
Case Number	17/04388/FUL (Formerly PP-06474815)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of a four-storey building comprising 27no apartments (Use Class C3) and 3no retail units (Use Class A1) with ancillary parking
Location	Sheffield Dragons College Of Martial Arts 36 - 38 Market Square Sheffield S13 7JX
Date Received	20/10/2017
Team	City Centre and East
Applicant/Agent	Crowley Associates
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:

017-001 001 - Location Plan
017-001 004 Rev D - Floor Plans
017-001 005 Rev D - Proposed Elevations
017-001 006 Rev C - Proposed context elevations

Reason: In order to define the permission.

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

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

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

4. No development shall be begun until full details of measures to protect the existing tree to the North West corner of the site during development have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include remedial works to the canopy, a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified tree adjacent to the site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

5. 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.

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

6. 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.

7. 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: ADT 2615/ENIA, dated: 26/09/17, prepared by: Acoustic Design Technology).

- 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.

8. 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.

9. 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.

10. 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.

11. 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 designated 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.

12. 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.

13. The building shall not be used unless the car parking accommodation for 8 cars as shown on the approved plans has been provided in accordance with those plans. The parking shall be allocated for the use of the residential occupiers and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: In the interests of traffic safety, the amenities of adjoining occupiers and to ensure the adjacent public car park is maintained for visitors to the local shopping centre.

14. 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.

15. 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.

16. Prior to the works being implemented details of the balustrade on the front elevation shall be submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be implemented before the flats are brought into use.

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

Other Compliance Conditions

17. Dropped kerbs shall be provided to allow easy access to the car parking spaces prior to the flats being occupied.

Reason: In the interests of traffic and pedestrian safety.

18. The shop fronts shall be installed in accordance with the approved drawings prior to the flats being occupied and the depth of reveals to the openings shall be implemented in accordance with the details shown on the coloured 3D extract.

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

19. The building shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

20. The development shall be carried out in accordance with the details shown on the submitted Drainage Strategy Report prepared by G 30 Consulting (Report dated August 2017).

Reason: In the interest of satisfactory and sustainable drainage.

21. Commercial deliveries to and collections from the building shall be carried out only between the hours of 08:00 and 20:00 on Mondays to Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interests of the amenities of the residential occupiers of the upper floors

22. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 0800 to 2000 Mondays to Saturdays and between the hours of 1000 to 1600 on Sundays and Public Holidays.

Reason: In the interests of the amenities of the residential occupiers of the upper floors

23. The ground floor shall be faced in natural stone.

Reason: In order to ensure an appropriate quality of design

Attention is Drawn to the Following Directives:

1. 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.

2. 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

3. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
4. The applicant is advised that they will need to seek the approval of the appropriate landowner in order to ensure that dropped kerbs are provided to serve the proposed car parking bays.
5. 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

6. 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.
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.

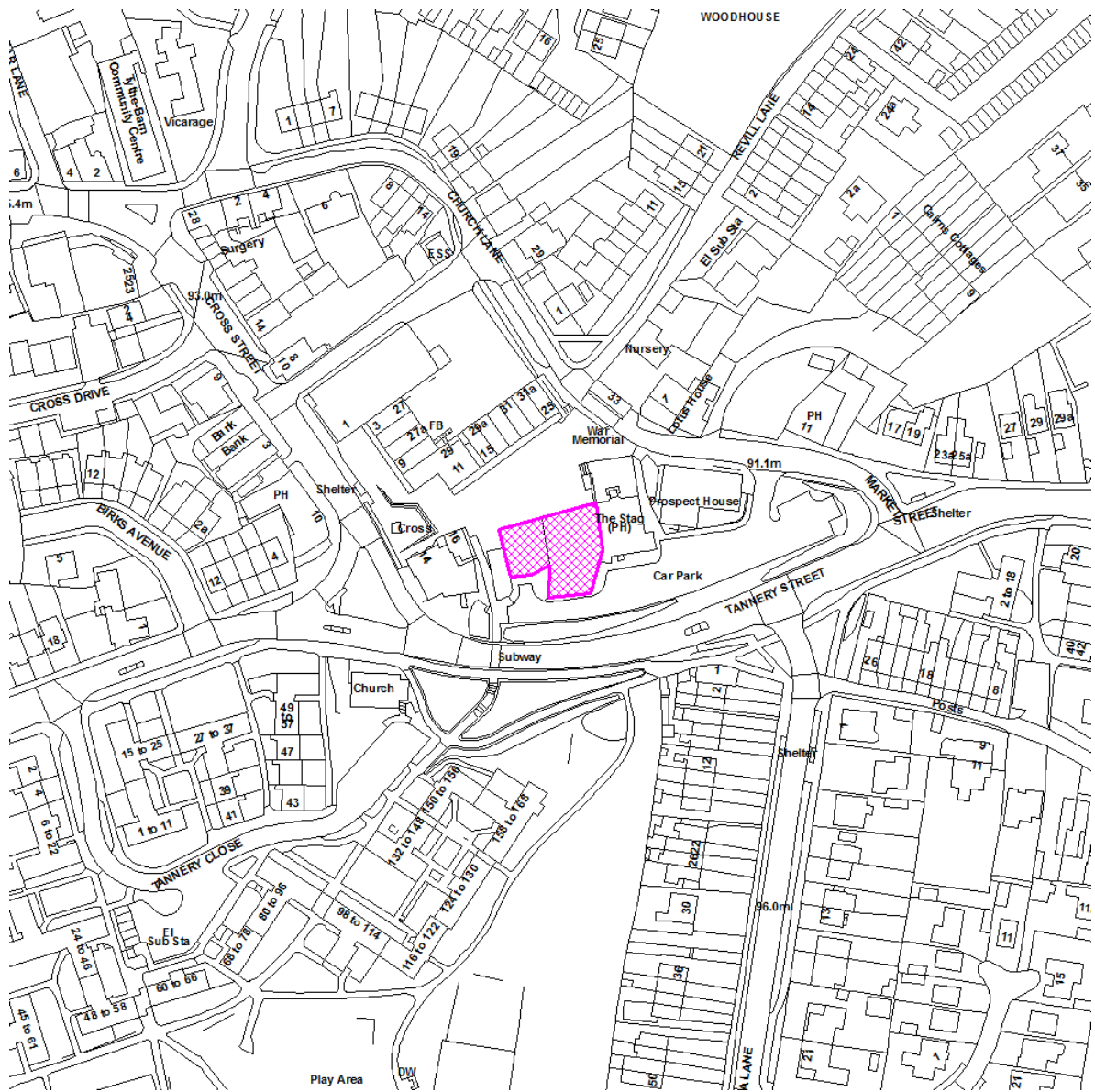
8. The applicant is advised that Sheffield City Council, as Highway Authority, require that drives/vehicular access points be designed to prevent loose gravel or chippings from being carried onto the footway or carriageway, and that they drain away from the footway or carriageway, to prevent damage or injury.
9. 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.

10. The applicant is advised that if security shutters are required these should be designed to be either internal or integrated behind the signage panel such that the shutter box is not exposed. They should also be colour coated and open grill like shutters in the interests of the visual amenities of the locality.
11. The applicant is advised that the entrance doors to the shops will need to have an effective minimum clear width of 1m, manifestation will also be required to glazed areas.
12. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
13. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

Site Location



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LOCATION AND PROPOSAL

The application site is located on the south side of the Market Square in Woodhouse shopping centre and comprises of a vacant single storey former shop unit and small attached private surface car park. The building appears to have last been used as a martial arts academy. The site adjoins the stone faced Stag Public House on the east side; is close to a shop and the former Cross Daggers public house (listed grade II) on the west side; and a 1960s shopping precinct on the north side.

The application is seeking permission for a four storey block with shops, storage, bin storage, cycle and vehicle parking on the ground floor. Above this there will be 27 apartments consisting of 3 x two bed units, 21 x one bed units and 3 x studio units. 8 car parking spaces are proposed and 10 cycle parking spaces. The shop units are accessed from the Market Square whilst the apartments are accessed from the rear. Vehicle access to the car park is from Market Street via a council car park to the rear of the job centre.

The design is contemporary comprising of a ground floor faced in natural stone incorporating 5 shop fronts to the Market Square elevation. Above are two floors faced in buff brick with regular window openings and a top floor faced in zinc cladding which is set back a nominal 200mm from the floors below. The design has been amended from a pitched roof with dormer roof windows to a flat roof reducing the overall height by just over 3m.

SUMMARY OF REPRESENTATIONS

Councillor Rooney has objected to the application on the grounds that the scale of the building is out of keeping with the rest of Market Square. He also considers the new flats will intrude on the existing flats in Market Square and the new residents will add pressure on the pressed dentist, doctors and school catchment. He also considers that inadequate parking is being provided and that there is already an over-supply of shops in the locality.

A petition signed by 123 people objecting to the proposal has been submitted. The grounds of objection are as follows:

- The building is out of scale with the surroundings
- New residents would put pressure on local services (e.g. schools and doctors)
- Visitors to the flats would occupy parking needed for shoppers
- The new shops would take business from existing traders and attract anti-social behaviour which is a major issue.

Woodhouse and District Community Forum have objected on the following grounds:

- The lack of parking for the flats will hamper the village traffic situation

- Concern that the shops would not find occupiers as existing units in the square have struggled. The additional shops will increase pressures on the profitability of existing shops.
- The building is out of character with the village square and its listed buildings.
- The local dentists/doctors and schools will not be able to cope with the additional demand.
- The plans are misleading in terms of the impression of space they give within the square.

Four individual objections have been received. The main concerns are as follows:

- Potential for noise complaints from residents resulting in increased restrictions on the Stag pub which could affect its viability.
- The lack of parking for residents of the scheme and the already congested car parks that serve the centre would exacerbate congestion and could affect the deliveries to the pub.
- Reduced visibility of the pub and its signage.
- There is no agreement to build off the gable wall of the Stag Public House.
- The development will overlook the apartments opposite invading their privacy.
- The 4 storey development is out of character with the surroundings
- The introduction of residential uses into the Market Square is not in keeping with its historic and traditional values and will cause problems and inconvenience for existing uses for example due to the demand for parking.
- It is not realistic to expect residents not to have cars; occupiers of existing residential properties close to this site have cars. Although Woodhouse is well served by bus services this does not apply to everywhere. The existing public car park adjoining the site is well used particularly in the evenings when it is filled with the customers of the existing pubs in the centre. The increased demand for the public car park will impact on the availability of shopper parking.
- Removing one floor would dramatically reduce the demand for water supply and drainage services.

PLANNING ASSESSMENT

Policy

The National Planning Policy Framework (NPPF) says that there is a presumption in favour of sustainable development and for decision making this means approving development which accords with the development without delay. It says that significant weight should be placed on the need to support sustainable growth. Planning authorities should also pursue policies to support the vitality and viability of town centres.

Another key objective of the NPPF is to significantly boost the supply of housing. Local planning authorities are required to identify a 5 year supply of housing and relevant policies for the supply of housing are not considered up to date if a 5 year supply of housing cannot be demonstrated. Sheffield has a 6.5 year supply of

housing based on the Core Strategy Targets. However the Government objectively assessed figure for housing published in Nov 2017 has to be used for assessing the 5 year supply of housing from 31st March 2018 which means the Council has only a 4.5 year supply. Therefore it is appropriate to make the decision on this application in the context that the Council does not have a five year supply of housing. The Council's Housing Strategy section has advised that the development is a reasonable fit with the new housing requirements for the South East Housing Market Area where there is a shortfall of smaller homes and there is a demand from newly forming households and also from downsizers.

The application site lies within Woodhouse District Shopping Centre as defined on the Unitary Development Plan (UDP) Proposals Map. Shopping is the preferred use with housing listed as an acceptable use (Policy S7). The commentary to the policy says that residents can help to make shopping centres more lively and attractive places. This policy is supportive of the proposal.

Core Strategy (CS) Policy CS 23 seeks to promote housing where it would support urban regeneration and make efficient use of land and infrastructure. This application meets the objective of this policy.

Policy CS 24 seeks to maximise the use of previously developed land for housing. This proposal is in accordance with this policy.

Policy CS 26 requires housing to make efficient use of land by promoting development near to a District Centre with a density range of 50 to 80 dwellings per hectare subject to the development being in character with the area. Density outside of the range will be allowed where it achieves good design, reflects the character of the area or protects a sensitive area. The density of the proposal is 437 dwellings per hectare which is very high. However, given that it is concluded that the massing, design and parking arrangements are acceptable the impact on character is considered to be acceptable.

Policy CS34 says that District Centres will be encouraged in fulfilling their role of providing for everyday needs with a range of retail, leisure and community facilities, appropriate in scale and function to the role of the centre. The retail space comprises of approximately 325m² floor space. The retail element of the scheme is considered to be appropriate in terms of its scale and function to the role of the centre.

The development plan policies strongly support the principle of the development as it generally accords with the development plan. It will deliver economic development and both the housing and shopping uses will support the vitality and viability of the District Shopping Centre. It will help to meet the shortfall in the Council's 5 year supply of housing and will deliver housing in a sustainable location helping to maximise the use of sustainable methods of travel.

Scale, Massing and Design and impact on the setting of the Listed Buildings

UDP Policy S10 is concerned with development in shopping areas. It states that new development will be permitted provided that it is well designed and of a scale and nature appropriate to the site.

Policy S11 is concerned with the design of retail development. It seeks to provide inclusive access and have shop fronts which are in keeping with the building in which they are contained and the street as a whole.

Policy BE5 says that good design and the use of good quality materials will be expected in all new and refurbished buildings and extensions. Original architecture will be encouraged but new buildings should complement the scale, form and architectural style of the surrounding buildings.

Policy BE11 is concerned with development affecting public spaces. It says that public spaces will be protected and enhanced where they make an important contribution to the character or appearance of the area or provide for people to walk or relax.

Policy BE19 is concerned with development that affects listed buildings. It says that proposals that affect the setting of a listed building will be expected to preserve the character and appearance of the building and its setting. This policy reflects the guidance on protecting heritage assets contained within the National Planning Policy Framework.

Core Strategy Policy CS74 sets out design principles for development which include expecting development to enhance the distinctive townscape of the city's districts with their associated scale, layout and built form, building styles and materials. Development is also expected to enhance the distinctive heritage of the city including the historic village centres. Development should contribute to place making and help to transform the character of physical environments that have become run down.

Market Square is defined on its northern edge by a two storey flat roofed 1960s shopping and residential complex which has a large footprint. It has a horizontal design emphasis that is not very sympathetic to the character of the area and contains a number of vacant shops. The eastern side of the square is formed by attractive 2 and 3 storey stone faced domestic style properties dating from the 18th and 19th centuries. The south side of the square is occupied by the application site which sits between the Stag Public house and the former Cross Daggars Public House. The site is occupied by a single storey flat roofed former shop unit and a landscaping bed with car park to the rear. The existing building is of no particular merit. The Stag PH has an attractive imposing two storey stone faced elevation facing on to the square with a 1.5m high raised terrace beer garden to the front. The two storey former Cross Daggars public house is listed grade II and dates from the 17th century. There is an attached two storey rendered shop which is not listed. The west side of the square is open to Cross Street but is occupied by a raised paved area containing the grade II listed village stocks and market cross.

The Market Square has a run-down appearance and the environment feels hostile due to the number of vacant units, the lack of pedestrian activity in the Square and the low quality public realm.

The proposed new building has been designed with a largely rectangular foot print approximately 31m long by 15m deep. The building is to be faced in natural stone and brickwork with a zinc clad upper floor and dark coloured window frames. The fenestration has been designed so that the windows are regularly ordered. The shop fronts and residential windows are grouped so that they align vertically. The upper floors on the Market Square frontage are set back by approximately 2m at the east end of the frontage and the ground floor is approximately 1.7m below the raised patio to the front of the Stag public house.

At the rear, the ground floor is partially below ground level due to the sloping topography. The pedestrian entrance to the flats is located at the rear with a porch at ground floor level.

The 3D views show the eaves line of the new building to be approximately 900mm above the eaves of the adjacent Stag and the top of the building to be approximately 150mm above the ridge of the Stag PH. The eaves of the original pitched roof scheme were one storey higher than the eaves line of the Stag public house and the ridge line was approximately half a storey above that of the Stag.

The applicant has put forward a case that the character of this part of Woodhouse has been significantly degraded by redevelopment and road improvements associated with the shopping complex undertaken in the 1960s. They consider that the setting of the former Cross Daggers public house and market cross is most coherent when viewed from the north. They argue that their setting is defined by the listed buildings and the attached unlisted shop and it is not necessary to consider the wider setting.

Scale and Massing

Whilst the footprint of the new building is larger than many in Woodhouse Centre it is noticeably smaller than that of the 1960s shopping precinct which forms the north side of the square and similar to that of the job centre located at the east end of the square. However when viewed in the context of the Stag public house and the smaller scale domestic buildings to the west, the massing of the elongated form of the block does not appear entirely comfortable with the narrower width of the adjacent plots.

At four storeys high it is taller than the vast majority of buildings within the centre which are predominantly 2-3storeys high. However it is of a similar height to the adjacent Stag Public House which it most closely adjoins. The new block will clearly be more substantial and dominant than the Stag PH. However the 3D views submitted as part of the application show that the scale of the new building is not so different that it would appear out of character with the area and justify refusing planning permission. The scale of the Market Square public space and the fact the building is set down slightly relative to the Stag allows scope for an increase in height.

Design

The new building follows the same building line as the existing shop. This, along with the increased scale of the building will help to provide a strong built edge and enclosure to the southern side of the square. The shops will provide an active frontage which is currently lacking on this side of square. The increased activity associated with the shops and the residential use along with the windows overlooking the square and the service road at the rear will significantly improve natural surveillance and this is likely to have public safety benefits.

Given the mixture of contemporary and traditional building designs adjoining the square it is considered that the contemporary approach proposed is acceptable in principle. The flat roof design helps to lower the height of the building and mitigate the impact of the massing of the block which was considered to be more problematic with the previous pitched roof and dormer design.

The buildings in Woodhouse Centre are mainly faced in stone or brickwork and have pitched slate or tiled roofs. Therefore the stone and brick facing materials are in keeping with this whilst there is considered to be scope for the more contemporary zinc clad upper floor. The natural stone plinth will lift the quality of the scheme and the reasonably generous ordered windows, reducing in size with height, will result in a reasonably pleasing building. The modest window reveals will provide some depth and modelling to the elevation.

The design of the building is considered to be acceptable and it will form a reasonable quality background building. It will remove an unattractive building and enclose the south side of the square. It will also introduce uses that will contribute positively to the vitality and viability of the District shopping centre. It is therefore concluded that the proposal will enhance the visual amenity of the shopping centre.

Impact on listed buildings

The former Cross Daggers public house is located approximately 10m to the west of the site with an intervening landscaped bed, footpath and unlisted shop. The north and to a lesser extent the west elevation of the listed building exhibit the strongest character; the relationship of the north elevation to the listed market cross being most important. Due to the physical separation between the building and the listed structures and the intervening unlisted shop it is considered that new building will not have a significant harmful impact on the key elements of the setting of the listed buildings. The development is therefore considered to comply with the National Planning Policy Framework and UDP policies which seek to protect listed buildings.

Amenity Issues

Policy S10 says that new development will be permitted provided it does not cause residents to suffer from unacceptable living conditions, including air pollution, noise, other nuisance or risk to health or safety.

The proposed apartments will all have a satisfactory outlook, either over the market square or towards Tannery Street. The scheme will not create any significant privacy issues as the residential accommodation is at first floor level and there is approximately 20m separation to the flats above the shopping centre on the opposite side of the square.

None of the apartments have any private amenity space. However this site, which is quite narrow and sits between the Market Square and a service road, does not lend itself to provision of private or shared amenity space. Given this and the public realm of the Market Square and the existing open space to south of Tannery Street this is not considered to be sufficient basis for resisting the proposal.

The application site directly adjoins the Stag public house and there are late night food and drink uses to the east of the site such as the restaurant that occupies the former Cross Daggers Public House.

The applicant has submitted a noise assessment which includes data from a noise survey undertaken during the day and late evening to record general traffic noise and noise from the Stag public house. The noise assessment puts forward general proposals for noise attenuation in order to achieve a satisfactory noise climate for future residents.

The licensee and owner of the Stag public house has advised that the patio area adjoining the Market Square has proved popular during warm weather and the main draws for the pub are live music and the juke box, They have also pointed out that deliveries need to take place before 9am due to local traffic and parking issues . They consider that experience has shown that residential buildings in close proximity to pubs inevitably results in complaints to Environmental Health and any increased restrictions on the pub would affect its viability.

A noise assessment and scheme of sound insulation measures designed to meet the Council's noise standards has been submitted. The Environmental Protection Officer (EPO) has assessed the noise impact assessment and considered the objections to the proposal on noise grounds. The EPO has advised that the noise assessment is satisfactory. He is confident that the recommended noise attenuation scheme and conditions proposed will provide sufficient insulation from noise impacts. There are existing residential properties close to the Stag public house and there does not appear to have been a problem with noise as the Environmental Protection Service has not received complaints in respect of noise.

Access Issues

One of the Core Planning Principles in the NPPF is to actively manage growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable. Car parking standards should take into account the accessibility of the development, the mix of uses, the availability of public transport, local car ownership levels and the need to reduce the use of high-emission vehicles.

UDP Policy S11 is concerned with the design of retail development and says it will be required to provide for safe and easy pedestrian movement, car and cycle parking for people who live or work in the development .

The application site is sustainably located as there are shops, food and drink outlets and a library and medical centre close to the site. There are bus stops within 75m of the site on Cross Street and 200m on Tannery/Market Street which are served by high frequency bus services.

The vehicular access to the proposed development is through the existing public car park to east of the site which can accommodate approximately 40 cars and is accessed from Market Street. There is an existing private car park for approximately 5 cars which occupies the western part of the site. The applicant considers that the route from Market Street through the public car park and along the service road to the rear of the site to be a public highway. It is not recorded as an adopted or unadopted highway on the Council's highway records. However a public highway is land over which the public has a right of way and can include a car park. The Council has no information either way as to whether there is a public right of way through the car park and rear service road to the site. If it is not a public highway the applicant will need to be certain that they have private rights to access the site in order to implement a development which has parking on the site and relies on access through third party land.

The application proposes 8 car parking spaces, two of which are within the building and 6 adjacent to the service road. These are to be for the use of the residential occupiers. There are also 10 cycle parking spaces within the basement. No parking will be available for the commercial element of the scheme.

The applicant suggests that given the location of the site and its accessibility by public transport, the majority of residents will travel by non-car modes. It is argued that residents will be aware that there is no parking on site and therefore the number of car owning occupiers will be minimal. It is stated that the commercial units will generate negligible new vehicle trips due to the location and accessibility of the site by public transport. The new trips generated are likely to be pass-by or diverted trips. It is pointed out that the authorised gym/martial arts use will have generated number of trips and these should be taken into account.

The Council's parking guidelines indicate that a maximum of one space could be provided per 1 bedroom dwelling and 2 spaces for 2-3 bedroom dwellings along with 1 space per 4 units for visitor parking. For food and non-food retailing the guidelines are 1space per 20m² and 35m² respectively. This would suggest a maximum of 37 spaces could be provided for the residential element and between 22 and 13 for the commercial element.

It is considered that the Council's parking guidelines would result in an excessive level of provision given the nature and location of this development. A bespoke parking figure has been calculated by the highway officer on the following basis. The 2011 census shows car ownership in the Woodhouse area is 0.97 cars per dwelling. The scheme has fewer bedrooms than the average for Sheffield of 2.7 bedrooms per dwelling. Therefore an average car parking figure per bedroom has

been produced, that is 0.97 divided by 2.7. This results in 0.36 parking spaces per bedroom. The scheme has 30 bedrooms and so $30 \times 0.36 = 11$ car parking spaces. Due to the site's location within Woodhouse Centre and its accessibility by public transport and proximity to shops and services it is considered to be reasonable to allow a reduction of 3 spaces. Therefore the minimum parking requirement is considered to be 8 spaces. The applicant has designed the scheme to provide this number of spaces and therefore the parking provision is considered to be acceptable. It is considered that visitor shoppers parking can be accommodated in the public car park. Servicing could take place either from the public highway or possibly from the service road to the rear of the site if the applicant has access rights over this area.

The access to the car parking via the public car park and service road is considered to be satisfactory provided the route to the site is either public highway or the applicant has private rights across the land to access the car parking.

The shops and residential entrance is level and a lift serves the first floor. One disabled parking space is proposed. As this is a new development the building regulations will ensure that the entrances are designed to the suitable for disabled access.

Sustainability

The NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

Economic role – The development will contribute to economic development in that it will regenerate an underused site supporting the vitality of the existing District Shopping Centre.

Social role – It will provide shopping facilities in a location which is easily accessible by all the community and help to meet the supply of housing by providing smaller units of which there is a shortfall in the area. However it will not deliver affordable housing as this has been shown to not be viable on this site. It should help to enhance security within the Market Square by providing increased natural surveillance and generating activity outside of the working day.

Environmental role – The impact on the setting of the listed buildings, the scale and quality of development is all considered to be acceptable. The scheme will develop a brownfield site that is resilient to climate change as it is not likely to flood. Its sustainable location means that it will help to reduce the need to travel. The applicant has confirmed that the development will meet 10% of its energy needs from renewable energy generated on site by the use of photo voltaic panels, a biomass boiler or by improving the building fabric. It will therefore comply with Core Strategy policy CS65. As set out in the design section above the scheme will enhance the appearance of this prominent site which is currently detracting from the centre of Woodhouse.

It is concluded that overall the scheme represents sustainable development.

Affordable Housing

Policy CS40 says that all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and financially viable. The site lies within the South East Affordable Housing Market Area where 10% of the residential floor space should be affordable housing where viable.

The applicant has submitted a viability appraisal which concludes that the scheme is only just viable without an affordable housing contribution. The District Valuation Office has reviewed the assessment and concluded that, with a reasonable level of development profit and the full affordable housing contribution, the scheme will produce a substantial loss. Where the affordable housing contribution is reduced to zero the scheme still remains unviable and only when the developer's profit is reduced significantly below the market levels does the scheme become viable. Therefore it is concluded that an affordable housing contribution is not viable in this instance.

Community Infrastructure Levy

The site lies within Community Infrastructure Levy (CIL) charging zone 3 where there is a CIL charge for housing of £30 per square metre.

RESPONSE TO REPRESENTATIONS

It is considered that the key issues raised have been addressed in the report. The site is within and established District Shopping Centre such that there is no policy basis for resisting the retail uses on the ground floor. Indeed these new units may well breathe much needed additional vitality into the centre and help to arrest its decline.

SUMMARY AND RECOMMENDATION

The proposal is supported by planning policy in that it will deliver retail and housing uses in a highly sustainable location and will contribute positively to the vitality and viability of the local centre. There are some reservations about the massing of the scheme, however the design is considered to be acceptable and it will remove an unattractive building and provide enclosure to the Market Square. It should also help to enhance the public safety of the Market Square. For the reasons described in the report it will not have a harmful impact on the setting of the listed buildings and the access and parking arrangements are considered to be acceptable given the highly accessible location. The noise conditions should ensure a satisfactory noise climate for residents and minimise the risk of conflicts with the adjacent late night uses. The viability appraisal shows there is no scope for an affordable housing contribution or securing enhancements to the square or a public art contribution.

Given the overwhelming benefits of the scheme it is recommended that planning permission be granted subject to the listed conditions.

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