
Case Number	18/01530/FUL (Formerly PP-06905191)
Application Type	Full Planning Application
Proposal	Demolition of buildings and erection of 8/9 storey building to form 220 Bed (73 studios and 147 in clusters) student accommodation with ancillary management facilities and landscaping works
Location	Bailey Street Garage 39 Bailey Street Sheffield S1 4EH
Date Received	19/04/2018
Team	City Centre and East
Applicant/Agent	Torsion Group Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

AL-02-001 Rev B - Proposed Site Plan
AL-02-002 Rev B - Lower Ground Floor Level
AL-02-003 Rev B - Upper Ground Floor Level
AL-02-004 Rev B - Floor Levels 1-6
AL-02-005 Rev 0 - Floor Level 7
AE-02-001 Rev C - Proposed Elevations
AE-02-002 Rev C - Proposed Elevations
AE-02-004 - Proposed Window & Reveal Treatment
AE-02-005 - Proposed Window & Reveal Treatment
AS-04-001 Rev A - Proposed Site Sections
AS-04-002 Rev A - Proposed Site Sections

Reason: In order to define the permission.

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

3. Unless shown not to be feasible and viable, no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

4. Prior to the commencement of development, a detailed Employment and Training Strategy, designed to maximise local opportunities for employment from the construction (and occupation) of the development shall have been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

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

5. 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.

6. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 50% 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.

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

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

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 the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

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

9. Redundant crossings along the site frontage shall be reinstated as footpath and the footpath along the site frontage shall be upgraded in accordance with the details shown in the Urban Design Compendium before the development is brought into use. Prior to the above works being carried out details shall be submitted to and approved by the Local Planning Authority.

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

10. Prior to the student accommodation being brought into use details of a drop-off and pick-up strategy for the start and end of term shall be submitted to and approved by the Local Planning Authority. Thereafter the strategy shall be implemented in accordance with the approved details.

Reason: In the interests of traffic and pedestrian safety

11. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

12. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing 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.

13. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

14. Prior to the cycle store being constructed details of the design of a secure covered cycle store and the cycle storage racks shall be submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be implemented before the student accommodation is brought into use and retained.

Reason: In the interests of encouraging sustainable travel to the site and meeting the travel needs of the occupants.

15. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

16. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the Controlled Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

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

17. 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.

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

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

19. Prior to construction above ground level commencing details of a scheme of public art shall be submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be implemented before the student accommodation is occupied.

Reason: In the interests of the amenities of the locality and in accordance with UDP policy BE12

20. 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 the approved noise assessments by apex acoustics ref 6601.1 revision A dated 11.4.18 and ref 6601.2A dated 26.7.18.

b) Be capable of achieving the following noise levels:

Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);

Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);

Other Habitable Rooms: Noise Rating Curve NR35 (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.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

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

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

b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced.

Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

Reason: In order to protect the health and safety of future occupiers and users of the site.

22. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. 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.

23. Prior to construction of the following elements commences large scale details shall be submitted to and approved by the Local Planning Authority and thereafter the approved details shall be implemented before the student accommodation is occupied.

1. Reveals for the openings not covered by the approved sections
2. Decorative brickwork detailing, parapets and soffits, ventilation extracts.

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

24. The dedicated parking space 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 ease of access for disabled persons

Other Compliance Conditions

25. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

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

Reason: To ensure satisfactory drainage arrangements.

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

shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

28. The accessible studios shall be fitted out as DDA accessible studios before the student accommodation is brought into use and thereafter retained.

Reason: In the interests of meeting the needs of disabled students.

Attention is Drawn to the Following Directives:

1. The applicant is advised to take into account the comments of South Yorkshire Police which can be viewed on the online planning application system.
2. 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

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

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

Mr J Burdett
Highways Development Management
Highways Maintenance Division

Howden House, 1 Union Street
Sheffield
S1 2SH

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

4. 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.
5. 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.
6. 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.

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

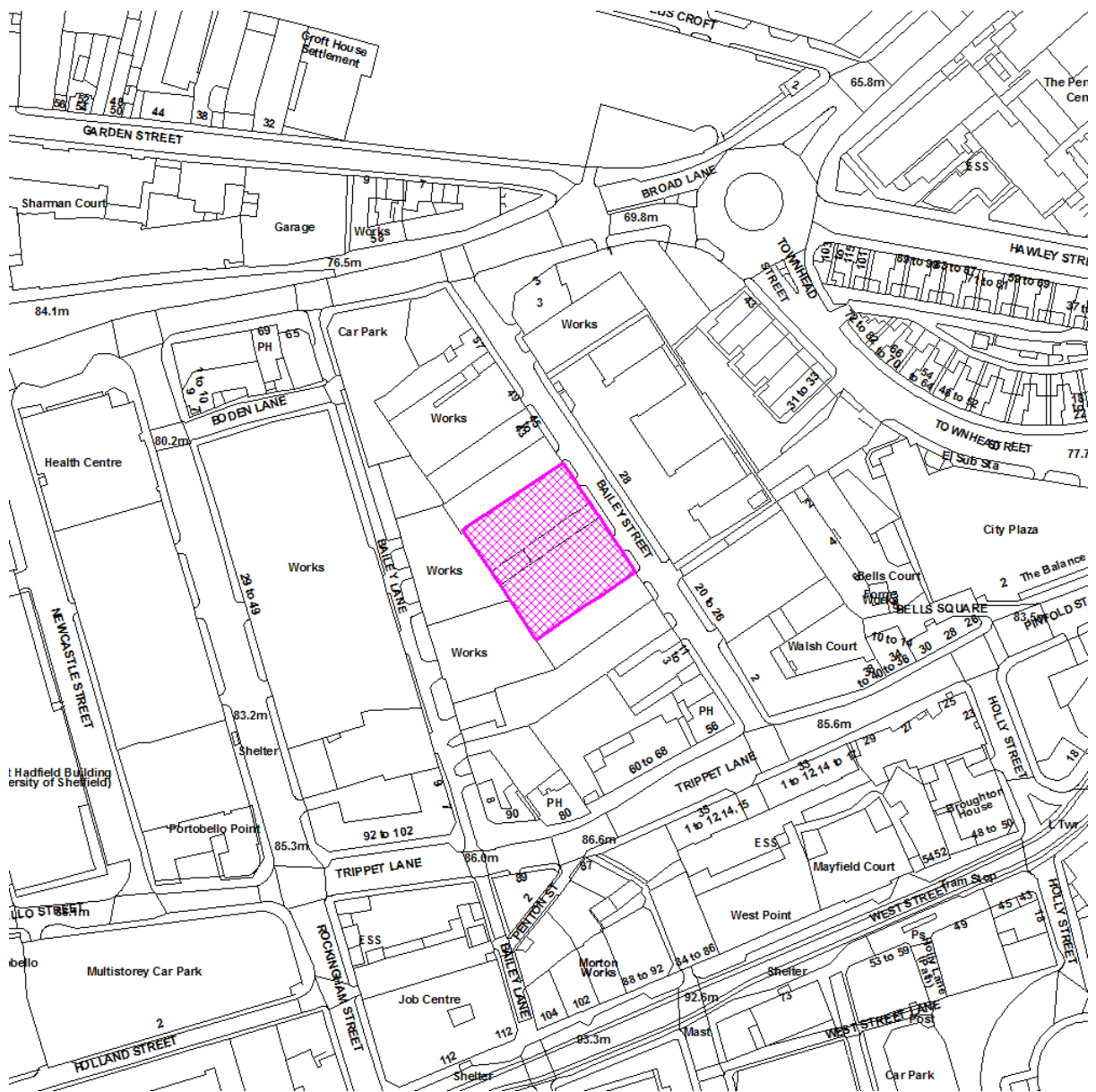
<http://www.sheffield.gov.uk/home/roads-pavements/Address-management>

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

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

8. The business manager responsible for on street parking policy (TT & PS Business Manager) has advised that it is unlikely that the Council will be able to agree to restricting use of on street parking for drop off and pick up as there are no clear established legal procedures for doing this.

Site Location



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LOCATION AND PROPOSAL

The application site is located on Bailey Street on the north-east side of the City Centre in the St George's Quarter. The surrounding area contains a mixture of industrial, residential and commercial uses.

Bailey Street slopes down from the south-east to the north-west and is mainly occupied by 2 and 3 storey properties with relatively narrow frontages. The exception is a large residential scheme opposite the site which is 5/6 storeys high with limited sections rising to 7 storeys.

The application site consists of two single storey painted brick faced workshops which occupy the full depth of the site, one of which is vacant; the other is used for car repairs.

The application is seeking to redevelop the site for a 7/8/9 storey student scheme of 220 bedrooms. The scheme comprises of 73 studio units and 147 bedrooms in nineteen 6/7//9 bedroom cluster units. The communal space is located on the ground floor adjoining Bailey Street and includes amenity space, quiet study space, gym and amenity space/cinema room. The entrance to the building is at the southern end of the Bailey Street elevation.

The building has been designed with a T shaped footprint consisting of a building positioned at the back edge of the Bailey Street footpath and a central rear wing extending to within 2m of the rear boundary. Hard and soft landscaped amenity spaces are provided either side of the rear wing, incorporating seating, cycle parking and bin storage. One disabled off street parking space is proposed.

The building design is contemporary with a flat roof and steps down from 7 to 6 storeys half way along the Bailey Street elevation. The front and side elevations of the building facing Bailey Street are to be faced in brickwork. The step in the elevation denotes a change in the brick colour from red to grey and a change in the architectural treatment. The ground floor has been designed with larger window openings to serve the communal spaces. The rear wing is set back between 5.2 and 6.7m from Bailey Street and is 8 storeys on the south side and 9 storeys on the north side due to the fall in levels from south to north. The rear wing is mainly faced in dark grey profiled metal cladding and partly in brickwork, the colour of which will match the adjacent block fronting Bailey Street. The building has been designed with regular rectangular window openings across the upper floors. The southern building on Bailey Street consists of a red brickwork frame which forms vertical slots within which the windows and associated bronze blanking panels sit. On the northern section, the grey brickwork frame forms a regular rectangular grid within which the windows, spandrel panels and recessed grey brickwork panel sit. The elevation treatment of the rear wing is more solid and less refined than the Bailey Street elevation.

SUMMARY OF REPRESENTATIONS

Nine objections have been received mainly from residents of Mandale House - a 5/6 storey residential scheme opposite the site – however, two were also from adjoining industrial operations. The grounds of objection are as follows:

- The building is out of scale with other buildings in the street and will appear overbearing and out of character with the locality, it should be limited to 5 storeys.
- It will result in loss of sunlight, daylight, privacy and outlook and will overshadow the existing residential development on the opposite side of Bailey Street. The loss of heat and light will have an adverse impact on environmental sustainability.
- Noise/anti-social behaviour from the student scheme will cause disturbance for the residents who live opposite the site and there will also be an increase in litter and mess.
- Not all students will walk or use public transport and the scheme will have an adverse impact on parking and result in higher levels of air pollution.
- It will reduce property values – not a planning issue
- The industrial neighbours who have objected to the application have done so on the basis the noise survey should have measured the noise over a longer period as noise from the industrial premises varies. There was also an objection in respect of loss of light to working areas and rights to light.

PLANNING ASSESSMENT

Policy

The site is within a Fringe Industry and Business Area in the Unitary Development Plan where B1 (Light industrial)/ B2 (General Industrial)/ B8 (warehousing) uses are preferred. However, B2 and B8 uses are no longer preferred as a result of the Core Strategy policy CS17(g) that now promotes a mix of uses within the area; specifically an academic focus for the University of Sheffield, with complimentary retail and business uses. This was reflected in the draft City Policies and Sites that proposed a Business Area where employment uses should be dominant and housing limited. The proposed development does not specifically help to deliver this policy aim although it has limited weight as the Council is producing a new Local Plan.

The current balance of uses in the area is analysed in the Background Report on Economic Prosperity and the City Region. This states that office uses are dominant in the area and residential uses account for 28% of existing floorspace. Given this, it is considered that a residential scheme is acceptable in principle.

Core Strategy Policy CS41 seeks to create mixed communities. Part A seeks to secure a broad range of smaller households in the City Centre where no more than

half the homes comprise of a single house type. In this case 78% of the units are studios and therefore the proposal does not comply with this policy. However as this is a student scheme this part of the policy should be given less weight as altering the mix of student accommodation is unlikely to significantly affect the mix of the local community. Part d of the policy seeks to limit shared accommodation where more than 20% of the residences within 200m of the application site are shared accommodation. In this case the current concentration is 16.9% which will increase to 17.1% should permission be granted which will remain below the threshold. The applicant has submitted indicative plans showing that the design is flexible enough to be converted to a mix of 1, 2 and 3 bedroom apartments should the demand for student accommodation change in the future. This is an important sustainability consideration.

Scale Massing and Design

Core Strategy Policy CS 74 says that high quality development will be expected which should respect, take advantage of and enhance the distinctive features of the city. This includes the topography, skylines and views into and out of the City Centre, the townscape of the city's quarters with their associated scale, layout and built form, building styles and materials.

Unitary Development Plan Policy IB9 says that in industry and business areas new development will be permitted provided it would be well designed with buildings of a scale and nature appropriate to the site.

The existing buildings are utilitarian workshops of no significant architectural merit. They are not identified in the Urban Design Compendium as character buildings.

The scale of proposed development adjoining Bailey Street is significantly greater than its 1-4 storey neighbouring buildings on the west side of Bailey Street but similar to that of the contemporary residential development opposite the site. Since originally submitted and following negotiations, the non-set back section of the Bailey Street elevation has been reduced by one to two storeys. The massing has also been significantly improved by treating the two halves of the Bailey Street elevation differently to create the illusion of two separate buildings. As a result the building sits more comfortably with the historic pattern of plot widths and responds more successfully to the topography by stepping down with the slope of the street, which is a characteristic of development within this area.

In order to deal with the massing, the design has been broken down into 3 parts so that it does not read as a single large entity in longer views such as from Broad Lane. The 3 elements will integrate better with the general roofscape of this part of the city. In addition to the 2 elements facing Bailey Street there is the 3rd taller rear wing. The massing of the rear wing is more challenging due its increased scale and less refined treatment and hence it is set back to mitigate the impact.

The proposed building reinforces the back-edge-of-pavement character of Bailey Street. It has been designed with a pedestrian entrance off Bailey Street and the ground floor window openings have been increased in size which will help to provide

better natural light levels to the communal space and help to create an active frontage and visual interest at pedestrian level.

The proportions of the brick framing have improved the vertical emphasis of the scheme. The relatively large windows, the recessed brickwork, metal window surrounds and deep window reveals will help to create modelling and visual interest.

The use of brickwork as the facing material to Bailey Street responds to the local context whilst the profiled metal cladding which is consistent with the industrial character of the area has been confined to the side and rear elevations.

The quantum of development being demanded of this site is challenging, however it is considered that the architectural treatment has mitigated this to an acceptable degree.

Amenity considerations

The outlook distance between the development and the apartments in Mandale House is 11.5m. There will be a reduction in privacy for the existing residents facing Bailey Street who have enjoyed a single storey building with no facing windows. Reduced privacy is a consequence of denser City Centre living and is compensated for by the benefits of easy access to a wide range of facilities and services. In addition 12m wide streets are not uncommon in the city centre and facing residential windows have been judged to be acceptable in amenity terms in the City Centre sites such as this where buildings need to be positioned close to the edge of the street to maintain the townscape character. It would be unreasonable to require development to be set back to improve outlook distances given the character benefits of back edge of footpath development and the security benefits of a well overlooked street. In addition residents could have reasonably anticipated redevelopment on the opposite side of the street at some point in the future given the city centre is an area under transition. Given the above it is concluded that the impact on the privacy of residents opposite the site is outweighed by the benefits of the proposal and not so harmful that permission should be refused on this basis.

The new development is located to the south-west of Mandale House and consequently will have an impact on sunlight, leading to some overshadowing of the front elevation of Mandale House. A sunlight assessment shows that the new development will put a significant proportion of the west facing façade of Mandale House into the shade in the afternoon between the Spring to Autumn period. This will impact negatively on the amenity of these residents as most people will consider an apartment in full sun to be more attractive than one in shade. There may be some impact on running costs although this would be very difficult to substantiate with any degree of accuracy. Equally some residents may consider additional shading a benefit during hot summer days. The loss of sunlight and shading is a clear negative impact of the proposal. A comparison between the sunlight impact of the proposal compared with the sunlight impact of transposing Mandale House on to the development site shows that the impact would be broadly similar. Impact on sunlight and overshadowing is a consequence of high density city living which is one of the city's key planning objectives and brings wider sustainability benefits including helping to minimise the development of Greenfield sites. If the impact on

sunlight/overshadowing were to be given too much weight in the City Centre it would lead to development on some streets being significantly lower on one side in order to avoid blocking sunlight to properties on the opposite side which would undermine objectives of ensuring that development responds to its context.

Access

The application site is located in a highly accessible location with 300m of the high frequency bus services on West Street and the Supertram stop. The site is within easy walking distance of a wide range of shops and services within the city centre. In a highly accessible location such as this there is no requirement for off street parking. Given that the site lies within a controlled parking zone where there are significant charges for all day parking between 8am and 4.30pm Monday to Saturday it seems unlikely that students would own vehicles and park them on street or in local car parks.

At the start and end of term the applicant has indicated that they will negotiate with the Council and local car park operators to suspend on street parking bays and acquire the exclusive use of parking bays within the local car parks. This will be managed by signage, traffic cones, traffic marshals and timed slots to ensure adequate provision is made for drop off and pick up. Once drop off and pick up has occurred, visitors who wish to extend their stay will be directed to the nearby multi-storey facilities. A condition is proposed requiring a management scheme to be submitted and approved before the student accommodation is occupied and for the scheme to be subsequently implemented.

3% of the bedrooms will be wheelchair accessible and provided on occupation. These are all studio units. Whilst this is welcome a further 2.5% are normally expected to be capable of adaption and a range of units types provided. The applicant points out that not all disabled students require wheelchair accessible rooms as there are a variety of disabilities. The cluster and studio rooms can be easily adapted to accommodate individual student needs and this can usually be done within a day. On receipt of each application the individual student needs can be assessed and additional measures taken to cater for their needs. Given this and as the site is not ideal for disabled students given the gradient of Bailey Street it is concluded that the proposal for disabled rooms is acceptable.

The building will be provided with a level entrance from Bailey Street and there will be access via lifts to all floors and the amenity space. One off-street disabled parking space is proposed.

Sustainability

The National Planning Policy Framework (NPPF) advises that sustainable development has economic, social and environmental dimensions.

The development will generate economic activity during the construction and operational stages of the development on a site that is only half used. Whilst the development will only generate 1 full time job on site there will be employment generated during the 12 month construction period. The provision of additional

student accommodation will help to support the growth of the Universities which is an important economic driver for the city. The applicant has advised that the existing business intends to relocate within the city.

In social terms the site is mid-way between the two universities and well located for students to access all the services they require. Student accommodation helps to support a vibrant city centre. Whilst there are concerns about anti-social behaviour issues these are largely down to the management of the accommodation and there is no reason to assume that it will be poorly managed. The proposal does not fully comply with the mixed communities Policy CS41. However in this case a wider range of unit sizes would be unlikely to deliver a significantly different mixed population and therefore the harm is considered to be minor.

In terms of the environmental dimension, the site is sustainably located with significant potential to reduced travel by private car. Whilst the overall quantum of development proposed for this site is high it is considered that the amended design satisfactorily mitigates the overall massing and the Bailey Street elevation will have a positive impact on the street scene. As the site is currently all hard surfaced the green roof and planting within the courtyards will improve the biodiversity of the site.

Core Strategy Policies CS 64 and CS 65 seek to secure sustainable design by requiring development over 500m² to meet the BREEAM Very Good design standard and for 10% of the development's predicted energy needs to be obtained by renewable or low carbon energy or an alternative upgrading of the building fabric to offset an equivalent amount of energy. These elements are being secured by condition.

Noise

The applicant has submitted a noise assessment which includes a noise survey which measured noise levels during the day and night-time periods. It proposes insulation treatment to windows, together with separate ventilation. Following an objection that the noise survey had not been undertaken for a long enough period to pick up the variation in industrial noise from Flame Hardeners who back on to the site, further noise monitoring was undertaken. Noise was monitored both inside and outside the Flame Hardeners with the noisiest processes operating. These processes only operate during the daytime. The Environmental Health Officer has considered the additional noise monitoring and is satisfied that the fabric of the proposed building can be satisfactorily insulated to create a suitable internal noise climate for residents with windows closed. This should minimise the risk of conflicts between the residents and the industrial operation which would have the potential to put pressure on the businesses viability. Conditions are proposed to ensure that appropriate noise insulation is installed and that the internal noise levels are validated following installation.

Landscaping

The southern courtyard space will be sunny during much of the day during summer whilst the northern courtyard will be more shady and receive sunlight mainly in the

afternoons during summer. The detailed landscape design including the green roof design will be secured by condition.

Ground Conditions

A phase one land contamination report has been submitted which identifies that further ground investigations will be required. The Environmental Protection Service has recommended a series of conditions which will ensure that further ground investigations are carried out and any contamination is mitigated to an appropriate standard.

Affordable Housing

There is no requirement for affordable housing in this part of the City Centre

Community Infrastructure

The application site lies within the City Centre Community Infrastructure Levy (CIL) area where the CIL charge is £30 per square metre for student accommodation.

RESPONSE TO REPRESENTATIONS

Whilst there may be some small increase in litter and waste there is no clear evidence that this would occur and there are other enforcement powers for controlling litter. It is considered that this is not such a significant concern that it would justify opposing the redevelopment of the site for student accommodation, given that it would be a managed block.

The concern about loss of light to working areas emanates from an engineering business to the north side of the site which has roof lights in the south east facing roof slope. The frontage building is set back 2m from this boundary and rear wing is set back 12m. Whilst there will clearly be some impact on sunlight and daylight it is considered that this does not form sufficient basis for resisting the application given the use and as the business will already need to operate with artificial light at certain times the year.

Rights to light are covered by the Right to Light Act and it is not appropriate for the local planning authority to get involved with issues covered by other legislation.

SUMMARY AND RECOMMENDATION

The proposal is considered to be acceptable in policy terms and whilst it does not fully comply with the mixed communities policy, amending the mix of unit sizes would not result in a more mixed community given that the whole development would still remain a purpose built student scheme. Whilst the quantum of development proposed is quite large the design is considered to satisfactorily mitigate the impact of the mass of the scheme and integrate it acceptably with its surroundings. The elevational treatment and materials are appropriate for the context and it will contribute positively to the street scene and vitality of the area. It will deliver student accommodation in a sustainable city centre location and help to support the

university economy which is important to the city. The noise impact of adjacent industrial development can be satisfactorily mitigated by a noise insulation scheme.

The scheme will have a negative impact on the outlook, privacy and sunlight of the existing residential apartments on the opposite side of Bailey Street. This needs to be balanced against the wider sustainability benefits of high density city living as referred to above. It is also material that the Bailey Street frontage is of a similar scale to Mandale House opposite and is positioned to reinforce the existing street pattern which has townscape benefits. It is also considered that in city centre locations residents cannot expect suburban standards of amenity. As the scale of the proposed development is acceptable in townscape terms it is concluded that, when judged in the round these negative impacts are outweighed by the overall benefits of the scheme and the harm is not so great as to justify resisting the proposal on this basis. It is therefore recommended that planning permission be granted subject to the listed conditions.

