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Case Number	18/03177/FUL (Formerly PP-07218947)
Application Type	Full Planning Application
Proposal	Demolition of industrial, office and student accommodation buildings, erection of a 4-11 storey building comprising 222No apartments (Use Class C3) and 2no commercial units at ground floor (Use Class B1) including basement car park and communal amenity space
Location	Nambury Engineering Ltd 56 Penistone Road Owlerton Sheffield S6 3AE
Date Received	17/08/2018
Team	City Centre and East
Applicant/Agent	AAD Architects 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:

018001 -AAD-02-00-DR-A-0021 -002 - Location and Block Plan  
018001 -AAD-02-B1 -DR-A-0022-002 - Basement  
018001 -AAD-02-GF-DR-A-0023-002 - Ground Floor  
018001 -AAD-02-UG-DR-A-0024-002 - Upper Ground Floor  
018001 -AAD-02-01 -DR-A-0025-002 - First Floor  
018001 -AAD-02-02-DR-A-0026-002 - Second Floor  
018001 -AAD-02-03-DR-A-0027-002 - Third Floor  
018001 -AAD-02-04-DR-A-0028-002 - Fourth Floor

018001 -AAD-02-05-DR-A-0029-002 - Fifth Floor  
018001 -AAD-02-06-DR-A-0030-002 - Sixth Floor  
018001 -AAD-02-07-DR-A-0031 -002 - Seventh Floor  
018001 -AAD-02-08-DR-A-0032-002 - Eighth Floor  
018001 -AAD-02-08-DR-A-0033-002 - Ninth Floor  
018001 -AAD-02-09-DR-A-0034-002 - Tenth Floor  
018001 -AAD-02-10-DR-A-0035-002 - Roof Plan  
018001 -AAD-02-ZZ-DR-A-0036-002 - South West Elevation  
018001 -AAD-02-ZZ-DR-A-0037-002 - North West Elevation  
018001 -AAD-02-ZZ-DR-A-0038-002 - North East Elevation  
018001 -AAD-02-ZZ-DR-A-0039-002 - South East Elevation  
018001 -AAD-02-ZZ-DR-A-0040-002 - Internal South East Elevation  
018001 -AAD-02-ZZ-DR-A-0041 -002 - Internal North West Elevation  
018001 -AAD-02-ZZ-DR-A-0042-002 - Internal North East Elevation  
018001 -AAD-02-ZZ-DR-A-0043-002 - Street Scene Elevation Penistone Road  
018001 -AAD-02-ZZ-DR-A-0044-002 - Section 01 North East  
018001 -AAD-02-ZZ-DR-A-0045-002 - Section 02 South West  
018001 -AAD-02-ZZ-DR-A-0046-002 - Section 03 South East  
018001 -AAD-02-ZZ-DR-A-0047-002 - Section 04 North West  
018001 -AAD-02-ZZ-DR-A-0048-002 - Section 05 Dixon Street  
018001 -AAD-02-ZZ-DR-A-0049-002 - Section 06 Facing Globe Works  
018001 -AAD-01-ZZ-DR-A-0050-002 -Section 07  
018001 -AAD-01-ZZ-DR-A-0051-002 - Section 08  
018001 -AAD-01-ZZ-DR-A-0052-002 - Section 09  
018001 -AAD-01 -ZZ-DR-A-0053-002 - Section 10

Flood Risk Assessment (FRA) compiled by RAB Consultants (RAB: 1984\_D Version 1.0) dated 17th August 2018

Blue Tree Acoustics 'Noise Assessment Report'; ref: 02752-870100 (31/07/2018).

2nd issue Phase I Geo-Environmental Site Investigation Report (Eastwood & Partners ref. 42857-001(I2); 22/10/2018)

Reason: In order to define the permission

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

3. Intrusive investigations as recommended in the approved 2nd issue Phase I Geo-Environmental Site Investigation Report (Eastwood & Partners ref. 42857-001(I2); 22/10/2018) 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

4. The main contractor appointed to undertake the development hereby permitted (and any subsequently appointed main contractor) shall, in liaison with the Local Planning Authority and SCC Environmental Protection Service, undertake the preparation and development of a Construction Environmental Management Plan (CEMP) to assist in ensuring that demolition and construction activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses. The CEMP will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual effects from demolition and construction phase noise and vibration that cannot be managed to comply with acceptable levels at source. The CEMP shall be submitted to and approved in writing by the Local planning Authority before any demolition or construction works commence.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property it is essential that this condition is complied with before the development is commenced.

5. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
  - The programme and method of site investigation and recording.
  - The requirement to seek preservation in situ of identified features of importance.
  - The programme for post-investigation assessment.
  - The provision to be made for analysis and reporting.
  - The provision to be made for publication and dissemination of the results.
  - The provision to be made for deposition of the archive created.
  - Nomination of a competent person/persons or organisation to undertake the works.
  - The timetable for completion of all site investigation and postinvestigation works.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

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

7. 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.

8. 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.

9. 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.

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

11. No development shall commence until 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.

12. 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.

13. No construction of buildings or other structures shall take place until an Employment and Training Strategy, including an implementation plan has been 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 maximising the economic benefits of the scheme for the local community it is essential that this condition is complied with before any works on site commence

14. Before any works on site commence a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.

Reason: In the interests of traffic safety and the amenities of the locality 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)

15. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle 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:

- Review/promotion of Traffic Regulation Orders in the vicinity of the development site (waiting/loading restrictions) entailing advertising, making and implementing the Traffic Regulation Order subject to usual procedures (including provision and installation of regulatory traffic signs and road markings).
- Any repositioning of street lighting columns so as not to conflict with windows or door positions.

- Reconstruction of the footways along the site frontages of Penistone Road and Dixon Street in accordance with the Urban Design Compendium.
- Any other accommodation works to traffic signs, road markings, lighting columns, and general street furniture necessary as a consequence of development.

Reason: In the interests of traffic safety and the amenities of the locality, in the interests of the safety of road users, and pedestrian safety.

16. 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

17. The office accommodation shall not be brought into use unless a scheme of sound insulation works has been implemented and is thereafter retained. Such works shall:
- a) Be based on the findings of approved Blue Tree Acoustics 'Noise Assessment Report'; ref: 02752-870100 (31/07/2018).
  - b) Be capable of achieving the following noise level: Noise Rating Curve NR40 (0700 to 2300 hours).
  - c) Include a system of alternative acoustically treated ventilation.
- [Noise Rating Curves should be measured as an LZeq, T 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.

18. 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.

19. 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 Blue Tree Acoustics 'Noise Assessment Report'; ref: 02752-870100 (31/07/2018).
  - b) Be capable of achieving the following noise levels:

Bedrooms: LAeq, (8 hour) - 30dB & Noise Rating Curve NR25 (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq, (16 hour) - 35dB & Noise Rating Curve NR30 (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours) - not typically exceeded.

c) 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, T 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.

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

21. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) compiled by RAB Consultants (RAB: 1984\_D Version 1.0) dated 17th August 2018 and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 51.41m above Ordnance Datum (AOD).
2. Details of the surface water drainage are agreed with the LLFA and Yorkshire Water

The mitigation measures shall be fully implemented prior to occupation.

Reason: In order to mitigate against the risk of flooding



22. Surface water run-off from hardstandings (equal to or greater than 800m<sup>2</sup>) and/or communal car parking areas of more than 49 spaces must pass through an oil, petrol and grit interceptor of adequate design that has been submitted to and approved in writing by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and to protect the public sewer network

23. Notwithstanding the information shown on the approved plans 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.

24. 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.

25. 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 and doors

Windows reveals (to achieve a minimum reveal of 115mm for all external elevations unless otherwise specified)

Balconies including soffits

Juliette balconies

Feature brickwork detail

Fixings for metal clad areas

External services including ventilation and louvres

External lighting

Signage

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

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

26. 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.

27. 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 it is essential for this scheme to be in place before the use commences.

28. The development shall not be used unless the car parking accommodation for 61 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.

29. 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.

30. 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.

31. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

32. Notwithstanding the information on the approved plans, prior to the development being brought into use, full details of bicycle and motorcycle parking accommodation within the site shall be submitted to and approved in writing by the Local Planning Authority. The bicycle and motorcycle parking shall thereafter be provided in accordance with the approved details and retained/maintained for the sole purpose intended.

Reason: In the interests of delivering sustainable forms of transport it is essential for these works to have been carried out before the use commences.

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

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

34. Before any above ground works commence, full details of the proposed servicing arrangements for the commercial units and a refuse collection strategy for the whole development shall have been submitted to and approved in writing by the Local Planning Authority, and thereafter the development shall proceed in accordance with the approved details.

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

35. Notwithstanding the submitted plans, before the vehicular access is constructed, full details shall have been submitted to and approved in writing by the Local Planning Authority (to include materials/specifications, any drainage implication, tactile paving, demarcation of highway boundary, and the location & type of any vehicle barrier control mechanism). The access shall have been constructed in accordance with the approved details prior to occupation of the development.

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

36. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;

2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and 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 the Core Strategy.

37. 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.

#### Other Compliance Conditions

38. All projecting balconies, shall be positioned a minimum of 5.5m above the level of the adjoining highway.

Reason: In the interests of pedestrian safety and to ensure no conflict/impact between balconies and high sided vehicles.

39. No windows or doors shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

40. 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.

41. The commercial units (Class B1) shall only be used between 0730 hours and 2300 hours Monday to Saturday and between 0900 hours and 2200 hours on Sundays and Public Holidays.

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

42. There shall be no building over the 2900mm diameter Don Valley Interceptor Sewer without prior approval from Yorkshire Water and the Local Planning Authority

Reason: In order to allow sufficient access for maintenance and repair works at all time

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. 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;
  - (a) Reference to permitted standard hours of working;
    - 0730 to 1800 Monday to Friday
    - 0800 to 1300 Saturday
    - No working on Sundays or Public Holidays
  - (b) Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
  - (c) A communications strategy for principal sensitive parties close to the site.
  - (d) 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.
  - (e) A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
  - (d) 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.
  - (e) Details of site access & egress for construction traffic and deliveries.
  - (f) 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.admin@sheffield.gov.uk](mailto:eps.admin@sheffield.gov.uk).

3. 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.
4. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
5. 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](mailto:james.burdett@sheffield.gov.uk)

6. 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

7. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

8. 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](mailto: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.

9. 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.

10. 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](mailto:highways@sheffield.gov.uk)

11. 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](mailto: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.

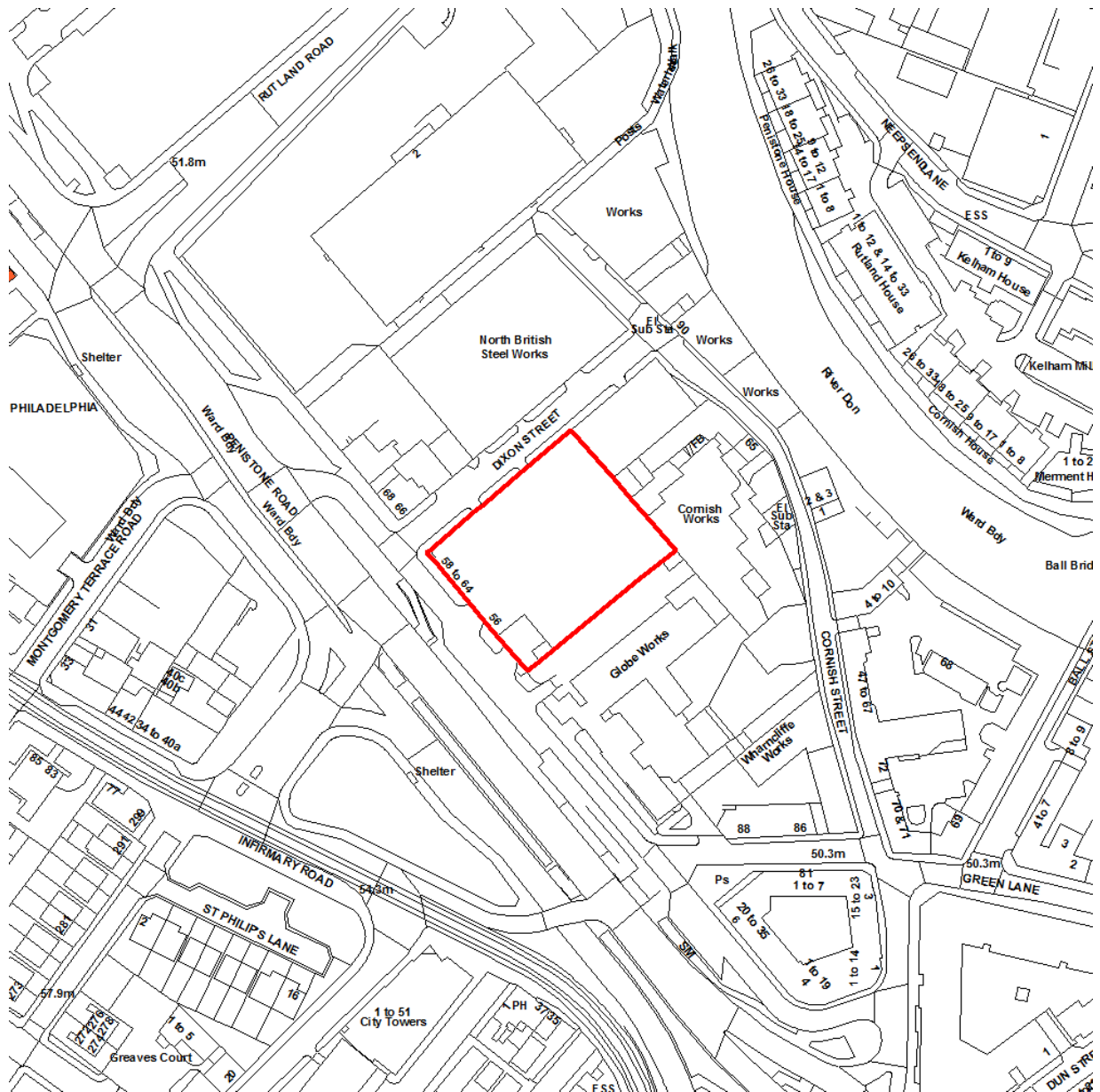
12. The applicant is advised that the balconies on the highway frontages of the development will require a highways over-sailing licence.

Contact Paul Turner on 2736137

Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)



# Site Location



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## LOCATION AND PROPOSAL

The application site comprises the former Nambury Engineering works, a series of brick built connected industrial buildings and Rutland House a three storey flat roofed building in use as student accommodation which are located on the corner of Dixon Street and the old Penistone Road. The site falls wholly within the Kelham Island Conservation Area and abuts the boundaries with Globe Works, a Grade II\* listed building to the south-east and the vacant Cornish Works, a grade II listed building, to the north-east.

Planning approval is sought for the demolition of the existing buildings and for the erection of a 4-11 storey building comprising 222 apartments (109 studios, 82 one bedroom apartments and 31 two bedroomed apartments) and 2 ground floor commercial units (Use Class B1) with associated basement car parking and communal amenity space.

## RELEVANT PLANNING HISTORY

The application site was occupied by Nambury Engineering Ltd for many years and is understood to have been vacant for the last the last 4-5 years.

The student accommodation within Rutland House was approved in 1994 under planning applications 94/0170P and 94/1195P.

18/03285/EIA The council has previously issued a screening opinion confirming that the current development does not require the submission of an Environmental Impact Assessment.

## SUMMARY OF REPRESENTATIONS

The application was advertised by press notice, site notice and by neighbour notification letters.

Forty-seven representations were received, including 35 letters of objection and 10 letters of support. A letter has been received from Councillor Douglas Johnson who supports the concerns raised by many of his constituents.

The 35 objections, which also include a letter from the Kelham Island Community Alliance, raise concerns that:

- The Kelham Island Action Plan refers to the proud history and sets out clear guidance for the protection of the area's rich heritage and the development of residential and business communities. The action plan recommends a maximum height of five stories for new development in the Kelham Island Conservation Area which would ensure that the setting of the historic buildings in the area is maintained.
- As the development sits next to the historic Globe Works, Cornish Place and Wharncliffe Works, the eleven storey tower and featureless apartments will dwarf and belittle the existing buildings and impact on their setting and detract

from the character and appearance of the Conservation Area. There are no other buildings of this height in the area and approval would set a bad precedent for other tall inappropriate buildings within the area. Furthermore tall buildings are notorious for creating unforeseen winds tunnels

- Whilst the design is more interesting than some of the mundane developments in the area, the development does not relate to its unique historic setting. The site is not a gateway into the City - this has previously been established by the nine storey tower at Daisy Springs Works. There is no justification for a further tall gateway building in the area. The development will result in the whole area losing its historic charm which will be detrimental to visitors, local residents and businesses.
- The development is not compliant with Core Strategy Policy CS41 as 83% of the units will be studios or 1 bed units. Kelham is becoming saturated with small apartments which are most suited to students and other temporary residents rather than encouraging long stay residents who will want to make their home into a community and bring up families. Sheffield has more than enough student accommodation and to build more acts against the need for balanced communities. The area needs affordable housing and facilities to support a growing community such as schools and local shops, and not more small one bed boxes.
- This will become the highest density residential building in the neighbourhood and is nearly twice the density of the next dense residential development at Dun Works. Little Kelham is a wonderful community that will be ruined with all the cheap flats and high rise development which is proposed. This is not the city centre and the area cannot cope with this many people who will not add anything to the area. The local area is in need of green and shared communal space rather than new development to encourage the existing community to interact and prevent social exclusion.
- The proposal and its lack of parking will add to the parking problems in the area increasing the problems for local residents and businesses. The car park does not provide enough spaces for the proposed numbers of additional residential units.
- Large vehicles making deliveries to local businesses along Kelham's many narrow streets and emergency services will struggle if more areas are saturated with parked cars. The existing one way system to the front of the building is dangerous.
- The area already suffers from pollution and is starting to feel dirty. Aside from the litter, traffic fumes are bad and dust from building works is getting worse. This development will exacerbate this.

The letters in support make comment that:

- Sheffield should warmly welcome this new quality designed landmark building to its skyline. Kelham is undergoing rapid change and high density

accommodation together with the commerce this generates is what anchors and will go on sustaining city living.

- The development can only enhance this once very run down area of the city. The developers are taking on a derelict building creating good quality living space. The building is sited on the central main road network where taller developments are the norm.
- Local residents would like to see some taller buildings around the outskirts of Kelham.
- The architectural style of the building and height is considered acceptable for this area and will form part of a high density gateway corridor into the City Centre from the north, which is welcomed.
- The development is in line with the City's commitment towards denser housing in a repopulated city centre with Kelham Island singled out as a location for this. More housing on brownfield sites increases the viability of local and city centre facilities and reduces the need to develop on rural and green belt locations
- The site is close to public transport links. If parked cars are causing problems for necessary commercial traffic then the regulation of on-street parking should be improved.
- The development will create many low cost homes that are desperately needed. The scheme matches the exact demographic requirements for the area and will create jobs for local people.

## Historic England

Historic England has confirmed that they have no objection to the principle of redevelopment of the site. Due to the number of designated assets in the vicinity Historic England initially raised concern that the height of the block closest to Globe Works would be harmful to the setting and significance of the Grade II listed building due to the impact on the prominence and high status of the principle elevation. Concern was also raised that the bulk and height of the tower would not accord with the character and appearance of the conservation area and Historic England advised that the plans be amended to reduce the height and impact of the corner block closest to Globe Works, to make the proposed tower more slender and to further articulate the Penistone Road elevation to help reduce the impact on the setting of the listed building and character of the conservation area.

The applicant has taken on board the concerns raised by Historic England and amended the submitted plans to help reduce the impact of the development on both the designated assets and character and appearance of the Conservation Area. Planning Committee will be advised of Historic England's final comments, which have not yet been received, on the amended plans in a supplementary report.

## Conservation Advisory Group

CAG considered the application at their meeting on 16<sup>th</sup> October 2018 and made the following comments (on the originally submitted scheme).

The Group considered that the proposal was not acceptable. The Group felt that the proposal would not preserve or enhance the Conservation area and would erode the setting of a listed building. The Group considered that the proposed tower was too high. The Group felt that the lower building was one storey too high and the proposed materials were too fussy. The Group considered that the proposed Mansard roof was inappropriate.

The Group have not reviewed the revised scheme now under consideration:

## PLANNING ASSESSMENT

The National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure the delivery of sustainable development. The local policies cited in this report are all considered to be in accordance with the relevant paragraphs of the NPPF.

### Land Use issues

The site lies in the Kelham Mixed Use area as defined in the Unitary Development Plan. Policy MU9 advises that business (B1), housing (C3) and Leisure and Recreation uses (D2) are the preferred uses of land within this policy area.

UDP Policy MU11 'Conditions on Development in Mixed Use Areas' states new development or changes of use will be permitted provided that, amongst other things, it would preserve or create variety in the character of the neighbourhood.

This approach is retained in Core Strategy Policy CS17(J) which recognises that the Kelham & Neepsend area, which was formerly dominated by industry, is becoming a focus for riverside housing and jobs.

The Kelham and Neepsend Action Plan which was approved in 2007 as a policy background paper is a material consideration in determining planning applications. The action plan identifies the site area as falling within Kelham Riverside, where residential uses have been accepted but notes that residential schemes should be part of a mixed development to help to maintain a commercial presence in the area. This vision was carried forward by the Draft City Policies and Sites document which identified this location as a Business Area where employment uses should be dominant but where residential uses are also acceptable.

It is acknowledged that the application site, being located in close proximity to the main Penistone Road, is not as suited to residential uses as other parts of the Kelham area but that the overall proposal for a residential use of the site with ground floor commercial units does comply with both UDP and Core Strategy requirements. In this respect the proposal is considered acceptable in principle subject to compliance with other policy requirements.

Core Strategy Policy CS23 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/21 the main focus will be on suitable, sustainably located sites within or adjoining the main urban area of Sheffield.

Core Strategy Policy CS24 seeks to maximise the use of brownfield sites, and states that no more than 12% of dwelling completions between 2004/05 and 2025/26 should be on greenfield sites. The existing industrial buildings on the site are largely vacant, beginning to fall into disrepair and do little to enhance the character and appearance of the area. Rutland House, although in use for student accommodation, is in need of modernisation. This proposal is an opportunity to maximise the use of these brownfield sites to the benefit of the immediate area.

Core Strategy Policy CS41 'Creating Mixed Communities' aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. In line with policy requirements the development proposes a mix of studio (49%), one (37%) and two (14%) bedroomed dwellings with accommodation types mixed so no more than half of the units are of a single house type. The plans which were initially submitted also incorporated three bedroomed units but unfortunately these have subsequently been removed when the overall scale of the proposal was reduced. Although comment has been made by local residents that the development should contain more three bedroomed units it is acknowledged that this multi-rise development, adjacent to a main arterial route, is unlikely to be occupied as family accommodation and that a refusal on this basis would not be justified.

The development is solely for the private rented sector and contains no purpose built student accommodation.

The NPPF stipulates that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Based upon the most current information available, a deliverable supply of housing land over the coming 5 years cannot be demonstrated. The Local Planning Authority has identified a 4.5 years of supply, which is a shortfall of 1,185 dwellings, as detailed in the SHLAA Interim Position Paper 2017. The issue of a shortage in housing land availability is a material consideration which supports the principle of residential development at this site and the proposal would provide a helpful contribution to the local supply of housing land, in a sustainable location.

Core Strategy Policy CS 26 'Efficient Use of Housing Land and Accessibility' requires appropriate housing densities to ensure the efficient use of land. The recommended density for City Centre sites is at least 70 dwellings per hectare. This development's proposed density is 998 dwellings per hectare, which is compliant with this policy.

Overall, in policy terms the application is considered to meet the land use policy requirements of both UDP and Core Strategy.

## Design and Conservation

The NPPF advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities and that planning decisions should seek to promote or reinforce local distinctiveness and not impose architectural styles or particular tastes.

UDP Policy MU11 'Conditions on Development in Mixed Use Areas' states that new development will be permitted provided that, amongst other things, it would be well designed and of a scale and nature appropriate to the site.

UDP Policy BE5 'Building Design and Siting' advises that good design and the use of good quality materials will be expected in all new developments while policy CS74 of the Core Strategy (Design Principles) advises that high-quality development is expected which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

In considering this application your officers' have also considered the statutory duty of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to 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 and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

In respect of conserving and enhancing the historic environment the NPPF advises that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation and that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. The NPPF goes on to say that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance.

UDP Policy BE16 'Development in Conservation Areas' advises that development in conservation areas should preserve or enhance the character or appearance of the area, and that the same principle applies when considering proposals which would affect the setting of a conservation area or significant views into, or out of, the area.

UDP Policy BE19 'Development affecting Listed Buildings' requires that proposals which affect the setting of Listed Buildings will be expected to preserve their setting.

The Kelham Island Action Plan advises that new buildings must respect the scale, height, proportion and materials of the existing historic built form to ensure the retention of the area's distinctive character and that generally, building heights will not exceed the existing maximum of 5 storeys.

The Sheffield Urban Design Compendium, which identifies Kelham as a Character Area also refers to new development not exceeding the existing maximum of 5 storeys but does indicate that taller buildings may be developed along the inner ring

road to reinforce this gateway route but that a transitional height of 2-5 storeys should be retained in the remainder of the area.

The existing buildings do not contribute positively to the character of the conservation area and it is agreed that their replacement with high quality development is not inappropriate. On this basis the demolition of the existing buildings is considered to be acceptable.

The application comprises of a U shaped development with an 11 storey 'bookend' tower, built up to the back edges of Old Penistone Road and Dixon Street and located within close proximity to the side boundary of the application site which is shared with Globe Works. The 11 storey tower located on the corner of Penistone Road and Dixon Street forms the focal point of the development with the remainder of the development being stepped down with a maximum height of 5 storeys along Dixon Street and four storeys adjacent to the boundary with Globe Works. The overall scale and massing of the development has been reduced since first submission in line with advice from both Historic England and your Urban Design officers.

The site's primary frontage is along old Penistone Road which is a lane separated from, and parallel to, the ring road at this point. There are oblique views of Globe Works from the ring road, travelling east, into the city centre. The existing 3-storey building within the site on the corner of old Penistone Road and Dixon Lane is viewed from the residential area to the west of Penistone Road, in particular from St Philip's Road.

The development proposes high density on this site and the key design issue has been the need for the resulting change in scale to acknowledge the character of the conservation area and respond to the sensitive clusters of listed buildings abutting the site. The proposed 'bookend' tower is located towards the periphery of the conservation area, responding to views from the south of the site across from the Ring Road and Infirmary Road and forming a gateway structure into the area. The form and design of the tower achieves verticality of proportion, a defined ground, middle section and a top, created using a limited palette of high quality materials.

The massing of the remainder of the development is kept to 4/ 5 storeys to acknowledge the conservation area context and relationship with the listed Globe Works. The blocks are designed to further break down the scale into a number of elegantly proportioned individual buildings, using a limited palette of distinct yet high quality materials. The elevation that creates a backdrop to Globe Works has been designed to achieve a specific response in terms of residential amenity and appropriate aesthetic appearance for the conservation context. The ground floor commercial units facing onto Old Penistone Road will provide an active frontage to the highway.

The scale and massing of the buildings has been interrogated in the City 3D model where the development can be considered in the wider city context. This shows that the development will sit comfortably within the wider city townscape and within the views along the key streets adjoining the site.



In view of the above it is considered that the development does not compromise the character and appearance of the conservation area and responds well to the adjacent listed buildings. It is considered that the overall design and impact of the development is in keeping with the requirements of the Kelham/Neepsend Action Plan, the Local Plan, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Residential Amenity

UDP Policy MU11 'Conditions on Development in Mixed Use Areas' states that new development should not cause residents to suffer from unacceptable living conditions, including air pollution, noise or other risk to health and safety.

UDP Policy H5 'Flats, bed sitters and shared housing' seeks to ensure that living conditions would be satisfactory for occupants of the accommodation and their immediate neighbours.

#### Noise

The site is located in a mixed residential, commercial and industrial environment in close proximity to Penistone Road where there are high volumes of traffic. The site is affected by both traffic noise and noise from Westpack (a company specialising in packaging materials) who operate from both the adjacent and opposite buildings on Dixon Street. Noise from Westpack includes tonal plant noise, machine noise, HGV movements and unloading and loading from fork lift trucks.

A noise assessment has been submitted in support of the application which confirms that the site is affected by high levels of noise from traffic, commercial and industrial sources. The report identifies that a very high standard of sound insulation will be required for the building, with glazing and ventilation requirements of an exacting specification to ensure a suitable level of amenity for future residents.

The Environmental Health Officer has indicated that the site is far from ideal in acoustic terms but confirms that the assessment report references appropriate standards and criteria. The EHO also confirmed that the noise report includes satisfactory assessment of the prevailing environmental noise levels in the vicinity of the development site and makes reasonable outline recommendations for a scheme of sound insulation works and for the purposes of plant noise limits. These include the incorporation of appropriately specified glazing and ventilation provision. As per the conclusions of the report, it is agreed that with the recommended noise mitigation measures in place, an acceptable internal noise criteria can be achieved in the internal habitable spaces. This will be secured by condition.

A suite of standard conditions are proposed, including a validation requirement, to ensure that the outline recommendations of the assessment report are achieved, prior to the use commencing. Subject to these being achieved, it is considered that the development will achieve a commensurate level of protection from environmental noise for future residents and will protect the interest of the adjoining business.

#### Land Contamination

The applicant has submitted a Phase I Geotechnical and Geo-Environmental report with the application which confirms that the site may be contaminated by its previous use and recommends the carrying out of intrusive site investigation works. The Environmental Health Officer concurs with this recommendation such that conditions requiring the submission of a Phase II Intrusive Site Investigation and a remediation strategy will be added to any subsequent approval.

#### Privacy and outlook

The development has been designed with a U shaped footprint with two rear wings running at right angles to the main Penistone Road frontage. This results in internal windows facing one another over the shared internal amenity area with a separation distance of approx. 15.5m between habitable windows. The outward facing windows to the northern wing face directly onto Dixon Street with approx. 15m separation distance with residential property within Lancer House to the other side of the highway.

Whilst this level of separation falls short of the recognised standard 21m suburban privacy distance it is acknowledged that this site falls within a central location where back edge of footway development is the norm and privacy standards cannot be expected to be as generous as in a more suburban location. In this respect a relaxation of the privacy standard is considered acceptable. The proposed outlook from the residential units in these parts of the development and those directly onto Penistone Road is considered to be acceptable and with all residential units having large clear window openings they will be adequately lit by natural light.

The residential units located on the outward facing four storey southern wing face directly onto the boundary with Globe Works and will partially rely on light over this neighbouring land. The face of the building will be inset a maximum of 3m from the boundary line and 13.7m from the side elevation of an existing three storey brick range which is located to the rear of Globe Works. The residential units will have external balconies which further reduces separation distances.

In order to reduce the potential for overlooking both of Globe Works and to maintain privacy for future residents the applicant has indicated that the outer edge of the balconies will be screened by vertical metal louvres which will angle views from the residential units towards Penistone Road. The louvres will be positioned to allow maximum levels of light from the south and being of a reflective nature will maximise light to the residential units.

Whilst the proximity to the boundary is not ideal the applicant has demonstrated that this bespoke design solution will prevent overlooking but still retain an acceptable level of outlook from the residential units and enable internal light levels to be maximised. Building up in close proximity to boundaries causes concern that it may sterilise the redevelopment of neighbouring land and isn't generally considered good practice. In this case with the neighbouring land being occupied by a Grade II\* Listed building it is highly unlikely to be redeveloped in the future in a manner which would impact on the current development proposals.

## Amenity Space

The application proposes a shared courtyard within the centre of the development for use by all residents. A condition will be added to any subsequent approval requiring a detailed hard and soft landscaping scheme to ensure this area is appropriately laid out to ensure it will be used in the future. A small number of the apartments also have external balconies providing a relatively private sitting out area for future residents.

## Transport and Highways

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. It requires that safe and suitable access to a site can be achieved for all people, and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe.

UDP Policy MU11 requires development to be adequately served by transport facilities and provide safe access to the highway network and appropriate off road parking.

The development site is considered to be in a highly sustainable location. The site is located close to high frequency transport links including Supertram which provide excellent links to the City Centre and railway station and there are a wide range of local services and facilities within walking distance. The development includes a basement car park which will provide 61 parking spaces including 7 disabled spaces which provide off road parking for 27% of the proposed residential units.

A transport assessment has been submitted in support of the application which confirms that this is a good site to promote sustainable travel and reduce the reliance on the private car and where residents would not be reliant on travel by private car for their journeys to work, shopping or leisure activities.

Comment has been made by local residents that there are serious on-street parking problems in the area which are acknowledged by the council. A lot of the parking problems are from commuter car parking which has been drawn to the area as there are currently no parking restrictions. With this in mind the council is due to implement a Controlled Parking Zone within the Kelham Area at some point in the near future which will restrict parking to permit holders. The applicant will be required by condition to ensure that future occupiers are aware that they will not be eligible for resident parking permits within the designated CPZ. Taking this into account and considering the provision of over 60 off road parking spaces the development does not raise any highway concerns.

In line with approved policy cycle storage facilities will be provided within the building

The demolition of the existing industrial units will significantly reduce the numbers of large goods vehicles serving the site. All future deliveries and servicing for the new development will take place off Dixon Street which raises no additional concerns.

A condition requiring the reconstruction of the footways to both road frontages will be added to any subsequent approval.

## Climate Change

Core Strategy Policy CS 64 Climate change, Resources and Sustainable design of developments requires all new buildings to be energy efficient and to use resources sustainably. This will be secured through any subsequent Building Regulations submission.

Core Strategy Policy CS 65 Renewable Energy and Carbon Reduction requires new developments to provide 10% of their energy needs from decentralised and renewable or low carbon energy or fabric first approach.

The application, as originally submitted, included provision for a Biomass Boiler. The applicant has subsequently withdrawn this proposal due to concerns regarding potential emissions affecting air quality.

To comply with the requirements of this policy the applicant is looking towards the provision of a green roof and/or the provision of renewables together with an increased specification for the insulation of the building.

A condition will be added to any subsequent approval to ensure compliance with this policy.

## Archaeology

The submitted Archaeological Desk Based Assessment has established that there is a high potential for buried archaeological remains to be impacted upon by the redevelopment of the site and that there is the potential for elements of historic buildings to be extant within the existing building complex. In particular there is a high potential for encountering 19<sup>th</sup> century and modern remains associated with back to back housing and industrial works, and a moderate to low potential for encountering remains of the post medieval field system. Previous excavations in the area have uncovered well-preserved remains of this nature which has led to a good understanding of the archaeology and the level of preservation expected.

The archaeological assessment considers that the harm to the historic environment could be satisfactorily managed through planning conditions to ensure that appropriate recording is carried both before and during the redevelopment of the site.

The South Yorkshire Archaeological Service agree with the conclusions of the archaeological assessment and have recommended a condition to secure further investigation and formal recording of below-ground archaeology ahead of any redevelopment works.

## Flood Risk and Land Drainage

Core Strategy Policy CS 63 'Responses to Climate Change' promotes the adoption of sustainable drainage systems (SuDS).

Core Strategy Policy CS67 'Flood Risk Management' requires that to reduce the extent and impact of flooding, all developments limit surface water run-off and use sustainable drainage systems where feasible and practical.

The NPPF follows a sequential risk based approach in determining the suitability for development in flood risk areas with the intention of steering all new development to the lowest flood risk area.

A Flood Risk Assessment has been submitted in support of the application which confirms that the application site is located within Flood Zone 2 where there is a medium probability of flooding. The proposed development is classed as more vulnerable development in accordance with the NPPF Planning Policy Guidance and being located in Flood Zone 2 requires a sequential test.

In carrying out the sequential test the applicant has restricted the search for other sequentially preferable sites to the Kelham Island and Neepsend city quarter to ensure that reasonable transport links with the city centre are maintained. As the majority of this area falls within Flood Zone 2 there are no sequentially preferable sites available and in this respect the proposal is considered to pass the sequential test.

The flood risk assessment recommends that to afford future protection against flooding that finished floor levels are set 150mm above local ground level at 51.AOD and that full details of surface water drainage arrangements are agreed with the Lead Local Flood Authority and Yorkshire Water.

The development proposal provides an opportunity to incorporate sustainable drainage systems and includes green roofs and an internal courtyard which will be covered in a permeable surface with an attenuation tank underneath which will enable flow rates from the site to be reduced. Full drainage details will be secured by condition

In view of the above the proposed development is considered to be consistent with the expectations of Policies CS 63 and 67.

#### Landscape

The layout of the development enables a resident's courtyard to be provided on the central part of the site views of which will be obtained from Penistone Road. The opening up of this area will also benefit the setting of the Grade II Cornish Works to the NE of the site. Full details of hard and soft landscaping will be secured by condition.

#### Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Initial discussions indicated that public

art will be integrated into the building elevations which face onto Penistone Road. Full details will be secured by condition.

#### Community Infrastructure Levy

For the purposes of the Community Infrastructure Levy, the development is located within Zone 4 where the CIL charge is £50 per square metre.

#### Affordable Housing

The application site falls within the City Centre Housing Market Area where there is currently a zero rate affordable housing contribution.

#### Pre-Commencement Conditions

In accordance with Section 100ZA of the Town and Country Planning Act 1990 the council has received the written agreement of the applicant that the proposed pre-commencement conditions are acceptable

#### SUMMARY AND RECOMMENDATION

Planning approval is sought for a development of 222 residential apartments and a limited amount of B1 Business space which includes an 11 storey tower within the Kelham Island Conservation Area and in close proximity to designated listed buildings.

Housing is considered to be an acceptable use in land use terms and the small amount of commercial space proposed to the ground floor will support the promotion of business uses in the area.

The applicant has worked with Historic England and your officers to ensure that the overall design of the building responds well to its sensitive location. It is considered that the erection of the well-designed 11 storey tower which is sited on the main Penistone Road frontage, on the periphery of the Conservation area, will not detract from the character and appearance of the area.

The development, which provides appropriate levels of amenity for existing and proposed residents, will not lead to an increase in on street parking in the area in the medium term, where a controlled parking zone is due to be implemented.

It is considered that the proposed development complies with the provisions of the UDP, the Core Strategy and the NPPF and it is recommended that Members grant planning permission subject to the listed conditions.



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