matters applications will be submitted for each part of the development.

This application seeks reserved matters approval for an office building (Use Class B1a) with ground floor commercial units (Use Classes A1 – A4). The office is referred to in the outline application as Office 4A but is hereafter referred to as No.1 West Bar Square, this will be the name of the building when occupied. A pre-let agreement for the building has been secured with Sheffield City Council.

The application site is located within the west portion of the Outline approval red line boundary area. Corporation Street runs to the west of the site in a north south direction whilst Spring Street is located to the south of the site and the brick boundary walls of the Law Courts is to the east. The site formerly accommodated industrial buildings and surface parking but demolition works are currently ongoing to clear the site.

RELEVANT PLANNING HISTORY

21/01999/REM - Erection of mixed-use development comprising 2no. buildings up to 19 storeys with apartments at upper levels (Use Class C3) and ground floor retail units (Use Classes A1-A4) (Application to approve access, appearance, landscaping, layout and scale as reserved under planning permission no. 16/02518/OUT) – Pending Consideration

20/02999/NMA - Application to allow minor amendment to condition 58 to 'No more than 700 car parking spaces, inclusive of existing temporary car parking and any new car parking provision, shall be provided within the site before parts a, c, d, e, f and g of Part 1 of Condition 20 are completed to the satisfaction of the Local Planning Authority' (amendment to planning approval 16/02518/OUT) – Granted

16/02518/OUT - Demolition of existing buildings and erection of buildings to form a mixed use development (maximum floor space of up to 140,000 sq metres) comprising office (Class B1), residential (Class C3), hotel (Class C1) and retail and leisure (Classes A1, A2, A3, A4, A5, D1 and D2) uses, provision of public realm space and car parking accommodation (Outline application - all matters reserved except for the principal means of access to the site from the junction of Bridge Street/Corporations Street) – Granted Conditionally

07/03813/OUT - Mixed use redevelopment for Class B1 (Business). Class A1 (Shops), Class A2 (Financial and Professional), Class A3 (Restaurants and Cafes), (A4 (Drinking Establishments) , Class A5 (Hot Food Takeaways), Class C3 (Dwellinghouses), Student Housing, and Class C1 (Hotels), and associated roof plant, car parking accommodation and access – Granted Conditionally subject to Unilateral Agreement

SUMMARY OF REPRESENTATIONS

Six letters of representation have been received, the points raised are detailed below:

- Residents of nearby residential development at Coode House object on the grounds of the right to light.
- Object to the construction of a tall building in front of, or blocking the natural light from Coode House
- Coode House currently benefits from lots of natural light, privacy and fresh air, the proposed development would be harmful to these
- Will result in the loss of view
- In particular Office 03 (not the subject of this application) would tower over neighbouring residential properties, resulting in a loss of light and privacy and impacting on the quality of living. As a minimum Office 03 should be moved back from Bridge Street, but ideally this plot should be open landscaped space
- Buildings will cause additional pollution and disruption during construction and from traffic when complete
- Many residents are currently working from home, noise and dust during construction will have a negative impact
- Request that planning conditions are put in place to try and minimise the impact and disruption from demolition and construction.
- Concerns about road safety
- The layout and density of the development is hugely different to the current site. This development of several tightly spaced tall buildings will materially and significantly change the layout and density of the West Bar area.
- Note that the development will bring benefits to the area
- Notification on planning application was sent late, after demolition has started. The demolition results in noise and dust all day from 8am. Residents should not have been notified of works after they had started.
- Loss of value

PLANNING ASSESSMENT

Policy Context

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Sheffield's development plan comprises the Unitary Development Plan (1998) and the Core Strategy (2009).

Paragraph 219 of the NPPF states that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development

plan is to the policies in the Framework, the greater the weight that may be given.

The assessment of this development proposal needs to be considered in light of Paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.

The principle of the development has been established through the Outline planning approval. It is not considered necessary to repeat this assessment here.

However, in summary the redevelopment of the West Bar Site for a mixed use development comprising high quality office space, residential accommodation, a hotel, multistorey car park and a range of A and D use classes is consistent with the aspirations of the West Bar Interim Planning Guidance, the Core Strategy and the NPPF.

The main issues for consideration as part of this application are those matters reserved from the outline approval including:

- Access and highways matters;
- Layout, appearance and scale; and
- Landscaping of the site

Consideration will also be given to other relevant issues. All matters will be assessed in relation to relevant national and local policies.

Office and Retail Use

Condition 52 places a limit of 2,500 square metres on the amount of retail (A1) floor space.

Condition 56 of the outline approval sets limits on the amount of floor space for different uses across the whole development site, as below:

The total combined gross floor space of the development shall not at any time exceed 140,000m² in accordance with the following minimum and maximum gross floor spaces:

(a) Office (use Class B1a): a minimum of 51% of the total combined development floor space up to a maximum floor space of 85,000m².

(b) Residential (use class C3) up to a maximum floor space of 50,000m² or 525 units whichever is the greater.

(c) Retail, leisure and community (use class A1, A2, A3, A4, A5, D1 and D2) a

- combined a maximum floorspace of up to 5,000 m² subject to the restrictions on retail (use class A1) use as identified in condition 52
- (d) Hotel (use class C1) up to 500 bedspaces or a maximum floorspace of 20,000m² whichever is the greater.
 - (e) Car parking (sui generis) up to 700 car parking spaces not exceeding 25,000m²

Condition 2 of the outline application approved a number of parameter plans which the development must be in accordance with. Of relevance to this are drawings which set out where B1 and A1/A2/A3/A4/A5 uses are permitted. The uses proposed through this reserved matters application are consistent with the land use parameter plans.

The application proposes 8,906 square metres of office floor space, with 245 square metres of associated reception space and 413 square metres of retail floorspace. This is the first reserved matters application for offices and retail and clearly falls within the parameters set within conditions 52 and 56.

Design (Reserved Matters: Appearance, Layout and Scale)

Policy

UDP Policy BE5 'Building Design and Siting' and Core Strategy Policy CS74 'Design Principles' set out the design principles for new developments. Policy BE5 requires development to incorporate good design, the use of high quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 states that high quality development will be expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods. It also states that development should contribute to place making and contribute to a healthy, safe and sustainable environment which promotes the city's transformation and helps to transform the character of physical environments that have become run down and are lacking in distinctiveness.

Development should also enable all people to gain access safely and conveniently, providing, in particular for the needs of families, children, disabled and elderly people and should contribute towards creating attractive, sustainable and successful neighbourhoods.

Paragraph 126 of the NPPF highlights the importance of good design as a key aspect of sustainable development and creating better places to live and work. Paragraph 130 then goes on to set out a series of requirements including that development should add to the quality of the area; have good architecture, layout and landscaping; be sympathetic to local character and history; establish a strong sense of place and create welcoming and distinctive environments

The key principles contained within the local design policies relate to providing developments that are high quality, well designed, distinctive and sympathetic to local character. These principles align closely with the NPPF and as such it is

considered that they can be afforded significant weight.

Relevant Conditions

Condition 50 of the outline approval requires that the reserved matters applications shall be in substantial accordance with the Design Principles set out the West Bar Square Design and Access Statement dated May 2016.

Condition 2 sets out approved drawings, one of these relates to maximum heights and indicates a maximum height of 94.30m AOD (including plant), whilst another sets out the position of the Public Square within the centre of the site.

Scale, siting and appearance

The applicant has engaged in extensive pre-application discussions with the Council, during which a number of design changes have been made. The scheme presented as part of this application is consistent with the pre-application discussions.

The Design Principles set out in the Design and Access Statement referenced in condition 50 of the outline approval set out 5 key character areas for the site. This application falls within the West Bar Square Character Area for which the following key design principles were set out:

- Distances between buildings should reinforce the hierarchy of pedestrian routes
- Active frontages must address the square
- Key gateways should provide appropriate wayfinding and create distinctive routes through the development
- The heart of the development is the new city square, the scale of which should be big enough to accommodate public events, but small enough to be at a human scale
- Routes to the public square should include SuDs, public art, wayfinding/signage, opportunities for informal gathering, high quality materials and tree planting.

The building also fronts Corporation Street and the edge of the site falls within the Corporation Street Character Area. The key design principles of which are:

- Amenity pavilions to activate key gateways at the entrance to West bar Square
- No.1 West Bar Square to address the corner of Corporation Street and West Bar and to act as a gateway
- Buildings to display back edge of pavement layout to reinforce the enclosure to Corporation Street
- Active frontages to address primary routes through to West Bar Square
- A taxi drop off may be incorporated close to the main pedestrian access to the square

- A primary entrance space and gateway into the site with wide areas of planting and semi mature trees
- Softworks to wrap up Corporation Street to the entrance of West bar Square
- Planting zone to include SuDs and opportunities along the route between West Bar and Kelham Island to stop and rest.

The building is located at the west of the site, adjacent to Corporation Street, it occupies a prominent location that will form the gateway to West Bar Square. The proposal is for an eight storey building with a height of 86.450 AOD. The Outline application considered that a height of up to 94.300 AOD was an appropriate scale for this key edge of city centre site, the proposal sits comfortably within the scale parameters.

The building has been designed so that it addresses Corporation Street and the east west pedestrian route through the site, providing access to the public square. Active frontages are provided on the north and west elevations fronting Corporation Street and the pedestrian route through the site, ensuring activity and surveillance to these routes.

The siting of the building and the curved form from Corporation Street will help lead pedestrians through to the public square and will allow views into the heart of the development. The applicant has submitted a series of views showing the building in the context of the wider redevelopment site. This illustrates that the curved design will clearly act as legible entrance to the site and will be visible from various key view points around the local area.

The siting is consistent with the parameter plan for the layout of the public square and will help to create suitable enclosure to this part of the development.

The outline masterplan illustrated that the application building would be physically linked to office 4B to the east, creating a large floorplate. The design has since evolved, following discussions with the future occupiers and taking into account their requirements. The office buildings to the south of the public square have now been split into three separate blocks. The design is still in line with the parameter plans and will allow increased permeability and connectivity through the site.

The proposal has a unique curved form which will ensure it stands out as a distinctive gateway building. The building has a sleek contemporary appearance, characterised by full height glazing with horizontal metal panels between floors to the north and west elevations. The glazing is in a regular pattern, it has a vertical emphasis and produces a sleek modern appearance. The east and south elevations have a more solid appearance, through the inclusion of silver metal cladding panels.

The building is well grounded with an increased height ground floor inset behind a colonnade, creating a distinctive element. The top of the building is similarly well emphasised by an inset top floor encompassing plant and a roof terrace.

The design of the building is based upon the Architect's vision for the whole site, whereby the buildings closer to the south are designed to reflect the contemporary commercial style of the City Centre, whilst those towards the north will reflect the industrial heritage of the Kelham Island area. No. 1 West Bar is towards the south of the site and so in line with the vision for the redevelopment being of a contemporary, modern, polished appearance.

In light of the above, it is considered that the proposal is for a well-designed, high quality building that is suitable for this gateway location. The development is in line with the approved parameter plans and the design principles set out in the original design and access statement.

Heritage Implications

The site is not located in a Conservation Area and does not contain any listed buildings or scheduled Ancient Monuments. A listed building (the Emergency Services Museum) is located to the south-west of the site on the opposite side of West Bar roundabout. Owing to the separation distance it is considered that the proposal will not have an impact on this building. The site of the office building will also have no impact on the Kelham Island Conservation area.

Highways and access (reserved matter access)

Policy IB9 (f) expects development to be adequately served by transport facilities, provide safe access to the highway network and appropriate off street parking.

Paragraph 110 of the NPPF states that in assessing applications it should be ensured that:

- Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location
- Safe and suitable access to the site can be achieved for all users; and
- Any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree

Paragraph 111 of the NPPF states that new development 'should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

Paragraph 112 goes on to state that priority should be first given to pedestrian and cycle movements and second to facilitating access to high quality public transport.

Condition 21 states:

Each reserved matters application shall be accompanied by full details of suitable and sufficient cycle and motorcycle parking accommodation in accordance with the Council's most up to date cycle parking guidelines. The details shall include the

shower/changing/drying and storage facilities to be provided within that phase/building. The development shall not be used unless such cycle and motorcycle parking and facilities have been provided in accordance with the approved plans and thereafter retained.

The principal means of access into the site from Bridge Street was approved through the outline application. Trip generation and traffic modelling was undertaken as part of the Outline approval, these assessments are still relevant. The application site is in a highly accessible location close to a wide range of services, employment and education and within close proximity to a range of public transport. The redline boundary for the application incorporates access to the building via Spring Street but also extends to include the public square and a route through to Bridge Street, ensuring access is available from both the east and west of the site.

Several roads will need to be stopped as part of the application including Water Street and Love Street, the principle of this was established through the outline application.

Vehicular access to No.1 West Bar Square will be via the existing Spring Street junction, alterations will be made to slightly increase the width of the road and reduce the width of the access with Corporation Street. Access to the Courts building will be maintained and a drop off and turning area provided for taxis and private vehicles and an additional layby for vehicles to pick up passengers. A service layby will also be provided from Spring Street, for use by service vehicles including refuse collection.

The local area is currently the subject of plans as part of the Transforming Cities Fund, Connecting Sheffield: City Centre project. This proposes improvements to cycle routes in the area. The plans illustrate a segregated cycle way to the east of Corporation Street but this stops short of the junction with Spring Street. It has been suggested that the retained Spring Street access will prevent the future option to extend the segregated cycle way along Corporation Street. This is noted but the access is existing and provides access to the rear of the Courts which needs to be retained.

Pedestrian access will be available via a number of access points with the main routes being via Corporation Street and Bridge Street.

The scheme includes cycle parking both internally within the ground floor of the building and externally in an enclosed cycle store to the east of the building. In total 90 spaces will be provided in these secure spaces plus an additional 12 short stay Sheffield stands to the front of the building. The plans indicate that showers will be provided in the building. The cycle storage and facilities proposed are welcome and will act to encourage users of the building to use this mode of travel.

No parking is proposed as part of this application; however 450 parking spaces will be provided in a multi-story car park which will be the subject to a separate REM

application to be submitted shortly. In addition to general parking, this will also provide disabled parking and motorcycle parking. The Transport Statement indicates that the Multi Storey Car Park will be completed at the same time as completion of No.1 West Bar.

In light of the above it is considered that the scheme is acceptable in highway terms and complies with relevant national and local policies.

Access

Policy BE5 'Building Design and Siting' of the UDP requires that designs should meet the needs of users, particularly people with disabilities.

The NPPF, in paragraphs 92, 93 and 127, encourages a high standard of design and inclusivity for all members of communities using a development

The building and public realm have been inclusively designed to enable access for all. A number of amendments have been made during the course of the application to improve the accessibility of the proposal and in particular the public realm.

Concerns have been during the course of the application about the potential conflict between pedestrians and cyclists who will access the cycle store area via either the main entrance or to the east of the building. The option of using Spring Street and an entrance to the rear has been considered but is not appropriate owing to the conflict between cyclists and service vehicles. Signs will be used to advise cyclists to dismount in the public realm. Further the design of the public realm is such that cyclists speeds will be reduced.

Overall it is considered that the scheme complies with the requirements of local and national policy in this regard.

Landscaping

UDP Policy BE6 expects good quality landscape design in all new developments. This requirement is reflected in paragraph 130 (b) of the NPPF which states developments should be 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping'. These policies align strongly and therefore significant weight can be attached to Policy BE6.

The proposed development will border the public square, the red line boundary includes the public square and access through to Bridge Street. Full details of the landscaping around the No.1 West Bar Square building have been submitted, these will be provided as part of the development of the site. Details of the landscape scheme for the public square have also been provided, along with a temporary scheme to be delivered as part of No.1 West Bar Square. This is very simple and consists primarily of a lawned area with wildflower area and a tarmac path linking through to Bridge Street. The applicant has confirmed that the permanent works to West Bar Square are anticipated to be undertaken on development of plot 4b. Under

the terms of the agreement plot 4b can't be commenced until the earliest of 1WBS being 50% let or 2 years from Practical Completion of No.1 West Bar Square. It also has to be commenced within 4 years of Practical Completion of 1WBS otherwise compensation has to be paid to the Council. Although the timescales are indicative, they are acceptable.

A number of amendments have been made to the landscape scheme during the course of the application in order to address comments relating to paving, planting and street furniture. However, there are still a number of issues which need further consideration and so a landscape condition will be attached to the approval.

The scale of the West Bar Square is consistent with the approved parameter plans and will fulfil the design intent of a space large enough for public gatherings but also at a human scale. This will be the focal point of the scheme and includes a mixture of hard and soft landscaping. The plans indicate tree and shrub planting on the main pedestrian routes around the building.

West Bar has undergone extensive improvements to the public realm as part of the grey to green project. The landscape scheme indicates that the Sustainable urban Drainage System will be extended along Corporation Street. Final details of the SuDs design are controlled by condition 14 of the outline approval.

The proposed public art strategy presented to date is welcome. Details include that the artwork should capture the history of Sheffield, should be well integrated, should enhance the user experience, highlight gateways and include feature lighting. Details will be finalised through discharge of the relevant outline consent condition.

The public realm has been designed to be inclusive. The applicant has committed to a number of amendments during the course of the application to improve the accessibility, these will be included in the detailed landscape scheme which will be secured by condition.

Security

South Yorkshire Police and Counter Terrorism Policing have provided comments on the scheme in relation to safety and security.

Paragraph 97 of the NPPF states that Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate....appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security.

Consultee comments have been passed onto the applicant so that they are fully aware of the key matters. In their response to consultation document the applicant responds to the comments made and detail the proposed security measures.

These include a secure line to be provided to the entrance to the site in order to protect against hostile vehicles. The measures proposed include raised edge to planting, tree planting, sunken planting and bollards or lighting columns to form a secure line. Limited car movement through the site, controlled by bollards; doors designed to resist attacks; installation of Access Control Systems to allow access to authorised site users only; installation of video surveillance; installation of Intruder Detector Systems and alarms; creation of Security Management Plan and Emergency Management Plans.

Amenity

Policy IB9 (b) of the Unitary Development Plan states that development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

Paragraph 130(f) of the NPPF states the development should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

The principle aims of IB9 (b) and H5 are to ensure that existing and future users have a good standard of amenity. This aim is robustly reflected in paragraph 127 of the NPPF and as such it is considered that significant weight can be attached to the local policies.

The nearest sensitive users are residential developments, located at Mayfield Court approximately 60 metres to the west, Coode House approximately 100 metres to the east and in Kelham Island (nearest properties under construction on Cotton Mill Row) approximately 100 metres to the north of the site

The separation distances are sufficient to ensure that the development does not result in unacceptable overbearing, overshadowing or overlooking to these dwellings.

A reserved matters application is also under consideration for residential dwellings to the north of the West Bar site. The relationship between No.1 West Bar Square and the residential dwellings is acceptable, there will be intervening buildings between the two developments, the relationships between these buildings will be assessed as part of the consideration of the relevant applications.

Noise

Paragraph 185 (a) of the NPPF requires the mitigation and reduction to a minimum of potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life.

Noise was assessed at the outline stage and a number of conditions attached to the approval to ensure that the development would create a suitable noise environment and not result in unacceptable noise or disturbance during construction or when in use.

The current application is for an office use with commercial uses at ground floor, owing to the relationship between the office and commercial uses it is considered necessary to add several additional conditions in relation to noise to ensure the commercial uses do not have a harmful impact on the noise environment of the offices and surrounding local environment.

Contaminated land

Paragraph 183 of the NPPF requires that planning decisions take account of ground conditions and any risks arising from land instability or contamination.

Contamination was assessed at the outline stage and relevant conditions applied to the approval. It is not necessary to carry out an additional assessment.

Wind Impacts

It is commonly acknowledged that tall buildings can have an adverse impact on the local wind microclimate, resulting in a detrimental effect on pedestrian comfort levels and in the most severe cases, in wind safety issues.

An updated wind assessment has been submitted in support of the application. This uses the Lawson Comfort Criteria to analyse pedestrian comfort. The information demonstrates that following the full development of the site the wind comfort levels will be suitable for the intended purposes, including in the public square, at building entrances and on terraces.

An analysis of wind conditions with only No.1 West Bar Square constructed generally indicates slightly better wind conditions with the exception of a small area of distress to the north-east corner of the building. This area disappears when the site is fully developed. The report details that mitigation measures will be undertaken for this small area and details will be secured by condition.

Sustainability

A key objective of local and national policy is the pursuit of sustainable development. The NPPF details three overarching principles of sustainable development; an economic objective; a social objective and an environmental objective.

Condition 31 of the outline approval states:

A sustainability report shall be submitted to the Local Planning Authority for approval with each reserved matters application which reviews the standards set out in condition numbers 17 and 30 and considers whether the sustainability measures

should be enhanced in the light of relevant local and national policy and guidance at the time. The report shall include details of how the above mentioned standards are to be achieved and of any additional sustainability enhancements as agreed. The approved details shall be implemented before the relevant buildings are occupied.

Condition 17 requires the development to provide 10% of its energy requirements from a renewable or low carbon source whilst condition 30 requires the development to meet a minimum rating of BREEAM very good.

In economic terms, the development will re-use an underdeveloped brownfield site and will create job opportunities in the short term during construction and in the long term by creating employment floorspace. Paragraph 80 of the NPPF states that 'Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'. The creation of high quality office space and commercial space as part of the wider redevelopment of the site will result in jobs, inward investment and increased spending.

The social benefits of the scheme include improving the offer of the City Centre and supporting the creation of the West Bar mixed use development, which will provide new commercial, leisure and employment uses alongside new housing.

In environmental terms the site is sustainably located and located in close proximity to a range of excellent public transport options. The proposal will enhance the built environment and includes a number of measures to reduce its impact on the environment as detailed below.

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.

Core Strategy Policy CS65, relates to renewable energy and carbon reduction and requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

A sustainability statement has been submitted with the application, this details that the building will achieve a BREEAM excellent rating and will provide at least 10% of its energy from renewable sources, at present this is described as being through solar photovoltaic panels.

In addition, the development will provide a number of sustainable features, including cycle parking, a green roof, low energy and smart lighting systems to reduce usage and SuDs.

Overall, the scheme is considered to represent sustainable development and meets the relevant policy and condition requirements.

Flood Risk and Drainage

Paragraph 159 of the NPPF states that ‘inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere’.

Core Strategy Policy CS67 ‘Flood Risk Management’ seeks to ensure that all developments significantly limit surface water run-off and utilise sustainable drainage systems where feasible and practicable.

The NPPF details at paragraph 169 that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Policy CS67 and paragraph 165 of the NPPF are considered to closely align and therefore significant weight can be attached to the local policy in this instance.

These issues were fully assessed at outline stage and relevant conditions attached. A flood risk and drainage report has been submitted in support of this Reserved Matters application. This details that drainage will incorporate SuDs and underground attenuation. Permission will need to be sought under conditions 13 and 14 of the Outline application for approval of the final drainage details.

The site is located in flood zone 2, condition 15 and 41 set out the requirements in relation to flooding. The conditions require the development to be constructed in accordance with the flood risk assessment which set floors levels at 48.90 for this type of use. The development has a minimum threshold of 49.15m AOD. Further they require the overland flow of flood water between Corporation Street and Bridge Street to be maintained and directed away from building entrances. The information submitted with the application shows that the gradients of the public square will direct water away from the buildings and through the site in the direction of Bridge Street. The final details will however need to be formally discharged through a discharge of conditions application.

The information submitted in support of flooding and drainage is consistent with the outline approval and conditions and does not raise any additional issues. As with the original assessment these matters can be satisfactorily dealt with by condition.

Other Matters

Public Art, Archaeology, Ecology, Biodiversity and Air Quality were all considered as part of the outline approval and subject to conditions. No further assessment is required as part of this reserved matters application.

RESPONSE TO REPRESENTATIONS

It is highlighted that an Outline planning approval has already been granted on the site. This permits demolition of the buildings and so the ongoing demolition has already been approved, hence works commencing before neighbours were notified

of this reserved matters application. The Outline approval grants permission for the redevelopment of the site and sets a number of parameters in relation to height and use amongst other things.

This application seeks permission for No.1 West Bar Square only. Office 03 is mentioned in representations but will be subject to a separate planning application. Impacts in terms of overshadowing and privacy have been considered in the report.

Noise and dust impacts during construction are controlled by conditions 8 and 9 which require the submission of a Construction Environmental Management Plan and measures to control dust. These conditions have already been agreed for the demolition phase.

Impacts on Air Quality were considered at Outline stage.

Highways issues are considered in the report and were also considered at outline stage.

Loss of view and impact on prices are not material planning considerations.

SUMMARY AND CONCLUSION

The Reserved Matters application for an office building to the west part of the West Bar redevelopment site is broadly consistent with the detail submitted at outline stage, including the parameter plans and conditions.

The proposed development is well designed and will create a focal building which will act as a marker to the site and for access to the public square. The proposal will result in a high quality building of appropriate scale, with active ground floor uses and will assist in the ongoing regeneration of this important, currently underutilised site.

The development is acceptable in terms of the matters reserved by the outline approval, namely scale, siting, layout, landscaping and access and all other material considerations considered in the report. The scheme complies with the relevant local and national planning policies when considered as a whole and is recommended for approval subject to the listed conditions.

Case Number	21/01102/FUL (Formerly PP-09605102)
Application Type	Full Planning Application
Proposal	Erection of 336 apartments in a 10-23 storey building including provision of communal indoor/outdoor amenity space, car parking spaces, cycle spaces and landscaping works
Location	British Rail Club Sports Ground Farm Road Sheffield S2 2TP
Date Received	11/03/2021
Team	South
Applicant/Agent	Urbana Town Planning
Recommendation	G C 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:

Location plan Ref: GF-DR-A-0100-S2-PL1 Published Date 11 Mar 2021
Proposed site plan Ref: ZZ-DR-L-0002-S2-P1 Published Date 11 Mar 2021
Ground floor plans Ref: GF-DR-A-2001-S2-PL1 Published Date 11 Mar 2021
First floor plans Ref: 01-DR-A-2002-S2-PL1 Published Date 11 Mar 2021
Levels 2-9 floor plans Ref: ZZ-DR-A-2003-S2-PL1 Published Date 11 Mar 2021
Level 10 floor plans Ref: 10-DR-A-2004-S2-PL3 Published Date 06 Aug 2021
Levels 11-15 floor plans Ref: ZZ-DR-A-2005-S2-PL1 Published Date 11 Mar 2021
Level 16 floor plans Ref: 16-DR-A-2006-S2-PL1 Published Date 11 Mar 2021
Level 17 floor plans Ref: 17-DR-A-2007-S2-PL1 Published Date 11 Mar 2021

Levels 18-22 floor plans Ref: ZZ-DR-A-2008- S2-PL1 Published Date 11 Mar 2021
Level 23 floor plans Ref: RF-DR-A-2009-S2-PL1 Published Date 11 Mar 2021
Elevations A Ref: ZZ-DR-A-3001-S2-PL1 Published Date 11 Mar 2021
Elevations B Ref: ZZ-DR-A-3002-S2-PL1 Published Date 11 Mar 2021
Landscape master plan Ref: ZZ-DR-L-0001 Published Dte 11 March 2021
Sections Ref: ZZ-DR-A-4001-S2-PL1 Published Date 11 Mar 2021
Elevation details Ref: ZZ-DR-A-7701 S2-PL1 Published Date 11 Mar 2021
Wind Assessment updated version Published Date 18 May 2021
Phase I and II Geo Environmental Assessment Reports Published Date 11 Mar 2021
Flood Risk Assessment Ref: C3564/TM/001/June2021/HSP Consulting

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 report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

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 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.

5. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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.

6. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

7. No phase of the development (including works of demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Highway Management Plan (HMP) relevant to that particular phase has been submitted to and approved by the Local Planning Authority. The HMP shall assist in ensuring that all Contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:
 - a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. 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.
 - 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 accommodation, including compound, contractor car parking, storage, welfare facilities, delivery/service vehicle loading/unloading areas, and material storage areas.

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 properties and the protection of the free and safe flow of traffic on the public highway.

8. 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 construction works commencing. 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

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

9. 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.

10. 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.

11. 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.

12. 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:

- Windows, window reveals and window surrounds
- balconies
- parapets
- brickwork details
- Entrance features including doors and door surrounds
- signage
- Ramps and steps including hand rails
- External boundary walls and gates

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

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

13. 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 before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

14. No above ground construction work shall commence until full details of proposals for the inclusion of public art within the development 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.

15. Prior to installation, full details of any proposed external lighting associated with the buildings hereby approved shall have been submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate quality of development.

16. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

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

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

18. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

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

19. No above ground works shall commence until the highways improvements (which expression shall include pedestrian safety measures) 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 development is brought into use and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

- Resurfacing of the adjacent footways, including the provision of servicing facilities on Farm Road

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.

20. 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.

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 it is essential for these works to have been carried out before the use commences.

22. The development shall not be used unless the car parking accommodation for 29 cars as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

23. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield Development Framework Core Strategy.

24. Prior to the occupation of any part of the development, 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 a previously approved Framework Travel Plan for the proposed development, where that exists.

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, 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 for Sheffield (and/or Core Strategy) Policies

25. Prior to completion of the superstructure frame, full details of the electric car charging points within the site shall have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied unless such electric car charging points have been provided in accordance with the approved plans and,

thereafter, shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield Development Framework Core Strategy.

26. Prior to above ground works details of bat and bird boxes or similar shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall include a time schedule for implementation. Thereafter, the development shall be carried out in accordance with the approved details.

Reason; In the interests of sustainable development.

27. Prior to the construction of any phase of the development commencing, a detailed Inclusive Employment and Development Plan for that phase, designed to maximise opportunities for employment and training from the construction phase of the development, shall have been developed collaboratively with Talent Sheffield and submitted to and approved in writing by the Local Planning Authority.

The Plan shall include a detailed Implementation Schedule, with provision to review and report back on progress achieved, via Talent Sheffield, to the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for Sheffield from the construction of the development.

28. 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 survey (ref: P4179-R1-V2, dated: 08/03/2021, prepared by: NoiseAir 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.

29. Before the use of the development is commenced, Validation Testing of the sound insulation and/or attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

a) Be carried out in accordance with an approved method statement.

b) Demonstrate that the specified noise levels have been achieved. In the event that

the specified noise levels have not been achieved then, notwithstanding the sound insulation and/or attenuation works thus far approved, a further scheme of works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

30. 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(s) unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority. All plant shall be specified to have noise output levels in accordance with the Preliminary BS4142 Assessment recommendations of the approved Noise Impact Assessment Report (ref: P4179-R1-V2, dated: 08/03/21, prepared by: NoiseAir Ltd).

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

Other Compliance Conditions

31. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 2 litres per second.

Reason: In order to mitigate against the risk of flooding.

32. The development shall be carried out in accordance with the submitted flood risk assessment (ref C3564/TM/001 / June 2021 / HSP Consulting) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 57.73 m above Ordnance Datum (AOD).
- Compensatory storage shall be provided as stated in the submitted flood risk assessment addendum

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

33. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

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. 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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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.

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. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136

Email: dawn.jones@sheffield.gov.uk

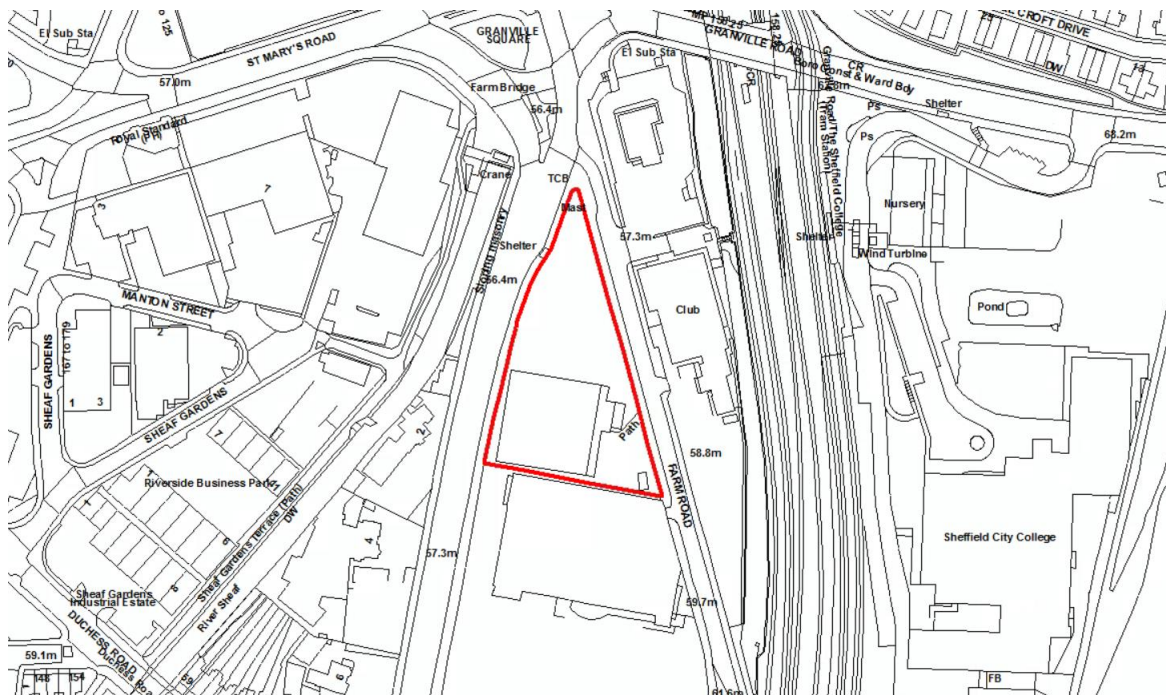
5. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
6. 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.

Please note: You must not start work until you have submitted and had acknowledged a CIL Form 6: Commencement Notice. Failure to do this will result in surcharges and penalties.

7. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
8. The applicant is advised that 'Talent Sheffield' is a Sheffield City Council initiative delivered through the Invest Sheffield and Opportunity Sheffield teams, to ensure that investors and developers in the City receive the support required to meet the commitments in the Inclusive Employment and Development Plan and deliver the maximum possible benefits to Sheffield people and its communities.
9. 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.
10. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
11. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
 - Reference to permitted standard hours of working;
 - 0730 to 1800 Monday to Friday
 - 0800 to 1300 Saturday
 - No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
 - A communications strategy for principal sensitive parties close to the site.
 - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
 - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
 - Vibration.

- Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
 - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
 - Details of site access & egress for construction traffic and deliveries.
 - A consideration of potential lighting impacts for any overnight security lighting.
- Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.

Site Location



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LOCATION AND PROPOSAL

The application relates to a parcel of land of approximately 0.45 hectares which is triangular-shaped and relatively flat. It is bound by a tall stone wall and contains some small structures, trees and shrubs. The site was formerly used as a private bowling green but has not been used for some time now. The parcel of land is bound by Farm Road, Queens Road and the adjacent Casino building.

The surrounding area is characterised by predominately retail, commercial and leisure uses, with residential properties and Sheffield College in the wider area. The site is designated as Open Space in the adopted Sheffield Unitary Development Plan.

Planning permission is sought to clear the site, and erect 336 apartments in a 10-23 storey building including provision of communal indoor/outdoor amenity space, car parking spaces, cycle spaces and landscaping works. Residential accommodation comprises 116 one-bed units, 114 two-bed units, and 28 three-bed units.

The proposal consists of a building spread over an L-shaped footprint which is split into 3 smaller elements which step down. The tallest element (tower) is 23 storeys, with a lower section at 17 storeys, which then drops down to the final element at 10 storeys in height.

The ground floor features ancillary accommodation including a gym, co-working

area, multipurpose area, management suite, plant room and bike store.

A car park is proposed at ground level between the proposed building and the casino providing 29 parking spaces. A large cycle store is provided to the ground floor providing 358 bike spaces in addition to 4 visitor hoops externally.

RELEVANT PLANNING HISTORY

There is no recent formal planning history to this site. However, in 2019 a pre-application enquiry was made for a tall residential building on the site. The advice given was that the proposal could be supported in principle subject to the finer details of the design, and compensation for the loss of the Open Space.

Not relating specifically to this site, planning permission has recently been granted (May 2021) for the erection of a 15-storey residential building on the opposite site of Queens Road (Application No. 19/02484/FUL).

SUMMARY OF REPRESENTATIONS

Following neighbour notification, posting of site notices and publicity in the newspaper, no representations have been received.

Sport England

Sport England have commented on the application. They are aware that negotiations are progressing by way of a legal mechanism to secure a financial contribution, the amount for which is understood to be £180,000 and has already agreed between the Council and the applicant, to mitigate the loss of the bowling green and ancillary facilities. However, Sport England maintains its objection to this application on the basis that it will result in the loss of a sports facility, until a suitable Section 106 agreement, or other legal mechanism is delivered, or arrangements are confirmed on replacement provision.

Sport England have confirmed that once a suitable section 106 agreement or other legal mechanism has been signed, they will withdraw their objection.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning priorities for England and how these are expected to be applied. The key principle 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.

Policy Context

The Council's development plan comprises the Core Strategy (CS) which was

adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework revised in February 2019 (NPPF) is a material consideration.

The key principle 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.

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 219 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The relevant policies of the statutory Development Plan are set out below under each sub-heading, along with an assessment of their degree of consistency with the policies in the NPPF. Conclusions are then drawn as to how much weight can be given to each policy in the decision making process in line with the requirements of NPPF paragraph 219.

The assessment of this development proposal also needs to be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- (i) The application of policies in the NPPF which relate to protection of certain areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- (ii) Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The Council has a 5.4 year housing supply. Therefore, the most important policies in the determination of this application are not automatically considered to be out of date. Indeed, the most important policies in the determination of this application, which are discussed in this assessment, do, when considered as a collection, align with the Framework. As such, section d) of paragraph 11 ('the tilted balance') does not apply in this instance. It is, therefore, not considered that there should be an automatic presumption in favour of sustainable housing development that outweighs other material planning issues.

Key Issues

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The design of the proposal and its impact on the surrounding area,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided,

Land Use Principle

The application site is designated as Open Space Area in the Unitary Development Plan (UDP), with the surrounding area on all boundaries designated as a Fringe industry and Business Area.

Core Strategy Policy CS47 "Safeguarding of Open Space" sets out the criteria to be applied to proposals that seek to build upon open space land. The first part of this policy at sections a-d lists where development will not be permitted on open space, and the second part e-g allows for development that would result in the loss of open space providing a number of criteria are met.

NPPF paragraph 99 b) provides for development to be permitted if the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

CS47 is only in part consistent with the NPPF's open space policies, with significant weight given to parts (c) open space serving local people, and (d) cause a break in the city's green network, and less weight given to the other sections of this policy.

This site has not been used for many years and is not publicly accessible. It is not maintained and open views across the site are prevented by tall stone boundary wall on all sides. The land is not considered to be a high quality space or contain any significant heritage, landscape or ecological features that would warrant its protection or retention.

Given the site's inaccessibility for such a long period of time, it cannot be argued that the loss of the land would deny the local people access to it. Furthermore, the loss of the space would not impact upon the City's Green Network.

Therefore the principle of the loss of this area of open space is acceptable subject to it being replaced with an equivalent or better provision in terms of quality and quantity in a suitable location.

The site has been used as a bowling green in the past. It would be hard to find a suitable site to build a new bowling green facility, and a practical approach is to agree an equivalent financial contribution to be used to provide or improve sports provision elsewhere in the city. This arrangement has been agreed following consultation with Parks colleagues and this approach has been taken in other similar scenarios. Matthews Lane cricket facility in Norton would be a priority site, and the contribution would help to complete the new ground.

There is no set criterion within policy CS47 or the NPPF for calculating a financial contribution. The costings have been discussed with colleagues in the Council's

Parks Teams, and a reasonable contribution is considered to be £180,760. The applicant has confirmed that they are agreeable to the provision of a financial contribution of £180,760 to be used to improve sports facilities elsewhere in the city and this is to be secured through a Legal Agreement.

Sport England have commented on the application. They are aware that a financial contribution has been offered to mitigate for the loss of the bowling green, however, until a suitable legal agreement (Section 106) has been signed and sealed they are objecting to the application. They also understand that Sheffield is a Community Infrastructure Levy (CIL) charging authority, and that the issue of future provision of sports facilities within the city for future occupiers of the building could be covered by a significant CIL contribution. Sport England have confirmed that once the legal agreement is finalised, they will withdraw their objections to the application.

Therefore, subject to a Legal Agreement being completed, there is no policy objection to the loss of the open space, meeting the requirements Core Strategy Policy CS47, and paragraph 99 of the NPPF.

Housing Land Supply

Paragraph 74 of the NPPF requires LPA's to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirements.

Policy CS22 'Scale of the Requirement for New Housing' of the Core Strategy is the most up to date development plan policy in relation to delivering a sufficient supply of housing for Sheffield, stating that a 5 year supply of deliverable sites will be maintained at all times.

This policy is only partly in conformity with the NPPF, as the Core Strategy is now more than 5 years old, and the NPPF states that the housing requirement must be based on the local housing need figures using the Government's standard methodology.

On 16 December 2020 the Government published an update to planning practice guidance 'Housing and economic needs assessment'. The update introduces a change to the standard method for calculating the local housing need figure.

Paragraph 004 provides the steps used to calculate the local housing need figure as well as the specific data inputs to be used in terms of demographic baseline and adjustment for affordability. The most recent publication now includes an additional step 4 – the 'cities and urban centres uplift'. This requires a 35% uplift to be applied to the local housing need figure for the 20 largest cities and urban centres, including Sheffield.

The effect of the urban centres uplift is to increase Sheffield's local housing need figure for 2021 to 2,923 new homes per annum.

The Council's most recently published position in relation to the deliverable 5 year housing land supply situation is set out in the '5 Year Housing Land Supply

Monitoring Report', December 2020. The monitoring report sets out the position as at 1st April 2020, with respect to the period 2020/21 to 2024/25. The monitoring report provides evidence of a 5.4 year deliverable supply of housing land.

Until an update is produced with a base date of 1st April 2021, the monitoring report remains the Council's stated position.

Therefore, when considering housing land supply, the presumption in favour of sustainable development as set out in paragraph 11 is not applied to the tilted balance in this case, as Sheffield demonstrates a deliverable 5+ year land supply at this time.

Housing Density and Mix

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. This is reflected in paragraph 125 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

At this location close to the city centre, a minimum density of 70 dwellings per hectare is required as reflected in CS26 (a). This scheme achieves a density which is well above the range set out in the policy. However, exceptions may be made to the policy where the proposal achieves good design and reflects the character of an area. This high density is considered acceptable as a result of this being a tall building within a confined site, in a city centre location, and which is close to other large scale and high density developments.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages development of housing to meet a range of housing needs. Policy CS41 part(a) is relevant to this application and states that a mix of housing types and tenures will be achieved by ensuring that no more than half the homes in larger developments should consist of a single house type. 'Larger developments' are defined as more than 60 new dwellings and a single house type is defined as one with the same number of bedrooms and of the same design or generally similar characteristics.

The property mix proposed in this development is 168 one-bed units (50%) 114 two-bed units (42%), 28 three-bed units (8%), which ensures that no more than half of the units are in one single house type.

Therefore the proposal is considered on balance to meet the requirements of Policies CS26 & CS41 of the Core Strategy.

Design Proposals

Core Strategy Policy CS 74 'Design Principles' seeks to promote high quality development and it says that development should take advantage of and enhance the townscape and landscape character of the city's districts. UDP Policy BE5

'Building Design' says that original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS76 'Tall Buildings in the City Centre', states tall buildings in the city centre are appropriate in differing circumstances, such as where they; a) help to define identified gateway sites, or c) mark a principal activity node or a key route.

Chapter 12 of the NPPF also requires good design. Paragraph 126 promotes high quality buildings with good design being a key aspect of sustainable development that creates better places to live, work and establish communities.

Paragraph 134 requires that development which is not well designed should be refused. It goes on to say that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally.

It is considered that the NPPF requirements in relation to design closely reflect the aims of the local policies described. Therefore, these local policies can be afforded significant weight in the assessment of this application.

Layout

It is proposed to break through the stone boundary wall onto Queens Road, to create an active street frontage. The remaining boundary wall fronting onto Queens Road is then lowered to 1.2 metres in height with a hedge to be planted behind. On the ground floor, the main entrance, meeting area and gym face towards Queens Road, and it is proposed to have a hard and soft landscape area to provide an attractive entrance into the site. Farm Road is therefore more a secondary façade, containing the plant rooms, bin storage and car parking area, and the boundary wall is to remain in situ at approximately 2.4 metres high.

Areas of soft landscaping including wild flower meadows are proposed towards the casino and Farm Road boundaries, with a more formal area of public realm created onto Queens Road.

Overall, the proposal is considered to respect and complement the existing street pattern in the vicinity and the layout is acceptable.

Scale and Massing

Policy CS75 'Improvements to Gateway Routes into and through the City' lists the Inner Ring Road as a gateway route with priority for improvements. Policy CS76 'Tall Buildings in the City Centre' accepts that elegantly designed and appropriately sited tall buildings creating landmark structures can help to define gateways into the city. This is mirrored in the Sheffield Urban Design Compendium which states that Tall Buildings can play a positive role in the design of the City Centre and act as focal points of activity such as major gateways into the City Centre.

The proposed building features a main tower element which rises to 23 storeys in

total and fronts onto the junction of Farm Road and Queens Road, towards Granville Square. As you then travel along Queens Road, the building steps down to 17 storeys, and finally a 10 storey element.

In respect of the immediate street scene, the Casino sits adjacent which is 3 (generous) storeys in height, with many of the other buildings 2 storey in height including the Sports and Social Club directly opposite on Farm Road. In the wider area, Sheffield College is visible along with a number of taller buildings including New Era Square and Jury's Inn. In addition, planning permission has recently been granted (May 2021) for the erection of a 15 storey building on the site of WFI House on the opposite side of Queens Road.

Therefore on this gateway route into the city, close to the Granville Square junction, a tall, well designed 23 storey landmark building is considered acceptable.

Appearance/ Materials

The development proposes a high quality crisp contemporary design. It is well detailed showing a well-defined fenestration, with a clear hierarchy.

Careful consideration has been given to the materiality of the proposal. It is proposed to use a dark mono-tone brickwork to the ground and first floors to define a well-proportioned plinth to the building. The upper floors are a lighter brick. The 23-storey tower element has the inclusion of projecting masonry piers which will create deep shadow lines and reveals, which are solid and grounding. Horizontal soldier coursing is proposed along intermediate floors with a crown feature to the top. Projecting balconies are proposed to some of the units, to help break up the elevations. The windows and balustrades are to be metal, with a bronze finish to complement the brickwork tone on the tower.

Large scale drawings of the finer details including the window reveals, ground floor entrances, brickwork modelling and other details can be controlled through condition to ensure appropriate high-quality finishes.

Overall it is considered that the development is well designed and complies with Policies BE5 of the UDP, Core Strategy Policy CS74 and CS76, and the principles of Chapter 12 of the NPPF.

Public Art

UDP Policy BE12 states that public art should be provided as an integral part of major developments.

Public art helps to achieve NPPF's requirement of giving a clear design vision and the establishment of a strong sense of place. As a result, the relevant local policy can be afforded significant weight.

Without providing details at this stage the applicant has agreed to the principle of public art, and to the incorporation of a suitably worded condition on any approval. The scheme would therefore be acceptable in this regard.

Wind Study

An Environmental Wind Study was submitted as part of planning submission.

Wind tunnel tests have been conducted on a 1:300 scale model of the proposed development with all surrounding buildings, including the 15 storey building which has recently been granted planning permission on the opposite side of Queens Road.

Measurements were taken at up to 158 locations for 36 wind directions, including ground level locations along the building's facades, pedestrian entrances, walkways, bus stops, terraces and balconies.

The existing scenario was modelled in the wind tunnel model in the worst season conditions, as was testing for both the proposed building and the surrounding area as existing, and taking it account the recently granted permission for the 15 storey building opposite.

The acceptability of windiness is subjective and depends on a number of factors. The Lawson Criteria is used to describe acceptability for particular activities in terms of 'comfort' and 'distress' (or safety). The comfort criteria is listed as:

'Sitting' (reading a newspaper, eating or drinking),
'Standing' (appropriate for bus stops, window shopping and building entrances),
'Strolling' (General areas of walking and sightseeing)
'Walking' (local areas around tall buildings where people are not expected to linger).

Above this, 'Uncomfortable' or (distress) criteria can occur, which are categorised as 'general public areas', 'able-bodied access' and 'restricted access'.

The majority of the areas around the proposed development and the entrances would be suitable for the intended use for all comfort levels, during the summer season. However some of the balconies from Level 12 to 22 on the north-western corner would not be suitable for sitting in the winter season.

Wind mitigation measures have been developed to enhance the proposed landscaping and to protect thoroughfares around the proposed development and along Farm Road and Queens Road. These include planting of deciduous trees, hedging and some 50% porous screen panels to be installed at ground level.

There would be no instances of strong winds exceeding 15m/s for more than 0.025% of the time in areas accessible by pedestrians and occupants for both existing and cumulative surrounding buildings scenarios. In all cases modelled, there were no instances of any uncomfortable criteria within the site or to adjacent sites.

In summary, there is no reason to resist the development owing to the impact it would have on local wind conditions within the site and the adjacent sites.

Sunlight and Daylight Study

NPPF paragraph 125 (c) states that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework. When considering applications for housing, authorities are told to take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, provided that the resulting scheme would provide acceptable living standards.

Whilst at local level there is no specific policy for assessing the acceptability of daylight and sunlight, it is considered reasonable to use the BRE assessment method. Where a new development can block light to existing homes, the BRE's daylight assessment is based a number of factors, including the Average Daylight Factor (ADF) and Vertical Sky Component (VSC).

A daylight and sunlight study has been carried out for the site. The impact on any future users of the recently approved 15 storey tower at WFI house (on Queens Road opposite) shows that should the permission be implemented and built out, the impact on daylight and sunlight to this property is considered acceptable.

Amenity issues

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

H15 'Design of New Housing Developments' states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

Paragraph 130 (f) within the NPPF states that the planning system should always seek to secure a high standard of amenity for existing and future users.

The UDP policies are therefore considered to align with the requirement of paragraph 130 so should be given significant weight.

Existing/Surrounding Occupiers

The closest neighbouring buildings to the site are the Sports and Social Club to the east, the Casino building to the south, and the occupants of the recent approval for a 15 storey residential tower at WFI house to the west.

There are two windows in the side of the Sports and Social Club which take their outlook over Farm Road towards the site. The position of the proposed building is not considered to create an unacceptable level of overbearing, overshadowing or overlooking to occupiers/users of the club.

The casino is located to the south and contains several windows and openings in the elevation facing towards the site. These appear to be offices/stores which are ancillary to the casino use. The proposed building is set back from this boundary,

and it will not create an adverse level of overbearing or overlooking to users of the casino building.

Planning permission has recently been granted for the erection of a 15 storey residential tower on the opposite site of Queens Road (WFI House). There is an adequate distance between facing windows on the proposal for this site and this application to ensure no adverse amenity issues are created.

All other properties are sufficient distance away from the proposal, and any residents/occupiers/users will not experience any adverse amenity issues.

Future Occupiers

The proposed units are primarily single aspect, taking an outlook over either the adjacent highways, or towards and over the Casino. All habitable rooms have large window openings and have a reasonable level of outlook and natural day light. Windows are positioned to ensure that there are no unacceptable levels of overlooking between adjacent flats within the scheme.

Sheffield does not have any adopted internal space standards which can be applied to new residential institution development, however there are internal space standards contained within the South Yorkshire Residential Design Guide. This requires space for a 1 bedroom unit to be 47 m², for a two bedroom unit 62 m², and a 3 bedroom unit 77m². The units themselves vary in size, but on average, the 1 bedroom units are 45m², the 2 bedroom units are 61-65 m² and the 3 bedroom units are 88m². Therefore the majority of the proposed units comply with these recommendations, with the exception of the 1 bedroom units, which are approximately 2m² below the Design Guide standards.

External amenity space is proposed within a roof terrace above the 10-storey element, and within the landscaping around the perimeter of the building. In addition, several of the units have an external balcony/terraced area. The ground floor of the proposal is dedicated to ancillary accommodation including a gym, social seating area, co-working area, and a multi-purpose space.

Therefore, despite the minor shortfall in internal space for the 1 bedroom units, it is considered that the proposed development would not adversely impact on the amenities of existing occupiers to an unacceptable level, and would provide appropriate living conditions for occupiers of the proposed new dwellings. Accordingly, the proposal complies with UDP policy H14 and paragraph 130 of the NPPF.

Noise Assessment

A noise assessment has been submitted with the application, with readings taken at various locations around the site. The conclusion is that the main sources of noise are from road traffic, primarily Queens Road and Farm Road, train noise from the nearby railway line, and noise break out from the adjacent fast-food outlet, Sports and Social Club and the Casino. The report established that with a suitable scheme of sound insulation works, internal noise levels and noise levels in external amenity

areas can be rendered acceptable. Therefore it is unlikely that the noise sources would be deemed a nuisance, or be intrusive above existing noise levels. Recommendations are made for glazing, insulation to walls and ventilation to achieve the appropriate internal noise levels.

Subject to relevant conditions, the proposal would not have a detrimental impact on future occupiers from adverse levels of noise.

Highways

UDP Policy BE9 'Design for Vehicles' expects developments to provide a safe, efficient and environmentally acceptable site layout for all vehicles (including cycles) and pedestrians.

Policy CS51 'Transport Priorities' identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 111 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Those local policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 107 and 108 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

There is an existing access onto the site including dropped crossing from Farm Road. It is proposed to move this access slightly closer to the Casino and away from the existing access serving the Sport and Social Club opposite. Relocating the access slightly is considered acceptable in highway safety terms, with appropriate visibility splays provided.

With regard to parking spaces, the application seeks to provide 29 car parking spaces, 2 of which are accessible, and electric charging points. The Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53. In this location within a city centre location, a maximum of 1 space per dwelling is specified.

The site is in a very sustainable location, with access to good transport links. Immediately adjacent to the site is a high frequency bus route, a tram stop is approximately 120 metres walk, and the train station is approximately 600 metres away.

The site is located close to the city centre which offers an extensive range of

facilities and services, which will encourage sustainable travel choices by its occupiers. In addition 358 cycle spaces are proposed within the main fabric of the building at ground floor level, providing a safe and secure store, and a ratio of just more than 1 space per unit. 4 visitor cycle parking stands are proposed close to the main entrance.

Strategies in relation to waste management can again be controlled through a condition. There is a large bin store within the ground floor of the building, with collections from Farm Road.

On this basis, the proposal is considered to comply with UDP, Core Strategy and NPPF policies as listed above, and would not have the level of impact that would justify refusal of permission on highway safety grounds as required by the NPPF.

Air Quality

Policy CS51 (Transport Priorities) of the CS states that one of the strategic priorities for transport is to improve air quality.

Policy CS66 (Air Quality) within the CS states that 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.

Para 174 (e) of the NPPF states that new development should be prevented from contributing to unacceptable levels of air pollution and developments should wherever possible help to improve air quality.

The local policies align with the NPPF's provisions and are therefore attributed significant weight in this assessment.

The application was submitted with an Air Quality Assessment document. This can be summarised as follows:

During construction phase of the development, there is the potential for air quality impacts. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and track out activities was predicted to be not significant.

During the operational phase of the development there is the potential for air quality impacts as a result of traffic exhaust emissions associated with vehicles travelling to and from the site, however due to the relatively low number of predicted vehicle trips from the proposals, impacts were predicted to be not significant.

It is therefore considered that the impact of the development on air quality will be negligible and a Construction Environmental Management Plan should be required by condition, to ensure that the construction phase is managed so that the implications of the construction are not significant.

Access

The requirements of Policy H7 'Mobility Housing' of the UDP have been superseded by the Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time as these standards are not part of an up to date local plan.

H15 'Design of New Housing Developments' within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout, all buildings and approaches will benefit from level access. It is expected that all building entrances, ramps, steps, footpaths, lifts, crossing, mobility car parking spaces are all design to meet current standards.

Based on the above the proposals are considered to offer a suitable response from an access perspective.

Landscaping

UDP Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. 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.

CS74 'Design Principles' part (a). requires high-quality development that will respect, take advantage of and enhance natural features of the City's neighbourhoods.

These policies are considered to align with the NPPF and therefore be relevant to this assessment – on the basis that paragraph 130 c) expects new development to be sympathetic to local character, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

At present the site is relatively bare, with some self-set shrubs and young trees around the perimeter. It is intended to clear the entire site, and to include a comprehensive soft landscaping scheme for the new development. This includes the planting of native hedgerows and wild meadows along the perimeter of the sites, and a communal lawn near to the main entrance.

A number of trees are required to be planted to satisfy requirements following the wind survey. A condition on any approval can ensure a detailed planting plan, including tree/plant locations, species, size, numbers, planting method, soil depths and future maintenance are all provided.

Therefore the proposal is considered acceptable in terms of Policy's BE6, GE15, CS74 and 130 of the NPPF.

Ecology

UDP Policy GE11 'Nature Conservation and Development' states that the natural

environment should be protected and enhanced and that the design, siting and landscaping of development needs to respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

NPPF paragraph 174 a) and d) identify that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 180 a) identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 180 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Local policy aligns with the NPPF and is therefore relevant to this assessment.

An ecology survey accompanied the planning application and concluded that owing to the intact high boundary walls restricting dispersal through the site, the site being bound by major roads on two sides, the lack of landscaping and the quality of the existing small structures on the site, there would be no adverse impact on any protected species from the proposed development.

In line with paragraph 174 of the NPPF, the application should demonstrate a net gain of biodiversity. In this instance, it is proposed to plant native tree species, a wildflower meadow, to erect bird boxes, and bat boxes to enhance roosting provision over the wider site.

Therefore, the proposal is considered to comply with GE11 and paragraph 174 and 180 of the NPPF.

Sustainability

The NPPF advises that there is a presumption in favour of sustainable development. This comprises of three dimensions which must be considered together. These are an economic role, a social role and an environmental role.

In this instance, the site will deliver economic regeneration to an important parcel of the to the city centre.

In social terms, the proposal will be providing variety of house types, and will regenerate the area and provide a vibrant and welcoming environment.

In an environmental sense, the proposal seeks to remove a vacant site which adjoins the Ring Road and is in a prominent position when entering the city, and replace it with a high quality development. The proposal will take the opportunity to introduce soft landscaping features which will help to improve biodiversity.

Policy CS63 of the Core Strategy 'Responses to Climate Change' gives priority to developments that are well served by sustainable forms of transport, that increase

energy efficiency, reduce energy consumption and carbon emissions and that generate renewable energy. Policy CS64 'Climate Change, Resources and Sustainable Design of Development' sets out a suite of requirements in order for all new development to be designed to reduce emissions. Policy CS65 'Renewable Energy and Carbon Reduction' sets out objectives to support renewable and low carbon energy generation and further reduces carbon emissions.

New developments are expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach where this is deemed to be feasible and viable.

In this instance, high levels of natural daylight will be provided to the units, through modern high performance glazing. Solar Photovoltaics are to be installed on the roof of the main tower (23 storey), and on the 17 storey element, along with low energy lighting and appliances. 3 electric vehicle charging points are also proposed to the car parking area. A condition can be attached to any approval to ensure that the minimum 10% of energy needs is provided from those sources.

Overall, it is considered that the proposal meets the local sustainability policy requirements, CS63, CS64 and CS65.

Flood Risk / Drainage

Flood Issues

The proposal is in flood zone 2 - medium probability which means there is between a 1 in 1000 and 1 in 100 annual probability of river flooding on the site. The proposal is for more vulnerable uses in terms of flood risk (Table 2 PPG) which are listed as 'appropriate' in flood zone 2 and 3a subject to a robust flood risk assessment and the sequential test. There is a small section which falls within Zone 3a – high probability.

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. Supporting paragraphs states the policy will mainly be delivered through ensuring developers provide the necessary evidence for the Local Planning Authority to undertake the sequential test in order to locate developments in lower probability areas wherever possible.

Whilst the NPPF's main focus is on the sequential and impact tests, policy CS67 is in alignment with the NPPF, and is therefore afforded significant weight.

The NPPF and the relevant PPG require a sequential, risk-based approach to the location of development. In Paragraph 162 states "The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding."

The application was accompanied by a Sequential and Exception Test and Flood Risk Assessment (FRA).

The sequential test considers the availability and suitability of other sites. It

concludes that other sites are either not available or are not suitable. As a result, it is considered that adequate information has been provided and the proposal passes the sequential test.

In addition, an Exception Test has been submitted. This is normally only applicable in high risk flood zones (3a), but technically, there is a small section at the northern end of the site which just falls within flood zone 3a. There are two parts to the Exception Test, the first demands that the proposal demonstrates wider sustainability benefits that outweigh the flood risk. The second part needs to demonstrate through the FRA that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing risk elsewhere. The sustainability arguments and open space compensation are generally accepted to meet the first part of the Exception Test.

The FRA give assurance that the development will be safe for its lifetime. There is no residential accommodation on the ground floor of the building, and the floor plate has been raised by an additional 127mm to ensure that the finished floor levels are based on the 1 in 200 year annual exceedance to take account climate change. Therefore the second part of the Exceptions Test is also satisfied. The Environment Agency confirm that the FRA is acceptable, with it's proposed mitigation measure/s to set residential finished floor levels at a specified height above OS datum. As such, a condition requiring the specified finished floor levels is required to ensure implementation of the proposed mitigation measure.

Overall, the proposal is considered to be satisfactory in flood risk terms.

Drainage

The Council's Lead Local Flood Authority Officer, confirms that the discharge of surface water to the culverted watercourse running through the site is acceptable. This historical culverted watercourse beneath the site is vulnerable in terms of structural integrity and flow characteristics. A new culvert is to be built in a similar position, and it has been confirmed from the agent that this will have a design life of 120 years. Full details of the drainage strategy including additional surface water drainage can be controlled through relevant conditions.

Overall, the requirements of Core Strategy policy CS67, as summarised above, would be considered to be met by the proposal subject to the addition of appropriate conditions.

Affordable Housing

Policy CS40 'Affordable Housing' within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

Within the Community Infrastructure Levy and Planning Obligations Supplementary

Planning Document (2015) the site falls in the City Centre West area. Sites within this area have a target of 10% for affordable housing provision.

The NPPF at Paragraph 63 requires policies to reflect the need for affordable housing provision. The relevant local plan policies and supporting SPD are considered to be in close alignment with these provisions and are therefore afforded significant weight.

In line with the established procedure, the Applicant produced a financial viability appraisal. This was then evaluated by the LPA's appointed independent assessor (CP Viability). Following a series of discussions, the Applicant has offered £495,000 as a commuted sum. This has been considered by CPV and they conclude this to fall within the parameters they had identified in carrying out their assessments. Whilst it was a figure at the lower end of the identified range, it was considered an appropriate sum given the costs, timing, and current uncertainty in the marketplace.

This figure will be secured through a legal agreement (Section 106 agreement). As a result, the scheme is considered to meet the requirements of the relevant local and national policies in this respect.

Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

Employment & Skills

Substantial major projects give opportunity for the Applicant and the Council's Employment & Skills Service to work together going forwards. This would most obviously cover the construction phase, and also potentially the operational phase.

With this in mind, the Council's Investment Support Manager considers that the developer should agree an Employment and Development Plan, covering the construction phase, (and if applicable, the operational phase) which will be designed to maximise the economic and social benefits for local communities from the proposed development.

Given the scale of the project this is considered reasonable, and therefore an appropriate condition is included within the recommendation.

SUMMARY AND RECOMMENDATION

The application seeks permission to erect a significant residential development comprising of a 336 apartments in a 10-23 storey building. The pursuit of sustainable development is the overriding aim of national planning policy, and this site is within the main urban area, with the proposal being at an appropriate density.

The design of the proposal is of an appropriate scale and massing for this landmark site, featuring high quality materials within a well fenestrated building.

The re-positioned access proposed to the site from Farm Road to the car parking area is considered appropriate and will not cause any highway safety issues. Car parking ratios are not to maximum standards, however in this location, close to the city centre, bus routes, tram routes and the train station this is acceptable. In addition, ample secure cycle parking is proposed.

The proposal will not impact on the amenity and living conditions of existing adjoining in terms of overlooking or overbearing with a good level of amenity afforded to future residents.

It is concluded that the proposals accord with the provisions of the Development Plan when considered as a whole and that the policies which are most important in the determination of this application are consistent with the aims and objectives of the National Planning Policy Framework.

It is therefore recommended that Members of the Planning Committee approve the application subject to the listed conditions and a legal agreement to secure £495,000 towards an off-site contribution to affordable housing, and £180,760 towards sports facility within the city.

Case Number	21/00366/FUL (Formerly PP-09449764)
Application Type	Full Planning Application
Proposal	Erection of a nursery (Use Class E) with associated parking
Location	15A Broomfield Road Stocksbridge Sheffield S36 2AR
Date Received	27/01/2021
Team	West and North
Applicant/Agent	GLH Architects
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 shall be carried out in accordance with the following drawings:-

- Drawing No. DR-A010 P5 (Proposed Site Plan)
- Drawing No. 20-1-1005-GLH-ZZ=ZZ-DR-A-022 Revision P4 (Proposed Floor Plans)
- Drawing No. 20-1-1005-ARC-ZZ=ZZ-DR-A-023 Revision P3 (Proposed Elevations)

published on the 16/06/21

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 mines gas risk assessment has been undertaken and a desktop study report has 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 and mines gas has been properly dealt with.

4. Any intrusive investigation recommended in the Mines Gas Risk Assessment Desktop Study 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 and mines gas has been 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 construction works commencing. 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

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

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

7. No development shall commence until:

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

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

8. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

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

9. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
 - b) Acoustic emissions data for the system.
 - c) Details of any filters or other odour abatement equipment.
 - d) Details of the system's required cleaning and maintenance schedule.
 - e) (Optional: Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building).
- The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

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

10. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The

nursery shall not be brought into use unless the car parking accommodation for nine vehicles has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the operation of the nursery.

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

11. 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.

12. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development

13. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

14. 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.

15. A comprehensive and detailed hard and soft landscape scheme for the site shall be

submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

16. 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.

17. A 1.7m high privacy screen fence shall be erected along the balcony's north-eastern corner and along the upper section of the external staircase prior to the building being brought into use, details of which shall first be submitted to and approved in writing by the Local Planning Authority, and thereafter be retained.

Reason: In the interests of residential amenity.

18. Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until such time as a scheme to dispose of foul and surface water drainage, including any balancing works and off site works, has been submitted to and approved in writing by the Local Planning Authority. This development shall be implemented in accordance with this scheme thereafter.

Reason: To ensure satisfactory drainage arrangements.

Other Compliance Conditions

19. The car park shall be constructed of permeable/porous materials only. Thereafter the approved permeable/porous surfacing material shall be retained.

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

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

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

21. The children's nursery hereby approved shall only open between 0800 hours and 1800 hours Monday to Friday. The nursery shall not open on Saturday or Sunday or on Public holidays.

Reason: In the interests of protecting the residential amenity of neighbouring properties.

22. The development shall not be used for the purposes hereby permitted unless the scheme of sound attenuation works detailed in the approved Noise Assessment Report (ref: 03515-250100, dated: 09/06/2021, prepared by: BlueTree Acoustics) has been carried out as specified in the Report. Such works shall be thereafter retained.

Reason: In the interests of protecting the residential amenity of neighbouring properties

23. An integrated bat brick shall be incorporated within the fabric of the nursery building. The building shall not be occupied until the bat brick has been provided and thereafter retained.

Reason: In the interests of biodiversity

24. The development site shall not be cleared of vegetation and trees during the bird nesting season (March to August) unless a qualified ecologist has inspected the site in advance of site clearance and found no evidence of nesting birds.

Reason: In the interests of biodiversity and protection of nesting birds.

Attention is Drawn to the Following Directives:

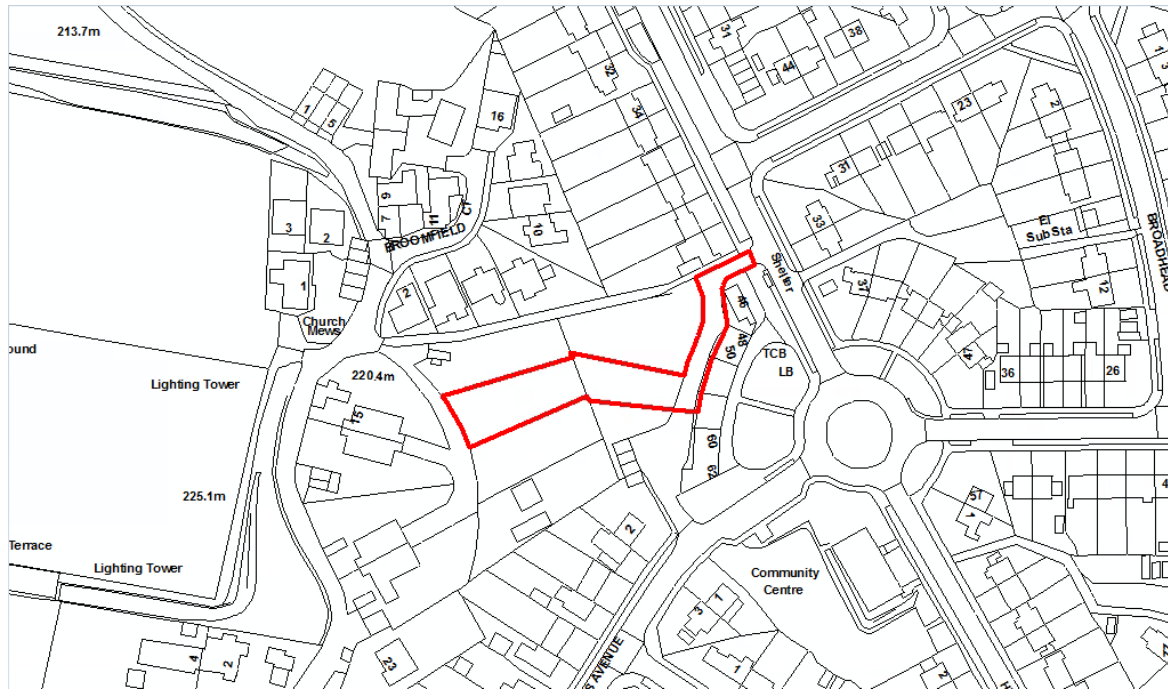
1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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.

Site Location



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LOCATION

This application relates to land to the rear of 15a Broomfield Road in Stocksbridge.

The application site is made up of two rectangular parcels of land, one forming the remote garden area of the main residential curtilage of 15a Broomfield Road and a further parcel of overgrown land that abuts along its eastern side. This second parcel of land is situated to the west of a service road that is used by retail and commercial units that front onto Lee Avenue.

The main part of the site measures approximately 16.7m by 39.2m (538 square metres). It is bound by dense shrubbery along its southern side, separating it from the detached rear garden area belonging to 19 Broomfield Road. To the north of the site is the detached rear garden of 15 Broomfield Road, beyond which is a public right of way (gennel) that connects Lee Avenue with Broomfield Road. To the north of the gennel are four detached dwellinghouses that front onto Broomfield Court.

The application site is detached from the main residential curtilage of 15a Broomfield Road by a private vehicular access road that currently serves four properties to the west. As described above, to the north and south of the site are two similarly sized garden areas, one of which (the southern plot) was granted full planning permission in February 2021 to erect a two-storey detached house, under planning ref. 20/03760/FUL.

The application site is situated in a Housing Area as identified on the UDP proposals Maps and lies within a Coal Mining High Risk Area.

PROPOSAL

The applicant is seeking full planning permission to change the use of the land to a children's nursery (Use Class E), involving the erection of a two-storey building with associated parking and landscaping. The nursery would accommodate 46 children and babies. The opening hours would be 0800 hours -1800 hours (Monday to Friday), with no opening on weekends or public holidays.

The application has been amended during the course of the application with the re-positioning of the nursery building and reconfiguration of the car park.

PROCEDURAL ISSUES

The Town and Country Planning (Use Classes) Order 1987 was amended in 2020, resulting in changes to the use classes. One of these changes recategorised Use Class D1 (Non-residential institutions) to Use Class E (Commercial, Business and Service). This came into force on the 1 September 2020.

RELEVANT PLANNING HISTORY

20/03515/FUL Erection of children's nursery - Withdrawn

20/03760/FUL Erection of a dwellinghouse (Land to the rear of 19 Broomfield Road) - Approved 4 February 2021

17/02316/OUT Erection of a dwellinghouse with all matters reserved (Land to the rear of 19 Broomfield Road) - Approved 11 December 2017

SUMMARY OF REPRESENTATIONS

The application has been subject to two rounds of consultation, firstly on validation and the second upon the receipt of amended plans in June 2021. In total 178 representations have been received, of which 94 are objecting to the application and 84 are in support.

First round of consultation:

Objections:

- Highway safety concerns. Broomfield Road is a narrow one-way street with no pavement.
- The development will cause congestion in the area.
- The nursery will compound existing traffic issues.
- The development will result in parking around Lee Avenue and the Stubbin Estate.
- While a nursery is a good idea, the location of a commercial use in a residential area is not suitable. There are other more suitable brownfield sites available in the local area.
- There is already adequate provision of nursery places in Deepcar/Stocksbridge
- The close proximity of the nursery to neighbouring properties will generate noise and disrupt the current peace and tranquillity of the area.

- Poor public transport in this area. Most people will need to drop off their children by car.
- The local community centre, with a car park, is a better location for the proposed use.
- The proposed boundary fence would run along the length of the garden of No. 15, which is a natural habitat for wildlife birds and plants. A bat survey should be carried out, particularly as bats are roosting within the roof spaces of Nos. 15 and 17.
- The building is of poor design.
- No use of sustainable renewable energy within the proposal.
- The proposed two-storey building overlooks in all directions, with no consideration of the amenities of neighbouring properties.
- The proposed fencing would be entirely inadequate and would be within 1m of the neighbouring garden.
- The garden attached to the plot was once a large orchard that dates back to the 1850s.
- The proposal raises security concerns.
- No details regarding drainage and surface water have been provided.

Support:

- Support the use of the site for a children's nursery due to upcoming developments of residential properties.
- More child places will be required as current childcare providers will soon become oversubscribed.
- Welcome the idea that someone wants to invest in this area of wasteland and provide a beautiful building.
- The building will knit the community together and bring much needed revenue to the local shops.

The second round of consultation:

Fourteen (14) letters were received in response to the second round of consultation.

Objections:

- The amendments do not address the concerns previously raised with regard to increase in traffic and noise disturbance from children.
- The noise report is very much in favour of the applicant. The test survey in Peterborough is an existing school that was converted into a nursery, therefore neighbours will always have experienced higher noise levels associated with the school.
- The average noise level readings from the Peterborough nursery referenced in the noise report were 67, 79, 69 and 53dB. The maximum accepted levels are 55dB and the survey shows that the Peterborough Nursery exceeds this. It is difficult to see how the noise levels will be below 55dB.
- The area is a quiet neighbourhood that would be disrupted with the onset of excessive road traffic/noise pollution.
- It is evitable that parents/carers will drive and park wherever the easiest access to

- the nursery is, i.e. how parents behave during local school peak times.
- The balcony will allow sound to travel

PLANNING ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The Council's development plan comprises the Core Strategy, which was adopted in 2009, and the saved policies of the Unitary Development Plan, which was adopted in 1998. The National Planning Policy Framework published in 2018 and most recently updated in July 2021 (NPPF) is also a material consideration.

Assessment of a development proposal needs to be considered in light of Paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- The application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making.

Paragraph 13 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The most important local policies in the determination of this application revolve around residential amenity issues and highway related impacts.

Set against this context, the development proposal is assessed against all relevant policies in the development plan and government policy contained in the NPPF.

It is considered that the main issues relevant to this application are as follows:

- The Principle of Development – policy and land use
- Highway matters
- Design matters and impact on the character and appearance of the area

- Effect on the amenities of the occupiers of neighbouring property
- Coal mining legacy and land quality issues
- Ecology matters
- Other matters
- Community Infrastructure Levy (CIL)

The Principle of Development – Policy and Land Use

The application site is located in a Housing Area as identified in the UDP. Under Policy H10 of the UDP, housing is the preferred use of land, with Community Facilities and Institutions (D1), such as children day nurseries, listed within the menu of acceptable uses. Children’s nurseries now fall within Use Class E of the Town and Country Planning (Use Classes) Order 1987.

Policy CF1 of the UDP relates to the provision of community facilities and details that the provision of community facilities, which are readily available to all Sheffield people will be promoted, particularly where they would be located where there is a shortage, be easily accessible by public transport and be located within the community they are intended to serve.

This policy is broadly in line with government guidance contained in paragraphs 92 and 93 of the NPPF. Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, for example through mixed-use developments. Paragraph 93 states that to provide the social, recreational and cultural facilities and services, decisions should plan positively for the provision and use of shared spaces and community facilities (such as shops, meeting places, cultural buildings) and other local services to enhance the sustainability of communities and residential environments. The paragraph goes on to say at part d) that established facilities and services should be able to develop and modernise, to be retained for the benefit of the community.

The applicant states that there is a shortage of children’s day nurseries in Stocksbridge, and that the proposed nursery would cater for children at pre-school stage, toddlers and babies, including 16 places for 3-5 year olds, 12 places for 2-3 year olds, 9 places for 18 months-2 year olds and 9 places for 0-18 months.

The applicant says that there is only one other private nursery that would provide a similar service in Stockbridge/Deepcar, located on Manchester Road (Early Steps), and while there are other pre-school providers, they only cater for children aged 3-5 years.

It is considered that there is a shortage of children’s day nurseries in the surrounding area and that the proposal would increase the offer in the locality.

In relation to policies H10 and CF1 of the UDP, the proposal to erect a children’s nursery is considered to be acceptable in principle (subject to compliance with policy H14 – Conditions on Development in Housing Areas). The site is located in a sustainable location, close to public transport and ideally located to serve the local community. It is also considered that the proposed development would accord with government guidance contained in the NPPF at paragraphs 92 and 93.

Highway Matters

UDP Policy H14 sets out at part (d) that, in Housing Areas, new development will be permitted provided that it would provide safe access to the highway network and be provided with appropriate off-street parking and not endanger pedestrians.

NPPF Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed nursery's parking area would be accommodated on a rectangular parcel of land that would be situated to the east of the nursery building site. It would provide off-street parking for 9 vehicles. Access to the car park would be taken along the unadopted service road either from Lee Avenue to its north or south from Knowles Avenue.

From a highway perspective, the proposed development does not raise any significant concerns, with the proposed number of parking spaces likely to meet the expected parking requirements. Visibility onto both Lee Avenue and Knowles Avenue is good. It is not therefore considered that the development would lead to any significant demand for on-street parking or result in any conflict with vehicles when entering or leaving the site.

It is acknowledged that there have been a high number of highway related objections to the proposal. However, it is not considered that the proposal would have an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe. The proposed number of parking spaces is similar to other nursery sites and is unlikely to lead to any significant highway problems in connection with the use. The site is well served by public transport along Lee Avenue, with a bus stop immediately in front of the neighbouring shops. It is also envisaged that, in this location, some children would arrive with their parents on foot.

The Council's Highway Officers have raised no objection to the proposal subject to a condition that requires the car park to be laid out for nine vehicles in advance of the building being brought into use.

Based on the above, it is considered that the development would accord with UDP Policy H14 part d) and government guidance contained in paragraph 111 of the NPPF.

Design Matters and the Impact on the Character and Appearance of the Area

The relevant policies of the development plan in respect of design and layout of new housing development are UDP Policies BE5, and H14, and Core Strategy Policy CS74.

Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. It states that original architecture will be encouraged where it does not detract from the scale, form and style of surrounding buildings, and that designs should take advantage of a site's natural features.

UDP Policy H14 part (a), states that new buildings should be well designed, in scale and character with neighbouring buildings.

Core Strategy Policy CS74 sets out the design principles that are expected in all new developments. It details that high quality development should respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

Chapter 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development, which creates better places in which to live and work. Paragraph 130 states that, amongst other things, planning policies and decisions should ensure that developments function well and add to the overall quality of the area, and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The proposed 2 storey nursery building would occupy the western end of the site towards the private driveway that serves 15-19 Broomfield Road, with the eastern side forming the outdoor play area. It would measure 16.3 (length) by 10.7m (depth) with a height of 4.95m (to its eaves) and 7.5m (to its ridge). It would be constructed with a split-levelled dual pitched roof and constructed with a combination of white and blue engineered masonry brickwork with feature cladding along the central parts of both its front and rear elevations.

Features of note include a raised balcony along the full width of its eastern elevation that would be enclosed by a masonry brick wall along its southern side and front acoustic timber railings. Two large bi-folding doors are proposed at ground floor level (front elevation) and two 3-pane patio doors that would lead out onto the raised balcony. Additional light would be provided with a series of roof lights within both roof slopes. Window frames would be uPVC and coloured dark grey.

It is considered that the proposed nursery building is of an acceptable design quality that would not harm the character or appearance of the surrounding area, which has a wide variety of building styles and forms and no prevalent character. It is also considered that the building is of acceptable scale and massing, commensurate with the size and footprint of the approved dwellinghouse on the adjacent site, with the split dual pitched roof helping to break-up the overall bulk of the building. The use of timber vertical cladding would also add interest to the appearance of the building and give the building more verticality.

It is not clear from the submitted plans where the division lies between the white and blue engineered brick, along the building's side elevations. It is considered that this transition would be improved by the introduction of a feature horizontal course, which has been accepted by the applicant and can be adequately controlled by planning condition.

Effect on the Amenities of the Occupiers of Neighbouring Property

Policy H14 part c) expects new development in Housing Areas to not deprive residents of light, privacy or security, while part k) states that new development should not lead to air pollution, noise, excessive traffic levels or other nuisance for people living nearby.

This policy is broadly in line with government guidance contained in the NPPF, where is

states at Paragraph 130 part (f) that decisions should ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Also relevant is paragraph 185 of the NPPF, which states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life, as well as protect tranquil areas which have remained relatively undisturbed.

In terms of neighbouring properties, it is considered that the only properties directly affected by the development are No's 15-19 Broomfield Road, which are located across the private road to the west of the site, the first floor flats above the commercial units that front onto Lee Avenue, and the recently approved but unbuilt dwellinghouse to the south of the site. Apart from these properties, it is considered that all other neighbouring properties would be adequately distanced from the proposed nursery building to prevent any undue harm to the amenities of their occupants from unacceptable noise disturbance or loss of privacy.

The proposal has been amended during the course of the application, mainly as a response to concerns raised by officers regarding the siting of the nursery building. As submitted the proposed building was sited roughly centrally within the plot. However, the applicant agreed to reposition the building towards the western boundary to align with the approximate position of the dwellinghouse approved on its southern side. By doing so, it is considered that the proposed building would not have an overbearing impact when viewed from the rear garden of the approved house, or lead to any significant loss of light and outlook that would be harmful to this neighbouring property.

A screen wall is proposed to the southern side of the raised balcony. Without a suitable screen fence along the first floor balcony's north-eastern corner, it is considered that the development could lead to overlooking of the neighbouring garden area belonging to No. 15 Broomfield Road. It is therefore recommended that a 1.7m high privacy screen fence be erected along the north-eastern corner of the raised balcony and upper section of the external stairs adjacent to this neighbouring property.

In terms of Nos. 15-19 (inclusive), these four properties are located to the west of the development site, with the nearest of these (No. 15a) orientated towards the south-western corner of the site. The amended plan shows that the separation distance between the nearest part of the nursery building and the rear elevation of No. 15a would be a minimum of 21.05m. This distance, together with the proposed outdoor play being located on the reverse (eastern) side of the building, should mean that any impact on these properties would not be significant.

It is considered that the main amenity issue relates to noise, with the property most affected by the development being the unbuilt house to the south, and to a lesser extent the remote garden area of 15 Broomfield Road. As stated above, it is considered that the existing dwellinghouses to the west of the site (Nos. 15-19) would be adequately

separated from the site to prevent these being subject to any significant noise disturbance that would harm their residential amenity. The main play area would be over 30m from these properties, a distance that should prevent any significant disamenity from noise disturbance when the children are using the outdoor play area or raised balcony.

To assess the effects of noise, the applicant commissioned Blue Tree Acoustics to undertake a noise assessment of the proposal, which is set out in the supporting Noise Assessment Report (reference 03515-250100 – dated 09/06/2021).

This report states that noise monitoring was carried out to establish the existing background noise climate at the nearest noise-sensitive properties during the proposed nursery uses operating times. In addition, representative sound levels during a typical day at a children's' nursery in Peterborough were used as source sound level data, which was gathered in connection with an appeal against the refusal of planning permission (Planning appeal reference No. APP/J0540/W/19/3238406).

The existing noise sources in the surrounding area derive from the surrounding highway network, and from the neighbouring residential and commercial uses, as well as from school children, as the site is on a route taken by children to and from school, and to the local shops.

The report details that the development will generate noise from activity within the building, as well as activities in the external play area to the east of the building and on the 1st floor outdoor platform. However, noise generated within the building will be mostly attenuated by the building structure itself, and even with open windows and doors, internal noise within the building is insignificant compared to noise generated externally. Another area for noise is the proposed car parking area. However, the report details that this is unlikely to be significant as the access to the car park is already frequently used for parking and given the distance of the car park to neighbouring properties.

British Standard BS8233 states that for traditional external amenity areas, such as gardens, it is desirable that the external noise level does not exceed 50dB LAeq, with an upper guideline value of 55dB LAeq in noisier environments.

It has been modelled that, based on a 2.2m high acoustic barrier surrounding the play area and a 2.2m high acoustic barrier around the remainder of the site, the garden to the south would not experience noise levels higher than 55dB LAeq. Part of the land to the north would experience levels up to 57dB LAeq, although the majority of the area would be less than 55dB LAeq. These levels are based on a scenario of 28 children being outside at the same time, 18 within the external play area and 10 on the raised platform. The report details that the frequency of this amount of children being outside at the same time is likely to be low, with large periods of the day likely to have significantly fewer children outside if any, and therefore likely lower noise levels than the figures modelled. The report concludes that the noise generated from the nursery, including car and car parking noise, as calculated at the nearest residential properties, is predicted to meet the relevant residential noise criteria recommended in BS8233:2014.

This report has been inspected by the Environmental Protection Service (EPS) who have stated that, subject to the erection of acoustic fencing that would include 2.2m high acoustic fencing along part of the shared boundary, noise levels associated with the use

should achieve the 55dB criterion. A lower external noise level would be achieved at the nearest sensitive receptors if the acoustic screening is erected at a height of 2.4m in these areas.

While it is accepted that noise from external play is inevitable and lead to some disamenity, it has been found that this is unlikely to be significant or for long periods that would be harmful to the amenity of the site's immediate neighbours. It is not unusual for small children's' nurseries to be located within residential areas, as evidenced by their inclusion within the list of acceptable uses under UDP Policy H10. They are not incompatible uses in residential areas and, with sufficient mitigation measures, they can comfortably co-exist alongside residential properties without leading to significant harm to residential amenities.

In officers' opinion, it is not considered necessary to increase the acoustic fencing to 2.4m in height, which would achieve lower noise levels at the nearest sensitive receptors, but by doing so would have a greater visual impact on the two adjacent gardens.

The children's nursery would operate between the hours of 0800 and 1800 hours (Monday to Friday) and would be closed at weekends and Public Holidays. The opening times would therefore coincide with normal working hours and be closed when residents would expect a higher level of amenity in the early mornings, during the evening and night time hours and at weekends.

It is also material in officers' opinion that the orchard belonging to No. 15 Broomfield Road, to the north, is not the main garden area of this property. As stated previously, this part of the garden is remote from their main residential curtilage, and as evidenced at the time of the officer's site visit, the land was overgrown and unlikely to be an area where residents would spend large amounts of time. Consequently it is considered that the degree of protection that this land should be afforded is less than if the land formed the main garden area of this property.

It is considered that the flats above the Lee Avenue shops are adequately distanced from the nursery building to prevent any significant disamenity from noise disturbance. Use of the car park may give rise to some noise given its proximity to the flats (approximately 7m), but this would not be significant or harmful given that the rear service road is already frequently used for parking and access for deliveries.

It is therefore considered that UDP Policy H14 and government guidance contained in paragraphs 130 and 185 of the NPPF are met.

Coal Mining Legacy and Land Quality Issues

The application site falls within a Development High Risk Area for former coal mining activity, an area where there are coal mining features and hazards which need to be considered as part of the planning process. The Coal Authority records indicate that the site lies in an area where recorded shallow coal mining has taken place as well as the likely occurrence of historic unrecorded shallow coal mining activity.

The application was accompanied by a Coal Mining Risk Assessment report prepared by Earth Environmental & Geotechnical Ltd (dated November 2020). This report

acknowledges that coal is recorded as having been worked beneath the site, but concludes that due to their depth, these workings should not influence surface stability. The report does however state that, owing to possible unrecorded mine workings within a shallower seam, and a band of ironstone, there is a risk to the development that requires intrusive ground investigations to be carried out.

The Coal Authority is satisfied with the report's findings and welcomes the recommendations of the report for the undertaking of intrusive site investigations. The Coal Authority raised no objections subject to the imposition of conditions to secure a scheme of intrusive investigations and a signed declaration from a suitably competent person confirming that the site is, or has been made safe and stable in advance of the building being brought into use.

As a result of the past and probable shallow coal mining activities there exists a potential for mines gases to impact upon the proposed development, causing risk to human health. As the supporting coal mining risk assessment report fails to make recommendations for gas monitoring should evidence of coal workings be found, it is considered necessary to secure a mines gas risk assessment by planning condition.

Ecology Matters

It is considered that the site has low ecology value. As set out in the Construction Environmental Management Plan (CEMP), the site is made up of amenity grassland, shrub and scattered trees. These are considered sub-optimal in a local context to provide major foraging or commuting habitat for bats. The site also has limited habitat potential for badgers (sett building and foraging). No signs of badger activity were recorded during a site survey, with the species considered to be absent from site.

The CEMP recommends that the development be carried outside of the bird nesting season, and for biodiversity enhancement the development should incorporate integrated bat bricks within the building. These matters can be conditioned.

Other Issues

The applicant submitted a CEMP prepared by Estrada Ecology Ltd (Reference SQ-159 dated 12/05/2021) that sets out measures that would be implemented during the construction phase to prevent nuisance and minimise disamenity at nearby sensitive uses. This CEMP has been inspected by the Environmental Protection Service, and while it has been found to be generally acceptable, there are elements within the document such as hours of construction that have not been agreed by EPS. As such, it is considered that an amended CEMP should be submitted for approval secured by condition.

The proposed nursery use is likely to include externally mounted plant and equipment for air handling/ cooling applications and/ or mechanical services. It is necessary therefore that noise impacts on off-site sensitive receptor positions be considered in specifying and siting of any external or externally venting plant on the building. This can be suitably controlled by condition.

The development includes a kitchen. It is therefore necessary that careful consideration be given to how fumes will be ducted to achieve suitable dispersion to prevent disamenity

from noise and odours from any proposed fume extraction system. This again can be suitably controlled by condition.

No details of how surface water drainage would be managed has been provided with the application. It is therefore recommended that a condition be attached that requires details of surface water drainage to be submitted for approval.

Community Infrastructure Levy

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development.

Whilst all new development (of 100 sqm or more) is CIL liable, in Sheffield the charges are not applied to children's nurseries.

SUMMARY AND RECOMMENDATION

The application site relates to land situated to the rear of 15a Broomfield Road and to the rear of a service road that extends behind retail and commercial units at Lee Avenue. The application site is situated in a Housing Area and lies within a Coal Mining High Risk Area.

The applicant is seeking full planning permission to change the use of the land to a children's nursery (Use Class E) involving the erection of a two-storey building with associated parking and landscaping. The nursery would accommodate 46 children and babies. The opening hours would be 0800-1800 (Monday to Friday) with no opening on weekends or public holidays.

The proposal to change the use of the land and erect a two-storey children's day nursery that would serve the local community would accord with policies H10 and CF1 of the UDP.

It is considered that the proposal would not be detrimental to highway safety or result in any significant noise disturbance that results in significant harm to the residential amenity of neighbouring properties.

The building is considered to be of acceptable design quality that would not harm the character or appearance of the surrounding area.

For the reasons set out in the report, and having regard all other matters, it is considered that the proposal represents an appropriate form of development and would be in general accordance with policies H10, H14, BE5 and CF1 of the UDP and government policy contained in the NPPF.

It is therefore recommended that the application be approved subject to the proposed conditions.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 17 August 2021

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Abby Hartley

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

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 Committee decision of the City Council to refuse planning permission for the erection of 3 single-storey dwellinghouses and provision of car parking and amenity space at 151-153 Thompson Hill, Sheffield, S35 4JS (Case No: 21/00482/FUL).

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of 15.0m Monopole with associated cabinets and ancillary works (Application to determine if approval is required for siting and appearance) at land opposite 1-3 Burngreave Road Sheffield S3 9DA (Case No: 21/01778/TEL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of single-storey detached outbuilding at The Dairy, New Hall Farm, New Hall Lane, Sheffield, S36 4AE (Case No: 20/03611/FUL) has been dismissed.

Officer Comment:-

The main issues in this case are: whether the proposed outbuilding represents inappropriate development in the Green Belt; its effect on the openness of the Green Belt; its effect on the character and appearance of the area; and, if the proposed development is inappropriate, whether there are very special circumstances that outweigh the harm and so justify the proposal.

The Inspector found that:

- the proposed single-storey outbuilding does not meet any of the exceptions specified by paragraph 149 of the NPPF and so would be inappropriate development in the Green Belt.

- the proposal would be located within an open garden where it would not preserve the openness of the Green Belt.
- the proposal's utilitarian design and oak-framed material finish would be markedly different to the traditional rural design and stone exterior of the host property and so would have a significant adverse visual impact on the area's rural character.
- the lack of living, playing and storage space within the host property, and lack of dry storage in the existing detached garage do not amount to very special circumstances to justify the development.

The Inspector concluded that the proposal would conflict with paragraphs 147 and 149 of the NPPF and policies GE1 and GE3 of the UDP, which aim to ensure that only appropriate development is permitted in the Green Belt. The proposal would also conflict with policy BE5 of the UDP and paragraphs 130 and 174 of the NPPF.

(ii) To report that an appeal against the delegated decision of the Council to refuse Listed Building Consent for the replacement of windows and entrance door to the front elevation and replacement of small bathroom window to dwellinghouse at 59 Greenhill Main Road, Sheffield, S8 7RE (Case No: 20/02318/LBC) has been dismissed.

Officer Comment:-

The Inspector considered the main issue was whether the development would preserve the grade II listed building, 59 Greenhill Main Road, and any of the features of special architectural or historic interest that it possesses, and the effect on the character or appearance of the Greenhill Conservation Area (GCA).

She noted the prominence of the listed house within the GCA and that its windows and door had been altered from their original form though the windows remained single glazed and made up of small, individual panes of glass held in place by slim glazing bars in timber frames, giving the appearance of historic sash windows. The door was noted as being an 8 panel, non-traditional design. Nevertheless she considered the building historic form had been retained.

She felt the replacement windows would reflect the 8 over 8 pattern and slim glazing bar profile of historic windows but would contain double glazed panels and 'applied' rather than 'through' glazing bars, to one single window unit per window. The bars are to be applied in grid form to the window frame on either face, and the Inspector was satisfied this would not lead to future detachment.

However she felt that owing to the 24mm depth of the glazing units, this would expose wide cavities and spacer bars in oblique views and the double glazed units proposed and the rebates required to accommodate them would be disproportionately and uncharacteristically deep and would appear unduly heavy and bulky. As a result, she concluded the windows would fail to preserve the authenticity or appearance of the listed building's front and side

elevations.

She also considered the proposed solid timber door with its vertical boarded design and small central window would have an unduly rustic appearance which would be more consistent with the vernacular buildings around the site than with the formally-designed appeal building.

Given the above, she considered the proposal would fail to preserve the special interest of the listed building.

The appellant argued that the double glazed units were necessary for noise reduction owing to the proximity of the dwelling to the neighbouring public house and its associated music, however the Inspector concluded that there were other means of addressing the noise concern.

Overall agreed with officers and concluded that the proposal would fail to preserve the special interest of the grade II listed building, and would cause harm to the appearance of the GCA. It would therefore fail to satisfy the requirements of the Act and the Framework, and conflict with Policies BE15 and BE19 of the Sheffield Unitary Development Plan and Policy CS74 of the Sheffield Development Framework Core Strategy.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that A) an appeal against the Council for the refusal of an application for planning permission for the erection of three dwellinghouses including demolition of existing garden chalet to facilitate access at 45 Dore Road, Sheffield, S17 3NA (Case No: 19/03983/FUL) has been allowed; and B) that an application for an award of costs submitted by the appellants has been dismissed.

Officer Comment:-

A)

The Inspector identified the main issues as being i) the effect of the appeal proposal on the character and appearance of the area, with particular regard to layout and form; and ii) the living conditions of occupants of neighbouring properties, with particular regard to levels of privacy.

For i) the Inspector noted the site was a generous residential garden within the mature leafy suburb of Dore, and that many shared the characteristic of large dwellings fronting Dore Road within wide frontages containing vehicle access. He noted back land developments in the wider area.

He considered the subdivision of the plot would not be immediately evident from Dore Road owing the screening effect of the host dwelling and the dual access arrangements would not be dissimilar to others within the locality. The impact would therefore be on views from neighbouring dwellings across the green spaces of rear gardens where increased activity and built form would be present and would reduce the tranquillity of these green spaces, a characteristic of the area. The Inspector did not however consider this

intrusion to be sufficient to withhold permission, and also felt it could be mitigated with landscaping conditions.

The Inspector did not agree that the density of the development would be at odds with the surrounding context.

Overall, the Inspector concluded the host property would continue to present as a large dwelling situated within generous, maturely planted grounds when viewed from the street. The form of development proposed would be inconspicuous in the street scene and the resulting plots would echo the secluded nature of many properties in this area. Such an arrangement would not compromise the existing visual aesthetic of this neighbourhood. The appeal proposal would therefore have a neutral impact on the character and appearance of the area.

For those reasons they concluded the development would not be harmful to the character and appearance of the area and found no conflict with policies CS26, CS31 (Core Strategy) and BE5, H14 (UDP).

In terms of ii) the Inspector considered the level of separation from neighbouring properties would avoid privacy concerns and overall following the submission of amended proposals removing certain windows found no conflict with policy H14 (UDP) and then paragraph 127 of the NPPF.

The appeal was therefore allowed subject to conditions.

B) The appellants costs claim was based upon the following:-

- a) Council failure to apply policy CS31 appropriately or consistently, failing to give due weight to similar developments in the locality, and to evidence the harm from the development;
- b) Council failure to provide a full statement and list of conditions for the appeal and late introduction of second reason for refusal (privacy);
- c) unnecessary expense resulted in pursuing the appeal as a result of a) and b).

For a) the Inspector noted the element of subjectivity associated with character assessment and whilst they had disagreed with the Council's conclusions found no evidence of inconsistency of application of the relevant policies. In addition the officer report had clearly taken account of the character of the wider area.

For b) the Inspector confirmed it is the Council's prerogative to rely on the original officer report in lieu of a statement and whilst the absence of conditions was disappointing the additional expense incurred by the appellants in producing a list was not significant.

Equally whilst the late introduction of a second refusal reason should have been avoided, given the more fundamental disagreement on the impact on character the appeal would have still arisen.

In terms of c) the Inspector did not consider the Council's actions to amount to unreasonable behaviour that would lead to costs award and consequently unnecessary additional expense had not occurred on behalf of the appellant.

The application for costs was therefore dismissed.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

Nothing to report.

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report.

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

17 August 2021