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Case Number	18/04069/RG3 (Formerly PP-07321082)
Application Type	Application Submitted by the Council
Proposal	Retention of Pinstone Street and part of Charles Street and Cambridge Street facade, demolition of buildings behind and erection of a seven-storey building for mixed use - retail/cafe/bar space (Use Class A1, A3, A4 and A5) at ground floor with offices (Use Class B1) above and associated works (Block C) (Application under Regulation 3 - 1992)
Location	Site Of 88-104 Pinstone Street, 35-49 Cambridge Street And 2-8 Charles Street Sheffield S1 2HP
Date Received	26/10/2018
Team	City Centre and East
Applicant/Agent	Montagu Evans
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:

0800 - Site Location Plan  
0820 - Demo Plan  
0830 - Demolition Elevations - Pinstone / Cambridge and Charles Street  
0850 - Proposed Site Plan  
0860 P1 - Proposed Basement Plan  
0861 P1 - Proposed Plan Ground Floor  
0862 P1 - Proposed Plan First Floor  
0863 P1 - Proposed Plan Second Floor  
0864 P1 - Proposed Plan Third Floor  
0865 P1 - Proposed Plan Fourth to Sixth Floor

0868 P1 - Proposed Plan Seventh Floor  
0869 - Proposed Roof Plan  
0880 P04 - Proposed Pinstone Street Elevation  
0881 P05 - Proposed Cambridge Street Elevation  
0882 P05 - Proposed Charles Street Elevation  
0883 P05 - Proposed Five-Ways Elevation

Reason: In order to define the permission.

### **Pre-Commencement Condition(s)**

3. No demolition, site preparation, restoration or construction of buildings or other structures shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and 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 noise and vibration that cannot be managed to comply with acceptable levels at source. The CEMP shall also include details relating to the permitted working hours on site, and include a fugitive dust management plan.

Working hours shall be based on the principal that all demolition, construction and associated activities audible at or beyond the site boundary shall be confined to 0730 to 1830 hours on Mondays to Fridays, 0800 to 1700 hours on Saturdays, with no working on Sundays or Public Holidays. Any extraordinary arrangements shall be subject to agreement in writing by the local planning authority. The CEMP shall detail suitable community communications procedures to ensure that occupiers of dwellings and other sensitive uses are informed in advance of any disruptive or extraordinary working arrangements likely to cause significant amenity impacts.

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

4. 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.

5. 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.

6. 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 have been approved in writing by the Local Planning Authority before it is installed.

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

7. 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, which shall include the recording of standing buildings, and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

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

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. Any remediation works recommended in the approved Heart of the City: Preliminary Geoenvironmental Risk Assessment Block B and C (ref: HOM-ARUP-XX-XX-RP-CG-0002, P02, dated 10/10/18) 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 commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

11. No construction of buildings or other structures shall take place until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
- a) been carried out; or
  - b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which will have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvement Works:

- Cambridge Street, between Pinstone Street and Charles Street (closure to motor vehicles and associated public realm works).
- Charles Street, between Cambridge Street and Pinstone Street (closure to motor vehicles and associated public realm works).
- Pinstone Street site frontage between Cambridge Street and Charles Street (public realm works).
- Pinstone Street (provision of on-street servicing/loading).
- Displacement of on-street parking from Cross Burgess Street to allow for loading/service vehicle egress.

- Promotion of a Traffic Regulation Order in relation to servicing/loading (waiting and loading restrictions) and the prohibition of motorised traffic in the vicinity of the development site, all subject to usual procedures, including provision of associated signing and lining.
- Provision for the movement of cyclists, pedestrians and motorised traffic along Pinstone Street and Union Street, and on streets linking these, between and including their junctions with Charles Street, Furnival Gate and Moor Head (including the provision of direction signing), with the aim of providing interventions that deliver safe cycle routes in the vicinity of the development coupled with revised pedestrian crossings.
- Any accommodation works to traffic signs, road markings, repositioning street lighting columns, highway drainage and general street furniture deemed necessary as a consequence of the development.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting 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. Prior to the improvement works indicated in the preceding condition being carried out, full details of these works shall have been submitted to and approved in writing by the Local Planning Authority.

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

13. No construction of buildings or other structures shall take place 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.

**Pre-Occupancy and Other Stage of Development Condition(s)**

14. 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.

15. 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.

16. 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.

17. No construction in the relevant areas of the site shall commence until the means of protecting the water and sewerage infrastructure laid within the site boundary has been implemented in full accordance with details that have previously been submitted to and approved by the Local Planning Authority. No trees shall be planted within 5 metres of any water or sewerage infrastructure that cross the site. If the required protective measures are to be achieved via diversion or closure of the sewerage or water mains, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

18. No construction of buildings or other structures shall take place until Approval In Principle (AIP) for the basement's walls and floor, which will be permanently supporting the adjacent public highway, has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the AIP submission shall cover:

- Proof of structural integrity of the basement's walls and floor, with structural calculations and drawings, demonstrating that the adjacent public highway will be adequately supported.
- Confirmation and agreement of the proposed ongoing structural inspection strategy, including protocol for submitting inspection reports to the Local Planning Authority.
- Servicing arrangements for inspection personnel needing to gain access to the structure.
- The method of temporary support of the public highway during construction of the basement, including proof of structural integrity, calculations and drawings.

Construction of the basement shall not commence until the AIP has been approved by the Local Planning Authority.

Reason: In the interests of highway safety.

19. No construction of buildings or other structures shall take place until Approval In Principal (AIP) for the smoke outlet vents, which are structures within the highway, has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the AIP submission shall cover:

- Proof of the structural integrity of the smoke outlet vents, with structural calculations and drawings.
- Confirmation and agreement of the proposed ongoing structural inspection strategy, including the protocol for submitting inspection reports to the Local Planning Authority.
- Servicing arrangements for inspection personnel needing to gain access to the structure.
- The specification of the pedestrian friendly covers/grates over the smoke outlet vents, which might have to withstand the loading of maintenance vehicles.

Construction of the smoke outlet vents shall not commence until the AIP has been approved by the Local Planning Authority.

Reason: In the interests of highway safety.

20. 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.

21. Large scale details at a minimum scale 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:

Shop fronts

Typical window details, including reveals and aluminium panels

Brickwork detailing

Aluminium plant screen

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

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

22. 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.

23. Any office accommodation forming part of the development hereby permitted 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 HRS noise survey Ref: 131367 - AC - 2v1 (20/12/2018).
  - b) Be capable of achieving the following noise level: Noise Rating Curve NR40 (0700 to 2300 hours).
  - c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilations.

[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.

24. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before 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.

25. 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.

26. Notwithstanding the approved plans, the development shall not be used unless the internal cycle parking accommodation has been provided in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority (with consideration given to the installation of a two-tier rack system). Thereafter, the approved cycle parking accommodation shall be retained.

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

27. Before any commercial use(s) hereby permitted whose normal operation involves the broadcast of amplified sound at above background level commences, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:

- a) Be based on the findings of approved HRS noise survey Ref: 131367 - AC - 2v1 (20/12/2018).
- b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured: (i) as a 15 minute LAeq, and; (ii) at any one third octave band centre frequency as a 15 minute LZeq.

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.



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

28. 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.

29. The development shall not be used until servicing arrangements for both the retail and office uses have been submitted to and approved in writing by the Local Planning Authority. The arrangements shall seek to avoid any servicing or loading in connection with the development during the busy peak periods and to avoid simultaneous multiple arrivals of loading or service vehicles. Thereafter, servicing and loading shall take place in accordance with the approved details.

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

30. Any commercial food uses forming part of the development hereby permitted shall not commence unless details of a scheme for the installation of equipment to control the emission of fumes and odours from the premises have been submitted for written approval by the Local Planning Authority. These details shall include:

- a) Plans showing the location of the fume extract system, including any external ducting and detailing the position and design of the cowl/discharge point.
- b) Acoustic emissions data.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the systems required cleaning and maintenance schedule.
- e) Details of any scheme of works necessary to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

Any such use shall not commence until the approved equipment has been installed and is fully operational and shall thereafter be installed, operated, retained and maintained in accordance with the approved details.

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

31. 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.

32. A roof plan, with details of the layout and height of plant, shall be approved in writing by the Local Planning Authority before that part of the development commences. Plant shall not project above the height of the plant enclosure.

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

### **Other Compliance Conditions**

33. The development shall be operated in accordance with the submitted Heart of the City 2 Block C Travel Plan dated October 2018 and prepared by ARUP.

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

34. Commercial units within use Classes A3, A4 and A5 shall only be used by customers between 0730 hours and 0030 hours on any day.

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

35. No more than 50% of the ground floor of the office and retail block shall be used for non-A1 purposes.

Reason: In order to define the permission and protect the vitality and viability of the shopping area.

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

Reason: In the interests of pedestrian safety.

### Attention is Drawn to the Following Directives:

1. On the Statutory Sewer Map, there are 375 and 300 mm diameter public combined sewers recorded to cross the site (in the proposed public realm areas). It is essential that the presence of this infrastructure is taken into account in the design of the scheme. Whilst it would appear that the public sewers are unlikely to be affected by building-over proposals, the landscaping proposals may not be acceptable. Additionally, the pipes may require protection during the construction phase of the development.

A proposal by the developer to alter/divert a public sewer will be subject to YW requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.

For further information regarding the sewers, the developer should contact our Developer Services Team: telephone 0345 120 84 82 (option 1) or email [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)

2. The applicant is advised that Yorkshire Water has no objection in principle to:
- a) The proposed separate systems of drainage on site and combined off-site
  - b) The proposed amount of domestic foul water to be discharged to the public combined sewer network
  - c) The proposed amount of curtilage surface water to be discharged to the public combined sewer network at a restricted rate of 5.39 (five point three nine) litres/second

d) The proposed points of discharge of foul and surface water to the public combined sewer network submitted on drawing HOC-ARP-BC-XX-DR-D-14004 (revision P02) dated 11/10/2018 prepared by ARUP.

The development should be constructed in full accordance with drawing HOC-ARP-BC-XX-DR-D-14004 (revision P02) dated 11/10/2018

The developer should also note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel 0345 120 84 82, email: [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

3. 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.

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

5. 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. Reference may be made to the background noise survey data presented in the ARUP Environmental Statement ref. SRQ ES; 24/07/2015 (as amended by the ARUP Environmental Statement Addendum; 18/02/2016). Copies of the referenced ES documents are available from the LPA or SCC Environmental Protection Service upon request.
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. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice is available from SCC Environmental Protection Service; Commercial Team, 5th Floor (North), Howden House, 1 Union Street, Sheffield S1 2SH: Tel. (0114) 2734651, or by email at eps.admin@sheffield.gov.uk. Extraordinary working arrangements shall typically only be granted in cases where logistical constraints dictate (e.g. due to road closure requirements), or where specific processes cannot be undertaken and completed within the relevant timeframe (e.g. power-floating or other treatments relating to large volume concrete pours). Additional working hours will not generally be granted to address scheduling or project management shortfalls.
8. The Construction Environmental Management Plan (CEMP), required to be produced by the main Contractor (and any subsequently appointed main Contractor), in liaison with the Local Planning Authority and SCC Environmental Protections Service, should be worded so as to assist in ensuring that demolition and construction activities are planned and managed in accordance with the environmental requirements identified in the ARUP Environmental Statement ref. SRQ ES; 24/07/2015 (as amended by the ARUP Environmental Statement Addendum; 18/02/2016). The CEMP should be based on the framework of the approved draft CEMP; ARUP ref. SRQ CEMP01, Rev A; 22/02/2016. The CEMP should document the Contractors plans to ensure compliance with relevant best practice and guidance, as identified in the ES in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP should include strategies to mitigate residual effects from demolition and construction phase noise and vibration, as identified in the ES. Copies of the referenced ES and CEMP documents are available from the LPA or SCC Environmental Protection Service upon request.
9. The applicant is advised that the site lies in close proximity to a National Grid high voltage transmission underground cable and to low or medium pressure (below 2 bar) gas pipes and associated equipment.
10. 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

11. The applicant is advised that there are live and abandoned water mains and associated fittings in the public realm areas of the site. Diversions of the pipes would be at the developer's cost. Trial holes to precisely locate the pipe can be arranged with YW (again at the developers costs) to determine the depths of the main and fittings. Whilst it would appear that the water mains are unlikely to be affected by building-over proposals, the landscaping proposals may not be acceptable. Additionally, the pipes may require protection during the construction phase of the development. If the pipes are left in situ, protective measures are likely to be required during construction of the development.

For further information regarding the water mains , the developer should contact:  
tech\_support.engineer\_south@yorkshirewater.co.uk

12. As the proposed smoke outlet vents will be located within the public highway and the proposed basement will be supporting the public highway, you are required to contact:

Richard Bulloss, Assistant Head Highway Maintenance  
Tel. 0114 205 7484  
richard.bulloss@sheffield.gov.uk

in order to secure the relevant licence.

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

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

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

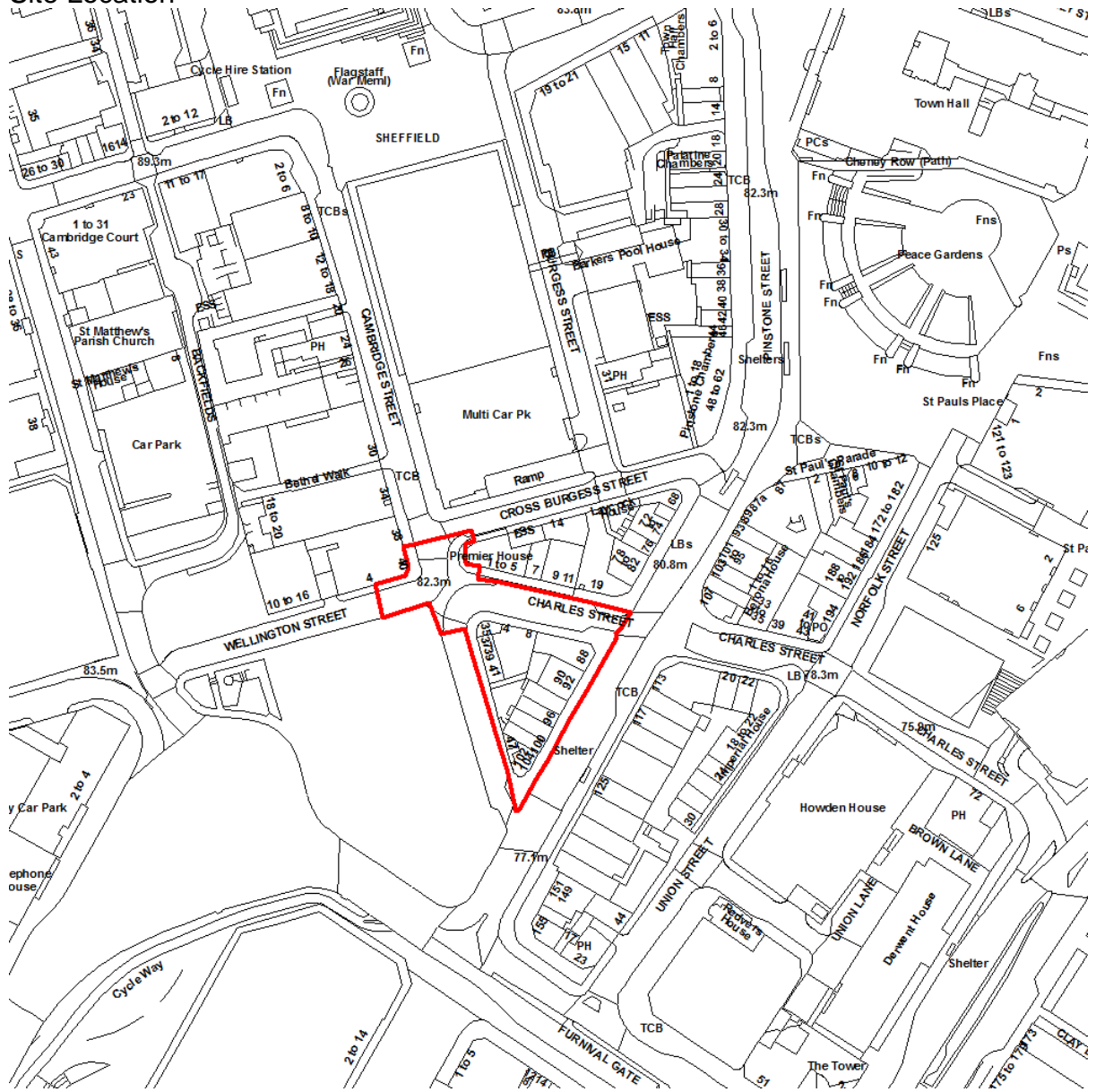
14. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

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

# Site Location



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## INTRODUCTION

Members will recall that planning permission was granted for the first standalone phase of the Heart of the City II project (previously known as Sheffield Retail Quarter) in November 2016 when an application for a six storey office and retail block (16/02228/RG3) was approved at committee. The construction of this building, now known as Grosvenor House, is nearing completion with the office tenants expected to move in during the summer months.

This application, along with the application for the neighbouring site which is also under consideration (18/04257/RG3), comprises the next phase in this project. It occupies block C as described in the wider masterplan proposals.

## LOCATION AND PROPOSAL

The application site consists of a triangular shaped city block bound by Pinstone Street to the east, Cambridge Street to the west and Charles Street to the north. It is occupied by numbers 4-8 Charles Street, 35-41 Cambridge Street and 94-104 Pinstone Street (known as the Pepperpot building), three storey buildings, some with accommodation in the roof, constructed from red brick with ashlar dressings. The Pepperpot building, which occupies the prominent corner at the junction of Pinstone Street and Cambridge Street, has an ornate roofscape featuring a distinctive turret and Dutch gabled dormers. The site lies at the southern end of the City Centre Conservation Area, within the Heart of the City Quarter as defined in the Sheffield City Centre Urban Design Compendium (2004) and forms part of the Victorian frontage that characterises much of Pinstone Street.

The city block on the opposite side of Pinstone Street is occupied by three and four storey buildings dating from the late twentieth century which contribute little to the character of the area and consequently lie outside the conservation area. Outline planning permission was recently granted for the demolition of the existing buildings at the southern end of this block and the erection of a mixed use development incorporating a main tower with a maximum AOD (Above Ordnance Datum) of 182 metres – approximately 32 storeys.

The triangular shaped block on the northern side of Charles Street (block B in the masterplan) comprises of three and four storey Victorian buildings at its eastern end, fronting Pinstone Street, while a five storey former office block thought to date from the 1960s occupies the remainder of the block.

To the west of the application site, on the opposite side of Cambridge Street, is the new six storey office and retail block known as Grosvenor House. The City Centre Conservation Area skirts around the site of Grosvenor House.

Planning permission is sought for the retention of the Pinstone Street and part of the Charles Street and Cambridge Street facades, the demolition of buildings to the rear and the erection of a seven storey building with retail/cafe/bar units at ground floor level (use Class A1, A3, A4 and A5) and offices over (use Class B1).

## RELEVANT PLANNING HISTORY

There is no relevant site specific planning history.

The following applications were submitted in relation to the proposals for the SRQ in August 2015:

- 15/02917/OUT      The Outline planning application for a comprehensive retail-led mixed use scheme, including demolition of existing buildings and associated structures, the closure and alteration of highways, engineering works and erection of new buildings for retail (A1/A2), food and drink (A3/A4/A5), office floor space (B1) and residential accommodation (C3) with ancillary development including new and enhanced pedestrian routes, open spaces, car parking, vehicular access and servicing facilities.
- 15/02938/FUL      Application to demolish non-listed buildings in the conservation area, including 78 - 82 Pinstone Street, 24 - 26, 28 (facade), 30, 32 -34 (rear), 36, 38 - 40 and 35 - 41 Cambridge Street, 2 - 4 and 10 - 16 Wellington Street, 4 - 8, 1 - 11 and 19 Charles Street , 31 Burgess Street, John Lewis Store, Barker's Pool and Multi Storey car park, 11 - 21 Barker's Pool, Barker's Pool House, Burgess Street and 14 Cross Burgess Street and for the retention of building facades at 30 - 42, 88 - 92 and 94 -104 Pinstone Street.
- 15/02941/FUL &      Applications for works to stabilise and repair Leah's Yard  
15/02942/LBC      (20-22 Cambridge Street), a grade II\* listed building.
- 15/02939/FUL &      Applications for the demolition of part of the former  
15/02940/LBC      Sunday school (32 Cambridge Street), a grade II listed building, plus the retention, making good and stabilising of the elevation fronting Cambridge Street and part retention of the elevation and roof fronting Bethel Walk.

The principles of the SRQ proposals as described in these applications were endorsed at committee on 30<sup>th</sup> August 2016.

## SUMMARY OF REPRESENTATIONS

Representations were received from 7 sources, including 3 built environment/heritage organisations (Sheffield Civic Trust, SAVE Britain's Heritage and Joined Up Heritage Sheffield) and residents of Sheffield and Chesterfield.

Almost all commentators expressed support for the revised approach to the redevelopment of the city centre, including the decision to retain the historic street pattern and key buildings. However, 6 of the representations raised the objections to the proposals, including the following:



- The significance of affected heritage assets – in particular their group value – is not adequately described, there are a number of inaccuracies within the submission and there is no assessment of building interiors.
- The location of the existing residential staircases in 94-104 Pinstone Street is described as a reason for not seeking to re-use the building but the market for the units either in their current form or reconfigured is not explored.
- The proposed demolitions, including the loss of interiors, will cause irrevocable loss of significance to heritage assets.
- The development will have a harmful impact the continuous 19<sup>th</sup> century façade along Pinstone Street, a key contributor to the significance of the city centre conservation area and on nearby listed buildings, including the grade I listed Town Hall.
- The demolition of half of the Charles Street facade of 88-92 Pinstone Street results in the loss of the original architect's planned symmetry and creation of a strong corner.
- At 7 storeys the scale of the new build element will have an overbearing impact on retained 19<sup>th</sup> century buildings, resulting in harm to the character of the area. This impact is compounded by the proposal to retain only the façade of the Victorian frontage and the proximity of the new build to the retained facade. The new building should be set back to allow the retention of the original roofscape rather than having to replace some.
- The impact of seeking to create large blocks with single uses on the upper floors reduces heritage to a decorative role.
- The design of the new build element is bland and box-like, failing to respond positively to existing Victorian styles. The red brick finish creates a backdrop too similar to the historic buildings in front, so they are not highlighted but overwhelmed.
- The collective impact of the proposals on the Conservation Area and the setting of listed buildings amounts to substantial harm. Very little is said about the necessity for the harm, and what there is does not amount to a justification.
- The public benefits are not sufficient justification.
- Sheffield needs Grade A office space but also needs homes, especially high quality character homes with easy access to city centre life. Similar public benefit could be achieved through residential space rather than office space.
- Public realm improvements on Charles Street are an important public benefit and will enhance the setting of surviving heritage assets but are not dependent on the aspects of the proposal that do harm to heritage assets, so cannot justify that harm.
- Achieving the optimal use for heritage assets is a public benefit. This should not be the most profitable use but the one that best conserves the heritage asset.
- Public benefit will be maximised by preserving the full historical significance of place.
- The Design and Access Statement notes that 94-104 Pinstone Street originally had a dramatic spire. There is an opportunity to restore this, creating an imposing gateway feature.

Following a design review by Trust members in January 2019, Sheffield Civic Trust have not raised any objections and described their support for many aspects of the scheme including retention of the existing street pattern, high-quality public space that continues the approach taken throughout the city centre, the proposed historic façade retention and the horizontal mix of use i.e. retail at street level with apartments and offices at the upper levels.

However, they did raise a number of concerns including:

- The architectural treatment of corner onto the new '5 ways' is a great opportunity for the designers but it is felt that the opportunity to mark this significant meeting of streets has been missed in the current design.
- The servicing of retail units from pedestrianised roads rather than a dedicated service yard is welcomed but will require careful management.
- The retention of historic facades will reinforce diversity and local identity but the emerging similarity in the building designs to date raises concerns. A more diverse range of designers should be employed to tie the scheme better to its context and the Trust would welcome a commitment from SCC to promote variation and design quality by promoting design competitions or a diverse mix of designers/architects.

Joined Up Heritage submitted a further objection following a submission by the agent expressing an opinion on some of the initial objections. The comments raised relate to the degree of harm caused by the demolition of buildings, the concept of 'net harm', the requirement to consider alternative ways of achieving similar outcomes, and the weighing harm against public benefit.

Neither the agent's commentary nor the additional objections of Joined Up Heritage are referenced in full. Rather, this report seeks to fairly assess the level of harm to heritage assets that would result from the proposed development bearing in mind that the judgment on whether harm is substantial or less than substantial is the decision makers.

#### Historic England

In their consultation response, Historic England (HE) welcome the fact that the current Heart of the City proposals retain the existing street pattern and slightly more historic fabric than the most recent New Retail Quarter scheme. However, they say that good place-making and sustainable development means respecting what makes Sheffield special and ensuring that new layers of development are of a quality which will be valued both now and in the future, and they do not currently consider the proposals for block C achieve this ambition.

HE state that the height of the proposed new build element of block C is recognised as an issue as the Design and Access Statement outlines steps which have been taken to mitigate the impact, including "vertical proportions developed so that building's perceived height is reduced." However, they consider the mitigation impact of these interventions to be largely imperceptible, advising that the new build element still appears uncomfortably large behind the retained Pinstone Street elevation as well as from Charles Street and Cambridge Street.

The roofscape in this part of the city centre is varied as a result of the differing heights of buildings in combination with gables, chimneys and turrets and HE consider that the height and scale of the HSBC building, block B and block C would create a uniform height in this area which is clearly at odds with the character of the area.

They suggest that reducing the height of the proposed new build block by a storey would achieve improvements in the relationship with the retained building elements and create a more varied roofscape in this area, preventing the appearance of a vast single roofline when viewed from elevated positions and around the city centre.

Historic England understand the choice of brick in terms of its suitability within the conservation area but this, they say, has the effect of reducing the prominence of the turrets and chimneys of the retained elements along Pinstone Street. They suggest that an alternative material, coupled with the reduction in height of the new build, could considerably reduce the impact on the surrounding historic environment. They also confirm that they are comfortable with a contemporary architectural approach to the treatment of the elevations.

Overall Historic England consider that the proposals for block C do not preserve or enhance the character and appearance of the conservation area. Instead they would cause harm through the loss of historic buildings and construction of a block which is completely out of scale in terms of its height and massing. The cumulative impact with the proposed demolitions and new-build of block B of the Heart of the City will increase the overall level of harm to the conservation area.

HE remind us that the National Planning Policy Framework indicates that *any* harm to designated heritage assets should have a “clear and convincing justification” and requires local planning authorities to “avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal” (paragraphs 194 and 190).

These requirements mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a “clear and convincing justification”.

This is particularly important given the statutory duty of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area in determining the planning application.

Historic England considers the harm the proposals for block C would cause could be reduced through the following measures (as a minimum):

- Reduction in the height of the proposed new-build by at least a storey;
- Consideration of alternative materials; and
- Retention of a greater proportion of the building on the corner of Pinstone Street and Charles Street such that the new-build block sits further back from

the principal elevation.

They advise that, unless these amendments are secured, or it is categorically demonstrated that they are not possible, they do not consider the harm the proposals would cause is justified and the application would be considered contrary to paragraphs 190 and 194 of the NPPF.

#### Conservation Advisory Group

The Conservation Advisory Group (CAG) considered the proposals at their meeting in January 2019.

The Group had a number of concerns, particularly regarding the loss of fabric, the façade retention approach and the volume and height of the new buildings. The Group felt that the proposals did not preserve and enhance the conservation area. The setting in relation to the Town Hall is important in terms of the urban grain, building massing and streetscape along Pinstone Street and the Group is concerned at the negative effect of the scheme on the distinctive character of the conservation area.

In relation to block C, the Group observed that the proposed treatment of the Pepperpot Building facade as a facade retention was poor. They felt that there was an argument for preserving the entire triangle of buildings within the application. The Group observed that Historic England had not supported the scheme, on the grounds that it would cause harm to the conservation area. They considered that the new building was characterless and over-scaled and that there needed to be a balance between retention and demolition, which did not exist at present.

#### PLANNING ASSESSMENT

##### Principle of Development – Policy and Land Use

##### The National Planning Policy Framework (NPPF)

The revised National Planning Policy Framework (NPPF), updated in February 2019, reinforces the general presumption in favour of sustainable development.

Chapter 6 (Building a strong, competitive economy) expects local planning authorities to create the conditions in which businesses can invest, expand and adapt and advises that significant weight should be placed on the need to support economic growth, taking into account local business needs and recognising the specific locational requirements of different sectors.

Chapter 7 (Ensuring the vitality of town centres) expects planning policies and decisions to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

##### The Local Plan

The statutory development plan for Sheffield currently comprises of:

- Sheffield City Council Core Strategy (March 2009); and
- saved policies from the Sheffield City Council Unitary Development Plan (UDP) (1998).
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The Core Strategy describes the vision for Sheffield and identifies the city centre as playing a crucial role in the transformation of the city's economy and in the development of Sheffield's role as the core city for the city region. Consequently, the city centre is seen as the focus for most new development of offices, shops, leisure, culture, higher education and other services.

Policy CS3 of the Core Strategy (Locations for Office Development) describes the city centre as a focus for office development and policy CS17 (City Centre Quarters) (a) promotes offices as well as retail uses in the Heart of the City. More specifically, policy CS4 (Offices in the City Centre) (a) identifies this part of the city centre as suitable for a concentration of large-scale and high-density office development, particularly prestige office accommodation.

The site falls within the Primary Shopping Area as defined in the Core Strategy and policy CS14 (City-wide Distribution of Shopping and Leisure Development) promotes 'a major retail-led, mixed-use regeneration scheme, which will form the New Retail Quarter' in the Primary Shopping Area.

Policy CS18 (Shopping in the City Centre) also describe how the area will be strengthened as the heart of a regional shopping centre by the development of the New Retail Quarter, a major comprehensive retail-led mixed-use development.

The site is located in the Central Shopping Area as defined in the Unitary Development Plan (UDP). Policy S3 of the UDP (Development in the Central Shopping Area) describes shops (A1) as a preferred use and offices (B1) as acceptable, thereby supporting both the retail and the office element of the proposals.

The site also lies within the area defined by the UDP as the Retail Core. Policy S2 (Development of Frontages in the City Centres Retail Core) states that 'on ground floor frontages within the Retail Core of the Central Shopping Area, new retail and complementary uses which add to the vitality and viability of the Central Shopping Area will be encouraged'. It seeks to retain the retail function of the area by restricting non A Class uses from the ground floor in these areas.

#### Supplementary Planning Guidance

'Supplementary Planning Guidance for the New Retail Quarter' was produced in 2002. Although now mostly superseded by other planning documents, it explained the strategy for the redevelopment of Sheffield city centre and emphasised the importance of fully integrating the NRQ with other parts of the City Centre, taking account of pedestrian routes, visual links and the character of the surrounding area.

## Draft City Centre Masterplan

Consultation on a new Draft City Centre Masterplan finished in 2018. The Plan is produced by the Council to promote the city centre as a great place to live, work and visit. It has not been prepared by the Local Planning Authority nor approved by the Planning and Highways Committee, and so it has no material weight in its own right but the context and evidence presented are considered to contribute to the decision making process.

The new Plan recognises that Sheffield city centre's retail offer remains uniquely unbalanced in comparison with local and regional demand and that the Heart of the City II project offers an unparalleled opportunity to provide a fuller, higher quality retail offer as well as prestige office accommodation, residential accommodation and great public spaces.

The Plan notes that Sheffield currently has the lowest job density of all the Core Cities, even so almost 30% of retail spend in the city centre comes from those who work here. This suggests that the city can create more job opportunities by facilitating and promoting opportunities for high quality office space, and that this, along with a strong leisure and food and drink offer, will support the consolidated shopping area and wider city centre. The Heart of the City II project is predicted to increase retail spending in the City Centre by up to 14%.

The proposed development includes 1,393m<sup>2</sup> of retail space and 4,518m<sup>2</sup> of office floorspace, a range of uses that are supported by both the Core Strategy and the Unitary Development Plan.

The proposals maximise the amount of retail floorspace achievable at street level and so will help to address the current inadequacy of Sheffield's retail offer. The proposed retail space will accommodate a range of uses (use classes A1, A3, A4 and A5) designed to ensure that the letting strategy can respond to market demand, which is considered to be acceptable, subject to the predominance of A1 uses.

The proposed office accommodation will bring wide-ranging socio-economic benefits to the city centre including a range of job opportunities. The applicant has confirmed that they are prepared to work with the Local Authority to ensure that local people benefit from the job creation and this requirement is reserved by condition.

In land use terms, the proposed development is considered to be consistent with the local development plan and national policy, and it remains in the spirit of the endorsed SRQ masterplan.

## Design and Heritage Issues

Because this scheme raises some complex heritage issues, for the purposes of this report design and heritage matters are discussed separately.

## Design and Architectural Response

In relation to design, chapter 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development, which creates better places in which to live and work.

It advises that planning policies and decisions should, amongst other things, ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character, including the surrounding built environment, while not preventing appropriate innovation or change; maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

Policy BE5 of the UDP (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.

This is the second block within the Heart of the City II project to come forward. Like the neighbouring office building, Grosvenor House, it provides an important transition between the established cityscape and the masterplan area. Unlike its neighbour, however, the Block C site falls entirely within the City Centre Conservation Area and contains characterful buildings. Some of these provide a frontage to one of the city's most significant commercial streets – Pinstone Street.

The decision to approach the Heart of the City II as a series of urban blocks is a marked departure from the post-war approach to city centre retail-led redevelopment and the more recent history of this part of Sheffield, including the historic approval for the Sevenstone development. The current focus on individual buildings, blocks and the retention and re-use of the street pattern and elements of the built form will help to maintain a strong sense of place and is strongly supported.

The Heart of the City II concept involves capitalising upon the success of the concentration of high quality offices, and associated ground floor commercial activities, that has been developed around the Peace Gardens and expanding this to the southwest towards Charter Row and the Devonshire Quarter. This requires meeting the demands of commercial office occupants with their requirements for large, open floorplates and a particular quantum of accommodation, within the relatively fine grain character of this corner of the city centre conservation area that provides the link between the Heart of the City, the Moor and the main body of Heart of the City II.

The approach proposed is to retain the scale of the nineteenth century Pinstone Street frontage and to develop a larger new building to the rear. Rather than step the building's form in an attempt to mask its scale, the new block responds to Grosvenor House and the John Lewis Department Store in adopting a simple, crisp form that is an unapologetic expression of its use.

The new building, although different in form from the more modest properties that have previously lined the street, does attempt to capture some of their qualities in terms of materiality, building line, and through the establishment of a similar rhythm of openings. It is considered that the resulting facades, with their vertical proportions, generous reveals, brick detailing and human scale shop fronts, are attractive in their own right as well as being sympathetic to local character.

Historic England are concerned that, while the roofscape in this part of the city centre is varied, the height and scale of block C is too similar in height to Grosvenor House, neighbouring block B and the John Lewis building and will create a uniform height at odds with the character of the area. They suggest that reducing the height of the proposed new build block by one storey would achieve improvements in the relationship with the retained building elements and create a more varied roofscape in the area.

It is agreed that the underlying topography helps to shape the city's skyline and similar concerns were expressed at an early stage by your officers. However, the scale of the new build element of block C, which is not dissimilar to office buildings within the Heart of the City (St Paul's Place), is considered to be acceptable in the context of adjoining buildings, creating a comfortable height to width ratio on adjoining streets. Localised similarities in height will become less apparent as more blocks within the Heart of the City II Project come forward and, in any case, they are not so obvious from street level or in long views when you allow for perspective and the differences in plan form.

In addition, care and attention has been paid to the top floor of block C in order that it makes a positive contribution to the skyline – particularly to Cambridge Street and Charles Street where colourful anodised aluminium slats will add some welcome colour to the facades.

The blocks on the western side of Pinstone Street are characterised by the extensive use of red brick. This stands out, in part, because of the contrast with the larger twentieth century buildings which surround, and the prevalence of Portland Stone on the Moor. The proposed use of brickwork to provide a basic structure, partnered with large glazed openings, is strongly supported. Limited use of anodised aluminium will, as with the roofscape, provide additional flourishes of visual interest.

As submitted, the detailed treatment of the ground floor shop fronts was unresolved and unresponsive to the site's context. The scheme has been amended to introduce stepping of the shop fronts on Cambridge Street in a traditional manner, which creates a better relationship with the retained building, and a different treatment to the shop fronts in the Pepperpot building – which are now in timber. These changes are a small but positive reinforcement of the site's characteristics and the quality of the scheme at street level.

An increase in the number of randomly distributed anodised panels within the window openings of the new-build portion has added a degree of lightness to the masonry block and a positive disruption to the strong grid which may otherwise be overly dominant.



Concerns have been raised that the Pinstone Street elevation of the new build element provides insufficient contrast to enable the interesting skyline of the retained frontage to stand out. However, it is considered that, if properly executed, the roofscape of the frontage building will read clearly against its newer neighbour, given the degree of setback and the level of glazing employed and that the wholesale use of an alternative material would be too great a contrast, not only to the retained building but also this part of the conservation area.

The need for a particular form of building to supply the office market and the rationale for focussing such activity in this part of the city centre as part of a planned process of regeneration is acknowledged. The existing building to the junction of Charles Street and Cambridge Street has its positive attributes but is not of any particular architectural merit. By contrast, the buildings currently forming the frontage to Pinstone Street are, and their retention is welcomed.

The preferred solution would be to retain the frontage buildings in totality, refurbished and integrated into the new scheme. It is understood that this unduly compromises the new build as it results in staggered floor plates which limits accessibility. It is also understood that the existing floors are only designed for residential loads and cannot accommodate the more intense loading requirements of office accommodation.

The proposed approach of façade retention is therefore considered to be the only one that can be made to work and efforts have been made to maximise the extent of the buildings to be retained to ensure that they read as viable entities which form a genuine street front, rather than an ephemeral surface dressing. Your officers are also satisfied that the frontage can be retained safely in its entirety, with minimal risk of collapse.

In design terms, therefore, the proposals are supported. It is acknowledged that compromises have been required to meet the ambitious goal of extending the Heart of the City area; however within these challenging development parameters, much has been done to work with the distinctive character of the site and its setting and the broad design approach is a marked advance on the nature of development previously advocated in this part of the city centre.

#### Built Heritage Assessment

The application site is situated at the southern end of the City Centre Conservation Area and the buildings within it are non-designated heritage assets. Within the vicinity of the application there are also a number of listed buildings including the grade II\* listed Leah's Yard at 22 Cambridge Street, the grade II listed former Bethel Chapel Sunday School at 32 Cambridge Street, the grade II listed Citadel on Cross Burgess Street and the grade II listed Prudential Assurance Building on the eastern side of Pinstone Street. Further north, at the junction of Pinstone Street and Surrey Street, is the grade I listed Town Hall.

Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies relating to the historic environment. It states that 'local planning authorities should identify and assess the particular significance of any

heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset),’ taking this into account when considering the impact of a proposal on a heritage asset in order to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

The NPPF advises that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

It goes on to say that any harm to the significance of a heritage asset requires ‘clear and convincing justification’. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities are advised to refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal’ (para. 196).

In relation to the effect of an application on the significance of a non-designated heritage asset, the NPPF advises that ‘a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

It also advises local planning authorities to look for opportunities ‘to enhance or better reveal’ the significance of Conservation Areas when dealing with applications for development within their boundaries, treating favourably those proposals that ‘preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance)’ (para. 200).

In considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have ‘special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’

Similarly, section 72 of the Act describes the general duty with respect to conservation areas and states that ‘special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.’

UDP policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) expects buildings and areas of special architectural or historic interest, which are an important part of Sheffield’s heritage, to be preserved or enhanced and advises that development which is considered to harm the character or appearance of listed buildings or conservation areas will not be permitted.

Policy BE16 of the UDP (Development in Conservation Areas) states that permission will only be given to schemes which preserve or enhance the character or

appearance of the Conservation Area while Policy BE19 (Development Affecting Listed Buildings) requires developments which affect the setting of a listed building to preserve the character and appearance of the building and its setting.

The fundamental issues with regard to heritage policy are that special regard must be given to the desirability of preserving the heritage asset or its setting (as required by sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990), that any harm to or loss of heritage assets requires clear and convincing justification and that substantial harm or total loss should not be allowed unless substantial public benefits outweigh that harm or loss.

Moreover, the requirement to 'avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal' mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a 'clear and convincing justification'.

In this instance, the designated heritage asset most affected by the proposed development is the City Centre Conservation Area, which was created in 1996 following the amalgamation of the Cathedral Conservation Area and the Town Hall Conservation Area. It incorporates a high concentration of listed buildings and varies in character from the dense building form of the Cathedral Quarter built in the 18th century to the larger and wider streets of the Victorian core. The western portion of the conservation area reflects the rapid late eighteenth and nineteenth century expansion of Sheffield.

The Council produced a Statement of Special Interest for the conservation area in 1996. It makes clear that the assets significance varies topographically, but identifies 'the late Victorian Pinstone Street' as important in townscape terms. Thus the site's contribution to the character, appearance and length of the retained Victorian frontage to the western side of Pinstone Street is considered to be a key element of the assets significance and efforts were therefore made to retain as much of this frontage as possible.

Commentators suggest that existing buildings within the footprint of block C all contribute to the significance of the Conservation Area and to the setting of the nearby listed buildings; that much of the site's importance stems from its intactness and that the loss of or damage to any building harms the entire group, because its intactness, which they say includes the building interiors, is lost. They also suggest that partially retained façades and reconstructed roofscapes will preserve only part of that contribution, and will not enhance it, which is harmful to the significance of the Conservation Area.

Your officers agree that the blocks intactness does make a positive contribution to the character and appearance and therefore the significance of the City Centre Conservation Area, but that the particular significance in this case is the contribution that the block makes to the Victorian frontage to Pinstone Street, rather than to Charles Street and Cambridge Street. Therefore, the contribution made by 4-8 Charles Street and 35-41 Cambridge Street to the significance of the conservation area is arguably less than that made by 94-104 Pinstone Street (the Pepperpot

building). Moreover, it is considered that the heritage value of the group is diminished by the impact that neighbouring buildings such as Premier House, the John Lewis building and Grosvenor House have on the setting of this peripheral part of the conservation area. By retaining the Pinstone Street frontage, including its distinctive roofscape, and reasonable returns to Charles Street and Cambridge Street, it is considered that the loss of 4-8 Charles Street and 35-41 Cambridge Street is localised and can result in no more than less than substantial harm to the significance of the City Centre Conservation Area.

An internal inspection of the properties has been carried out and it is acknowledged that the interior of the Pepperpot building, in particular, is of a good standard with numerous historic features. However, it must also be acknowledged that conservation area designation does not extend planning controls to building interiors.

Moreover, the needs of modern retailers are relevant to decision making. We all recognise that Sheffield city centre needs high quality retail space and, in the current, challenging retail environment, that means providing attractive, flexible (in terms of size) easily accessible units that will appeal to those retailers who do not yet have a presence in Sheffield

It has been suggested that the collective impact of the proposals will harm the setting of nearby listed buildings, in particular the setting of the grade I listed Town Hall located on the northern side of the Peace Gardens. However, as already discussed, it is considered that the retention of the Pinstone Street frontage preserves the significance of this part of the conservation area and, therefore, the setting of the Town Hall.

The block's contribution to the setting of other listed buildings is less evident. The setting of Leah's Yard and the Bethel Sunday School on Cambridge Street is fragmented and dominated by the 1960s John Lewis store on the eastern side of Cambridge Street, which does not relate to the listed buildings in scale, form or appearance. Neighbouring buildings on the western side of Cambridge Street are considered to make the most significant contribution to their setting, and while buildings within the application site have a relationship with buildings of the upper side of Cambridge Street, their contribution is limited.

Block C has little or no impact on the setting of the grade II listed Citadel as they are separated both physically and visually by the city block between, while its contribution made to the setting of the Prudential Assurance Building on the eastern side of Pinstone Street stems from its role within the retained Victorian frontage to the western side of Pinstone Street, which is to be preserved.

In relation to the impact of the development on undesignated heritage assets, numbers 4-8 Charles Street and 35-41 Cambridge Street appear as one building with a unified design in red brick with ashlar dressings. However their heritage value is considered to be low and, while they have aesthetic value as part of the townscape and contribute positively to the City Centre Conservation Area, they are relatively plain buildings of little architectural note. In itself, their loss is not considered to cause significant harm.

The NPPF advises that local planning authorities should seek to ‘avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal’, taken to mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a ‘clear and convincing justification.’

As discussed, harm to the significance of this part of the conservation area is mitigated by retaining the Pinstone Street façade, including the decorative roofscape and meaningful returns onto Charles Street and Cambridge Street. The harm caused is therefore considered to be less than substantial.

Harm has also been minimised through the design of the new build element, which objectors claim will, at 7 storeys, have an overbearing impact on retained 19<sup>th</sup> century buildings, again resulting in harm to the character of the conservation area.

The scale of the new build element comes from the need to provide sufficient grade A office floorspace to attract the right tenants and support the continued regeneration of the city centre. The growth sectors in the global economy are increasingly dominated by high skilled, office based employment and those forecast for the highest growth in the Sheffield City Region are business, professional/financial services and the creative and digital industries. These sectors are concentrated in the city centre and so the availability of a range of good quality office space is vital.

The scale of the new build is relatively modest in terms of its city scale and is similar in height to the newly constructed Grosvenor House to the immediate west and the proposed new build element on adjoining block B. It is therefore considered to be acceptable in the context of neighbouring buildings as well the height to width ratio of adjoining streets. It is accepted that the scale differs from the retained 19<sup>th</sup> century buildings on Pinstone Street and that this relationship could be considered harmful given the significance of the Victorian frontage, but the frontage is retained and the design of the new build seeks to minimise conflict with these and therefore the conservation area through the use of sympathetic materials, the regular, vertically proportioned fenestration and the reintroduction of new traditional style shop fronts as well as improvements to the public realm. Indeed it is considered that the latter – high quality shopfronts and public realm – will significantly enhance the conservation area at street level. On balance, therefore, the nature of the harm caused by the new build proposals is considered to be less than substantial.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the NPPF advises that this harm should be weighed against the public benefits of the proposal.

The proposed development includes 1,393m<sup>2</sup> of retail space and 4,518m<sup>2</sup> of office floorspace, a range of uses that are supported by both the Core Strategy and the Unitary Development Plan. The amount of retail floorspace is maximised, which will help to address the current inadequacy of Sheffield’s retail offer, and the proposed office accommodation will support the growth in office based employment and bring wide-ranging socio-economic benefits to the city centre.

The focus of the Heart of the City II project on individual buildings, blocks and the retention and re-use of the street pattern will help to maintain a strong sense of place and, while the demolition of numbers 4-8 Charles Street and 35-41 Cambridge Street will be harmful to the character and appearance of the City Centre Conservation Area, the retention of the Pinstone Street frontage preserves the significance of this part of the conservation area and the setting of listed buildings.

It is concluded that the harm to and loss of heritage assets is unfortunate, and that opportunities to minimise that harm have been sought wherever possible, but that the long term benefits to the City outweigh the injury to its heritage and adequately meet the requirements of the NPPF.

### Sustainability

Policy CS63 of the Core Strategy (Responses to Climate Change) gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings and conversions of existing buildings to be energy efficient and to use resources sustainably, while policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources, with 10% of predicted energy needs provided from decentralised and renewable or low carbon energy.

The application site is located in the heart of the city centre, is highly accessible and very well served by a full range of public transport options.

The submitted Sustainability Statement indicates that the proposed development will have a high performing thermal envelope, with target U-values for the walls and glazing set significantly above current building regulations requirements and, where required, it is proposed to deliver heating through efficient, low energy systems and make effective use of low carbon technologies. For example, primary heating for the new-build office and retail areas will be taken either from the Sheffield district heating network (Veolia) or a high efficiency air-source heat pump (supplemented by a small provision of electric resistance heating), both of which offer reduced emissions when compared with equivalent grid electricity and natural gas installations.

Other energy efficient measures include the use of low-energy LED lighting throughout, heat recovery ventilation and the installation of a Building (Energy) Management System, which is known to achieve significant operational energy savings.

It is estimated that connection to the Sheffield District Heating Network or a low energy air source heat pump will provide 39.5% of the total building energy demand, comfortably complying with the requirements of policy CS65.

### Landscape Proposals

The Heart of the City II project, which began with Grosvenor House, provides an opportunity to create a new series of high quality public spaces which, together with the building plots, will form a strong retail connection with existing shopping areas on Fargate and The Moor. Phase 1 included a terraced garden in Charter Square inspired by one of Sheffield's most characteristic features, its topography, and while the design of the public realm around block C will continue the language already established, it also incorporates a degree of individuality.

The public realm around blocks B and C, which will be delivered at the same time, must work with the urban fabric as the small blocks and historic streets are retained, creating a relatively intimate townscape which frames views and is likely to be dominated by pedestrians. Therefore, significant interventions were considered to be inappropriate and a relatively restrained approach is proposed, though it still seeks to generate visual interest, respond to adjacent buildings and provide opportunities to stop, rest and socialise.

On Charles Street, a main route into the Heart of the City II, the design response is to create a number of planted areas which will appear to rise out of the paving in a series of steps. They will be faced in natural sandstone and echo the treatment of the terraced garden in Charter Square, with references to the Pennine landscape. The areas of planting will both soften the streetscape and act as rain gardens, terminating in a larger planting bed that will continue the green cascade around the corner onto Cambridge Street. This larger bed, which marks a convergence of routes referred to as 'Five Ways', will provide a place to rest and a means of addressing the challenging gradients.

The designs build on the Pennine themes, using coarse textured sandstone blockwork and wild planting, and a range of natural, high-quality stone will be used for surfacing across the site.

The proposed landscape scheme is considered to be well designed, of a very high quality, place specific, and legible. It will provide an attractive setting for the new development and reinforce the city's now established tradition of integrating traditional craftsmanship and artwork into the public realm to create a sense of quality and build on the city's cultural identity.

## Highways

As previously described the existing street pattern is to be retained, though Charles Street and Cambridge Street will be pedestrianised and vehicular access will be prohibited. It is therefore intended that block C be serviced from Pinstone Street (avoiding the peak periods).

The pedestrianisation of Charles Street and Cambridge Street, coupled with the need to allow on-street loading and servicing from Pinstone Street, has triggered the requirement for a change in the way pedestrians and cyclists negotiate the Moor Head junction on route to other destinations. The developer has agreed to fund the necessary off-site highway works, which includes extending the cycle lane to the southern end of Union Street, the details of which are secured by condition.

Like Grosvenor House to the west and many other city centre buildings, the proposed development will remain car-free. The site is highly accessible by many modes of travel and for those who need to drive, there are 9,000 off-street car parking spaces across the city centre – the closest multi-storey car parks are the NCP car park attached to the Vita student accommodation block (formerly Telephone House), the Moor car park on Eyre Street and the Q Park on Charles Street.

However, the submitted Travel Plan seeks to promote sustainable travel and minimise the impact of the development on the local and strategic highway networks. The Plan will be aimed at staff and shoppers and will encourage staff to think about and change their travel behaviour, increase staff and shopper's awareness of the environmental and health implications of different travel choices, encourage sustainable travel choices, and maximise accessibility for walking and cycling. Cycle parking with changing facilities, including showers, will be provided in the basement of the building, accessed reasonably directly from Pinstone Street and a service lift.

### Ecology

The application site was subject to a Preliminary Ecological Appraisal which found one roosting bat and a number of bird nests, and it was concluded that the site has high bat roost suitability overall. As noted in the recommendations of the Appraisal, the bat roost must be dealt with by applying for a Natural England European Protected Species Licence (EPSL), a requirement of which will be the installation of bat roosting features within the building.

### Archaeology

The standing buildings date from the 19th century and most of these have basements. Whilst the potential for below ground archaeology of any significance is therefore limited, the submission of a desktop assessment that sets out a strategy for archaeological investigation will be secured by condition. This will include the recording of standing buildings proposed for demolition.

### Ground conditions

The application site falls within a Coal Mining Referral Area. The submitted Coal Mining Risk Assessment acknowledges that whilst the Silkstone Coal has been worked beneath the site, the risk of void migration to ground level is considered to be low and no remedial measures are necessary in this regard.

The development will incorporate a foundation design which will in part involve bored piles extending through an area of suspected bell pits associated with ironstone mining activity and through the Silkstone Rider Coal found in rock beneath the worked Silkstone Coal. The Coal Authority have raised no objection to the proposals, but expect the pile designer to fully consider the potential effect of the shallow workings on pile performance and obtain the necessary permit to enter the Coal Authority's property.

### Public Art



Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Full details will be secured by condition.

#### Community Infrastructure Levy (CIL)

The CIL Charging Schedule adopts a matrix approach, setting out differing CIL rates for new housing, retail, hotels and student accommodation.

As per the Schedule, only Major Retail Schemes with a minimum floorspace of 3,000m<sup>2</sup> are CIL liable.

#### SUMMARY AND RECOMMENDATION

The proposed development forms part of the second phase of the Heart of the City project. It is consistent with the local development plan and national policy, is considered to remain in the spirit of the endorsed SRQ masterplan and will help to bolster the long term vitality and viability of the city centre.

The proposed development will provide much needed high quality retail and office accommodation in a scheme which seeks to preserve the significance of heritage assets, most critically the City Centre Conservation Area, and provide enhancements to the conservation area wherever possible. It is considered that the proposed development will cause some harm to the City Centre Conservation Area as a result of the demolition of by 4-8 Charles Street and 35-41 Cambridge Street as well as the scale of the new build residential block, but that this harm will be less than substantial.

Moreover the harm has been minimised and, in any case, is outweighed by the public benefits of the proposal. It is considered that there will be no harm to the setting of nearby listed buildings.

The proposed public realm will provide a quality setting for the new development help to establish a strong sense of place and an attractive and comfortable place to live, work and visit.

In addition, the proposed development is sustainable, accessible to all modes of transport and will bring about substantial economic and social gains.

It is therefore recommended that Members grant planning permission subject to the listed conditions.

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