
Case Number	21/03835/FUL (Formerly PP-10136719)
Application Type	Full Planning Application
Proposal	Demolition of existing building and erection of Drive-Thru Coffee Outlet with associated works and landscaping
Location	Land with existing buildings on 443 - 447 Queens Road Highfield Sheffield S2 4DR
Date Received	25/08/2021
Team	South
Applicant/Agent	Urbana Town Planning
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:

Location Plan Ref: J9318-11 Published Date 25 Aug 2021
Proposed Floor Plans Ref: J9318-13A Published Date 25 Aug 2021
Proposed Elevations Ref: J9318-14 Published Date 25 Aug 2021
Proposed Roof Plan Ref: J9318-15 Published Date 25 Aug 2021
Proposed Site Plan Ref: J9318-20 Published Date 22 Mar 2022
Amended Tracking Published Date 06 May 2022

Reason: In order to define the permission.

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

3. No phase of the development (including works of demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Highway Management Plan (HMP) relevant to that particular phase has been submitted to and approved by the Local Planning Authority.

The HMP shall assist in ensuring that all Contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:

- a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. 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.
- b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and
- c. Details of the site accommodation, including compound, contractor car parking, storage, welfare facilities, delivery/service vehicle loading/unloading areas, and material storage areas.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties and the protection of the free and safe flow of traffic on the public highway.

4. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

5. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

7. No demolition works shall commence until a final River Bank Stability Report has been submitted to and approved in writing by the Local Planning Authority. This report must include:
 - Detailed proposals to ensure the long term stability of the river bank that sits within / adjacent to the site.
 - A timeframe for implementation of those proposals.

The proposals must be carried out in accordance with the approved details and timescales thereafter.

Reason: In the interests of the safe redevelopment of the site.

8. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

Reason: In the interests of protecting the biodiversity of the site. It is essential that this condition is complied with before any other works on site commence given that damage to existing habitats is irreversible.

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.

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

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

a) been carried out; or

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

Highways Improvements:

Reinstatement of existing site accesses to footway
Construction of new site access

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 the free and safe flow of traffic on the public highway.

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

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

12. 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 and approved in writing by the Local Planning Authority. The development shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

13. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the building shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield Development Framework Core Strategy.

14. The building shall not be used, until full details of a comprehensive delivery and servicing management plan have been submitted to and approved in writing by the Local Planning Authority. The management plan needs to include as a minimum, details of how car parking spaces are to be left vacant to allow for service/delivery vehicles to manoeuvre within the site, and likely servicing and delivery times. Thereafter, all commercial deliveries and servicing shall be carried out in accordance with those 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.

15. 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.

16. 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.

17. Before the casting of the foundations, an internal and external lighting design strategy designed to minimise the impact of lighting upon biodiversity shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to positively enhance the nature conservation and biodiversity provision within the development in accordance with NPPF, Core Strategy Policy CS74 and UDP Policy GE11.

18. The development shall be carried out in accordance with the submitted flood risk assessment (ref July 2021 / 21/019.01 / JOC Consultants Ltd) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 63.70 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants

19. 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.

20. 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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation 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.

21. 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.

22. Prior to use of the development hereby permitted commencing, full details of a walkway agreement, or similar agreement with the Highways Authority, shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and opening up the riverside to the public.

23. Before development is commences, full details of the proposed boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority and such boundary treatment shall be carried out in accordance with the approved details before the development is occupied and thereafter retained.

Reason: In the interests of visual amenity.

24. Before development commences, full details of how the existing riverside way marker / information board is to be re-located within the site, shall have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the unit is occupied and thereafter retained.

Reason: In the interests of visual amenity.

Other Compliance Conditions

25. No customer shall be permitted to be on the premises outside the following times: 06:00 - 24:00 hours on any day.

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

26. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0700 to 2200 Mondays to Saturdays and between the hours of 0900 to 2200 on Sundays and Public Holidays.

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

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

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

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

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

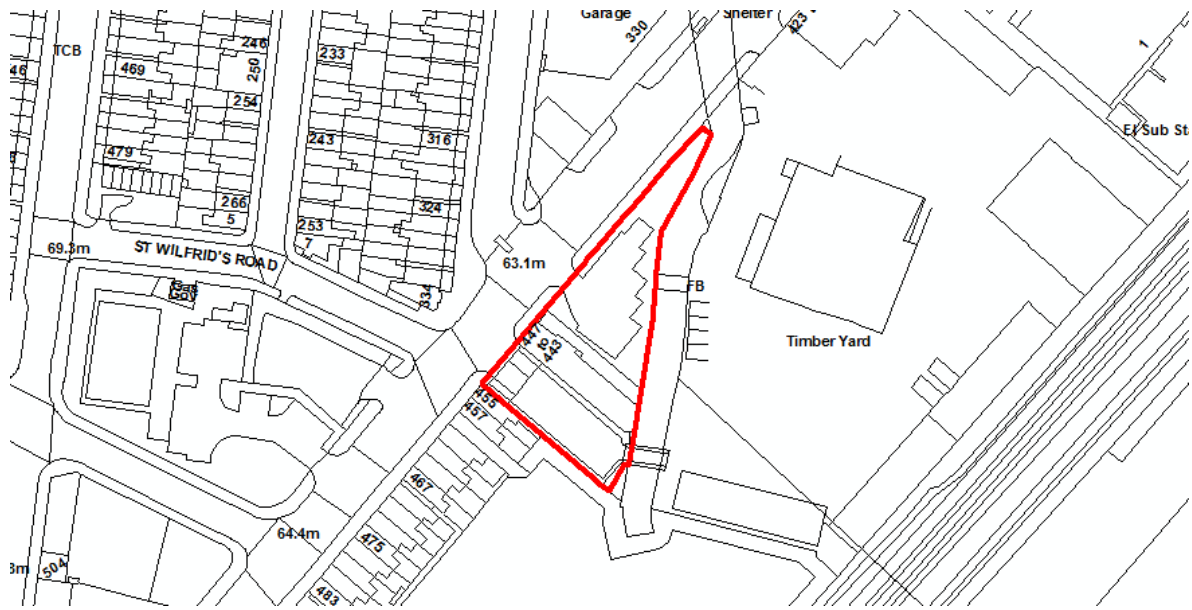
Mr J Burdett
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

4. Applicants seeking to discharge planning conditions relating to the investigation, assessment and remediation/mitigation of potential or confirmed land contamination, including soils contamination and/or ground gases, should refer to the following resources;
 - Land Contamination Risk Management (LCRM; EA 2020) published at; <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>;
 - Sheffield City Council's, Environmental Protection Service; 'Supporting Guidance' issued for persons dealing with land affected by contamination, published at; <https://www.sheffield.gov.uk/content/sheffield/home/pollution-nuisance/contaminated-land-site-investigation.html>.
5. Cadent own and operate a 30 inch Cast Iron Low Pressure Gas Main within the footway running parallel to the site, because of its nature Cast Iron can become very brittle and susceptible to vibrations resulting in an escape of gas.

Site Location



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LOCATION AND PROPOSAL

The application relates to the site of 443 – 447 Queens Road, a parcel of land located fronting onto Queens Road and opposite the junction with Edmund Road. The site at present contains a rectangular building positioned perpendicular to and adjacent the footway on Queens Road, with an open yard/parking area, most recently used as a scaffolding supplies business.

The site falls within an allocated Fringe Industry and Business Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The surrounding area is characterised by a mixture of commercial uses and traditional terraced housing. Immediately to the rear of the site runs the River Sheaf.

This application seeks planning permission to demolish the existing building on the site, and to erect a single storey building to be used as a drive-thru coffee shop, with associated 20 car parking spaces, external cycle hoops and landscaping. Amended plans have been received which show the introduction of a segregated walkway running adjacent to the riverbank.

RELEVANT PLANNING HISTORY

Planning permission was granted in 2004 for alterations to the building including new shop front, installation of roller shutter & use of adjoining land for parking & unloading with associated landscaping. Application No. 03/04725/FUL.

REPRESENTATIONS

Originally Submitted Proposal

Following publicity of the original application, 67 representations have been received objecting to the proposal including from the Sheaf and Porter River Trust, who suggested a riverside walk be incorporated into the plans. The majority of the representations received have no objection to the principle of redeveloping the site, however they do object to the site layout which does not allow for a riverside walk.

These then go on to state that the applicant should provide a footpath along the river sheaf which would require a reconfiguration of the site, providing open access to the riverside and improving the quality and accessibility of open space, enhancing the strategic green network. Other comments received include:

- The proposed new brick wall (running to the southern corner of the site) would hide the existing River Sheaf Walk adjacent from natural surveillance.
- A drive thru encourages more traffic on one of the busiest parts of Sheffield, which will raise air quality issues.
- There will be an increase in car movements along Queens Road, and the Highways Statement is not sufficient for this busy main road.
- There is no mention regarding delivery services such as Deliveroo and Uber Eats which generate many car movements.
- There are poor pedestrian routes within the site.

- There are already too many places to get coffee in the area, and this proposal will undermine local / independent business.
- The site is at high risk of flooding.
- The plans show no trees being retained despite them being mature.
- There is evidence of wildlife including wall nesting birds along the site boundary with the river, and herons who visit the site.
- Delivery and waste trucks can only access the site and manoeuvre when there are no other vehicles parked.
- Outside seating should be provided along the riverside.
- Costa Coffee should have to do litter picks in the area and improve access to street bins.
- There may be a requirement for access to the side of 455 Queens Road, and to a vent/pipe which comes out of the side of the building.
- There are no site sections showing how the building sits compared to Queens Road, and how the access ramps work.

In addition the three City Ward councillors Ruth Mersereau, Douglas Johnson and Martin Phipps have all objected to the proposal on the following grounds:

- Queens Road is already hostile to walkers and cyclists, adding a drive thru will make this more dangerous.
- The proposed brick wall and parking will block off the waterway from public view.
- The drive thru element should be removed and the large car park, and improve the open space allowing public access to the waterway.

Sheffield and Rotherham Wildlife Trust have also commented, raising the following issues:

- The River Sheaf (Archer Rd to City Centre) is a Local Wildlife Site. It is not clear if the existing boundaries of the river will be affected in any way? If they are, then an assessment of the potential impacts on bats and a variety of birds would need to be included, and the River Sheaf itself should be assessed.
- This proposal does not meet the requirements of CS73, which states that within and close to urban areas, the strategic green network will be maintained and enhanced where possible.
- Removing trees and scrub and not offering replacement trees is inadequate. A biodiversity net gain calculation has not been provided but it appears it would be less.
- The proposal does not meet the requirements of Policy GE13 of the UDP in that local nature sites should be protected and enhanced. Furthermore, the proposal does not meet the draft policies within the Local Plan for protecting and enhancing Local Nature Sites.

Sheffield Local Access Forum reiterate the comments made by the Sheaf and Porter River Trust, and essentially want the riverside opened up.

Amended Proposals

Negotiations with the applicant have resulted in an amended proposal which shows the reduction in the number of car parking spaces and incorporation of a riverside walk. A further round of consultation was carried out and two comments have been received.

- The first is from someone who objected to the original application, and now wants to withdraw their previous objection, however seeks clarity on the materials palette, the extent of the walls, and the retention of the information wheel (Way marker)
- The second is a new representation, which states the new path must link in with the existing section of the River Sheaf Walk, and it should be adopted. Opening up the riverside walk should not be underestimated and has a hugely positive impact on city living.

The Sheaf and Porter Rivers Trust have also commented on the amended plans. They welcome the amendment to the proposal to provide this important missing link in the Sheaf Walk, providing that it is noted and conditioned to provide a minimum 2 metres clear width. The walkway should be adopted by the Highways Authority, with the construction to an adoptable standard. However, they still have concerns regarding:

- The building is to be raised to be flood resilient, therefore a cross section is required to demonstrate the change in levels/retaining walls.
- The proposed 'fence/wall' next to the river should be simplified to an adoptable standard railing, and the existing Sheaf Walk marker should be repositioned within the site accordingly.
- The 1.8-metre-tall boundary wall running along the south site boundary should not extend over the riverside walk, a lightweight security fence could be added for the short term.
- There is a query about what happens to the redundant bridge which forms part of the applicant's ownership. It could perform a positive function and be maintained as an additional sitting area, however if it has no function it should be removed as it constitutes a potential obstruction of the channel
- Trees shown planted right next to the 'new low wall' are probably not a good idea. We still support retention of existing semi-mature trees wherever possible including in the green space at the north end of the site
- The river retaining wall and channel needs further investigation regarding its stability. Sections containing bird nesting holes should be retained if possible.

PLANNING ASSESSMENT

Policy Context

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework revised in 2021 (NPPF) is a material consideration.

The key principle of the NPPF is the pursuit of sustainable development, which

involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

The most important Local Plan policies should be considered as out-of-date according to paragraph 11(di) of the NPPF. This is that planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. In this instance, the site does not fall within a protected area and is not an asset of importance or its setting.

In this context the following assessment will consider the degree of consistency these policies have with the NPPF and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.

Land Use

The application falls within a Fringe Industry and Business Area as identified in the Unitary Development Plan (UDP). The UDP pre-dates the most up to date use classes order, with UDP policy IB6 listing Business (old B1 Use) as one of the preferred uses and Food and Drink Outlets (old A3 Use) as acceptable. Both business and food and drink outlets (excluding public houses and take aways) fall within the same use class E - Commercial, Business and Service.

Policy CS30 of the Core Strategy 'Jobs and Housing in the Sheaf Valley and Neighbouring Areas' part c) requires the Queens Road corridor to be non-residential and to accommodate business, industry, retail and leisure outlets not appropriate for the city centre or district centres.

Redeveloping this site which is currently a business use for a commercial use is in line with the acceptable uses identified within policy IB6, and CS30 c). Furthermore, the location of a drive-thru facility on a main road is appropriate.

Flood Risk/Drainage

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. It seeks to ensure that more vulnerable uses are discouraged from areas with a high probability of flooding. It also seeks to reduce the extent and impact of flooding through a series of measures including limiting surface water runoff, through the use of Sustainable drainage systems (Suds), de-culverting watercourses wherever possible, within a general theme of guiding development to areas at the lowest flood risk.

Policy CS67 is considered to align with Section 14 of the NPPF. For example, paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided and development should be directed away from areas at the highest risk. Paragraph 167 states that when determining applications, LPAs should ensure that flood risk is not increased elsewhere with relevant applications being supported by a Flood Risk Assessment. Paragraph 169 expects major developments to incorporate sustainable drainage systems unless there is clear evidence to

demonstrate otherwise.

Flood Risk Assessment

A Flood Risk Assessment (FRA) has been submitted. FRA's are detailed technical studies on flood risk at a site and its surroundings. Their purpose is to assess whether development will be safe for its lifetime and can be delivered without increasing flood risk elsewhere. The FRA is considered acceptable following consultation with the Environment Agency subject to conditions relating to the finished floor levels. The finished floor levels of the building are set at 63.70 metres above Ordnance Datum (AOD). The existing site plan shows the car parking areas adjacent to the proposed new building (excluding any kerb heights) to be around 63.30 – 63.40 so that there is a difference of 0.3 and 0.4 metres which will need to be addressed in the construction of the drive thru unit and layout of external areas.

Flood Risk Sequential Test

The purpose of the sequential test is to guide development to areas at lowest risk of flooding, by requiring applicants to demonstrate that there are no alternative lower risk sites available where the development could take place. The sequential test needs to take into account the flood risk vulnerability of the site and the land uses.

In this instance, the search area for the sequential test has been limited to the main roads within 1 km of the site, along with Ecclesall Road and City Road. This is owing to the presence of other drive-thru coffee shops around the city, and the lack by this brand in this area. A number of sites have been identified which have been discounted as they are either too large for the proposed development or intended for housing.

Therefore, having reviewed the sequential test document, the Local Authority are satisfied the test has been passed in this instance.

There is no requirement in this instance to apply the exceptions test as the development represents a 'less vulnerable' use.

Design

Core Strategy Policy CS 74 'Design Principles' seeks to promote high quality development and it says that development should take advantage of and enhance the townscape and landscape character of the city's districts. UDP Policy BE5 'Building Design' says that original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings, which is followed up through Policy IB9 'Conditions on Development in Industry and Business Areas' part c) which requires development to be well designed with buildings of a scale and nature appropriate to the site.

Chapter 12 of the NPPF aligns with the UDP and Core Strategy Policies and states good design is a key aspect of sustainable development and should contribute positively to making places better for people. It is considered that the design policies within the UDP and Core Strategy reflect and align with the guidance in the NPPF

and therefore are considered consistent with the NPPF and so can be afforded significant weight.

This application proposes the demolition of the existing building on the site. This existing building is not a building of merit and nor does it have any special architectural merit. Therefore, its removal is considered acceptable in principle.

The proposal is for a single storey building set back from Queens Road, with parking to the rear towards the river, and a drive-thru access road circling the building. The scale and massing of the proposed building is considered appropriate and will sit comfortably within the surrounding street scene. The elevational details follow the corporate brands of Costa Coffee with a mixture of render and cedar cladding, with large amounts of floor to ceiling glazing. The roof structure consists of a metal grey cladding. A refuse store is located towards the rear of the building and will be hidden behind a solid enclosure.

The proposal is not dissimilar to other drive-thru establishments further down Queens Road including KFC and McDonalds, and the overall siting of the proposal and its scale and massing is appropriate for this location.

By the nature of the development, car parking will be a dominant feature of the proposal, however this is supplemented by soft landscaping, with the boundary to Queens Road consisting of a low-level brick wall.

Core Strategy Policy CS73 'The Strategic Green Network' seeks to open up Sheffield's main river corridors, maintaining and enhancing them where possible. Following negotiations with the agent, a riverside walk has been incorporated into the plans, which will enable other sections further along the river running past 'The Big Yellow Storage Unit' to be opened up. The riverside walk is to be finished in pavers and railings to match the palate of materials for other sections of the riverside walk.

Therefore, it is considered that the overall design of the proposal is acceptable in this instance subject to finer details being controlled through conditions on any approval, complying with Policies IB9, BE5, CS74 and the NPPF.

Living Conditions

Policy IB9 'Conditions on Development in Industry and Business Areas' part b) requires that new development should not cause harm to the amenities of existing residents.

The NPPF at paragraph 130 Part (f) requires a high standard of amenity for existing and future users.

The UDP policy is therefore considered to align with the requirement of paragraph 130 so should be given significant weight.

The closest neighbouring properties to the application site are the terrace of dwellings along this side of Queens Road starting at No. 455 which has a tall red

brick wall along the boundary with the site. There are further terraces opposite along Edmund Road and further along Queens Road.

The building itself is situated away from No. 455 or any other dwelling and is of a scale that will not create any adverse overbearing or overshadowing. The gable of No.455 is blank facing the site and again, owing to the scale and position, no adverse overlooking will be created.

Owing to the location of the site adjacent to Queens Road, there are fairly high levels of traffic noise in the area. However, there is the potential for adverse levels of noise later into the evening when traffic reduces, from sorting of waste materials within the site, and also from externally mounted plant and equipment. Relevant conditions on any approval can ensure appropriate hours of operation and for the sorting and removal of waste materials and also details of any external plant/equipment.

Therefore, the proposal is not considered to impact adversely on the amenities of occupiers of any nearby neighbouring property, complying with IB9 part b) and paragraph 130 of the NPPF.

Highways

Policy CS51 'Transport Priorities' identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

UDP Policy BE9 'Design for Vehicles' requires that new developments should provide safe, and adequate parking provision including space to manoeuvre.

UDP Policy IB9 'Conditions on Developments in Housing Areas' part f) requires that proposals would be adequately served by transport facilities and provide safe access to the highway network and appropriate off-street parking.

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 111 of the NPPF states that '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.'

Those local policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 107 and 108 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

It is proposed to block up both of the existing vehicle access points into the site and create a new access/egress point towards the northeast corner of the site which is acceptable in principle.

The original plans sought to provide 27 parking spaces. Amended plans have been submitted which show the 3 spaces closest to the ingress/egress of the site being removed to alleviate any awkward manoeuvring close to this junction. Further alterations to the parking arrangements have been made to accommodate the new riverside walk, resulting in a total of 20 spaces proposed which includes 2 disabled parking spaces and 2 electric charging spaces. Cycle parking is proposed externally within the site.

Vehicle tracking has been submitted which shows a delivery and a refuse vehicle turning within the site. Whilst it is acknowledged that this does rely on some of the car parking spaces being empty to enable the vehicles to turn within the site before delivering products/picking up waste, this is acceptable and has been shown to work for other similar scenarios relating to convenience stores/food outlets. A service/delivery management plan can be controlled through condition on any approval which will detail how they will 'cone off' areas of parking, use banksmen when manoeuvring and likely servicing outside of the peak hours. Right hand turns into the site when traveling towards the city centre along Queens Road will be possible and there are similar scenarios relating to access along this stretch of road, with the visibility being good. Consultation has been carried out with the Council's road safety team who have no objections to the proposal.

The amended plans show the creation of a new section of the riverside walk. An existing section, as yet under used, exists between the site boundary and Myrtle Road, however, this is unadopted as it does not link to the highway on Myrtle Road, resulting in a 'dead end' and owing to a significant difference in land levels at that point and the proximity to the Network Rail bridge here it is highly unlikely to be adopted in the future.

There is no realistic prospect of a fully segregated footpath/cycle route being established here given the limitations of existing (adjoining) sections, the issues identified above with the relationship to Myrtle Road, and that current adoptable standards would require 4.5m width, significantly impacting upon the useable area of the site. A walkway however can be achieved that enables access to the river edge and this is seen as a positive benefit of the scheme which will enable other underutilised sections to be brought into use.

Therefore, a walkway agreement can be entered into that requires the walkway to remain open for public use, which is similar to other schemes along the rivers in areas of Kelham and at Meadowhall.

The level of parking accommodation and site layout are considered acceptable and will not adversely impact on highway safety, complying with IB9 part f), BE9, CS51 and the NPPF.

Sustainability

Policy CS63 'Responses to Climate Change' of the Core Strategy sets out the overarching approach to reducing the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems (SuDS).

At the heart of the NPPF, there is a presumption in favour of sustainable development (paragraph 11), with paragraph 152 stating that the planning system should support the transition to a low carbon future in a changing climate.

The site is located in the main urban area, on previously developed land, which is served by sustainable forms of transport and within walking distance of local housing and other local commercial/retail facilities.

A condition on any approval can ensure that SuDS are incorporated into the scheme. On a site of this nature, this is likely to include permeable surfaces to the parking areas and potentially the drive through surface too.

Policy CS64 'Climate Change, Resources and Sustainable Design of Development' requires all new buildings to achieve a high standard of energy efficiency, making the best use of solar energy, passive heating and cooling, natural light and ventilation.

The agent has confirmed that the building will be built to a high energy efficiency standard, and this can be secured by condition.

Overall, it is considered that the proposal meets the local sustainability policy requirements, CS63, CS64 and the NPPF.

Landscaping

UDP Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. Policy BE6 (Landscape Design) expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

CS74 'Design Principles' part (a) requires high-quality development that will respect, take advantage of and enhance natural features of the City's neighbourhoods.

These policies are considered to align with the NPPF and therefore be relevant to this assessment on the basis that paragraph 130 expects appropriate and effective landscaping, along with sympathetic developments including landscape setting.

At present the site contains 11 trees which are positioned towards the southeast of the site close to the river bank. These consist of 9 Alders, and 2 Silver Birch. These trees vary between 6 and 12 metres in height and have a category of C1 (limited merit) with the majority of trees being suppressed, some with leans, or growing on top of a wall. It is proposed to clear the site and remove all existing landscaping.

The trees neither collectively or individually would warrant preservation, and

therefore whilst the removal of the existing trees is regrettable, these trees have been left unmanaged for a significant length of time. Furthermore, to enable the development to fit within the site and the fundamental requirement to provide a drive thru circler route around the site, to provide the riverside walk, the existing trees will have to be removed. A replacement landscaping scheme can be conditioned on any approval including details to encourage bio-diversity on the site, including a planting scheme of native species.

Ecology

A Preliminary Ecological Appraisal (PEA) has been submitted which shows that no notable or priority habitats have been identified within the site. There is the potential for protected species including foraging habitats for bats along the riverside corridor adjacent, habitat suitable for a range of bird species for nesting, potential shelter for hedgehogs and the River Sheaf Local Wildlife Site immediately adjacent.

The existing buildings have been surveyed and no sign of bat activity has been identified, therefore the demolition of the existing building is unlikely to have an impact on roosting bats. The trees within the site have all been surveyed, and provide negligible potential for roosting bats, therefore there will no impact on roosting bats from the removal of the trees from the site.

There is the potential to impact on nesting birds within the vegetation if site clearance works are carried out during the nesting season.

The conclusion of the PEA states that a sensitive design, particularly with regards to lighting, is required and that construction should be carried out in a sensitive manner in order to ensure the impact on habitats and species in the surrounding area will be negligible. Conditions can be attached to any approval to ensure that these details are submitted and approved.

Land Contamination

The site has a previous industrial use. It is possible that contaminations are within the application site, and therefore a suite of land contamination conditions will be added to any approval to ensure that appropriate measures/mitigation are taken.

SUMMARY AND RECOMMENDATION

In accordance with Paragraph 11(di) of the NPPF, where policies that are most relevant for determining an application are out of date, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development.

The scheme proposes a development at an appropriate scale and mass which sits comfortably within its street scene, and which is acceptable in land use terms.

Amended plans have been received which show the introduction of a new riverside walk running alongside the Sheaf opening up this section of the river to the public. Although the walk is not proposed to be to adoptable standard, it's presence will

enable the opening up of, and connection to, a significant section of the River Sheaf Walk, and is a positive aspect of the proposal.

There will be no adverse impact on ecology, landscaping, highway safety matters, or on the amenities of the closest neighbouring properties, subject to appropriate conditions for mitigation measures/improvements.

It is therefore recommended in this instance that planning permission is granted subject to relevant conditions.

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