

Case Number	21/04263/REM (Formerly PP-10231786)
Application Type	Approval of Reserved Matters
Proposal	Reserved matters application proposing details for the appearance, scale, layout, landscaping and access for a 9 storey multi-storey car park building (Sui Generis) at No.4 West Bar Square
Location	33 Love Street and site of former 53 Bridge Street Sheffield S3 8NW
Date Received	29/09/2021
Team	City Centre and East
Applicant/Agent	Asteer Planning LLP
Recommendation	Reserved Matters Approved Conditionally

## Time Limit for Commencement of Development

### Approved/Refused Plan(s)

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

Location Plan - 05883 MP\_00\_0001 A  
Proposed Masterplan - 05061\_MP\_00\_2200 Rev D  
MSCP - Landscape GA - 1936.A-PLA-XX-XX-DR-L-0002 P03  
MSCP - Levels Plan - 1936.A-PLA-XX-XX-DR-L-0003 P02  
MSCP - Hardworks - 1936.A-PLA-XX-XX-DR-L-0008 P02  
MSCP - Softworks - 1936.A-PLA-XX-XX-DR-L-0009 P02  
Proposed Site Plan - J1866-STRIPE-XX-00-DR-AX-1001 P05  
Proposed Ground and Level 01 Floor Plan - J1866-STRIPE-XX-ZZ-DR-AX-1100 P06  
Proposed Level 02 and Typical Floor Plan - J1866-STRIPE-XX-ZZ-DR-AX-1101 P06  
Proposed Level 08 and Roof Floor Plan - J1866-STRIPE-XX-ZZ-DR-AX-1102 P06  
Proposed Elevations - J1866-STRIPE-XX-ZZ-DR-AX-1500 P06  
Proposed Sections - J1866-STRIPE-XX-ZZ-DR-AX-1600 P05

Reason: In order to define the permission.

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

2. The following Road Safety Audits, to be completed by appropriately qualified road safety audit engineers who shall be independent of the scheme design/process, shall be submitted to and approved in writing by the Local Planning Authority:
  - i. A Stage 2 RSA, prior to the commencement of development.
  - ii. A Stage 3 RSA on completion of construction of the relevant section of highway or access to the highway.
  - iii. A Stage 4 post opening collision monitoring report shall be completed 12 months after

the first opening of the highway scheme.

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

Reason: In the interests of highway and pedestrian safety.

3. No above ground works shall commence until the highway's improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

been carried out; or

details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before building is brought into use and the building shall not be brought into use until the highway improvements listed below have been carried out;

Highways Improvements:

i. Improved cycle infrastructure to Bridge Street to be determined by the Local Planning Authority.

ii. Agree the extent of the adopted highways and reconstruct Love Street and the west side footway of Bridge Street in Urban design Compendium palette or alternative to be approved by the Local Planning Authority.

iii. Apply for all relevant TRO's and install all signs and markings required for direction to and control of access to the new MSCP.

Reason: In the interest of highway and pedestrian safety

4. Prior to the improvement works indicated in the preceding condition being carried out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway or pedestrian safety

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

5. Details of all proposed external materials and finishes, including sizes, fixing and samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

6. Prior to that part of the development commencing, large scale details at a minimum scale of 1:20 showing the pattern/size of perforations to the mesh cladding shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenities and to ensure a high quality design.

7. A sample panel of the proposed cladding shall be erected on the site and shall illustrate the colour, texture, detailing and fixing of the panels to be used. The sample panel shall be approved in writing by the Local Planning Authority before the erection of any cladding is commenced and shall be retained for verification purposes until the completion of such works.

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

8. Prior to the development being occupied, details of a cleaning and maintenance regime for the mesh cladding, in line with the recommendation in the design and access statement, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the maintenance shall be in accordance with the approved details.

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

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

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

10. Prior to that part of the development commencing, large scale details at a minimum scale of 1:20 showing the perforations and detailing (to include public art in the lower cladding panels) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenity and securing a high quality design

11. 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

12. The proposed green screen shall be installed in the locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works commencing. The green screen shall be installed prior to the use of the building commencing and thereafter retained and maintained.

Reason: In the interests of biodiversity.

13. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered. Plant noise emission levels should not exceed the LA90 background noise level at the nearest noise sensitive receptor during the periods of operation.

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

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

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

15. Prior to the development being brought into use, full details of a signage strategy will be submitted to and approved in writing by the Local Planning Authority. Thereafter any signage shall only be installed in accordance with the approved strategy.

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

16. The sole means of vehicular ingress to and egress from the site shall be gained from and to Love Street.

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

17. No door, window or gate shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

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

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

19. The car parking accommodation shall not be used until an access management strategy, including proposals to prevent a negative impact of equipment failure on the highway, has been submitted to and approved in writing by the Local Planning Authority. Thereafter such approved access management strategy shall be retained and complied with by the car park operator.

Reason: In the interests of highway safety.

### **Other Compliance Conditions**

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

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

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

3. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpath on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on

commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

Highway Adoptions  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

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

4. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Highway Co-Ordination  
Sheffield City Council  
Town Hall  
Sheffield  
S1 2HH

Telephone: 0114 273 6677  
Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

5. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

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

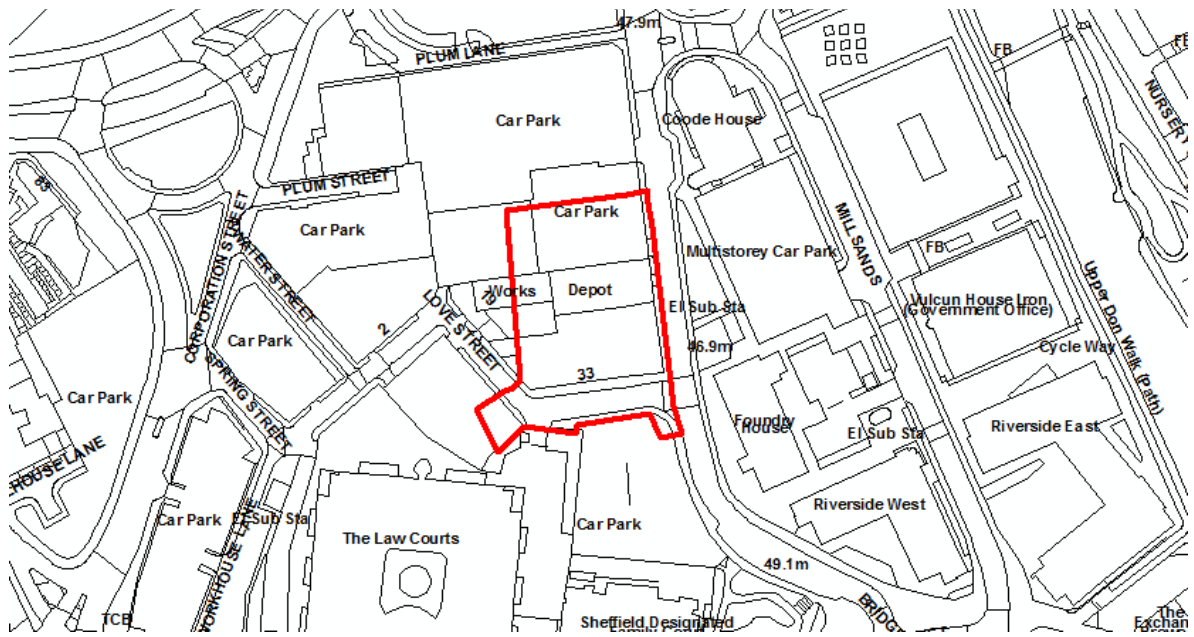
6. Dependent upon the nature of the highway works being undertaken, you may be required to pay a commuted sum to cover the future maintenance of new and/or improved highway infrastructure.

The applicant is advised to liaise with Highways Maintenance Division early on to determine the approximate cost. In the first instance contact should be made with the S278 Officer:

Mr J Burdett  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

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

# Site Location



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## INTRODUCTION

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

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

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

Owing to the scale of the site the development will be phased. Reserved matters applications have recently been granted through applications 21/01998/REM and 21/01999/REM for an office building and two residential blocks respectively.

The MSCP is located on Plot 4C within the west portion of the outline approval red line boundary area. The site is bounded by Love Street to the south, beyond which lies the retained Law Courts. Bridge Street is to the west and is characterised by office and residential development to the opposite side of the highway. The remainder of the cleared West Bar site lies to the east and north of the application site. The site formerly accommodated surface car parking and industrial buildings, but these have recently been demolished.

This application seeks reserved matters approval for a multi-storey car park (MSCP) with access and egress taken from Love Street. The proposal is 9 decks high and will accommodate 470 car park spaces, including provision for disabled parking and electrical vehicle charging, as well as car parking attendants office and a substation. Hard and soft landscape works are also proposed and will link to the wider landscape works for West Bar Square.

## RELEVANT PLANNING HISTORY

21/01998/REM – Erection of an office building (Use Class B1a) with ground floor retail units (Use Classes A1-A4) (Application to approve access, appearance, landscaping, layout and scale as reserved under planning permission no. 16/02518/OUT) – Granted Conditionally

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

20/02999/NMA - Application to allow minor amendment to condition 58 to 'No more than 700 car parking spaces, inclusive of existing temporary car parking and any new car parking provision, shall be provided within the site before parts a, c, d, e, f and g of Part

1 of Condition 20 are completed to the satisfaction of the Local Planning Authority' (amendment to planning approval 16/02518/OUT) – Granted

16/02518/OUT - Demolition of existing buildings and erection of buildings to form a mixed use development (maximum floor space of up to 140,000m<sup>2</sup>) comprising office (Class B1), residential (Class C3), hotel (Class C1) and retail and leisure (Classes A1, A2, A3, A4, A5, D1 and D2) uses, provision of public realm space and car parking accommodation (Outline application - all matters reserved except for the principal means of access to the site from the junction of Bridge Street/Corporations Street) – Granted Conditionally

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

## SUMMARY OF REPRESENTATIONS

No letters of representation have been received

## PLANNING ASSESSMENT

### Policy Context

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

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

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

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

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

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



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

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

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

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

Consideration will also be given to other relevant issues. All matters will be assessed in relation to relevant national and local policies and the degree of consistency between policies will be considered.

#### Relevant Conditions from Outline Application

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

The total combined gross floor space of the development shall not at any time exceed 140,000m<sup>2</sup> in accordance with the following minimum and maximum gross floor spaces:

- (a) Office (use Class B1a): a minimum of 51% of the total combined development floor space up to a maximum floor space of 85,000m<sup>2</sup>.
- (b) Residential (use class C3) up to a maximum floor space of 50,000m<sup>2</sup> or 525 units whichever is the greater.
- (c) Retail, leisure and community (use class A1, A2, A3, A4, A5, D1 and D2) a combined a maximum floorspace of up to 5,000 m<sup>2</sup> subject to the restrictions on retail (use class A1) use as identified in condition 52
- (d) Hotel (use class C1) up to 500 bedspaces or a maximum floorspace of 20,000m<sup>2</sup> whichever is the greater.
- (e) Car parking (sui generis) up to 700 car parking spaces not exceeding 25,000m<sup>2</sup>

The application proposes 13,932m<sup>2</sup> (GIA) of parking provision and so is comfortably in line with Condition 56. To date no other parking spaces have been approved as part of a reserved matters application and so the proposed 470 spaces do not need adding together with any other provision.

Condition 2 of the outline application approved a number of parameter plans which the development must be in accordance with. Of relevance to this are drawings which set out where Sui Generis Car Parking uses are permitted, indicated to be along Bridge Street. The location of the MSCP proposed through this reserved matters application is consistent with the land use parameter plan.

Design (Reserved Matters: Appearance, Layout and Scale)

#### Policy

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

architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

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

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

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

#### Relevant Conditions

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

Condition 2 sets out approved drawings; one of these relates to maximum heights and indicates a maximum height of 94.30m AOD (including plant) within the area relating to this site.

#### Scale, siting and appearance

The Design Principles set out in the Design and Access Statement referenced in Condition 50 of the outline approval set out 5 key character areas for the site. Of particular relevance to the MSCP site are character areas West Bar Square and Bridge Street. As defined in the Design and Access Statement the key design principles for the West Bar Square Character Area are:

- Distances between buildings should reinforce the hierarchy of pedestrian routes;
- Active frontages must address the square;
- Key gateways should provide appropriate wayfinding and create distinctive routes through the development;
- The heart of the development is the new city square, the scale of which should be big enough to accommodate public events, but small enough to be at a human scale;
- Routes to the public square should include SuDs, public art, wayfinding/signage, opportunities for informal gathering, high quality materials and tree planting;
- All buildings to display a tripartite separation of top, middle and bottom;
- Ground floor heights to be a minimum of 5 metres;
- High quality materials of a contemporary nature should be used.

The key design principles for the Bridge Street Character Area are:

- Minimum pavement width of 3m along Bridge Street and buildings to display back edge of footprint layout;
- Maximum of 6 buildings, minimum of 5 buildings along Bridge Street;
- Active frontages incorporated where possible to reinforce pedestrian routes through the site;
- Vehicle access to use existing highways of Love Square and Plum Street;
- A minimum of 2 pedestrian routes off Bridge Street must be provided
- Articulation of key gateways is necessary to provide appropriate way finding and create distinctive routes;
- scale to be in line with parameter plans; and must ensure appropriate conditions to the public square
- Public Realm to include semi-mature planting, high quality materials and an uncluttered route to Kelham Island
- All buildings to display a tripartite separation of top, middle and bottom;
- Ground floor heights to be a minimum of 5 metres
- High quality materials of a contemporary nature should be used.

The building is located to the east of the site and is bounded by Love Street to the south and Bridge Street to the east, within an area defined by the parameter plans as suitable for a Sui Generis MSCP. The proposal is for a nine deck building with a height of 78.00m AOD. The Outline application considered that a height of up to 94.300 AOD was an appropriate scale for this key edge of city centre site, so the proposal sits comfortably within the scale parameters.

The proposal is for a rectangular shaped building with vehicular access off Love Street. The siting of the building will allow for a 3 metres wide pavement adjacent to Bridge Street; the building will then be set at the back edge of this widened footway. The increased footway and back edge of pavement layout is in line with the design principles set out in the outline application and will ensure that the building provides an appropriate enclosure to Bridge Street whilst also improving the pedestrian route to the Kelham Island Area to the north.

The MSCP is a functional building with the majority of the floorplate taken up by parking; with the exception of stair cores, ground floor staff offices and a substation. The main stair and lift core are positioned to the north-west corner of the building, providing direct access to West Bar Square and also aiding legibility and wayfinding.

A secondary stair and lift core are provided to the south-west corner and will act as a marker for the vehicular access point to the site. Whilst direct access to West Bar Square is provided, the building is located at a corner of the square allowing office and active frontages in other buildings to dominate. Given the limited opportunities afforded for active frontages by the MSCP this relationship is well considered.

The base of the building is to be clad with anodised aluminium perforated panels, the extent of which will cover the ground and first floors, resulting in a clear base; the height of which is the same as approved at No.1 West Bar Square. The intention is to incorporate public art into the cladding system to create visual interest to the street scene; the design of this will be finalised working with the Council's Public Art Officer, the details of which will be secured by condition.

Above the base level, mesh stainless steel cladding is proposed in a 3D sculptural concertina pattern arranged vertically. Other materials include solid aluminium cladding panels to the stair cores, finished in a silver colour. The Cladding is intended to reflect the steel making history of Sheffield and is effective in creating an interesting, contemporary and unique appearance which will break up the massing of the building. Information submitted with the application details that the stainless steel cladding is not likely to rust but that annual maintenance and cleaning will be required, this will be secured by condition.

The design of the building is based upon the Architect's vision for the whole site; the site as a whole is viewed as a collective and complementary family of buildings but also as individual elements. Buildings towards the north and along Bridge Street will be designed to have a more raw materiality, to reflect the industrial heritage of the Kelham Island Area, whereas the buildings closer to the south and along Corporation Street and the Inner Relief Road will be designed to reflect the contemporary commercial style of the City Centre.

A landscaped pedestrian route is provided to the north of the building supporting the east west link through the site. Shared pedestrian and vehicular access is also provided along Love Street and a pedestrian route to the west links the two horizontal routes. Glazing to the MSCP on the site office area in the west elevation, coupled with the stair cores will help to activate the building and create a positive relationship with pedestrians. Elsewhere, opportunities for active frontages are somewhat limited by the nature of the building, but the use of a green screen to the west elevation and public art in the cladding will enliven the elevations and provide a positive relationship with pedestrian routes. The provision of pedestrian links around the building in high quality landscaped areas will provide a highly permeable layout as envisioned in the original masterplan.

The siting and layout of the proposals supports the evolving masterplan and the two phases of development already granted. Supporting the aims of the masterplan overall and design principles for the character areas.

It is noted that Condition 34 requires all buildings to provide a green/brown roof unless it can be shown to not be feasible or viable. In this instance the roof of the car park is used for parking spaces, this is necessary to maximise parking and so a green/brown roof is not feasible.

In light of the above, it is considered that the proposal is for a well-designed, high quality building that is suitable for this City Centre redevelopment site.

#### Heritage Implications

The site is not located in a Conservation Area and does not contain any listed buildings or scheduled Ancient Monuments. The nearest listed building (the Emergency Services Museum) is located to the south-west of the site on the opposite side of West Bar roundabout. Owing to the separation distance it is considered that the proposal will not have an impact on this building. Furthermore, owing to the separation distance to the Kelham Island Conservation, the MSCP will not have any impact on this heritage asset.

#### Highways and access (reserved matter access)

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

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

- Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location
- Safe and suitable access to the site can be achieved for all users;
- The design of streets, parking areas, other transport elements and the content of associated standard reflects current national guidance, including the National Design Guide and the National Model Design Code; and

- Any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree.

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

Paragraph 112 goes on to state that application for development should:

- (a) Give priority first to pedestrian and cycle movements and second to facilitating access to high quality public transport;
- (b) Address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- (d) Allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- (e) Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The MSCP is the primary car park for the West Bar redevelopment site. It will provide a total of 470 parking spaces to include 22 accessible spaces, 25 Electric Vehicle Charging spaces, 25 spaces for Ultra Low Emission Vehicles and 2 Accessible Electric Vehicle Charging spaces. In addition, 5 motorcycle and 5 bicycle parking spaces will be provided.

As detailed previously, the number of overall parking spaces is in line with the maximum parameters set out in Condition 56. Furthermore, the provision of the Electric Vehicle Charging Points and Ultra Low Emission Vehicle spaces is in line with the requirements of Condition 33 which details that a minimum of 5% of spaces within the MSCP should be used for each of these purposes.

The car park is designed to follow a one-way circulation flow. The car park will be formed from large pre-cast planks spanning between primary beams at the perimeter. This will prevent the need for supporting columns within the main floor areas and allow for greater manoeuvrability. Parking bays follow Council standards of 2.5m x 5m for standard bays and 3.6m x 6m for accessible bays.

Vehicular access to the MSCP will be via Love Street, accessed from Bridge Street. The junction with Bridge Street will be modified to provide amended corner radii and dropped kerbs with tactile paving across the junction for pedestrians travelling along Bridge Street. Tracking information has been submitted with the application which demonstrates that access to the MSCP can be achieved, as can access for service vehicles to the perimeter of the site.

It is highlighted, that the principal means of access into the West Bar site from Bridge Street was approved through the outline application. A number of highways improvements were secured through Condition 20 of the outline approval. At outline stage it was determined that permitting travel in both directions along Bridge Street would have the least detrimental impact on highway safety. This option is preferable to allowing immediate access from a car park to the inner relief road or allowing increased usage of the West Bar Grey to Green route, which would be the consequence of Bridge Street remaining one way. As detailed, the access to and from the site is established and the siting of the car park accessed from Love Street via Bridge Street is in line with the already approved details.

Road Safety Audits are needed at each stage of the development of this critically located site. Therefore, the applicant should provide a Stage 1 road safety audit for the development of this section of the site including Love Street and the entire length of Bridge Street and its junctions with Love Street, Corporation Street and West Bar. The RSA's (stages 1, 2, 3 and 4) will be conditioned as has been done for other applications for this site.

Trip generation and traffic modelling was undertaken as part of the Outline approval and these assessments are still relevant. The transport assessment submitted with the current application provides an update to the trip generation modelling based on the approved reserved matters and is in line with the figures issued at outline stage.

The applicant has submitted figures that provide a robust assessment of the likely use of the MSCP. The barrier operational capacity proposed by the applicant is based on details in the Design Recommendations for MSCP and Underground Car Parks (fourth edition), The Institution of Structural Engineers, March 2011.

Although officers do not suggest the figures for access through the barriers are in error, they do appear optimistic and subject to reduction if user error occurs. The applicant has been asked to provide further detail on this matter, however they are unable to provide full details at this time as the car park will be operated by a third party with experience in running other car parks. The applicant envisages a technologically advanced system of management using technology such as ANPR, an automatic barrier system, online pre-parking booking, pay before exit, mobile phone apps and the majority of entries being ticketless which will increase the efficiency of the car park entry and exit processes. A car park management plan will be conditioned which will enable further details to be submitted and agreed when the information is available. This should include measures to address various scenarios that may happen on the site and how any queuing both within the car park and on the route to the car park can be minimised.

The substation will be serviced from within the development, with access via Love Street and the pedestrianised route to the west of the site. Servicing of the operator's office and estate office will be negligible and will be undertaken using light goods vehicles either within the MSCP or from other loading areas in the wider site. Refuse collection will be undertaken from Bridge Street or other collection points in the wider masterplan area.

Landscaped pedestrian routes will be provided around the MSCP and will link to West Bar Square and the wider redevelopment site, ensuring a permeable site layout. The pedestrian routes will be accessible at all hours and details of lighting will be secured by condition. Although the applicant has provided additional information as requested regarding the layout and surfacing of Love Street, further clarification of the extent of adopted public highway on Love Street and also details of the extent of associated public open space (to be maintained by the site management) adjacent to the adopted public highway are required. Clarification of the nature of the proposed surface treatment and street furniture if any for the adopted public highway of Love Street and Bridge Street, should also be provided.

Condition 21 requires details of cycling parking to be provided with each reserved matters application and states:

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

facilities have been provided in accordance with the approved plans and thereafter retained.”

The plans indicate that 5 cycle spaces and 5 motorcycle spaces will be provided. These are for use by staff associated with the MSCP, with cycle provision made within other buildings and the public square for users of those buildings/areas. The number of spaces proposed for the users of the car park is in excess of the minimum parking requirements, which for offices require one short stay and one long stay space per 100m<sup>2</sup> of office space. No shower/changing/drying facilities are proposed but given the small number of staff to be employed as part of the MSCP operation this is considered to be acceptable.

The Kelham/Neepsend area is subject to cycle improvements through the Transforming Cities Fund. The plans indicate a number of cycle routes will be provided and West Bar roundabout will become a dutch roundabout, giving priority to pedestrians and cars. Opportunities to link the West Bar Square redevelopment site to the wider cycle improvements in the area are encouraged and will be secured through conditions on the outline and reserved matters approval. Condition 20 of the outline approval requires improvement works including part 3b which requires ‘Improvements to pedestrian and cycle safety and access to the site associated with the relevant phase’.

It is acknowledged that the development of the MSCP and the wider site will increase traffic on Bridge Street. The left slip lane from Bridge Street was conditioned before the latest IRR scheme was designed and it was always envisaged that it would have to be accommodated. At the time of assessment (IRR feasibility stage), traffic volumes on Bridge Street even after the committed development is fully occupied, will permit cyclists to use Bridge Street with all other traffic (based on daily two-way movements) in line with the new 2020 guidelines of LTN 1/20. Coupled with the review and improvements required through Condition 20, it is concluded that the cycle access to the site will be acceptable.

#### Access

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

The NPPF, in paragraphs 92, 93 and 127, encourages a high standard of design and inclusivity for all members of communities using a development. The main access is to the northwest corner of the building providing clear level pedestrian links through to West Bar Square. Access to the building is via double width automatic doors which provide access to lifts to all levels.

In light of the above, it is considered that suitable access to and within the development will be provided and that the development meets policy requirements.

#### Landscaping

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

A hard and soft landscape scheme is proposed of the area around the site which includes pedestrian routes (with provision for emergency vehicles) to the north and west, Love Street to the south and Bridge Street to the east.

The plans indicate that granite paving will continue from West Bar Square to the building entrance at the north-west of the site. Beyond this, to the pedestrian links which form part of the public realm to the north and the west, concrete paving is indicated. Concrete paving to adoptable standards is indicated along Bridge Street and a tarmac highway to Love Street. Further discussions about the suitability of the proposed paving materials, including how they link to the wider Grey to Green Scheme are considered to be necessary.

The public realm to the west of the building will include planting and rain gardens to facilitate SUDs whilst raised planting beds are proposed to the north to address the level changes. Anchor trees will be included to highlight entry points and key views. Planting should contribute to the ecological value of the proposals and bat and bird boxes in trees will further improve biodiversity.

The application includes temporary measures along Love Street, with the permanent proposals not being completed until the future reserved matters details for buildings to the west of the stie are submitted. The temporary works indicate a tarmac highway and footway and temporary wildflower embankment.

Whilst the design intent is generally acceptable there are a number of issues with the detail shown which need further consideration, including details of hard surfacing materials and planting. A condition will be attached to any approval to enable further details to be finalised and agreed.

A sun path analysis has been submitted to demonstrate the impact of the MSCP on West Bar Square and demonstrates that there will be some limited overshadowing during the mornings but that this passes by midday.

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

## Security

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

South Yorkshire Police and Counter Terrorism Policing have provided comments on the scheme in relation to safety and security. The comments suggest that the development is built to Secured by Design Standards and includes a number of recommendations including not creating recessed doors; entrances should be well lit; CCTV should be installed; inclusion of anti-suicide measures given the high rise nature of the building and access to the upper deck. It is noted that the design and access statement details that the cladding will extend 2.5 metres above the upper deck to prevent falls. The comments have been passed on in full to the applicant.

## Amenity

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

Paragraph 130(f) of the NPPF states that development should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high



standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.

The principle aims of IB9 (b) and H5 are to ensure that existing and future users have a good standard of amenity. This aim is robustly reflected in paragraph 130 of the NPPF and as such it is considered that significant weight can be attached to the local policies.

The nearest sensitive users are residential developments, located at Coode House, to the north-east of the site and separated by approximately 19 metres. It is also highlighted that the MSCP will not be directly opposite Coode House but is sited at an angle whereby it does not front directly onto the residential accommodation.

The separation distance plus angled orientation is sufficient to ensure that the proposal is not unacceptably overbearing to existing residents. Although a sun path analysis has not been submitted to demonstrate the impact on residents in Coode House, the height and siting of the MSCP is in line with the parameters plans approved at outline stage. A sunlight study was submitted with the outline approval and the impacts of the development on residents to Bridge Street were considered and found to be acceptable.

In approving the parameter plans for height the impact on surrounding developments was considered and has been established. It is therefore not necessary to consider this matter in more detail as part of this reserved matters submission.

#### Noise

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

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

#### Contaminated land

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

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

#### Wind Impacts

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

Although wind was considered at outline stage, an updated wind micro-climate assessment has been submitted now that more information about the design of the scheme is available. The wind assessment uses the Lawson Comfort Criteria to analyse pedestrian comfort. This demonstrates that following the full development of the site the wind comfort levels will be suitable for the intended purposes, including in the public square and at building entrances.

The model illustrates a small area of distress to the north-east corner of No.1 West Bar Square. This has previously been detailed and mitigation secured in relation to application 21/01998/REM.

A further area of wind safety exceedance is shown to the south-west of the site, however owing to the prevailing direction of the wind this is not a result of the redevelopment of West Bar but is likely an existing condition.

The model illustrates that wind comfort to adjacent residential building entrances will remain suitable for this activity.

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

## Sustainability

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

Condition 31 of the outline approval states:

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

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

In economic terms, the development will form part of the wider West Bar development which will support the economic growth of the area, providing employment floorspace in the City Centre, alongside residential and leisure uses. The MSCP will allow these uses to be easily accessible and thus make them, more attractive and encourage people to the area, boosting the economy.

The social benefits of the scheme include the regeneration of the West Bar area to create a vibrant and attractive mixed-use area with new residential, commercial, leisure and employment uses alongside an attractive public square and public realm. The MSCP is a necessary element of the regeneration and will help to make the scheme accessible and attractive to users.

In environmental terms the proposal will enhance the built environment and includes a number of measures to reduce its impact on the environment as detailed below.

Core Strategy Policy CS64 'Climate Change, Resources and Sustainable Design of Development' expects all new buildings to be energy efficient and to use resources sustainably.

Core Strategy Policy CS65, relates to renewable energy and carbon reduction and requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. A sustainability statement has been submitted with the application and this details that consideration will be given to providing renewably energy in line with Condition 17.

The statement details that multistorey car parks are not covered by BREEAM requirements. The developer will need to seek to vary Condition 30 for this

development through a S73 application. This must demonstrate that, despite not achieving the target, opportunities to deliver sustainable elements are maximised. Consideration has already been given to this in the sustainability statement which sets out a range of sustainability measures including natural ventilation instead of mechanical ventilation; provision of natural light to stair cores; LED lighting with daylight and motion sensors; 27 active electric vehicle charging points and inclusion of a green wall and soft landscaping scheme.

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

### Flood Risk and Drainage

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

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

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

These issues were fully assessed at outline stage and relevant conditions attached. Details submitted with the current application indicate that drainage will incorporate SUDs and underground attenuation. Permission will need to be sought under Conditions 13 and 14 of the Outline Application for approval of the final drainage details.

The site is located in flood zone 2 and Conditions 15 and 41 set out the requirements in relation to flooding. The conditions require the development to be constructed in accordance with the flood risk assessment which set floors levels at 48.90 AOD for this type of use. The ground floor pedestrian entrance will be set at 49.19m AOD with other occupied areas at 48.90 AOD, meeting the levels set in the flood risk assessment.

Further the flood risk assessment requires the overland flow of flood water from west to east between Corporation Street and Bridge Street to be maintained and directed away from building entrances. In the short term the levels will be such that water will flow from the west to the east following a route along the pedestrian route to the north of the MSCP. Following completion of the public square the water will flow from west to east via Plum Lane to the north.

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

### Other Matters

The Design and Access Statement details that the Cladding must be non-combustible and where close to boundaries must provide fire protection (level to be calculated by a fire engineer). This normally means providing a secondary internal layer of a solid fire-resistant board behind the external cladding.

part of the outline approval and are subject to conditions. No further assessment is required as part of this reserved matters application.

## SUMMARY AND CONCLUSION

The Reserved Matters application for the erection of a Multi Storey Car Park within a parcel of land in the west part of the West Bar Square redevelopment site is broadly consistent with the detail submitted at outline stage, including the parameter plans and conditions.

The proposed development is well designed and will create a contemporary addition to the street scene. The development is acceptable in terms of the matters reserved by the outline approval, namely scale, siting, layout, landscaping and access and all other material considerations considered in the report.

The report includes, where relevant, an assessment of local policies against the policies in the NPPF. It is considered that the local and national policies are well aligned and so the tilted balance is not in play. It is concluded that the scheme complies with the relevant local and national planning policies when taken as a whole and as such this reserved matters submission is recommended for approval subject to the listed conditions and those relevant conditions imposed at the outline stage.