
Case Number	20/03766/OUT (Formerly PP-08981731)
Application Type	Outline Planning Application
Proposal	<p>Outline application (all matters reserved) for the extension and/or demolition (in part or full) of existing buildings, demolition of car parking, and the provision of new built development for indoor recreation and leisure, retail, catering, offices, light industrial, creche (Use Class E), drinking establishments, hot food takeaway, cinema, police station and car showroom (Sui Generis), non-residential institution (Use Class F1), along with pedestrian and vehicular highways works, car parking (including multi-storey car park), servicing, landscaping, public realm and associated works. Permission is sought for the following description of development:</p> <p>Full application for the change of use of The Source from (former) Use Class D1 and D2 to indoor recreation and leisure, catering, offices, creche (Use Class E), drinking establishments, hot food takeaway (Sui Generis), and/ or non-residential institution (Use Class F1)</p> <p>RE-consultation: Revised proposals and further environmental information received 18 July 2022</p>
Location	Land At And Adjacent Meadowhall Centre Meadowhall Way, Sheffield Road And Vulcan Road, M1 Distribution Centre, Vulcan Road And The Source, 300 Meadowhall Way, Sheffield S9 1EQ
Date Received	26/10/2020
Team	City Centre and Major Projects
Applicant/Agent	Quod (Leeds)
Recommendation	GC Subject to Legal Agmt Sec of State

Time Limit for Commencement of Development

1. The development granted full change of use planning permission (Plot Source - as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) 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.

2. The development granted outline planning permission (Plot 5, Plot Cinema and Plot TLH - as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

3. Application for approval in respect of any matter reserved by this permission must be made not later than the expiration of 8 years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

4. In respect of each part of the development to be the subject of a separate reserved matters approval, that phase or part of a phase of the development as hereby permitted shall not commence until layouts, plans / sections and elevations for that part of the development illustrating:

- (i) layout;
- (ii) scale;
- (iii) appearance;
- (iv) access; and,
- (v) landscaping.

have been submitted to and approved by the Local Planning Authority.

The part of the development that is the subject of the reserved matters application shall in all respects be carried out in accordance with the approved layouts, plans/sections and elevations.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

5. Subject to satisfying conditions 13 and 16, the following actions may take place prior to the submission of applications for reserved matters approvals:

- Demolition;
- Archaeological investigations;
- Ground conditions investigations;
- Intrusive site surveys and other enabling works;
- Site clearance, soil storage and remedial work in respect of any

contamination or other adverse ground conditions;
Diversion and laying of services;
Erection of any temporary means of enclosure;
The temporary display of site notices or advertisements;
Erection of construction accommodation; and
Construction of temporary access and service roads.

Reason: In order to define the permission.

Approved/Refused Plan(s)

6. The development must be carried out in complete compliance with the following approved Parameters Plans:
 - i) Site Layout Plan and Application Boundary - As Existing ref. TLH-BDP-00-00-DR-A-000001 K;
 - ii) Site Layout Plan with Levels - As Existing ref. TLH-BDP-00-00-DR-A-000002 D;
 - iii) Application Plan Site Layout Plan Buildings Demolition & Retention ref. TLH-BDP-00-00-DR-A-000003 G;
 - iv) Parameter Plan Development Plots and Maximum building Footprint ref. TLH-BDP-00-00-DR-A-000004 H;
 - v) Parameter Plan Maximum Building Height ref. TLH-BDP-00-00-DR-A-000006 D;
 - vi) Parameter Plan Development Plots Access ref. TLH-BDP-00-00-DR-A-000007 F.

Reason: In order to ensure that the environmental impact of the development is consistent with that assessed as part of the application and in order to define the permission.

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

7. No development shall begin until a Development Phasing Plan has been submitted to and approved by the Local Planning Authority. The Development Phasing Plan shall confirm the sequencing of the development hereby approved in respect of the change of use of Plot Source and the development of Plot TLH, Plot Cinema and Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) or any part thereof. The development shall thereafter only be carried out in accordance with the approved Development Phasing Plan, or any alternative revised Development Phasing Plan submitted and approved under this condition.

Reason: A pre-commencement condition is required to ensure that the development phasing is acceptable and for Community Infrastructure Levy (CIL) purposes.

8. No development shall begin until an updated Traffic Model (TM) and Traffic Model Report (TMR) for the development has been submitted to and

approved by the Local Planning Authority. The TMR shall include:

- i. An assessment of the anticipated traffic impacts of the development as a whole, on the operation of the highway network (based upon the approved TM);
- ii. An assessment of whether the anticipated traffic impacts of the development as a whole will reach a level sufficient to require the Strategic Road Network (SRN) Mitigation Works [as defined by directive 10] and/ or the Local Highway Network (LHN) Mitigation Works [as defined by directive 11] (or part of those works);
- iii. (Where relevant) An assessment of the number of trips through each relevant junction [as defined by directive 12] generated by the development hereby permitted which would trigger the need for the SRN Mitigation Works and/ or the LHN Mitigation Works (or part of those works) (the 'Trip Thresholds').

Reason: A pre-commencement condition is required to in order to ensure that the ability of the strategic and local highway network to accommodate the traffic generated by the development is fully understood before development commences and in the interests of traffic safety and protecting the free and safe flow of traffic on the public highway.

9. No development within any part or phase of development shall begin until a Transport Statement covering that part or phase of development has been submitted to and approved by the Local Planning Authority. Each Transport Statement shall include:

- i) An assessment of the projected number of trips it is anticipated will be generated by the part or phase of development covered by the Transport Statement;
- ii) An assessment of whether the number of trips generated by the part or phase of development covered by the Transport Statement, together with the number of trips it is anticipated will be generated by any previous parts or phases of development which have already received reserved matters approval, will cumulatively exceed any of the Trip Thresholds, and;
- iii) (Where any Trip Threshold is exceeded) Full details of the SRN Mitigation Works and/ or LHN Mitigation Works which will be delivered as part of the relevant part or phase of development.

Where an approved Transport Statement specifies the delivery of any SRN Mitigation Works and/ or LHN Mitigation Works, or any part of those works, for a part or phase of development, no part of that part or phase of development shall be brought into first use or occupation until the SRN Mitigation Works and/ or LHN Mitigation Works specified in the approved Transport Statement have been fully completed, unless an alternative implementation programme is specific within the approved Transport Statement in which case the approved SRN Mitigation Works and/ or LHN Mitigation Works shall be delivered in accordance with that approved implementation programme.

Reason: A pre-commencement condition is required in order to ensure the strategic and local highway network can accommodate the traffic generated by the development and in the interests of traffic safety and protecting the free and safe flow of traffic on the public highway.

10. No development shall begin within Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) until an off-site biodiversity enhancement scheme (OBES) has been submitted to and approved by the Local Planning Authority. The OBES shall provide for the delivery of biodiversity enhancement works on the Aisling Road compensation area, as identified on 'Figure 9.4: Illustrative Biodiversity Net Gain Plan'. The OBES shall also include a Landscape and Environmental Management Plan (LEMP) including the following elements as appropriate:
 1. A management scheme for the OBES area for a period of not less than 30 years;
 2. Details of maintenance regimes;
 3. Details of management responsibilities.

The OBES works shall be completed before any part of the development within Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) hereby approved is brought into first use or occupation, or any alternative implementation programme set out in the approved OBES.

Reason: A pre-commencement condition is required to ensure the protection of wildlife and supporting habitat and to preserve the functionality of the Lower Don Catchment. Also, to secure opportunities for enhancing the site's nature conservation value in line with the National Planning Policy Framework and Sheffield Core Strategy policies CS63 and CS73.

11. No development within any part or phase of development shall begin until a bird box scheme (BBS) covering that part or phase of development has been submitted to and approved by the Local Planning Authority. The BBS shall provide for the installation of nest boxes for both kestrel (1 box) and house sparrow (10 boxes) in suitable locations around the site. The BBS works shall be completed before any part of the part or phase of development covered by the BBS is brought into first use or occupation, or any alternative implementation programme set out in the approved BBS.

Reason: A pre-commencement condition is required to ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value in line with the National Planning Policy Framework and Sheffield Core Strategy policies CS63 and CS73.

12. No development within any part or phase of development shall begin until a Construction Logistics Plan (CLP) covering that part or phase of development has been submitted to and approved by the Local Planning Authority. Thereafter the approved CLP shall be implemented as part of the relevant part or phase of development.

Reason: A pre-commencement condition is required in the interests of minimising congestion on the highway and in the interests of traffic safety during the construction phase of development.

13. No vegetation clearance or development within any part or phase of development shall begin until a Construction Environmental Management Plan (CEMP) covering that part or phase of development, which shall be substantially in accordance with the approved outline Construction Environmental Management Plan, Rev. AA, dated September 2020, has been submitted to and approved by the Local Planning Authority. In addition to setting out construction site management measures intended to minimise environmental impacts on all relevant human and environmental receptors, the CEMP shall include details of the following:

- A risk assessment of the potentially damaging construction activities in relation to wildlife and habitat;
- An invasive non-native plant mitigation plan;
- A method statement for the protection of flora and fauna that may be affected by the development;
- Identification of Biodiversity Protection Zones and measures for their protection;
- Measures to protect the Lower River Don Local Wildlife Site and the Don Valley Disused Railway LNS).

Thereafter the approved CEMP, including method statement and protection measures, shall be implemented as part of the relevant phase of development.

Reason: A pre-commencement condition is required in order to minimise the impact of the construction phase of development upon the local community, neighbouring occupiers and relevant ecological receptors in accordance with the National Planning Policy Framework

14. No development within any part or phase of development shall begin until full details of the proposed surface water drainage design for that part or phase of development have been submitted to and approved by the Local Planning Authority. The submitted details shall include

- i. Calculations and appropriate model results;
- ii. The provision of sustainable drainage methods (whereby both the quantity and quality of surface water are managed);
- iii. Pollution control measures, including the treatment of surface water run-off from hardstanding areas to remove oil and grit;
- iv. Arrangements for the management of the surface water infrastructure for the lifetime for the relevant part or phase of the development.

The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase of development shall be brought into first use or occupation until the drainage works approved for that part or phase of development have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

15. No development within any part or phase of development shall begin until a scheme of measures to protect the public sewerage and public water supply infrastructure that is laid within the relevant part or phase of development has been submitted to and approved by the Local Planning Authority. The submitted details shall include but not be exclusive to:

- a) appropriate stand off distances between the centre line of a sewer or water main and any structures and or landscape features (no trees shall be planted within 5 meters of the centre line of any sewer or water main);
- b) details of any changes to ground levels within the aforementioned protective strips around water and waste water infrastructure;
- c) details of protection measures to be implemented during demolition works and subsequent construction of the development; and
- d) the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker is retained at all times.

If the required protection measures and /or stand-off distances are to be achieved via diversion or closure of a sewer and /or water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Thereafter the relevant part or phase of development shall be carried out only in full accordance with the approved scheme of measures to protect the public sewerage and public water supply infrastructure for that part or phase of development.

Reason: A pre-commencement condition is required in the interest of public health and maintaining the public water supply.

16. Unless an alternative scheme has been approved by the Local Planning Authority for the relevant phase, no intrusive enabling works (as defined below and allowed by condition number 5) shall be undertaken until the applicant, or its agents or successors in title, has secured the implementation of an appropriate scheme of archaeological work for those areas where intrusive enabling work are being undertaken. The archaeological work shall be carried out in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority. The approved written scheme of investigation shall be implemented as part of the relevant intrusive enabling works.

Intrusive enabling works is defined as ground condition investigations and

intrusive site surveys, ground works, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services.

Reason: A pre-commencement condition is required to ensure that any archaeological remains present, whether standing or buried, are preserved by being recorded and removed in accordance with an agreed method, before they are damaged or destroyed in accordance with the revised National Planning Policy Framework.

17. Unless an alternative scheme has been approved by the Local Planning Authority, no development within any part or phase of development shall begin until the applicant, or its agents or successors in title, has secured the implementation of a programme of archaeological work. The archaeological work shall be carried out in accordance with a written scheme of investigation (WSI) (which shall follow the Outline Written Scheme of Investigation for Archaeological Evaluation Document Ref: 112212.03 February 2021) covering that part or phase of development. The approved WSI shall be implemented as part of the relevant part or phase of development.

Reason: A pre-commencement condition is required to ensure that any archaeological remains present, whether standing or buried, are preserved - either by being left in situ or by being recorded and removed in accordance with an agreed method before they are damaged or destroyed, in accordance with the National Planning Policy Framework.

18. No development within any part or phase of development shall begin until a report has been submitted to and approved by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of that part or phase of development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. The report shall include provision for the use of Photo-voltaic panels to generate energy, unless the use of photo-voltaic panels is not feasible for that part or phase of the development, and evidence that either the development will be connected to the Blackburn Meadows District Heating System or that such a connection is not feasible. No part of the relevant part or phase of development shall be brought into first use or occupation until any approved renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, have been installed/incorporated, and a report demonstrating that the approved measures have been installed/incorporated has been submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be

installed it is essential that this condition is complied with before the development commences.

19. No development within any part or phase of development shall begin until sub-conditions (1) to (3) have been complied with for that part or phase of the development.

1. Site Characterisation

Supplementary intrusive investigations as recommended in report: Synopsis Report Presenting Ground Conditions Assessment. Stantec. September 2020. Doc Ref: 57826/3501/CBH/GEO RPT 02 (Synopsis) - Rev 02, shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with the Land contamination risk management (LCRM) published by the Environment Agency.

2. Submission of Remediation Scheme

Any remediation works recommended in the approved Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved by the Local Planning Authority prior to the development commencing. The Report shall be prepared in accordance with the Land contamination risk management (LCRM) published by the Environment Agency and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

3. Implementation of Approved Remediation Scheme

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 in that location and the Local Planning Authority and Environmental Protection Service (EPS) (tel: 0114 273 4651) should be contacted within 48 hours. Revisions to the Remediation Strategy, if deemed necessary and requested by the LPA/ EPS, shall be submitted to and approved by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: A pre-commencement condition is required in the interests of protecting the health and safety of adjoining occupiers and future occupiers of the site and preventing contamination of controlled waters.

20. No development within any part or phase of development shall begin until a biodiversity enhancement scheme (BES) for that part or phase of development has been submitted to and approved by the Local Planning

Authority. The BES shall include:

- i) a scheme of biodiversity mitigation and enhancement measures relevant to that part or phase of development and in accordance with paragraphs 9.5.36 to 9.5.47 of the Biodiversity chapter of the Environmental Statement.
- ii) an outline of how 10% measurable Biodiversity Net Gain (10% BNG) would be delivered by the development (including on-site, off-site within the Applicant's control, off-site outside the applicant's control or a financial payment to a provide for off-site biodiversity enhancement);
- iii) details of how 10% BNG would be delivered by that part of phase of development, or as part of the wider development (supported by a biodiversity net gain metric assessment);
- iv) a Landscape and Environmental Management Plan (LEMP) including the following elements as appropriate:

1. A management scheme for the BNG compensation areas for a period of 30 years.
2. Details of maintenance regimes
3. Details of any new habitat created on-site
4. Details of treatment of site boundaries and/or buffers around water bodies
5. Details of management responsibilities

Thereafter the relevant part or phase of development shall be carried out in accordance with the approved details. All landscape and ecological features included within the approved scheme shall be implemented in full prior to the first use or occupation of the relevant part or phase of development (or any alternative implementation programme included within the approved BES) and shall be retained and maintained for a minimum of 30 years following their creation.

Reason: A pre-commencement condition is required to ensure the protection of wildlife and supporting habitat and to preserve the functionality of the Lower Don Catchment. Also, to secure opportunities for enhancing the site's nature conservation value in line with the National Planning Policy Framework and Sheffield Core Strategy policies CS63 and CS73.

21. No development within any part or phase of development shall begin until a scheme for the provision of green/biodiverse roofs (GBR) for any buildings comprised within that part or phase of development has been submitted to and approved by the Local Planning Authority (unless it is agreed by the Local Planning Authority that it is not appropriate to provide green roofs on that part or phase of the development).

The GBR scheme shall identify the location, type and extent of the green/biodiverse roofs and shall include specifications and a maintenance regime. Unless alternative details are approved the green roofs shall include a substrate growing medium of 80mm minimum depth incorporating 5-20% organic material.

Thereafter the relevant part or phase of development shall be carried out in

accordance with the approved details. All green/biodiverse roofs included within the approved scheme shall be implemented in full prior to the first use or occupation of the relevant part or phase of development (or any alternative implementation programme included within the approved GBR scheme). The green/biodiverse roof plant sward shall be maintained for a period of not less than 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: A pre-commencement condition is required to secure opportunities for enhancing the site's nature conservation value and biodiversity in line with the National Planning Policy Framework and Sheffield Core Strategy policies CS63 and CS73.

22. No development within any part or phase of development shall begin until a lighting scheme for that part or phase of development has been submitted to and approved by the Local Planning Authority. The lighting scheme shall provide full details of the external lighting to be provided within the relevant part or phase of development and evidence that the lighting proposals will neither cause light pollution, driver distraction or light spill onto the River Don and Disused railway embankment Local Wildlife Sites. The lighting scheme shall conform with ILP (2018) Guidance Note 08/18 Bats and artificial lighting in the UK; Institution of Lighting Professionals /Bat Conservation Trust and The Institution of Lighting Professionals document GN01: 2011 'Guidance Notes for the Reduction of Obtrusive Light'. Thereafter the development of the relevant part or phase of development shall be carried out in accordance with the approved details.

Reason: A pre-commencement condition is required in the interests of ensuring good lighting design and ensuring that any external lighting provided does not cause light pollution, driver distraction or harm to fauna.

23. No development within any part or phase of development shall begin until a detailed Employment and Training Implementation Schedule for construction of that part or phase of development has been submitted to and approved by the Local Planning Authority. Thereafter the Implementation Schedule shall be implemented in accordance with the approved details.

Reason: A pre-commencement condition is required in the interests of maximising the economic and social benefits for local communities from the proposed development during the construction phase.

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

24. Applications for approval of Reserved Matters shall be accompanied by an illustrative plan showing:
- (a) how the location and use(s) of the buildings in respect of which;
 - (i) approval already exists;
 - (ii) construction has already begun or has been completed; and

(iii) approval is being sought

are in conformity with the Parameters Plans and Design Code, as approved or as subsequently amended; and

(b) the development plots and quantum (or part thereof) for which buildings have yet to come forward for approval of Reserved Matters.

Reason: In order to ensure that if the development proceeds in phases that each phase is consistent with the framework established by the Parameters Plans and Design Codes in the interest of securing a properly coordinated development.

25. No development within Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall begin until an otter holt scheme (OHS) has been submitted to and approved by the Local Planning Authority. The OHS shall provide for the creation of an artificial otter holt in a suitable location along the Rover Don. The works comprised within the OHS shall be completed before any part of the development of Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) is brought into first use or occupation, or in accordance with any alternative implementation programme set out in the approved OHS.

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value in line with the National Planning Policy Framework and Sheffield Core Strategy policies CS63 and CS73.

26. No development within Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall begin 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 for the areas to be redeveloped, have been submitted to and approved 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 within Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) 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.

27. No development within any part or phase of development which is located fully or partly within the Development High Risk Area defined by the Coal Authority shall begin until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues within that part or phase of development and a report explaining the findings has been submitted to and approved by the Local Planning Authority. In the event that site investigations confirm the need for remedial works to treat any mining legacy issues, details of the remedial works shall also be submitted to the Local Planning Authority for approval and the works shall thereafter be carried out in accordance with the approved details before development commences within the relevant part or phase of development.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

28. Other than the change of use of Plot Source (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H), no above ground works within any part or phase of development shall begin until full details of proposals for the inclusion of public art within that part or phase of the development have been submitted to and approved in writing by the Local Planning Authority. No part of the relevant part or phase of development shall be brought into first use or occupation until the approved public art provisions for that part or phase of development have been installed/incorporated. Thereafter the approved public art provisions shall be retained and maintained for the lifetime of the development.

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

29. No part or phase of development shall be brought into first use or occupation until an End User Implementation Plan (EUIP) and Inclusive Employment and Development Plan (IEDP) has been submitted to and approved by the Local Planning Authority. The EUIP shall include measures to encourage occupiers to consider undertaking the following:

- a) Advertising employment vacancies locally through a range of sources including, but not limited to: local press, recruitment support services, relevant local employment partners and stakeholders
- b) Where applicable, work in partnership with the Local Authority, Jobcentre Plus and other local partners to support employability initiatives such as job fairs and Sector Based Work Academies to enable local people to apply for job vacancies which may arise from the new occupiers.

The IEDP shall be designed to maximise opportunities for both immediate and on-going employment from the operational phase of development and shall include detailed implementation arrangements, with provision to review and report back on progress achieved, via Talent Sheffield, to the Local

Planning Authority. The approved detailed EUIP and IEDP shall thereafter be implemented and the relevant part or phase of development shall be operated and occupied in accordance with the measures and objectives set out in the approved EUIP and IEDP, subject to any variations approved by the Local Planning Authority.

Reason: In the interests of maximising the economic and social benefits for local communities from the proposed development.

30. No part or phase of development shall be brought into first use or occupation until a Delivery and Servicing Plan (DSP) covering that part or phase of development has been submitted to and approved by the Local Planning Authority. Thereafter the approved DSP shall be implemented as part of the relevant part or phase of development.

Reason: In the interests of minimising congestion on the highway and in the interests of traffic safety.

31. No part or phase of development shall be brought into first use or occupation until a scheme of real time Public Transport Information Signage (PTIS) within the site and buildings comprised within that part or phase of development has been submitted to and approved by the Local Planning Authority. The works comprised within the approved PTIS scheme shall be completed before any part of the relevant part or phase of development is brought into first use or occupation, or in accordance with any alternative implementation programme set out within the approved PTIS scheme.

Reason: To ensure that visitors are provided with information on public transport arrivals and departures, to promote modal change, in the interests of sustainability, climate change and air quality mitigation.

32. No part or phase of development shall be brought into first use or occupation until a Cycle Parking (CP) scheme covering that part or phase of development has been submitted to and approved by the Local Planning Authority. The scheme shall include provision for both secure short stay and secure, covered, long stay cycle storage facilities in accordance with Sheffield City Council standards for the relevant part or phase of development together with associated showering, changing and locker facilities. The works comprised within the approved CP scheme shall be completed before any part of the relevant part or phase of development is brought into first use or occupation, or in accordance with any alternative implementation programme set out within the approved CP scheme and shall thereafter be maintained and retained whilst ever the development subsists.

Reason: To ensure that visitors and staff are provided with secure, convenient and good quality cycle parking, to promote modal change, in the interests of sustainability, climate change and air quality mitigation.

33. No part of Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-

000004 H) shall be brought into first use or occupation until a scheme of cycle and pedestrian improvements (TLHC&P) has been submitted to and approved by the Local Planning Authority. The scheme shall provide for improved walking and cycling facilities on Meadowhall Way, with enhanced crossing facilities, cycle routes, signage and markings, and simplified pedestrian signalised crossings and improved pedestrian facilities between the site and Meadowhall South-Tinsley tram stop, as broadly illustrated on drawing ref. 5001-005 P01. The works comprised within the approved TLHC&P scheme shall be completed before any part of Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) is brought into first use or occupation, or in accordance with any alternative implementation programme set out within the approved TLHC&P scheme.

Reason: To ensure that the site is appropriately accessible by foot and bicycle and to promote modal change, in the interests of sustainability, climate change and air quality mitigation.

34. No part of Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be brought into first use or occupation until a scheme of cycle and pedestrian improvements (P5C&P) has been submitted to and approved by the Local Planning Authority. The scheme shall provide for improved cycling facilities on Sheffield Road adjacent to Plot 5 to the north and south of the plot to join with Meadowhall Way with enhanced crossing facilities, cycle routes, signage and markings, as broadly illustrated on the drawing ref. 5001-004 P01. The works comprised within the approved P5C&P scheme shall be completed before any part of Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) is brought into first use or occupation, or in accordance with any alternative implementation programme set out within the approved P5C&P scheme.

Reason: To ensure that the site is appropriately accessible by foot and bicycle and to promote modal change, in the interests of sustainability, climate change and air quality mitigation.

35. No part of Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be brought into first use or occupation until a scheme of parking control mitigation measures (PC) has been submitted to and approved by the Local Planning Authority. The scheme shall provide for an appropriate and effective external Variable Message Signage (VMS) scheme on the local highway network including Meadowhall Way, Vulcan Road, Meadowhall Road and Sheffield Road in order to improve the efficiency of vehicle movement around the site. The works comprised within the approved PC scheme shall be completed before any part of Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) is brought into first use or occupation, or in accordance with any alternative implementation programme set out within the approved PC scheme.

Reason: To ensure that the site car parking is managed efficiently, in the interests of sustainability, climate change and air quality mitigation.

36. No part or phase of development shall be brought into first use or occupation until a detailed Travel Plan covering that part or phase of development has been submitted to and approved by the Local Planning Authority. The Detailed Travel Plan shall be developed in accordance with the previously approved Framework Travel Plan dated February 2021 and designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site's accessibility; and facilitate and encourage alternative travel modes.

The detailed Travel Plan(s) shall include: (i) Clear and unambiguous objectives and modal split targets; (ii) An implementation programme and monitoring schedule, with arrangements to review and report back on progress being achieved to the Local Planning Authority for written approval of actions consequently proposed; (iii) Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the local planning authority; (iv) Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

The approved detailed Travel Plan shall thereafter be implemented and the relevant part or phase of development shall be operated and occupied in accordance with the measures and objectives set out in the approved detailed Travel Plan, subject to any variations approved by the Local Planning Authority.

Reason: To ensure that the development facilitates modal change and the use of low emissions vehicles, in the interests of sustainability, climate change and air quality mitigation.

37. As part of each reserved matters application seeking approval for access, the details and location of the parking spaces to be equipped with active Electric Vehicle Charging Points (EVCP) must be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- i) Location of active charge points;
- ii) The location of passive charging point infrastructure;
- iii) Specification of charging equipment
- iv) An operation/management strategy, including details of: (a) Which parking bays will have active charging provision, including disabled parking bays; (b) How charging point usage will be charged amongst users and non-users; (c) The process users can go through to activate passive charging points; (d) Electricity supply availability.

The approved EVPCs shall be installed and commissioned before any part of the relevant part or phase of development is brought into first use or occupation and shall thereafter be maintained and retained whilst ever the development subsists.

Reason: To ensure that the development facilitates the use of low emissions vehicles, in the interests of sustainability, climate change and air quality

mitigation.

38. As part of each reserved matters application seeking approval for access, a detailed Car Park Management Plan shall be submitted for the approval of the Local Planning Authority. Thereafter the relevant part or phase of development shall be carried out in accordance with the approved detailed car park management plan.

Reason: In the interests of traffic and pedestrian safety and the amenities of adjoining occupiers.

39. As part of each reserved matters application seeking approval for access, a detailed dilapidation survey of all the highways abutting or passing through the part or phase of development covered by the reserved matters application, along with any relevant structural surveys, shall be submitted for the approval of the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority prior to any relevant part or phase of development being brought into first use or occupation.

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

40. As part of each reserved matters application seeking approval for layout and/ or landscaping in relation to Plot Cinema (as defined by drawing ref. TLH-BDP-00-00-DR-A-000004 H) a scheme to reconfigure and upgrade the public space beneath the extension and between the extension and the adjoining River Don shall be submitted for the approval of the Local Planning Authority. The works comprised within the approved scheme shall be completed before any part of Plot Cinema (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) is brought into first use or occupation, or in accordance with any alternative approved implementation programme.

Reason: In the interests ensuring the cinema extension is well integrated with the riverside public realm and in the interests of the amenities of the locality.

41. Upon completion of any measures identified in the approved Remediation Strategy and Coal Mining Remediation Strategy, or any approved revised Remediation or Coal Mining Strategy, a Validation Report shall be submitted to the Local Planning Authority. No part or phase of development which has been identified as requiring remediation shall be brought into first use or occupation until the Validation Report for that part or phase of development has been submitted to and approved by the Local Planning Authority. The Validation Report shall be prepared in accordance with Land contamination risk management (LCRM) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land and coal mining risks are properly dealt with.

42. New buildings shall be constructed to achieve a minimum rating of BREEAM 'very good'. Before each building is brought into first use or occupation (or within an alternative approved timescale) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

Other Compliance Conditions

43. There shall be no development within the no build zone for the potential innovation corridor road link on Plot 5 as identified on plan reference TLH-BDP-00-00-DR-A-000004 Rev H before 23.07.2023 unless the Council has provided formal notification that they are not to take forward a scheme for the construction of an innovation corridor road link affecting the road alignment shown on the above plan.

Reason: In the interests of protecting the line of a future road improvement which is necessary to support The Sheffield City Region Global Innovation Corridor which is central to delivering transformational economic growth within the City Region and delivering an integrated transport strategy.

44. Any development within the Orange Car Park will maintain the exiting access points, unless otherwise agreed with the Local Planning Authority.

Reason: In order to ensure that any potential increase in parking provided with this part of TLH plot can be adequately accommodated on the highway network.

45. In total there shall be no more than 7,101 car parking spaces within the application boundary up until 01/01/2030. After 01/01/2030 there shall be no more than 6,837 car parking spaces within the application boundary.

Reason: In order to define the permission, limit the highway impact to that assessed within the application and the give priority to sustainable travel to the site in accordance with the National Planning Policy Framework.

46. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

47. No 'more vulnerable uses' (as defined by NPPF Annex 3: Flood risk vulnerability classification) shall be located at ground floor level within Flood Zone 3 (as defined by the Flood Map published by the Environment Agency).

Reason: In the interest of protecting the safety of vulnerable occupiers and in accordance with policy CS67(m).

48. Surface water discharge from the completed development of Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be restricted to a maximum flow rate of 10.5 litres per second to the discharge chamber serving the adjacent Next and Costa development. Where it is not feasible for the surface water from the Landmark area (as defined in Figure 23: Plot 5- Principles of the Design Code) to discharge to the above chamber then a direct controlled discharge will be made to the nearby watercourse with the rates of discharge from the two points adjusted accordingly to not exceed a combined total of 10.5 litres per second.

Reason: In order to mitigate against the risk of flooding.

49. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated July 2022, by Stantec, and the following mitigation measures:
- (a) Preferential flow paths for overland flows shall be maintained and directed away from buildings and critical infrastructure on the site.
 - (b) Building plant and utility services shall be raised as high as practicable above ground level.
 - (c) The existing access width for the River Don shall be maintained.

The mitigation measures shall be fully implemented prior to occupation of the relevant reserved matters application and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed by the Local Planning Authority.

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

50. The development as a whole shall deliver a minimum of 10% Biodiversity Net Gain enhancement.

Reason: In the interests of enhancing the biodiversity value of the site and in accordance with the National Planning Policy Framework.

51. Subject to the additional restrictions set out in the other planning conditions attached to this Decision Notice, no part of the development hereby approved shall be used for any purpose other than the uses and use classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) listed below (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full):

- i) Use Class E(a): shop
- ii) Use Class E(b): Food and drink which is mostly consumed on the premises

- iii) Use Class E(d): Indoor sport and recreation
- iv) Use Class E(f): Non-residential creche, day centre or nursery
- v) Use Class E(g)(i): Offices
- vi) Use Class F1: Learning and non-residential institutions
- vii) Sui Generis: Public house, wine bar, or drinking establishment, drinking establishment with expanded food provision, hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises, cinema, police station, car showroom

Reason: In order to define the planning permission, protect the vitality and viability of existing centres and prevent uses which would be inappropriate in this location/ setting.

52. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any replacement thereof) the cumulative total maximum quantum of Gross Internal Area to be brought into use and to be occupied by the individual uses hereby approved shall not exceed the Proposed TMM Floorspace (GIA), Total Use Class Floorspace and Total Floorspace specified in Table 3.2 of the 'Development Specification Update The Meadowhall Masterplan, JULY 2022, Q100668' (hereafter referred to as the Development Specification).

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

53. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any replacement thereof) the cumulative total maximum quantum of Gross Internal Area to be brought into use and to be occupied by the individual uses hereby approved within each individual plot (as defined by drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall not exceed the maximums for each plot shown on Figure 3.1 and within Table 3.3 of the Development Specification.

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

54. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any replacement thereof) the cumulative total maximum net sales area for comparison goods to be brought into use as part of the development hereby approved within Plot TLH and Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall not exceed the maximums set out within tables 4a and 4b of Appendix 4A and tables 4a and 4b of Appendix 4B of the submitted Proposals Update: Planning Report The Meadowhall Masterplan, Sheffield JULY 2022.

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

55. Within Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) not more than 8 (eight) individual units shall be used for any purpose falling within Use Class E(d) (indoor sport and recreation) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full) and no individual unit shall exceed 6,938sqm in Gross Internal Area.

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

56. Not more than a cumulative maximum total of 10,363sqm Gross Internal Area (GIA) of floorspace within the land area covered by both the planning application boundary and the M1 Distribution Centre (M1DC) (the whole of the land area included within the red shaded area shown on drawing ref. TLH-BDP-00-00-DR-A-000001 D) shall be used for any purpose falling within Use Class E(d) (indoor sport and recreation) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full).

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

57. None of the floorspace hereby approved shall be occupied by any Use Class E(a) retailer who, at the date of such occupation, or within a period of 24 months immediately prior to occupation, occupies retail floorspace in their own unit in Sheffield City Centre (as defined in the City Centre Inset Diagram from the Key Diagram of the Core Strategy) unless a scheme which includes a legally binding obligation on the retailer, committing them to retaining their presence as a retailer within Sheffield City Centre with at least 75% of the level of floorspace, for a minimum period of 5 years following the date of their occupation of retail floorspace within the development, has been submitted to and approved by the Local Planning Authority.

Reason: In order to minimise the impact of the proposal on the vitality and

viability of Sheffield City Centre.

58. No part of the development hereby approved within Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be used for any purpose falling within Use Class E(a) (shop) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full) unless that Use Class E(a) use is ancillary to an overarching leisure use and is provided for the purposes of linking the leisure uses with the existing shopping centre.

Reason: In order to ensure it is well integrated with the shopping centre and in order to define the permission - as free standing retail development within plot TLH has not been assessed against under the sequential test as required by the National Planning Policy Framework.

59. With the exception of retail sales ancillary to the main range of goods permitted, none of the retail units hereby approved within Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall sell any of the following types of goods:

- a) Clothing;
- b) Footwear;
- c) Jewellery (including watches);
- d) Toys;
- e) Cosmetics.
- f) Chemist and medical goods.
- g) Audio visual equipment (including mobile phones and tablets).
- h) Books and magazines.
- i) All other personal and luxury goods.

Reason: In the interests of the protecting the vitality and viability of existing town centres in accordance with paragraph 89 of the NPPF.

60. No individual unit within Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) which is to be used for any purpose falling within Use Class E(a) (shop) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full) shall have a Gross External Area (GEA) which is less than 930sqm, with the exception of an allowance for two retail units which shall have a minimum GEA of not less than 700 sqm.

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

61. Not more than 1 (one) unit within Plot 5 (as identified on drawing ref. TLH-

BDP-00-00-DR-A-000004 H) shall be used primarily for the purpose of the sale of food and the maximum net sales area of any such unit shall not exceed 1,500 sqm.

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

62. Not more than a cumulative maximum total of 900 sqm Gross Internal Area (GIA) of floorspace within the land area covered by Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be used for any purpose falling within Use Class E(b) (sale of food and drink which is mostly consumed on the premises) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full). This cumulative maximum total shall include any ancillary floorspace used for the sale of food and drink which is mostly consumed on the premises provided as an ancillary part of another primary use.

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of existing centres and in the interests of highway safety and the amenities of the locality.

63. A maximum of 14 cinema screens shall be provided within the blue lined area identified on drawing ref. TLH-BDP-00-00-DR-A-000001 K (comprising the total sum of existing screens and proposed screens) and no cinema screens delivered as part of the development hereby approved within Plot Cinema (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be developed at ground floor level.

Reason: In order to limit the impact of the proposal on existing centres and minimise the impact on the riverside park adjoining the shopping centre in the interests of the amenities of the locality.

64. No part of the development hereby approved within Plot Source (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be used for any purpose falling within Use Class E(d) (indoor sport and recreation) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full) other than a maximum of 550 sqm Gross Internal Area (GIA) of floorspace which may be used for the purposes of health and fitness.

Reason: In order to ensure the town centre and highway impacts do not exceed those considered as part of the application in order to define the permission and in the interests of the protecting the vitality and viability of

existing centres and in the interests of highway safety and the amenities of the locality.

65. Notwithstanding the provisions of Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Use Class within any subsequent legislation which replaces that Order in part or in full) no part of Plot TLH or Plot Source (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be used as a creche or nursery.

Reason: In accordance with the Site Suitability Assessment set out in Chapter 10 (Air Quality) of the Environmental Statement, in the interests of protecting the health and wellbeing of future occupiers of the site.

66. No part of the development approved within Plot TLH (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) shall be brought into first use/ occupation before 01 November 2029.

Reason: To prevent the development from competing for occupiers with new developments due to complete within the next few years within Sheffield City Centre, in the interests of the protecting the vitality and viability of Sheffield City Centre.

67. No additional floorspace shall be provided through the construction of a mezzanine or additional floor within any unit constructed as part of the development hereby approved on Plot 5 (as identified on drawing ref. TLH-BDP-00-00-DR-A-000004 H) unless otherwise approved by the Local Planning Authority through a reserved matters consent or other form of planning permission.

Reason: To ensure that additional floorspace is not added through internal works which do not require consent following the construction of the development, in the interests of protecting the vitality and viability of other centres.

68. The details (reserved matters) of the development and all applications for approval of the Local Planning Authority required under conditions imposed on this permission shall be in substantial accordance with the design principles set out in 'The Meadowhall Masterplan Hybrid Planning Application Updated Design Code Revision 1' dated July 2022.

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

Attention is Drawn to the Following Directives:

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

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

2. 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

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

The notice should be sent to:-

Highway Co-Ordination

Sheffield City Council
Town Hall
Sheffield
S1 2HH

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

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

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

5. Plant and equipment shall be designed to ensure that the total LA_r plant noise rating level (i.e. total plant noise LA_{eq} plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA₉₀ background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
6. 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 footpaths 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

7. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
 - Reference to permitted standard hours of working;
 - 0730 to 1800 Monday to Friday
 - 0800 to 1300 Saturday
 - No working on Sundays or Public Holidays
 - Prior consultation procedure (EPS & LPA) for extraordinary working hours

arrangements.

- A communications strategy for principal sensitive parties close to the site.
- Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
- Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
- Vibration.
- Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
- A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
- A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
- Details of site access & egress for construction traffic and deliveries.
- A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.

8. In order to minimise amenity issues for occupiers of the site from odours or noise it is recommended that for larger commercial kitchens or cooking types where odour and noise risk is higher, equipment should be designed in accordance with the updated guidance document; 'Control of odour and noise from commercial kitchen exhaust systems' (EMAQ; 05/09/2018).
9. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

They also strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience_.aspx

British Standard 85500 - Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

The Environment Agency also recommend the applicant Refer to EA published 'Guiding Principles for Land Contamination' which outlines the approach which should be adopted when managing this site's risks to the water environment. It also includes the type of information that we require in order to assess risks to controlled waters from the site.

Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed

Refer to the contaminated land pages on gov.uk for more information.

10. For the purposes of interpreting this Decision Notice the term Strategic Road Network (SRN) Mitigation Works means a scheme of works sufficient to mitigate the anticipated traffic impacts of the development upon the strategic road network which shall comprise the works illustrated on the drawings listed below unless otherwise approved by the Local Planning Authority in consultation with National Highways:

- i) Drawing ref. 332410117/5511/001 - M1 Junction 34 North Improvement Plan;
- ii) Drawing ref. 33909-5515-019 REV C - M1 Junction 34 North Slip Road Improvements;
- iii) Drawing ref. 47826/1005/16 - M1 Junction 34 South Improvements Plan.

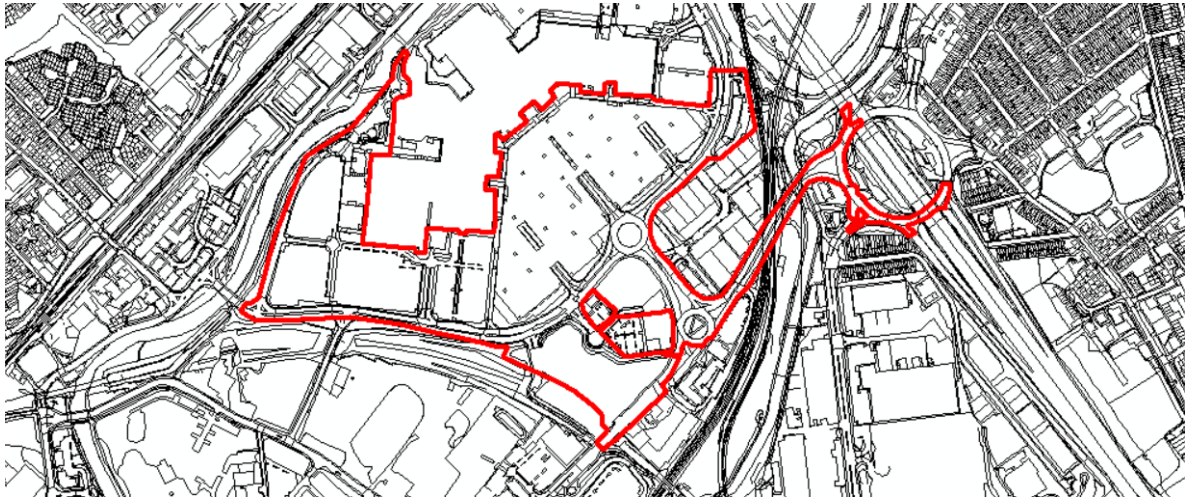
11. For the purposes of interpreting this Decision Notice the term Local Highway Network (LHN) mitigation works means a scheme of works sufficient to mitigate the anticipated traffic impacts of the development upon the local highway network which shall comprise the works illustrated on the drawings listed below unless otherwise approved by the Local Planning Authority:
 - i) Sheffield Road / Vulcan Road signalised roundabout improvement (Stantec Drawing 47826-1005-14);
 - ii) Widening of Sheffield Road between Vulcan Road and M1 Junction 34 (south) (Stantec Drawing 47826-1005-15);
 - iii) Alsing Road Gyratory - (Stantec Drawing 47826-1005-13).

12. Unless otherwise approved by the Local Planning Authority the Traffic Model Report (TMR) referred to in condition 8 shall include an assessment of traffic impacts upon the following junctions:
 - a. M1 J34 North
 - b. M1 J34 South
 - c. Vulcan Road - Meadowhall Road
 - d. Vulcan Road - Sheffield Road
 - e. Alsing Road Gyratory
 - f. Meadowhall Road - Jenkin Road
 - g. Orange Car Park - Meadowhall Way
 - h. Weedon Street - Meadowhall Road
 - i. Meadowhall Road - Barrow Road
 - j. Blackburn Meadows Way (Tinsley Link)
 - k. Yellow Car Park - Meadowhall Way
 - l. Red Car Park - Meadowhall Way - Plot 5 Car Park

13. The Traffic Model (TM) and Traffic Model Report (TMR) referred to in condition 8 shall take full account of the potential additional traffic impacts of any other committed developments including the River Don District development originally approved under outline planning permission ref. 18/03796/OUT.

14. 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.

Site Location



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INTRODUCTION

The proposal is a hybrid planning application for the development of additional commercial floorspace on land adjacent to and surrounding Meadowhall Shopping Centre. The application includes both a major (leisure led) extension to Meadowhall itself and also the development of a separate (non-clothing and luxury goods) retail park on the vacant land surrounding the existing Next at Home & Costa Units. Both of these elements are applied for in Outline form only. In addition, the proposal includes a full planning application to change the use of The Source from a training academy to a mixed-use commercial building.

The current application follows on from a previous full planning permission (ref. 16/04169/FUL) for a larger extension to Meadowhall (consented in May 2018) which lapsed in May 2021 without being implemented. Although the current revised proposals now include a substantially smaller extension to Meadowhall itself (reduced by 16% in terms of total floor area) the two additional elements now also included within the application (the new retail park and change of use of The Source) mean that the overall commercial floorspace proposed to be created is similar to the previous consent (34,479 sqm now proposed as opposed to 35,805 sqm previously consented).

However, the maximum quantum of the proposed commercial floorspace which could be used for indoor leisure or food & beverage sales has been reduced substantially (by 30% and 36% respectively). The quantum of floorspace which could be used for general retail purposes remains the same as previously permitted. As all elements of the development (other than The Source) are now in outline form, with all matters reserved, the precise scale, form, appearance, layout and phasing of the development scheme is uncertain at this stage – however maximum scale parameters and design principles would be established.

The key planning policy principle test which should be applied in assessing the application is establishing whether the development of the proposed quantum of out-of-centre commercial floorspace would have a significant adverse impact upon city and town centre vitality and viability, including local consumer choice and trade in the city/ town centre and the wider retail catchment. The impact of the proposal on existing, committed and planned public and private investment in the centres in the catchment area of the proposal should also be considered.

The environmental issues associated with the application must be assessed within the framework of the Environmental Impact Assessment Regulations 2017. This means that the decision maker must examine the environmental information (the environmental statement, including any further information and any other information and all representations), reach a reasoned conclusion on the significant effects of the proposed development on the environment, and integrate that conclusion into the decision as to whether planning permission is to be granted.

LOCATION AND PROPOSAL

Site Description

The proposal relates to the C. 29 hectare (ha) Meadowhall Shopping Centre site and adjacent land. Meadowhall is located in the area of Tinsley, on the north-eastern periphery of the urban area of Sheffield C. 1Km west of the boundary with the Borough of Rotherham. The River Don wraps around the western and northern site boundary

Meadowhall opened in 1990 and contains 290 retail outlets together with the Oasis food court and an 11-screen cinema across C. 144,000 sqm Gross Internal Area (GIA) of floorspace. This compares to C. 200,000 sqm of commercial floorspace comprised within Sheffield City Centre. Meadowhall's use mix is retail focused, with less food and beverage and leisure offer than is typical of a regional scaled shopping centre (over 90% of total commercial floorspace being in retail use).

Between February 2019 and February 2020 annual footfall was estimated at C. 18 million visitors per annum (an average of C. 344,000 per week). According to 2019 customer survey data the majority (approximately three quarters) of visitors to Meadowhall originated from within South Yorkshire (38% Sheffield; 25% Rotherham; 10% Barnsley; 5% Doncaster) with the remainder travelling from Nottinghamshire, Derbyshire and West Yorkshire. The applicant indicates Meadowhall employs up to 8,000 people during peak times (7,500 of-peak) and that 62% of all people who work at Meadowhall live in the City of Sheffield.

There are currently a number of vacant units within Meadowhall including the large former Debenhams Unit; however the situation is dynamic, with an occupant for the Debenhams Unit having been announced. The most up-to-date vacancy figures provided by the applicant, indicate that, as of December 2022, 9 units were vacant (3.4% of total floorspace). This compares with a 2022 vacancy rate within the City Centre of 20.7% of total floorspace.

The site is located C. 4.5Km from Sheffield City Centre and C. 3.5Km from Rotherham Town Centre. Meadowhall is partly encircled by its orbital road (Meadowhall Way) and effectively faces south-east with the main accesses to site coming off the A6178 (which runs between Sheffield and Rotherham). The Strategic Road Network can be directly accessed via either M1 J34 (south) or M1 J34 (north) which lie C. 0.5Km south-east/ north-east of the site respectively. The site has a dedicated public transport interchange and is connected to a variety of bus, tram and rail services, but also possesses expansive parking provisions, with 9,364 free visitor car parking spaces (and additionally 1,500 overflow spaces available at limited times) together with 1,143 staff car parking spaces, 262 contractor parking spaces and 33 coach parking spaces.

Travel surveys undertaken between 2009 and 2012 (the most recent available data) indicated that on average over the 4 years 80% of visitors travelled to Meadowhall by car, van or taxi whereas 18% travelled by public transport (8% train, 6% bus and 4% Tram) and 2% travelled on foot. Modal split is better for employees, with 2013 data indicating that 52% of the site's 8,000 to 7,500 staff

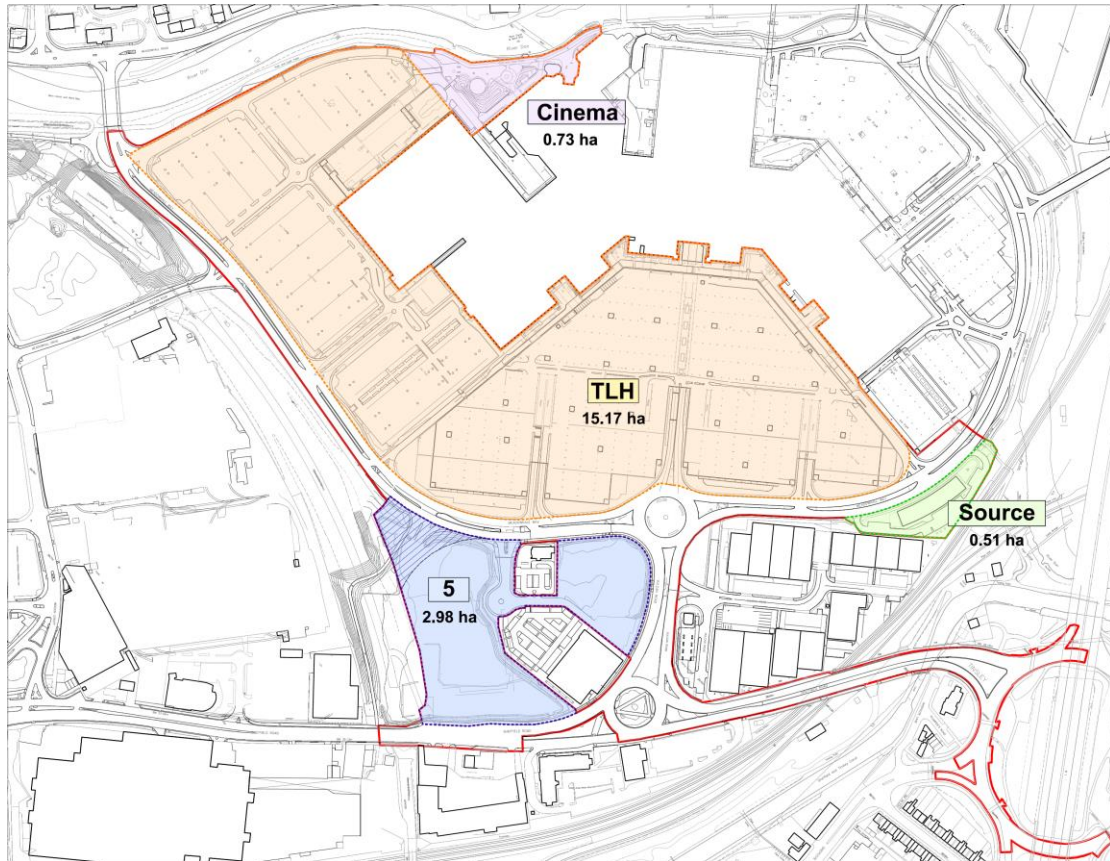
travelled to work by car, 43% by public transport, 4% walking and 1% cycling.

The surrounding area supports a mix of land uses, in addition to the shopping centre itself, including residential, commercial and industrial areas. An existing distribution centre (M1DC) lies adjacent to Meadowhall to the east, the use of part of which has been change to leisure (Jump Inc). The land to the south of Meadowhall has been approved for a major mixed-use development up to 100,000sqm of employment uses (Office, Industrial and Warehousing) along with other uses including retail, leisure, hotel and a car showroom (River Don District Development).

The proposal site itself (the land within the red line boundary) comprises:

- i) The C. 15.2ha 'yellow' and 'red' 2-storey car park areas to the south-east of Meadowhall and 'orange' surface car park to the south of Meadowhall [TLH];
- iii) The 0.7ha open area adjacent the Oasis located between Meadowhall and the River Don to the west, predominantly used for outdoor recreation [Cinema];
- iv) The C. 0.5ha 'The Source' Training Academy building to the east of Meadowhall [Source];
- v) Two parcels of vacant land to the south of Meadowhall (cumulatively C. 3ha adjacent to Next Home and Costa Coffee (between Meadowhall Way and Sheffield Road) [5];
- vi) The application boundary also includes part of the strategic and local highway network including parts of Meadowhall Way, Vulcan Road, the A6178 (Sheffield Road) and M1 J34 South.

The plan below shows the different parts of the site described above:



Amendments During Assessment

The application described below has been revised substantially from the scheme which was originally submitted. The revisions were made in response to feedback from the Council that the scale of development originally proposed would unacceptably impact upon relevant existing centres. The key changes comprise:

- a) A previous proposal to change the use of the M1 Distribution Centre (M1DC) from Storage and Distribution (B8) to (primarily) Leisure (Use Class E) has now been removed from the scope of the application;
- b) The scale of the proposed extension to Meadowhall (Plot TLH & Plot Cinema) has been reduced by 38% from 52,969 sqm GIA (with 35,805 sqm commercial floorspace) to 32,808 sqm GIA (with 22,808 sqm commercial floorspace);
- c) The maximum potential Leisure (Use Class E - excluding cinema) floorspace proposed within the application has reduced by 47% from 19,626 sqm GIA to 10,363 sqm GIA;
- d) The maximum potential Cinema (Sui Generis) floorspace proposed within the application has reduced by 69% from 4,200 sqm GIA to 1,282 sqm GIA;
- e) The maximum potential Food & Beverage/ Catering (Use Class E/ Sui Generis) floorspace proposed within the application has reduced by 36% from 11,034 sqm GIA to 7,077 sqm GIA.

Form of Application

The proposal is a hybrid planning application. This means that it includes both development which is applied for in 'Outline' form and also development applied for

in 'Full' form. The Outline elements of the application are listed below:

- I. Extension to Meadowhall to provide new Leisure Hall (31,136 sqm GIA*) (Plot TLH);
- II. Extension to Existing Cinema Complex (1,672 sqm GIA) (Plot Cinema);
- III. Construction of Additional Retail Units Adjacent to Next at Home/ Costa (8,381 sqm GIA) (Plot 5).

* GIA = Gross Internal Floor Area (Including Internal Circulation and Congregation Spaces)

The Outline elements of the application, as listed above, would require subsequent Reserved Matters approvals before they could be built. These Reserved Matters would comprise: Scale; Layout; Appearance; Landscaping and Access. In addition to the proposed land use and site area, the Outline application does however include certain development parameters including points of access and an upper scale parameter for the internal floorspace and height of the proposed leisure hall, cinema extension and retail park buildings, together with an upper floorspace parameter for each Use Class to be accommodated within those buildings. A Design Code has also been submitted to inform the design of the subsequent detailed development scheme at Reserved Matters stage.

Parameter Plans/Planning Drawings

The applicant has submitted parameter plans and planning drawings which along with any conditions will define the limits of any outline permission granted and full permission granted.

The planning drawings comprise of the following.

- Site Layout Plan and Application Boundary – As Existing ref. TLH-BDP-00-00-DR-A-000001 K;
- Site Layout Plan with Levels – As Existing ref. TLH-BDP-00-00-DR-A-000002 D;
- Application Plan Site Layout Plan Buildings Demolition & Retention ref. TLH-BDP-00-00-DR-A-000003 G;

The parameter plans comprise of the following.

- Parameter Plan Development Plots and Maximum building Footprint ref. TLH-BDP-00-00-DR-A-000004 H;
- Parameter Plan Maximum Building Height ref. TLH-BDP-00-00-DR-A-000006 D;
- Parameter Plan Development Plots Access ref. TLH-BDP-00-00-DR-A-000007 F.

The highways drawings comprise of the following:

- M1 Junction 34 North Junction Improvements - ref. 47826/1005/12;
- M1 Junction 34 North Slip Road Improvements - ref. 33909-5515-019 REV C;
- M1 Junction 34 South Improvements Plan – ref. 47826/1005/16;

- Alsing Road Gyratory – ref. 47826-1005-13;
- Sheffield Road / Vulcan Road signalised roundabout improvement – ref. 47826-1005-14;
- Widening of Sheffield Road between Vulcan Road and M1 Junction 34 (south) – ref. 47826-1005-15);
- PROPOSED SEGREGATED FOOTWAY/CYCLEWAY LAYOUT PLOT 5 – ref. 5001-004 P01;
- PROPOSED SEGREGATED FOOTWAY/CYCLEWAY LAYOUT PLOT TLH – ref. 5001-005 P01.

The drainage drawings comprise of the following:

- SURFACE WATER DRAINAGE STRATEGY – Ref. 332410835\004\002.

Environmental Impact Assessment/ Supporting Information

The application is for EIA Development and therefore the environmental issues associated with the application must be assessed within the framework of the Environmental Impact Assessment Regulations 2017 (EIA Regs). This means that the application must be accompanied by an Environmental Statement (a document which assesses the potential significant environment effects of the development in a structured manner), which must be examined by the Local Planning Authority.

An Environmental Statement was submitted by the applicant in October 2020 (dated September 2020) covering the following topics, Socio Economics, Human Health, Biodiversity, Air Quality, Traffic and Transport, Ground conditions, Water Resources, Flood Risk and Drainage. Following the amendments to the application (as described above) an Environmental Statement Addendum was submitted in July 2022 which reviewed and updated the previously submitted ES in light of the modifications to the development.

In addition to the Environmental Statement the applicant has submitted the following documents to support the application (only latest revisions listed):

- Planning & Economic Report – Sept 2020;
- Proposals Update: Planning Report – July 2022;
- Planning Benefits Report – September 2020;
- Statement of Community Involvement – Sept 2020;
- Design & Access Statement – September 2020;
- Proposals Update: Design and Access Statement Addendum – July 2022;
- Development Specification Update – July 2022;
- Updated Design Code Rev. 1 – July 2022;
- Flood Risk Assessment – ref. 47826/4001 – July 2022;
- Transport Assessment – ref. 47826/001 | Rev: FINAL – Sept 2020;
- Transport Assessment Addendum – ref. 332410835 Rev. A – Oct 2022;
- Summary of Proposed Highway Mitigation - Oct 2022;
- Framework Travel Plan – ref. 47826/5501 | Rev: AA – Sept 2020;
- Historic Environment Desk-based Assessment – ref. 112212.01 – June 2020;
- Outline Written Scheme of Investigation for Archaeological Evaluation – ref.

- 112212.03 – Feb 2021;
- Synopsis Report Presenting Ground Conditions Assessment - 47826/3501 | Rev: 02 – Sept 2020;
- Coal Mining Hazard Assessment – ref. 47826 / 3502 / CBH / GEO RPT03 (MRA) – Sept 2020;
- Water Framework Directive Compliance Assessment – ref. 47826/4001 – Sept 2020;
- NOISE TECHNICAL NOTE - 47826//TN001 – Sept 2020;
- Outline Construction Environmental Management Plan – ref. 47826/001 | Rev: AA - Sept 2020;
- Outline Construction Logistics Plan – ref. 47826/001 | Rev: AA – Sept 2020;
- Ecology Appraisal – Aug 2020.

The Environmental Statement and Environmental Statement Addendum, together with the above supporting documentation, have been subject to examination, including through review by expert internal and external consultees and this report sets out the key findings of this examination. In assessing and determining this application the LPA is mindful of the requirements of Regulations 3 and 26 of the EIA Regs to not grant planning permission for EIA development unless an EIA has been carried out in respect of that development and that an EIA must include:

- a) an examination of the environmental information (the environmental statement, the submitted further information and all representations);
- b) a reasoned conclusion on the significant effects of the proposed development on the environment;
- c) integration of that conclusion into the decision as to whether planning permission or is to be granted; and
- d) the consideration of whether it is appropriate to impose monitoring measures.

Meadowhall Extension Proposals

The first two elements of the Outline application (i) & (ii) essentially propose an extension of the existing Meadowhall Shopping Centre building to accommodate both a new 'Leisure Hall' (a new area of Meadowhall focussing on indoor leisure uses and food & beverage uses) and also a relatively small extension to the existing 11 screen cinema to allow up to 3 additional screens to be provided.

Cumulatively the proposed extensions amount to 32,808 sqm GIA (22,808 sqm of which could be actively commercially used) which would represent a 23% increase to the existing floorspace of Meadowhall Shopping Centre. It should be noted that the previous (lapsed) approval ref. 16/04169/FUL permitted a 37% increase to the existing floorspace of Meadowhall and proposed to include a more substantial amount of retail floorspace within the extension.

The proposed mix of uses within the extensions would be leisure dominated with up to 51% of the new floorspace proposed for leisure use, 26% food & beverage and the remainder split between retail, office, police station and creche/ non-residential institutions (but with a maximum of 2% of the floorspace being used for retail). Essentially what was previously approved is a larger extension with more of

a broad mix of leisure, food & beverage and retail uses whereas now what is proposed is a smaller (although still very substantial) extension which would focus almost exclusively on leisure and food & beverage, with a minimal level of ancillary retail space. Concourses and congregation spaces would also be substantially reduced.

The applicant has indicated that, in order to mitigate the impact of the development on the post-lockdown recovery of relevant City, Town and District Centres and currently planned/ committed investment in those centres none of the floorspace within the Meadowhall extension would be brought into use until 01 November 2029 at the earliest.

The submitted parameters plan proposes a maximum building height for the proposed Meadowhall extensions of 64.75m AOD (stepping down to 52m AOD). This represents a height of up to C. 30 metres above existing ground level stepping down to C. 18 metres and is comparable to the existing height of Meadowhall but with some flexibility for higher elements to be incorporated within the extensions (although all well below the height of the existing central dome).

The design code indicates that the proposed leisure hall extension could either be provided to the south-east of Meadowhall within the yellow and red car park areas 'Main Development Zone' or to the south of Meadowhall within the orange car park area 'Alternative Development Zone'. Sketch layout drawings and visualisations are provided illustrating potential approaches to the layout, form and appearance of the extensions. The Design Code indicates that any development on the Main Development Zone would involve:

- Access - vehicular access will be retained from Meadowhall Way
- Pedestrian links - pedestrian routes which connect the existing Meadowhall, and the neighbouring plots will guide the layout of the scheme
- Public space - a new public space will be provided at ground level to provide outdoor eating and seating areas and contribute to enhancing biodiversity in the area.
- Arrival - there is an opportunity to improve arrival experience for everyone by providing active frontages and legible layout of buildings and spaces
- Landmark - with a potential development terminating one of the key views the building lends itself to being a landmark. It will act also as a reminder of the range of experiences and history the area offers.
- Height - the new development will reflect the height of Meadowhall, and only where it contributes to legibility it could go up to 30m.

The Design Code indicates that any development on the Alternative Development Zone would involve:

- Access - vehicular access will be retained from Meadowhall Way, but potentially reconfigured to provide a better sense of arrival
- Pedestrian links - pedestrian links with potential new crossing on Meadowhall Way to provide links to south to Meadowhall Drive and to Plot 5
- Public space - a new public space in front of the new buildings will provide outdoor seating and green area

- Enhanced frontages - the proposed buildings will provide new active frontages opening into the new space
- Landmark - the western corner of the development zone can accommodate a landmark building which will be visible on approach in from east, west and south
- River Don - development in this zone will aim to establish linkages and references to the River Don.

The development of an extension to Meadowhall on either development zone would displace a certain amount of existing parking. The Design Code illustrations suggest that this could be compensated for through the construction of a new multi-storey car park at the eastern edge of the current Yellow car park (if required). Specific car park displacement figures and required parking levels will not be known until the Reserved Matters Stage. However, the applicant has confirmed that car parking levels within the site boundary will not be increased (there are currently 6,837 spaces within the site boundary). There is no suggestion that the proposed Meadowhall extension would generate additional parking demand beyond which could be readily absorbed within the existing site provision.

In relation to the proposed cinema extension this would be located within the relatively narrow open space between the existing Meadowhall building and the River Don to the north-west. This space is adjacent to the Meadowhall Oasis (food court) and existing 11 screen cinema and is currently occupied by a landscaped open space used as an amenity area/ outdoor spill out space from the Oasis

As the proposed scale of the cinema extension is relatively modest the Design Code indicates that only part of the space would be required for the cinema extension with the remainder retained as an 'enhanced' open space with improved frontages, signage, public art and seating areas. The existing riverside pedestrian and cycle path would not be affected. The Design Code principles for the cinema extension are:

- Facade - the extension provides an opportunity to create a facade which establishes a relationship with its setting and more specifically the River Don
- Views - views to and from the extension will be critical for creating a 'sense of place' and enhancing the character of the area through design quality
- Pedestrian links - the extension will be mostly accessed through the reconfigured existing cinema, but linkages to the riverside path will also be enhanced
- Flood risk and biodiversity - the development will respect the existing flood defences and will contribute to enhancing the existing biodiversity along the riverfront.
- Roofscape - the location presents an opportunity for introducing roofscape which relates to the local architectural heritage.

Plot 5 Retail Park

The third element of the Outline application (iii) relates to the construction of retail units on the vacant land surrounding Next Home and Costa immediately to the south-east of Meadowhall. The Next Home (2 floors - C. 5,700 sqm GIA) and

Costa (C. 200 sqm GIA) were approved upon appeal following refusal of application ref. 12/01017/FUL. This approval also included the development of a C. 15,700 sqm car dealership on the majority of the rest of the land (with 2 relatively small development plots remaining); however the car dealership was never implemented. The proposal is now to build out the vacant land with additional retail units to accommodate up to 8,381 sqm GIA of new commercial floorspace including 7,181 sqm of retail, 1,200 sqm which would comprise either a car showroom or police station and 900 sqm of ancillary food and beverage.

The applicant has proposed a planning condition which would prohibit retailers from occupying the units who primarily retail: clothing and footwear; jewellery; toys; cosmetics; audio and visual equipment; medicines; or other personal luxury goods. The applicant has also proposed a restriction to ensure that only a single retail unit (with a maximum net sales area of not more than 1,500 sqm) could primarily retail food i.e. only one supermarket could be developed on the plot.

Three potential points of access are shown – two from Meadowhall Way (Including the existing Next Home/ Costa access, and one from Sheffield Road. A strip of vacant land along the south-western boundary of the site is excluded from the development site – this land runs along the potential alignment of the Innovation Corridor highway scheme. The western corner of the site is also shown as being reserved from development (until 23 July 2023) to allow the potential for a link road to be developed on this land between the Innovation Corridor and Meadowhall Way. The applicant has indicated that this area may potentially be used for car parking until that date.

The Design Code proposes positive frontages for the development on both Meadowhall Way and Sheffield Road, a landmark building or feature on the corner of Vulcan Road and Meadowhall Way and a maximum building height of 16.5 metres. A good quality hard surfaced, signposted and street lit pedestrian and cycle link is currently present along Plot 5's south-western boundary linking Sheffield Road to Meadowhall Way, and the Design Code also proposes to retain this. The Design Code principles for Plot 5 are:

- Access - vehicular access will be retained from Meadowhall Way, with only an alternative option for access from Sheffield Road if the Innovation Corridor layout affects the access from Meadowhall Way.
- Pedestrian links - with potential new crossing on Meadowhall Way to provide links to Meadowhall and development on Plot TLH
- Biodiversity enhancement - the plot presents an opportunity for provision of landscaped areas adjacent to the embankment which is Local Wildlife Site.
- Frontages - those on Sheffield Road and Meadowhall Way will play a key role in creating a sense of place.

Plot Source Change of Use

The final element of the planning application, which is proposed as a full planning application, is the change of use of The Source [Current Home of The Source Academy] to a Mix of Alternative Commercial Uses (3,290 sqm GIA) (Plot Source). This element of the application is for a change of use of a 3-storey building to the

east of Meadowhall, which is currently used as an educational establishment (The Source Skills Academy). The proposal is to change this to a flexible mixed-use building, with the primary use being as an office but also including elements of fitness, food and beverage.

Overall Development Scheme – The Meadowhall Masterplan

The collective elements of the application described above are referred to by the applicant as The Meadowhall Masterplan (TMM). Although the proposed extension to Meadowhall itself is c. 36% smaller than the previous lapsed consent (in terms of the commercial floorspace to be delivered), cumulatively the overall commercial floorspace to be provided as part of the development, taking account of all of the above elements, is comparable (with a reduction of 4% on the commercial floorspace previously approved). The following tables break down proposed floorspace by plot and use (including a comparison with the previous approval):

Previously Approved (16/04169/FUL) Maximum Development Floorspace

Use	Use Class	Max Floorspace now Proposed
Leisure (inc Cinema)	Use Class E & Sui Generis	16,693
Retail	Use Class E	7,181
Catering/ Food & Beverage	Use Class E & Sui Generis	11,034
Offices	Use Class E	4,256
Learning, non-residential institutions, creche, day centre and/ or nursery	Use Classes E and F1	1,202
Police Station and/ or Car Showroom	Sui Generis	3,222
MAX COMMERCIAL GIA	[all figures = sqm GIA]	35,805
MAX GIA (INCLUDING CIRCULATION SPACES)		43,588

Currently Proposed (20/03766/OUT) Maximum Development Floorspace

Use	Use Class	Max Floorspace now Proposed	% Change from Previous Consent
Leisure (inc Cinema & Gym)	Use Class E & Sui Generis	11,645	-30%
Retail	Use Class E	7,181	No Change
Catering/ Food & Beverage	Use Class E & Sui Generis	7,077	-36%
Offices	Use Class E	5,086	+20%
Learning, non-residential institutions, creche, day centre and/ or nursery	Use Classes E and F1	4,492	+274%
Police Station and/ or Car Showroom	Sui Generis	2,934	-9%
MAX COMMERCIAL GIA	[all figures = sqm GIA]	34,479	-4%
MAX GIA (INCLUDING CIRCULATION SPACES)		44,479	-16%

Currently Proposed Maximum Development Floorspace (By Plot)

Use	Use Class	Plot TLH	Plot Cinema	Plot 5	Plot Source
Leisure (inc Cinema)	Use Class E & Sui Generis	10,363	1,282	0	550
Retail	Use Class E	524	0	7181	0
Catering/ Food & Beverage	Use Class E & Sui Generis	5,517	390	900	270
Offices	Use Class E	1,796	0	0	3,290
Learning, non-residential institutions, creche, day centre and/ or nursery	Use Classes E and F1	1,202	0	0	3,290
Police Station and/ or Car Showroom	Sui Generis	1,734	0	1,200	0
MAX COMMERCIAL GIA	[all figures = sqm GIA]	21,136	1,672	8,381	3,290
MAX GIA (INCLUDING CIRCULATION SPACES)		31,136	1,672	8,381	3,290

Overview of Main Mitigations and Controls

The application includes a series of proposals to mitigate the impacts of the proposed development including in terms of controls and restrictions on the commercial floorspace to reduce the impact on other centres and also mitigation measures and infrastructure improvement proposals to make the development acceptable in transportation and environmental terms. The key elements of this mitigation are summarised below:

Controls on the Commercial Uses Comprised within the Development:

- Plot TLH:
 - No more than 8 units to be used for leisure (Use Class E);
 - Total leisure (Use Class E) floorspace cap of 10,363 sqm GIA – including any existing or new leisure uses provided within the M1DC site;
 - No single leisure (Use Class E) unit to exceed 6,938 sqm GIA;
 - Obligation that no existing food & beverage units within the Oasis will be converted to retail use;
 - No floorspace to be occupied before **01 November 2029**.
- Plot Cinema:
 - Total maximum of 14 screens for the cinema overall following the extension (currently 11 screens);
 - No new cinema floorspace to be provided at ground floor level.
- Plot 5:
 - Only 1 unit to be used primarily for food sales (supermarket) with a max net sales area of 1,500 sqm;

- Prohibition on developing a supermarket as part of the River Don District consent (ref. 21/04322/FUL) if built on Plot 5.
- No units to primarily retail: clothing and footwear; jewellery; toys; cosmetics; audio and visual equipment; medicines; or other personal luxury goods;
- No units below 700 sqm GEA;
- 'No poaching' from City Centre condition.

Traffic and Transport Mitigation

- Monitor and manage approach to local highway and strategic road network mitigation - whereby the need for junction and road improvements (including to J34 North and South; Sheffield Road/ Vulcan Road and Alsing Road Gyratory) will be assessed at each phase of development;
- Public transport service improvement contribution;
- Proposals to upgrade South Tinsley Tram Stop with new canopies, benches, Real Time Information displays, bins, CCTV, lighting and signage;
- Upgrades to nearby bus stops (£20,000 - S106 contribution);
- Car park occupancy Variable Message Signs on highway network;
- Parking control zone within surrounding residential area (if pre and post development parking surveys confirm that this is needed);
- Cycle parking and EV charging points within the site;
- Public transport information signage within the site;
- Pedestrian and cycle connectivity improvements - upgraded toucan crossings and additional sections of segregated foot/ cycleways to Meadowhall Way, Vulcan Road and Sheffield Road;
- Commitment to Join ECO Stars Fleet Recognition Scheme;
- Safeguarding of part of Plot 5 Potentially Required for Innovation Corridor Link Road until 23/07/2023.

Other Environmental Mitigation

- Contribution to air quality mitigation initiatives (£75,000 - S106 contribution);
- Commitment to achieving a Biodiversity Net Gain (13% indicative);
- Creation of an artificial otter holt in a suitable location along the River Don;
- Installation of nest boxes;
- Commitment to achieve BREEAM Very Good;
- Commitment to meeting a minimum of 10% of the predicted energy needs of the development from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy (details unknown);
- Commitment to install green/ biodiverse roofs (extent unknown);
- Development to incorporate Sustainable Urban Drainage Systems (details unknown);
- Public art incorporated into congregation spaces provided as part of the Meadowhall leisure hall and cinema extensions (nature unknown).

The applicant also proposes to carry over a £100,000 contribution towards the Council's Work Ready programme which was previously paid under the lapsed previous approval ref. 16/04169/FUL).

The above mitigation would be secured through a combination of planning conditions and a legal agreement under Section 106 of the Act. Details of which are provided at the end of this report.

SUMMARY OF REPRESENTATIONS

The application has attracted three objections, one from Rotherham Metropolitan Borough Council (RMBC), one from the director of NewRiver REIT (UK) Ltd (NRR) - who own the majority of land and property on The Moor in Sheffield City Centre, and one from the managing director of Dransfield Properties Ltd (DPL) - who own and manage the Fox Valley retail, office and leisure development in Stockbridge. RMBC confirmed their continued objection following the revisions to reduce the scale of the scheme whereas DPL did not. NRR only provided comments towards the end of the process and based upon the currently proposed revised scheme. In addition, Barnsley Metropolitan Borough Council (BMBC) have confirmed that they have no objection to the application, subject to the proposed floorspace restrictions. The key parts of the objections are set out below:

NRR Objection (15th November 2022)

Without a quantitative or detailed qualitative leisure impact assessment, or cumulative retail impact assessment from the applicant, it is difficult for us or the Council as planning authority to assume anything other than that the proposal, a major out of centre development, will have a significant harmful impact on Sheffield City Centre over the short and long term and, as such, is contrary to planning policy at all levels. There are several vacant units still on the Moor and Fargate which will inevitably have to try to pivot to a more leisure and F&B led offer, the proposals from the applicant could easily have a significant detrimental impact on this becoming a success for the city centre.

RMBC 2nd Objection (07th October 2022)

'It is recognised that that the amended scheme proposes less overall floorspace than the extant permission, however the amount of retail floorspace remains identical to the consented scheme and the proposed quantum of catering and leisure floorspace raises significant concerns in relation to the planned investment into the Council's Forge Island scheme, which is leisure led.

In this regard, whilst it is acknowledged that work has commenced on the Forge Island scheme, it is considered that the proposed Meadowhall expansion will draw in more of the local spend available within the region. It would directly compete for the local and regional leisure market thereby spreading a limited amount of available spending across a wider footprint/number of operators. The result of this will be to weaken the long-term prospects for Rotherham town centre to build on the Forge Island investment and the public investment into the creation of a new leisure and cultural quarter.

Retail in Rotherham town centre has been decimated by the proximity of large out of town shopping centres. The response from planning consultants acknowledges the negative impact that Meadowhall has had on Rotherham and the resulting need for the Council to consolidate the town centre and diversify its offer. The proposed Meadowhall expansion (into a greater share of the leisure market) has the very real potential to double down on the negative impact Meadowhall has had on Rotherham and would undermine the strategy to regenerate the town centre and the investments being made.

Accordingly, whilst RMBC are generally supportive of development and investment within the South Yorkshire Mayoral Combined Authority region, the scale and land uses proposed as part of the Meadowhall expansion are likely to have a significant adverse impact on the vitality and viability of Rotherham town centre and planned investment in the Forge Island site as well as existing investment across the remainder of the town centre. Rotherham Borough Council therefore objects to the proposals on the following grounds:

- The proposed extension to Meadowhall Shopping Centre is likely to have a significant adverse impact upon the vitality and viability of Rotherham town centre; and
- The proposed extension is likely to have a significant adverse impact upon planned investment in the Forge Island site and also existing investment across the remainder of the town centre'

DPL Objection (15th March 2021)

'Our company objected to the previous larger plans with the Meadowhall expansion which were approved by Sheffield City Council in 2018. It is our view that the concerns around the impact on other retail centres in the region remain with this scaled back, but still significant extension plan for a new Leisure Hall which includes additional retail space as well as an expanded food and drink offer.

As our sector emerges from what has been one of the most devastating periods and we prepare to re-open more stores in a very changed economic landscape, I would urge our local planners to do their utmost to help protect our town and district centres. Allowing further investment and expansion at Meadowhall will do nothing for those centres which are now facing fresh retail vacancies and the challenge of attracting shoppers back to our traditional retail environments. Never has it been a more important time to put town and city centres first over out of town retail. We need to allow the businesses that are now reopening the time to rebuild and find their place again in the new circumstances we all find ourselves in as the lockdown eases and the economy returns to some sort of normality.

As your officers will be aware, we are fortunate in Stocksbridge to have been approved for a £24.1m grant from central government through the Towns Fund ... A large part of this funding will regenerate the Manchester

Road area – the traditional retail area of Stocksbridge which has suffered from a lack of investment and long-term vision in recent years ...

Any further expansion to Meadowhall should be viewed against this backdrop of the committed publicly financed regeneration schemes in the city region – not just in Stocksbridge but in neighbouring authorities such as Rotherham and Barnsley ... I would hope that against this background, alongside the need to protect our town and city centres, which is underlined in Stocksbridge by the Government's willingness to invest public funds here, the Council would refuse the further expansion of Meadowhall'

PLANNING ASSESSMENT

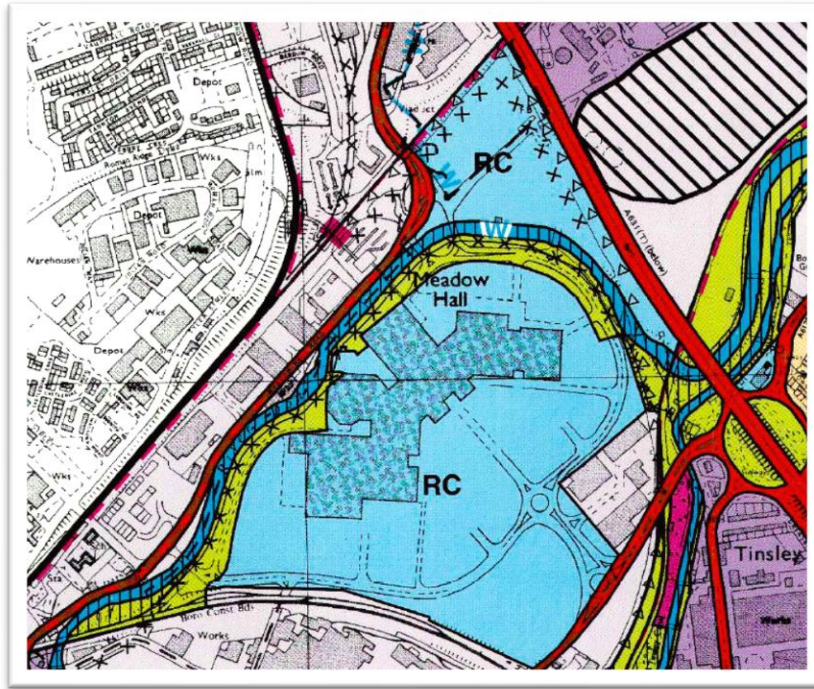
Planning Policy Principle

The proposal is to develop new buildings and associated parking and other infrastructure for commercial use (Use Class E, F1 and Sui Generis) on land within the existing built-up area of the City of Sheffield. Plot TLH/ Cinema and Plot Source would be categorised (under the NPPF definition) as previously developed land whereas Plot 5 would not be and is a greenfield site (with the steel works and railway sidings which historically occupied the site having been cleared and some natural regeneration having taken place). The mix of land uses proposed would mainly fall within the NPPF definition of 'Main Town Centre Uses'.

The Unitary Development Plan (which is partly saved and partly out-of-date as explained in following sections of this report) identifies all of the land (including Plot 5) as a Regional Shopping Centre, as per the extract below. The Core Strategy Key diagram broadly identifies the site as the existing site for the Meadowhall Shopping Centre and as a location for potential additional office and leisure development. The Core Strategy explains these proposals as follows:

Meadowhall has vacant land with good road and public transport access where a new range of employment opportunities would contribute to the strategy for the Valley. Policy CS3 identifies it as a location for offices and it could also contribute to meeting the longer-term housing need. The location would be suitable for large-scale leisure that could not be accommodated in the City Centre. But, in keeping with the Regional Spatial Strategy [now defunct], there would be no significant expansion of shopping at Meadowhall.

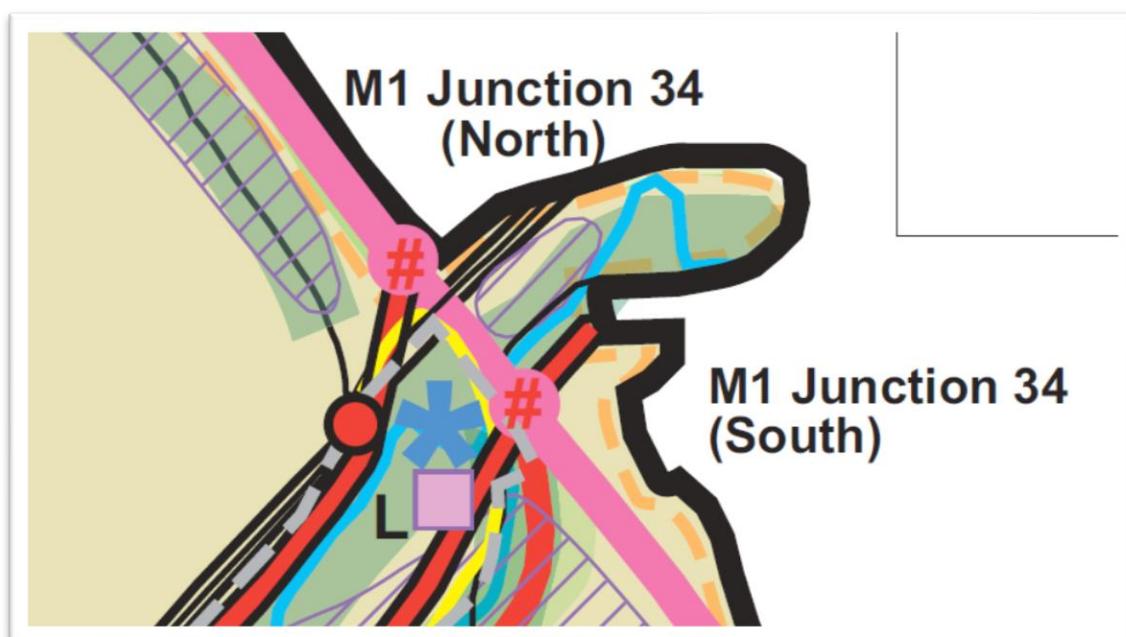
Unitary Development Plan Proposals Map Extract (March 1998)







RC

Regional Shopping Centre
refer to Shopping Chapter

Core Strategy Key Diagram Extract (March 2009)



-  Strategic Green Network (CS73, page 129)
-  Meadowhall Centre (CS7, page 40)
-  Location for Office Development (non-City Centre) (CS3, page 35)
-  Major Built Leisure (CS15, page 50, CS21, page 56)

Previous Consent

As described in the preceding sections of the report the applicant previously obtained consent for a larger extension to Meadowhall (ref. 16/04169/FUL). This consent lapsed in May 2021 and therefore is not a fall-back scheme. Every planning application should be judged upon its merits; however the previous consent was granted under a similar national and local planning policy environment to what is currently in place and the fact that consent was previously granted for a larger extension to Meadowhall Shopping Centre is considered to be a relevant material consideration.

The weight which is attached to this consideration is a matter for the decision maker. It is considered that the significantly different socio-economic circumstances now compared to 2018, including the effects of the coronavirus pandemic on City and Town centres (including increased large unit vacancies) and the current cost of living crisis and predicted recession, substantially reduce the weight which can be attached to the fact that consent was previously granted for a larger extension to Meadowhall. Therefore a full re-examination of the socio-economic impacts of the development is necessary – as is set out in the report below.

Town Centre Policy Issues

Applications for retail and leisure development not in a town centre and not in

accordance with an up-to-date Local Plan must pass the sequential test and impact tests. As Meadowhall is not identified as a town centre in either the Unitary Development Plan (UDP) or the Core Strategy (CS) and as this proposal has more than 2,500m² of floorspace, both sequential and impact tests are required. Paragraph 91 of the NPPF says that where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on it should be refused.

Sequential test

Paragraph 87 of the National Planning Policy Framework (NPPF) says that “Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.”

The sequential test applies to proposals for main town centre uses (including shops, cinemas, restaurants, bars and pubs, other leisure and entertainment uses and offices) that are edge of centre or out of centre and not in accordance with an up-to-date plan.

Paragraph 88 says that “Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.”

Impact

Paragraph 90 of the NPPF says that “When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).”

Unitary Development Plan

The application site is within Meadowhall Regional Shopping Centre. As Meadowhall is not identified as a town centre in the UDP the proposal is 'out of centre'.

Policy S5 applies to all out of centre retail development. It says that retail development other than within or at the edge of the Central Shopping Area will be permitted provided that:

- It would not undermine the vitality and viability of the City Centre as a whole,
- It would not jeopardise private sector investment needed to safeguard the vitality and viability of the Central Shopping Area,
- it would be easily accessible by public and private transport
- It would not have a significant harmful effect on public transport or other movement on the surrounding road network
- It would not result in a significant increase in the number and length of trips
- It would not take up land required for other uses.

This policy does not fully comply with the NPPF and some of wording is out of date. The policy should be given moderate weight.

Policy S8 is concerned specifically with development at Meadowhall. Shops, food and drink outlets, leisure and recreation facilities are listed as acceptable but proposals for major non-food development will not be permitted where they would undermine the strategy of concentrating such development with the Central Shopping Area and District Shopping Centres by:

- significantly and harmfully increasing the retail draw of Meadowhall; or
- facilitating relocation of forms of retailing from the Central Shopping Area that are fundamental to its vitality and viability;
- significantly and harmfully expanding forms of retailing fundamental to the continuing vitality and viability of existing Centres.

Non-retail development will be permitted provided that:

- It would not undermine the vitality and viability of the City Centre as a whole; and
- It would not jeopardise private sector investment needed to safeguard the vitality and viability of the City or put at risk the regeneration strategy for the Central Shopping Area; and
- there would be sufficient capacity in the highway network and there would not be a significant increase in the number and length of customer trips.

The reference to impact in this policy is in general conformity with the NPPF although it is worded in a different manner. It is considered that it should be given significant weight.

Policy LR2 says that new leisure and entertainment facilities will be promoted where they satisfy various criteria listed in the policy. The policy also requires entertainment and leisure developments which attract a lot of people not to undermine the vitality and viability of the evening economy of the City Centre and comply with policy S5.

This policy applies a different definition of the impact test and does not refer to the sequential test. Therefore, it is considered that it should be given limited weight.

Core Strategy

Policy CS7 'Meadowhall' says that the shopping centre will remain around its present size and large-scale leisure uses that cannot be located in the City Centre or at its edge may be located close to the interchange. New development around the Meadowhall Centre should be integrated with the existing development. It also says that transport measures, including Travel Plans, will be employed to mitigate the transport impact of development on the strategic road network and to reduce air quality impacts.

Policy CS14 says that Meadowhall Shopping Centre 'will remain at around its present size' and that major non-food retail development will not occur outside the City Centre's Primary Shopping Area and District Centres and their edges. The commentary on the policy defines major non-food development as usually consisting of increases in gross floorspace of more than 2,500m².

Policy CS15 says that major leisure facilities will be located in the Lower Don Valley if there are no sites suitable or available in or at the edge of the City Centre.

Policies CS7 and CS14 might appear to be inconsistent with the NPPF as they appear to place an embargo on development at Meadowhall and on major out of centre retail development, rather than allowing for the possibility of such development. However, the appeal decision for the Next Home and Garden near Meadowhall established that these policies could be regarded as up-to-date, provided they were applied in the context of the sequential and impact tests in the NPPF. Therefore, they are considered to have moderate weight. Policy CS15 conforms with the NPPF and should be given significant weight.

Summary of policy background

The NPPF's sequential and impact tests satisfactorily cover the policies in the UDP and Core Strategy that relate to prioritising City Centre development and assessing impact. The main policy assessments of the application are therefore whether it complies with the sequential and impact tests set out in the NPPF. The following sections consider the proposal in terms of the sequential and impact tests.

Sequential Assessment

The applicant has considered the availability of alternative sites within a wide catchment area which is consistent with the wide area from which Meadowhall draws its customers. They have split the development into individual plots for the purpose of assessing alternative sites. They have also reduced the plot sizes further to demonstrate flexibility on issues such as format and scale in assessing alternative sites. The following minimum sizes have been adopted for the site search.

- TLH plot measures 15.9 ha (according to the parameter plans). The minimum size adopted for searching for alternative sites is 2.3 ha for Town Centre sites with good access to car parking and 3 ha for all other sites.
- Plot 5, measures 2.98ha (according to the parameter plans), a site size

threshold of 1.25 ha has been adopted for the in-centre sites with good access to car parking, and 2 ha sites for others.

- M1DC - source measures 3.58ha (according to the parameter plans). A site size threshold of 3 ha has been adopted.
- Alternative Orange car park leisure a site area is 2.5ha (as indicated on the parameter plans). A site size threshold of 1.25 ha has been adopted.

The area of site search, approach and flexibility adopted with the sequential site assessment is considered to be acceptable.

Particular Locational Requirements

Paragraph 12 of the 'Town centres and retail' planning practice guidance produced by the government says that, when applying the sequential test, it should be recognised that "certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification."

The applicant has argued that there is a site-specific case for proposed development which can only be met at Meadowhall and therefore the element of the development scheme which proposes to extend the Meadowhall Shopping Centre passes the sequential test and there is no need to consider the availability of alternative sites.

This was the same argument that was presented to support the previous leisure scheme and at that time it was accepted in part. The applicant's case for a site-specific need is summarised as follows:

- There is a pressing need to broaden the use base to ensure that Meadowhall remains relevant to both customer expectations and demands.
- Meadowhall currently comprises 90% retail and, like all shopping centres, must adapt and respond to the 'experience' needs of customers.
- An appropriate mix of F&B and leisure uses are required to meet modern customer expectations.
- There is a site-specific requirement to improve the existing cinema offer which is aged and does not meet current modern-day standards.
- These needs are essential for Meadowhall to continue to compete with other regional shopping centres and in order to continue to be successful in delivering the economic benefits it provides to the city.

The applicant has resubmitted the evidence to support these arguments previously presented under planning application ref. 16/04169/FUL, which comprises:

- Leisure Review – October 2016 (prepared by CBRE),
- Retail Mix and Positioning Report – October 2016 (prepared by CBRE), and
- Overview of the Food & Beverage and Leisure Market and its Relevance in Terms of Meadowhall and Sheffield City Centre – October 2016 (prepared by Davis Coffey Lyons).

In addition to this, more up-to-date commercial market evidence has been submitted to support the current application, principally set out within a letter prepared by Smith Young which provides an updated consideration of the food and drink, leisure and retail market, where it applies to Meadowhall.

In terms of Meadowhall's food and drink offer the applicant makes the case that it is not appropriately scaled to support the shopping centre's customer base being approximately 6.7% of the gross internal area which lags behind other regional shopping centres. This is principally provided in the Oasis which caters for casual dining and fast food. However, the applicant contends that Meadowhall contains insufficient accommodation for premium or specialist food & beverage offers for which there is an operator demand. The applicant further contends that the Oasis has been over-trading, attracting negative customer experience with regards to waiting times/ queues and a lack of seating. Evidence of recent customer surveys including the Meadowhall Customer Feedback Programme 2019 have been submitted to support this.

In terms of the Leisure/cinema offer the applicant argues that Meadowhall is unable to meet consumer demands for an extended leisure day out, as Meadowhall is a retail dominated scheme (the only leisure operation being the cinema) and it lags behind other regional centres in this respect. The applicant contends that there is customer demand for large format leisure operators to be accommodated within the site and also that the existing cinema is outdated, poorly configured and does not meet modern operational needs and consumer demands which would be addressed by the cinema extension.

In terms of the large format retail which is proposed for plot 5 the applicant argues that Meadowhall's offer is limited. They further contend that the site's location near to the motorway network and the proximity of Next Home and IKEA creates a case for additional provision of further large format retailing to build out the vacant land on Plot 5.

As with the previous application, the evidence that Meadowhall has a more limited indoor leisure and food & drink offer than the majority of competitor regionally scaled Shopping Centres is accepted. It is also accepted that the relative lack of such facilities within Meadowhall is negatively affecting the customer experience and that developing additional units at Meadowhall primarily aimed at leisure and food & beverage operators would be likely to enhance and broaden the customer appeal of Meadowhall and improve its competitiveness.

The submitted Design Code and Parameter Plans confirms that the additional leisure and food and beverage floorspace proposed on Plot TLH and Plot Cinema within the current application would be functionally linked to the existing Meadowhall Shopping Centre. It is accepted that this functional link is necessarily to deliver the scheme's benefits (in terms of broadening the leisure and food & beverage offer comprised within the Meadowhall Shopping Centre) and could not be achieved on an alternative (more remote) site. It is therefore accepted that a site-specific case has been established for the proposed leisure and food & beverage led extension to Meadowhall.

In relation to the proposed retail units on Plot 5, a site-specific need for the development has not been demonstrated by the applicant and there is no clear explanation of the relationship between the proposed retail park and the existing shopping centre or the other components of the application. It is likely that this element of the application is driven by the opportunity presented by the applicant's ownership of the vacant land on Plot 5 and that is accessible to a wide catchment and capable of accommodating, subject to retailer demand, (i) a level of retail floorspace consented through the lapsed TLH scheme and which is no longer deliverable in that form and (ii) large format retail with substantial, dedicated surface level car parking.

Summary of Sequential Test

Given that a site-specific case is accepted for the development within plot TLH and Plot Cinema it is only necessary to consider whether there is a sequentially preferable site which can accommodate the retail proposed for Plot 5 (allowing for flexibility). The applicant has provided an extensive alternative site assessment including consideration of potential alternative development sites in Attercliffe, Darnall, Sheffield, Rotherham, Doncaster, Barnsley and Chesterfield.

A significant number of potential sites were dismissed as being too small to accommodate the proposed development or as not serving the same retail catchment. The remaining potential sequentially preferable sites within the relevant catchment area (including sites within Sheffield and Rotherham) have been assessed by the applicant and reviewed by officers along with the Council's retail advisors to consider their suitability and availability to accommodate a similar development to that currently proposed on Plot 5.

The potential candidate sites assessed in detail included: The Moor Phase 5, Heart of the City 2, the Former Castle Market Site, Fargate, redevelopment sites in Attercliffe and Darnall and a number of sites in Rotherham including the Forge Island site. All of the sites which were assessed were concluded to be unsuitable and/ or unavailable for a variety of reasons, including incompatibility with the land allocation, alternative development schemes being progressed on the sites and site-specific constraints.

Having robustly considered potential alternative sites for the development, applying a set of reasonable constraints in terms of site size and proximity, it is accepted that no alternative site is suitable and available for the development, even with reasonable flexibility in terms of scale and format. The sequential test is therefore considered to be passed.

Impact Assessment Methodology

The methodology for the impact assessment was discussed with officers and the Council's retail consultants at the pre-application stage and refined during the course of assessing the planning application. The assumptions and methodology adopted by the applicant are broadly accepted as being robust. This is notwithstanding the comments of NRR who have suggested that a quantitative or detailed qualitative impact assessment is required for the leisure elements of the

development proposal. The applicant has provided a qualitative impact assessment for the leisure elements of the proposal, and it is not possible to undertake a robust quantitative impact assessment (as explained further in subsequent parts of this report).

The originally submitted impact assessment was substantially updated and revised following the submission of significant scheme revisions in July 2022 to reduce the scale of the development and, in particular, the maximum quantum of leisure and food and beverage floorspace which would be delivered through the development scheme. These scheme revisions were made in response to the Council's initial assessment that the scale of out of centre leisure, food & beverage and retail floorspace originally proposed would have had a significant adverse impact on existing centres, particularly Sheffield City Centre in light of the (then) recent closure of the city Centre John Lewis store.

The applicant's updated retail impact assessment considers two development scenarios. These can be summarised as follows:

- I. The 'No Foodstore Scenario' assumes no foodstore would come forward at Plot 5, and therefore the maximum retail floorspace at Plot 5 (7,181 sqm GIA / 6,104 sqm net sales area) would comprise comparison goods floorspace in 2025. Under this scenario in 2030, it is assumed that 6,657 sqm GIA (5,658 sqm net sales area) would come forward at Plot 5, with the residual floorspace (524 sqm GIA / 445 sqm net sales area) provided at Plot TLH.
- II. The 'Foodstore Scenario' assumes that a 1,995 sqm GIA (1,500 sqm net sales area) foodstore would come forward at Plot 5 together with 5,186 sqm GIA (4,408 sqm net sales area) of comparison goods floorspace in 2025. Under this scenario in 2030, it is assumed that the foodstore would come forward alongside 4,662 sqm GIA (3,983 sqm net sales area) of comparison goods floorspace at Plot 5, with the residual floorspace (524 sqm GIA / 445 sqm net sales area) provided at Plot TLH.

Both of the scenarios set out above have been tested against 3 different scenarios based upon different assumptions about the loss of turnover impacts of the closure of the John Lewis store within Sheffield City Centre (Scenarios B, C and D). This report only refers to the figures relating to Scenario B, as this is the worst-case scenario.

The applicant has assessed the potential impact of the proposed development forecast forwards to both the year 2025 and the year 2030. Given the applicant's commitment to not occupy any part of the development on Plot TLH until 01 November 2029, the 2025 impact forecast would represent the impact of Plot Source, Plot 5 and Plot Cinema alone whereas the 2030 impact forecast would represent the full impact of all proposed floorspace including the main Meadowhall extension proposed for Plot TLH.

In terms of the leisure elements of the development, the applicant has provided a quantitative assessment of the potential trade draw of the proposed food & beverage floorspace; however the Council's retail consultant has advised that the

same level of confidence cannot be placed upon this quantitative assessment as is the case for the quantitative retail impact assessment. This is because there is no robust standard methodology for assessing food and beverage impacts - mainly due to the relative paucity of centre specific trading data available for the food & beverage sector. Therefore, qualitative factors should be treated as more important than the quantitative impact assessment when considering the potential impacts of the food & beverage floorspace comprised within the development.

The applicant has not attempted to provide a quantitative impact assessment for the other leisure floorspace comprised within the development (indoor sport and recreation), relying on a qualitative assessment of the circumstances associated with each potential leisure use type instead. This is because there is no accepted robust methodology for quantitatively assessing leisure use impacts, given the elasticity of household leisure use expenditure and the lack of published data on the turnover of individual leisure units. Consequently, it is accepted that a qualitative impact assessment is the correct and most robust approach in terms of assessing the impacts of the leisure uses comprised within the development.

Applicant's Quantitative Convenience Goods Impact Assessment:

The convenience goods offer comprised within the development is limited to the proposed 1,995 sqm GIA supermarket to be developed on Plot 5. This constitutes a relatively minor part of the overall development scheme, and it should also be noted that the applicant has already obtained planning consent for a supermarket on the adjacent River Don District site under consent ref. 18/03796/OUT (as subsequently varied). The applicant has proposed a planning obligation which would prohibit the delivery of this consented supermarket if the proposed supermarket on Plot 5 is consented and developed. The convenience goods retail impact associated with the development would therefore be no greater than has already been consented.

Irrespective the applicant has provided a quantitative impact assessment for convenience goods. The following tables show the applicant's forecasts of the worst-case scenario impact of the proposed development on the trade in convenience goods within relevant Town, City and District centres and also competitor edge of centre/ out of centre supermarkets, ranked in order of percentage of turnover lost. The data in these tables is extracted from the applicant's document 'Proposals Update: Planning Report (July 2022)'.

It can be seen that the majority of the sites which would be worst affected by a loss of trade as a consequence trade diversion to the proposed development would be existing competitor edge of centre and out of centre supermarkets. The applicant also predicts that there would be some trade drawn from the convenience goods offer within surrounding City, Town and District centres; however the total value of convenience goods trade which is predicted to be lost from any of the assessed City, Town and District centres is relatively low (£530,000 p.a. in the worst-case scenario).

Moreover, the applicant's assessment appears to be very conservative/ worst-case, in terms of the potential zone of influence of the proposed Plot 5

supermarket, given the actual real world geographical range of the catchment of most supermarkets. In reality it seems unlikely that significant numbers of supermarket customers would be diverted to the development who would otherwise have shopped for their convenience goods in centres which are relatively remote from Meadowhall such as Barnsley and Chesterfield (other than in terms of linked trips). The applicant explains that they are aware that the impact on relatively remote Town Centres is likely to be overstated; however their intention is to provide a robust worst-case scenario.

The applicant has proposed the following restrictions to mitigate the convenience goods retail impact of the proposed development:

- A planning condition restricting the sale of foods from any unit on Plot 5 (as the primary range of goods) other than a single unit i.e. only 1 supermarket could be developed on Plot 5;
- A planning condition restricting the maximum net sales area for any supermarket to be developed on Plot 5 to 1,500 sqm;
- A planning obligation which would prevent the delivery of the supermarket already approved under consent ref. 18/03796/OUT (as subsequently varied) if a supermarket is delivered on Plot 5.

Convenience Goods Trade Impacts - City and Edge/ Out of Centre Supermarkets

Figures in £m	No Development		Trade Diversion	With Development in Place		Reduction in Turnover (Impact)	
	Turnover 2025	Turnover 2030		Turnover 2025	Turnover 2030	2025	2030
Asda, Heeley	73.81	71.46	5.2%	72.96	70.61	1.2%	1.2%
Morrisons Catcliffe	43.39	42.01	3.0%	42.90	41.52	1.1%	1.2%
Morrisons, Bramley	61.70	59.73	4.0%	61.03	59.07	1.1%	1.1%
Aldi Meadowhall Retail Park	32.17	31.14	2.1%	31.83	30.80	1.1%	1.1%
Morrisons Parkgate	58.54	56.68	3.5%	57.97	56.11	1%	1%
Morrisons, Halfway	83.39	80.73	4.6%	82.63	79.97	0.9%	0.9%
Sainsburys Crookesmoor	58.07	56.22	2.8%	57.60	55.75	0.8%	0.8%
Asda Rotherham	124.28	120.32	5.1%	123.44	119.48	0.7%	0.7%

*Only supermarkets with above 2% predicted Trade Diversion have been included

Convenience Goods Trade Impact – City, Town & District Centres

Figures in £m	No Development		Trade Diversion	With Development in Place		Reduction in Turnover (Impact)	
	Turnover 2025	Turnover 2030		Turnover 2025	Turnover 2030	2025	2030
Barnsley	34.73	33.63	3.2%	34.20	33.10	1.5%	1.6%
Dinnington	76.64	74.20	2.6%	76.21	73.77	0.6%	0.6%
Chapelton	63.05	61.04	2.2%	62.68	60.68	0.6%	0.6%
Stocksbridge	46.92	45.43	1.8%	46.63	45.14	0.6%	0.6%
Worksop	33.12	32.06	1.2%	32.93	31.87	0.6%	0.6%
Sheffield	93.38	90.41	3.0%	92.89	89.92	0.5%	0.5%
Chaucer	51.77	50.12	1.6%	51.50	49.85	0.5%	0.5%
Chesterfield	36.43	35.27	1.1%	36.25	35.09	0.5%	0.5%
Wath-upon-Dearne	59.64	57.74	1.5%	59.40	57.50	0.4%	0.4%
Hillsborough	134.96	130.67	2.6%	134.54	130.24	0.3%	0.3%
Rotherham	62.09	60.11	1.2%	61.88	59.91	0.3%	0.3%

*Only those centres with above 1% predicted Trade Diversion have been included

*Convenience Goods are defined as goods bought for consumption on a regular basis including food, drink, newspapers, etc.

Applicant's Quantitative Comparison Goods Impact Assessment:

The comparison goods sales element of the development comprises the potential development of up to 7,181 sqm GIA of retail (Use Class E) floorspace across the overall proposal site. This floorspace would be distributed with the vast majority to be provided as part of an extended out-of-centre retail park adjacent to the existing Next Home and Costa on Plot 5, but potentially a small element of retail also comprised within the proposed Meadowhall extension (up to 524 sqm GIA).

The following table shows the applicant's forecasts of the worst-case scenario impact of the proposed development on the trade in comparison goods within relevant Town and City centres ranked in order of magnitude of impact (% of turnover lost). Only City and Town Centres are shown; the applicant has also assessed the potential impact upon relevant District Centres and this assessment is set out within the appendices to the submitted Proposals Update: Planning Report (July 2022). However, all predicted comparison goods trade impacts on District Centres are comparatively low (0.2% loss of trade or less). The only exception to this is the Crystal Peaks Shopping Centre, where a 0.3% (£100,000) loss of trade in comparison goods in 2030 is forecast.

Comparison Goods Trade Impact of Development (No Food Store) (Scenario B)

Figures in £m	No Development		Trade Diversion	With Development in Place		Reduction in Turnover (Impact)	
	Turnover 2025	Turnover 2030		Turnover 2025	Turnover 2030	2025	2030
Sheffield	709.30	728.25	34.7%	701.28	719.46	1.1%	1.2%
Barnsley	199.08	204.39	5.3%	198.22	203.46	0.4%	0.5%
Rotherham	136.97	140.62	2.7%	136.45	140.06	0.4%	0.4%
Wath-upon-Deerne	15.47	15.89	0.2%	15.43	15.84	0.2%	0.3%
Maltby	10.56	10.85	0.1%	10.53	10.81	0.3%	0.3%
Doncaster	431.64	443.17	4.7%	430.52	441.94	0.3%	0.3%
Dinnington	14.20	14.58	0.1%	14.18	14.55	0.1%	0.2%
Chesterfield	353.04	362.47	3.8%	352.38	361.76	0.2%	0.2%
Nottingham	78.17	80.26	0.4%	78.04	80.12	0.2%	0.2%
Worksop	113.76	116.79	0.6%	113.59	116.61	0.1%	0.2%
Leeds	325.32	334.01	1.8%	324.96	333.62	0.1%	0.1%
Dronfield	16.90	17.35	0.1%	16.88	17.33	0.1%	0.1%
Pontefract	62.38	64.05	0.3%	62.32	63.98	0.1%	0.1%
Wakefield	296.82	304.75	1.5%	296.52	304.42	0.1%	0.1%
Huddersfield	259.93	266.87	1.3%	259.67	266.59	0.1%	0.1%
Retford	95.61	98.16	0.3%	95.53	98.08	0.1%	0.1%
Manchester	236.90	243.23	0.3%	236.83	243.16	0.0%	0.0%
Stockport	94.78	97.31	0.0%	94.77	97.30	0.0%	0.0%

* Comparison Goods are defined as non-food items including clothing, footwear, household goods, furniture and electrical goods which purchasers compare on the basis of price and quality before buying.

By far the most significant loss of trade in comparison goods to the proposed development is forecast to be experienced by Sheffield City Centre where 1.2% (£8,790,000) of the total forecast comparison goods trade within the City Centre in 2030 is forecast to be lost to the development in the 'no foodstore' 'Scenario B' scenario. This is followed by Doncaster City Centre (£1,220,000 in 2030 – 0.3% of total trade), Barnsley Town Centre (£930,000 in 2030 – 0.5% of total trade), and Rotherham Town Centre (£560,000 in 2030 – 0.4% of total trade).

In order to attempt to mitigate the impact of the comparison goods trade draw which would result from the proposed development the applicant has proposed a series of restrictions including:

- A planning condition prohibiting the sale of any of the types of goods listed below from any unit on Plot 5 (with the exception of retail sales ancillary to the main range of goods permitted):
 - a) Clothing;
 - b) Footwear;
 - c) Jewellery (including watches);
 - d) Toys;
 - e) Cosmetics.

- f) Chemist and medical goods.
 - g) Audio visual equipment (including mobile phones and tablets).
 - h) Books and magazines.
 - i) All other personal and luxury goods.
- A planning condition restricting the minimum size of any retail units to be developed on Plot 5 to 930sqm Gross External Area (GEA) - with the exception of an allowance for two retail units which shall have a minimum GEA of not less than 700 sqm;
 - A planning condition preventing any retailers who also occupy retail floorspace in their own unit in Sheffield City Centre from occupying any of the units comprised within the proposed development unless they agree to retaining their presence as a retailer within Sheffield City Centre with at least 75% of the level of floorspace, for a minimum period of 5 years following the date of their occupation of retail floorspace within the development;
 - A planning obligation prohibiting the existing food & beverage units within the Oasis and/ or the existing Meadowhall cinema from changing their use to retail units (other than ancillary sales to the main use).

Applicant's Quantitative Food and Drink Impact Assessment

Although there is no established robust methodology for assessing the impact of the development of new food & drink floorspace on existing centres, the applicant has undertaken a bespoke quantitative assessment which predicts the potential impact of the development on anticipated trade in food & beverage within relevant existing centres in the years 2025 and 2030 extrapolating from the data which is available. The assessment does not take account of the fact that the majority of food & beverage floorspace (within Plot TLH) would not be brought into occupation until 01 November 2029.

The key data (extracted from the tables within the applicant's document 'Proposals Update: Planning Report (July 2022)') is set out below. As can be seen from the table, the most significant forecast impact (in percentage terms) in relation to food and beverage trade draw to the proposed development, is predicted to be on the nearby Valley Centertainment Leisure Park (1.9% reduction in forecast 2030 trade due to the development). However, as this is also an out of centre site, the weight which should be given to this impact is low. This also applies to the forecast 0.3% trade draw from Doncaster Leisure Park.

In relation to the food and beverage trade draw impact upon Town, City and District Centres, by far the most significant impact, in terms of the amount of trade which is forecast to be lost within the applicant's quantitative impact assessment, is on Sheffield City Centre (£6,930,000 in 2030 – 0.7% of total trade). This is followed by Barnsley Town Centre (£1,150,000 in 2030 – 0.7% of total trade), Doncaster City Centre (£810,000 in 2030 – 0.2% of total trade), Rotherham Town Centre (£750,000 in 2030 – 0.6% of total trade), Chesterfield Town Centre (£730,000 in 2030 – 0.3% of total trade) and Ecclesall Road District Centre (£380,000 in 2030 – 0.4% of total trade).

Food & Beverage Trade Impact of Development

Figures in £m	No Development		Trade Diversion	With Development in Place		Reduction in Turnover (Impact)	
	Turnover 2025	Turnover 2030		Turnover 2025	Turnover 2030	2025	2030
Valley Centertainment Leisure Park	31.37	33.72	4.1%	30.76	33.07	2.0%	1.9%
Barnsley Town Centre	147.36	158.37	7.3%	146.26	157.22	0.7%	0.7%
Sheffield City Centre	974.18	1,047.01	43.9%	967.59	1,040.07	0.7%	0.7%
Rotherham Town Centre	116.04	124.72	4.8%	115.32	123.96	0.6%	0.6%
Retford Town Centre	43.81	47.08	1.3%	43.62	46.88	0.4%	0.4%
Chapletown District Centre	25.27	27.15	0.6%	25.17	27.06	0.4%	0.4%
Killamarsh Town Centre	3.66	3.93	0.1%	3.65	3.92	0.4%	0.4%
Park Gate Retail Park, Rotherham	13.68	14.70	0.4%	13.61	14.63	0.5%	0.4%
Ecclesall Road District Centre	96.47	103.68	2.4%	96.11	103.31	0.4%	0.4%
Doncaster Leisure Park	5.65	6.07	0.1%	5.63	6.05	0.3%	0.3%
Crystal Peaks Shopping Centre	17.44	18.74	0.4%	17.38	18.68	0.3%	0.3%
Stocksbridge District Centre	13.33	14.32	0.2%	13.29	14.29	0.3%	0.3%
Ecclesfield Village Centre	7.90	8.49	0.1%	7.87	8.46	0.3%	0.3%
Dronfield Town Centre	22.24	23.91	0.4%	22.18	23.84	0.3%	0.3%
Worksop Town Centre	54.71	58.80	1.1%	54.55	58.63	0.3%	0.3%
Chesterfield Town Centre	259.43	278.82	4.6%	258.73	278.08	0.3%	0.3%
Hoyland Town Centre	7.04	7.57	0.1%	7.02	7.55	0.3%	0.3%
Mexborough Town Centre	35.95	38.64	0.6%	35.87	38.55	0.2%	0.2%
Penistone District Centre	8.21	8.82	0.1%	8.19	8.80	0.2%	0.2%
Doncaster Town Centre	337.99	363.26	5.1%	337.22	362.45	0.2%	0.2%
Wath-upon-Deerne Town Centre	9.98	10.73	0.1%	9.97	10.71	0.2%	0.2%
Handsworth District Centre	23.63	25.40	0.3%	23.59	25.35	0.2%	0.2%
Bawtry Town Centre	29.85	32.08	0.4%	29.80	32.02	0.2%	0.2%
Hillsborough District Centre	22.11	23.76	0.3%	22.07	23.72	0.2%	0.2%
Wombwell Town Centre	16.71	17.96	0.2%	16.68	17.93	0.2%	0.2%

Although the confidence that can be placed upon the precise figures stated in the applicant's quantitative food & beverage impact assessment (as repeated in the table above) is relatively low (give the limitations of the data upon which this assessment is based) the general pattern of trade draw which is described by the applicant in this assessment is considered to be generally robust and to make logical sense.

In particular, given the out-of-centre location of the site and the nature of the proposed food & beverage offer (being linked to a wider retail and leisure offer and likely to predominantly cater to visitors on linked leisure and retail trips) it seems reasonable to predict (and probable) that biggest trade draw impact (in percentage terms relative to total turnover) arising from the food & beverage floorspace comprised within the development would be experienced by the nearest comparable out-of-centre mixed use leisure and food & beverage destination, Valley Centertainment. It is further considered reasonable and probable to predict that the most significant impact arising from the development in terms of the magnitude of trade diversion (although not the percentage of total trade lost) and the total amount of trade lost would be experienced by Sheffield City Centre - given that Sheffield City Centre has by far the largest food & beverage offer within Meadowhall's catchment and that both Sheffield City Centre and Meadowhall are very well connected to a very similar wide population catchment.

Applicant's Qualitative Leisure Impact Assessment

The largest single component of the proposed development is the proposed delivery of new floorspace to be used for indoor leisure (Use Class E) purposes. If the new cinema floorspace is also included, the total amount of leisure uses to be delivered as part of the proposal amounts to up to 34% of the overall 34,479 sqm commercial floorspace proposed (up to 11,645 sqm GIA). The amount of leisure development now proposed is significantly (30%) lower than was previously consented as part of the leisure hall development approved under (lapsed) planning permission ref. 16/04169/FUL but remains a very substantial amount of out-of-centre leisure development, the impacts of which must be fully considered.

The vast majority of the leisure floorspace would be developed as part of the proposed extension of Meadowhall into the 'yellow' and 'red' 2-storey car park areas to the south-east of Meadowhall and/ or 'orange' surface car park to the south of Meadowhall (Plot TLH). The provision of additional leisure and food & beverage floorspace to provide a better balance of uses within the Meadowhall Shopping Centre and fulfil modern customer expectations for a 'day out' at a regionally scale shopping centre remains the core rationale for the development.

The specific types of leisure use which would be provided as part of the development are not specified within the application (other than in terms of the cinema extension) and could comprise any uses which would fall under element (d) of Use Class E 'indoor sport, recreation or fitness principally to visiting members of the public [not involving motorised vehicles or firearms or use as a swimming pool or skating rink]'. However, the Smith Young letter submitted by the applicant provides the following information on potential types of leisure use/ operators:

'The type of leisure operators that are seeking representation in regional centres, such as Meadowhall, include those from the Health & Fitness Sector (e.g. Pure Gym, Anytime Fitness), Bowling (Superbowl, All Star Lanes, Hollywood Bowl, Lane 7, 10 Pin Bowling, Roxy Lanes), Children's Play (Extreme, Urban Legacies, Funtopia, Rock Up, Nickelodeon, Skate Parks), Ping Pong/Urban Golf, Indoor karting (Team Sport, Avago Karting,

Karting Nation) and other evolving competitive socialising concepts such as Flight Club (darts), Axe Throwing, Escape Rooms and all-encompassing offers such as Everyone Entertained and Boom: Battle Bars. However, until planning is secured operators won't fully engage.'

There is no established methodology for quantitatively assessing the impacts of proposed out-of-centre leisure uses. However the applicant has provided a qualitative assessment of the potential impact of the development of the proposed leisure uses upon existing centres based upon consideration of the local economic context and issues relevant to each potential occupier market sector. The applicant also proposes a series of restrictions intended to mitigate the impact of the leisure development upon existing centres, which in summary comprise:

- A planning condition prohibiting the development of more than 8 (eight) individual leisure units on Plot TLH;
- A planning condition restricting the maximum size of any individual leisure unit on Plot TLH to 6,938 sqm GIA;
- A planning condition restricting the cumulative maximum total amount of floorspace within the land area covered by both the planning application boundary and the M1 Distribution Centre (M1DC) permitted to be used for indoor sport and recreation to 10,363 sqm Gross Internal Area (GIA);
- A planning condition requiring that the extended Meadowhall Cinema Complex shall not have more than 14 screens (currently 11) – with no screens at ground floor level;
- A planning condition requiring that no part of the development approved within Plot TLH is brought into first use/ occupation before 01 November 2029.

In terms of the proposed individual unit floorspace restriction of 6,938 sqm GIA, the applicant has explained that this restriction is intended to prevent a leisure unit from being delivered as part of the proposal which would be scaled at a size which would have a regional trade draw. The figure proposed is based on the largest unit size that was assessed as not being a 'regional' facility, which in this instance was based upon the typical floor area of a ping pong/ trampoline park.

The applicant has explained that the purpose of the proposed delay to the occupation of the Meadowhall extension to November 2029 is intended to prevent the development of the proposed quantum of food & beverage and leisure floorspace from having a significant adverse impact on planned or committed investments within relevant existing centres – including Sheffield City Centre.

The applicant argues that these restrictions, together with the significant reductions in the amount of new floorspace proposed (compared to the both the previous (lapsed) consent and the originally submitted application) will ensure that the development will not result in a significant adverse impact upon existing centres and will not deter investment in those centres, as follows:

'The reduced quantum of floorspace (both retail and leisure) together with the suggested conditions put forward means that the proposals will not lead to a significant adverse impact on planned or committed investment. Both TMM and City Centre schemes, such as the Heart of the City, will

complement and can co-exist, whilst bringing about significant benefits to the City as a whole. This is demonstrated by the fact that investment continues to come forward within the City Centre (such as at Fargate and within The Moor) in full awareness by the market of the proposals at TMM.

The overall leisure floorspace now being proposed at TMM is much less than that previously proposed – reducing by 12,181 square metres. This includes the cinema element of the scheme now comprising an extension to the existing facility rather than the introduction of a new cinema – as previously proposed. This represents a notable and significant change to the scheme when assessing the likely impacts of the proposal on planned investment (and the vitality and viability of the City Centre).’

Underpinning the above conclusion is a qualitative leisure impact assessment which considers the magnitude and nature of the impacts of the proposed leisure uses comprised within the development based upon an analysis of the locational and trade draw characteristics of different types of leisure use. Fundamental to this analysis is their contention that a significant proportion of existing leisure facilities, which the proposed development would draw trade from, are located on out-of-centre sites and consequently do not underpin the vitality and viability of existing centres.

Larger leisure facilities, which would have a very wide catchment, are largely precluded by the proposed floor-space restriction. However, irrespectively, the applicant argues that regionally scaled leisure facilities, such as theme parks, sea life centres, etc, are also typically located in out of centre sites and consequently stand on their own and do not underpin the vitality and viability of City and Town Centres. The impact of the proposal in terms of drawing trade from existing competitor out-of-centre leisure facilities is essentially an issue of commercial competition – which planning policies does not seek to restrict (other than where this would affect the vitality or viability of a City, Town or District Centre).

Below is provided a summary of the applicant’s sector by sector analysis of the potential impact of the proposed leisure floorspace comprised within the development based upon household survey derived data together with other relevant information sources:

Ten-pin bowling:

- The most popular destinations for residents within the catchment are Hollywood Bowl at Valley Centertainment; Tenpin at the Doncaster Leisure Park; Chesterfield Bowl; Barnsley Bowl; and Rotherham Superbowl, which collectively attract almost 95% of trips undertaken. All these facilities are located out-of-centre and the additional choice and competition that a potential tenpin bowling alley at TMM will provide will not have any adverse effect on the vitality and viability of any town centres.

Table Tennis

- ‘Existing table tennis provision within the Catchment is principally provided by local authority run facilities within a wider sports centres, such as Abbeydale Sports Club and Concord Sports Centre in Sheffield. However,

Sheffield and surrounding areas lacks a commercial table tennis facility of the type that could potentially be provided at Meadowhall.

- Such a facility would differ to that currently available in that it would mix playing table tennis on a social level with an evening out by also providing a bar and restaurant. An example of such a facility is Bounce in London¹¹. This offer fundamentally differs to that provided at leisure centres, which is targeted at people who just want to play table tennis. This will be reflected in the times this activity will be undertaken and the pricing structure.
- Given this, there is no evidence to suggest that this type of facility will undermine existing table tennis facilities (which form part of a much wider leisure centre offer) and lead to a significant adverse impact.'

Health and Fitness

- 'Should such a facility be provided, it is expected that this would be occupied by a national operator, which will be for members club only, which will differ to that provided by local authority facilities.
- The bulk of comparable facilities (private clubs) are located in out of centre locations and are afforded no policy protection;
- Due to the high footfall of Meadowhall and the large number of staff who work on-site (in excess of 7,000) at Meadowhall, there will be good demand for an on-site health and fitness offer;
- There is limited overlap between the type of offer proposed and Council operated facilities; and
- None of the designated centres in and around the Catchment rely on members only health and fitness/gym facilities to underpin their vitality and viability;
- The potential impact of introducing a health and fitness operator as part of the proposals is unlikely to lead to a significant adverse impact on the vitality and viability of existing centres or on future investment.'

Trampolining

- 'There is already an existing facility operating on the M1DC site (Jump Inc Sheffield).
- The nearest facility in the wider area is provided near Valley Centertainment (Tramp2lean), which is located in an out-of-centre location.
- Within the wider area, Jump Inc Trampoline trade from an existing facility at Parkgate Retail Park in Rotherham, and further out-of-centre facilities are located in Doncaster (Go Bounce at Shaw Lane Industrial Estate and Air Kings Trampoline Park at Doncaster Road) and in Barnsley (at Cannon Way).
- The nature of these facilities and the requirement for large single level floorplates of over 2,500 square metres means that such uses are located in out-of-centre locations, such as at retail parks or industrial areas (as reflected by the existing facilities in the area). As a result, there will be no adverse impact on existing town centres as a result of such a facility being provided at TMM.'

Adventure/ Indoor Golf

- 'This type of leisure facility is limited in the Catchment. Existing facilities include: Paradise Island Adventure Golf at Valley Centertainment;

Rotherham Mini Golf on Doncaster Road, Rotherham; Pirate Cove Adventure Golf in Doncaster, which forms part of the Kingswood Golf Centre, none of which are located within established centres.

- Likewise, existing indoor golf facilities (i.e. indoor golf simulators) are currently limited in the local area. In Sheffield, existing provision includes The Indoor Golf Company on Rutland Street and Concept Indoor Golf on Chesterfield (both out of centre).
- Given the out of centre location of existing provision, which are afforded no planning policy protection, there is no evidence to suggest that the introduction of such facilities will lead to a significant adverse impact on the vitality and viability of existing centres or on future in centre investment.'

Children's Indoor Activities

- 'Reflecting the nature of this facility, which requires large floorplates at a low rent, existing facilities are predominantly located in out of centre locations. Such locations are afforded no policy protection. Such activities include Ninja Warrior, which is proposed to occupy the former Toys R Us at Meadowhall Retail Park, and Air Haus (indoor inflatable play park), which is already operating from M1DC.
- The popularity and demand for these facilities (as reflected by the strong interest that has been expressed for representation in Sheffield) means that existing facilities will continue to trade successfully alongside any improvement in the offer provided at Meadowhall. Whilst existing indoor soft play operators typically serve the local resident population, the wider attraction of Meadowhall means that the core customer base will differ to that of existing facilities within and beyond the Catchment. This facility will not be seen as a destination in itself but used as part of a linked trip as part of a wider trip to Meadowhall (e.g. a break from shopping or other activities for parents with children).
- Importantly, such facilities do not underpin the vitality and viability of established centres. As such, there is no evidence to suggest that this type of facility will lead to any adverse impact.'

Unique Leisure Offers

- 'The aforementioned leisure offers are mainstream commercial leisure uses which are found in most regions. There is a further sector of leisure which has a wider regional (and beyond) catchment, such as KidZania (currently located at Westfield), Legoland (Trafford Centre), Sealife (Trafford Centre), amongst other operators.
- Given that this type of leisure offer is unique in the Region, in the event that Plot TLH is attractive to such an operator, it will have no impact on any existing town centres. On the contrary it will grow the local market and make the Region more attractive.'

Cinema

In terms of the impact of the proposed cinema extension, the applicant argues the main impact will be on the Centertainment cinema which is most comparable and close by. They argue the other trading impacts will focus on the larger format multiplex cinemas and that the multiplex cinemas at Chesterfield and Doncaster are in out of centre locations so have no

planning policy protection. The Showroom and Curzon cinemas in Sheffield City Centre are smaller cinemas with a distinctly different offer which operate in close proximity to the Odeon Luxe and Light Cinemas. Whilst the Odeon and Light cinemas are more similar to the Meadowhall proposal the applicant argues that the City Centre location benefits from the student, workforce and visitor market and they will not be undermined by the development.

Health of Relevant Centres

It is not possible to provide up to date health check information for all existing centres within the relevant catchment area of the proposed development. However, the two closest City/ Town centres to the proposal site (Rotherham and Sheffield) have published relatively up to date health check reports, the conclusions of which are extracted in the following sections of this report.

This information is provided for the purpose of setting the development's potential impacts upon these centres in context. In summary the 2022 health check report for Sheffield City Centre advises that, although the City Centre can currently be considered vital and viable, there are various key issues of concern, including the high vacancy rate and the decline of comparison good retailing within the City Centre which threaten the City Centre's recovery.

In terms of footfall within the City Centre, it should be noted that the applicant has cited May 2022 data indicating that footfall within the City was greater than the same month in 2019; however this is taken out of context. The most recent (October 2022) footfall report for Sheffield City Centre, published by Sheffield BID, identifies that notwithstanding some peaks (May and July) where 2022 footfall levels exceeded 2019 levels, the overall year on year comparison predicts that total annual footfall in 2022 is likely to be 19.4% lower than was the case in 2019.

In this context the proposed retail floorspace on Plot 5 can be seen as a potential further risk to retaining a healthy level of comparison goods retailing within the City Centre. Moreover the trade draw of the development overall can be seen as a risk to addressing the current issue with reduced footfall, the high proportion of City Centre units which are vacant and the attractiveness of marketing City Centre vacant units for refurbishment, re-use and investment, including opportunities for re-purposing large vacant retail units to leisure use.

In summary the 2017 health check report for Rotherham Town Centre identifies issues with vacancies and market penetration and the impacts of competition from more attractive nearby centres, including Meadowhall. Diversification of the Town Centre Offer into leisure and food & beverage uses is seen as part of the key to addressing this.

Within this context it can be seen that the potential impacts of the proposed Meadowhall extension (Plot TLH & Plot Cinema) and the significant quantum of new leisure and food & beverage uses contained therein, is a particular risk to the stated objective of addressing Rotherham Town Centre's current issues with a lack of trade draw through diversification of the Town Centre to provide a better leisure

and food & beverage offer.

Health of Sheffield City Centre (2022)

“Sheffield city centre is by a distance the largest centre in the administrative area and meets a good range of Sheffield’s retail and leisure needs as a consequence. However, our survey of the centre has demonstrated that since 2016 the comparison goods offer of Sheffield city centre has deteriorated considerably. This is exemplified by the closure of the John Lewis department store at Barker’s Pool and the Debenhams at The Moor (alongside the loss of a number of other high profile comparison goods national multiples). Whilst this is a broader trend (reflecting shoppers’ propensity to go online for many comparison goods purchases), the impact on Sheffield city centre is significant. Comparison goods retail will however remain an important part of the city centre offer moving forward, and it will be important that this sector does not deteriorate further.

Conversely, the decrease in the comparison goods offer has been mirrored by growth in the service (leisure, retail and financial and business service operators) offer. In 2016, service operators accounted for 31.6% of all operators in the city centre. At 2022, the proportion of service operators in the city centre equates to 44.0% of all units in Sheffield. This increase is reflective of changes seen in centres since that time, with growth in service, particularly leisure service operators, coming by virtue of shrinkage in centres’ comparison goods offer. However, it is noted that the leisure service offer is concentrated around a day-time and early evening offer, and the city centre would benefit from additional evening operators. To that end, the opening of Lane 7, a modern, boutique bowling venue in 2019, is noted and is considered beneficial in diversifying the centre’s leisure service offer.

However, underling the city centre is the significant increase in vacant units. Our survey recorded a total of 139 vacant units, accounting for 25.3% of all units in the city centre. This figure is significantly in excess of the current national level, which equates to 14.1% of all commercial units being vacant. The 2022 vacancy rate also represents a slight increase on the 23.7% of vacant units recorded at 2016. The proportion of vacancies is considered to negatively impact the overall impression of vibrancy and vitality in the city centre. This can also be seen in the reduced footfall observed in the city during 2021 which, despite the lockdowns associated with the Covid-19 pandemic coming to an end, remains lower than in any of the years between 2016 and 2019. This reduced footfall is considered reflective of the reduced offer resulting in fewer visits and less activity, as well as an element of increased working from home reducing the activity arising from workers in city centre offices.

However, we note a number of recent projects which both reflect the changing nature of the centre and will result in an overall decrease in the proportion of vacant floorspace in the city centre. The delivery of such development will help Sheffield to continue to meet the needs of its residents and will therefore be important in ensuring that the occupancy rate

in respect of commercial floorspace improves going forward. This is necessary to underpin the city centre's future vitality and viability, and these projects are largely aligned with the Sheffield City Centre Strategic Vision.

It is clear that Sheffield city centre is currently undergoing a period of substantial change, with a contracting comparison goods offer and a resulting increase in the overall vacancy rate. Although some of this available floorspace has been repurposed, securing the re-use of additional vacant floorspace is urgently needed to ensure the centre's vitality and viability. Ensuring that emerging policy is sufficient to ensure the long-term health of the city centre will be a key element of ensuring this. However, although the city centre can be considered vital and viable the level of vacancies is such that this position could easily change and no longer be the case. Delivering continued diversification of operators and repurposing of vacant retail floorspace are crucial to avoiding this.”
Sheffield Retail and Leisure Study 2022

Health of Rotherham Town Centre (2017)

“Our health check assessment of Rotherham town centre has outlined the pressures that the centre faces in terms of its position in the retail landscape across the RMBC administrative area and its relationship to retailing in Sheffield. Rotherham is at the pinnacle of the retail hierarchy in the Borough, but it is not the location with the highest comparison goods turnover. That role has been taken by Parkgate which is, for some types of comparison goods shopping, considerably more attractive than the town centre. In addition Rotherham town centre also faces considerable competition from Meadowhall, and these factors leave the town centre with a relatively small geographic catchment and a weak market penetration level with this catchment. These pressures also leave the town centre with a vacancy level which is noticeably higher than the national average and also lower than average levels of comparison goods retailing and service uses.

These characteristics are likely to shape how Rotherham town centre aims at improving its health and attractiveness. In particular, with the ability to increase its comparison goods market share rather challenging, we consider that the future health of the town centre lies in the ability to diversify its offer and suite of land uses. This will include introducing a greater diversity of leisure and food/drink uses, in order to increase vitality and activity throughout the day and evening. This will also be assisted by an increase in the local residential population.

The Council has already started to take steps in this regard, including acquiring and promoting development sites and commissioning a town centre masterplan, and will now have to carefully consider the impact of development proposals for retail and leisure uses in the wider area in order to ensure that they do not impact upon the delivery of this planned investment.”

(Sheffield & Rotherham Joint Retail & Leisure Study - February 2017)

Cumulative Impact Assessment

The applicant's original submission included a cumulative retail impact assessment which took into account the cumulative impact of the proposed development, in combination with other committed development projects within Barnsley, Doncaster, Rotherham and Sheffield which would also be likely to change trading patterns. This assessment hasn't been updated for the revised scheme and is based upon January 2021 data.

Subsequently various significant changes have occurred, including the closure of the John Lewis store in Sheffield City Centre, which are likely to have led to some changes to the impact of the cumulative developments. However, the main findings of the cumulative assessment, in terms of the pattern of winners and losers from currently planned developments within the Region and the effect this may have in exacerbating or diminishing the trade draw impacts of the proposed development, are likely to remain broadly accurate and relevant to consider.

The findings of the cumulative impact assessment are essentially that for Barnsley and Doncaster the impact of the proposed development would be likely to be mitigated (reduced) due to the effects of other relevant planned developments in bringing more trade to these centres. For other centres, including Rotherham Town Centre, Crystal Peaks Shopping Centre and Sheffield City Centre, the overall trade diversionary effects of committed developments in Sheffield, Rotherham, Barnsley and Doncaster would exacerbate the trade draw effects of the proposed development.

The applicant's January 2021 assessment of the impacts of other committed developments (excluding the current proposal) upon comparison goods trade in key relevant centres in 2030 is set out below:

- Barnsley +14.2%
- Doncaster +8.4%
- Sheffield -1%
- Crystal Peaks -2.4%
- Rotherham -3.8%

Assessment of impact of the development on town centre vitality and viability:

NPPF policy guidance and appeal decisions establish that, in considering the potential impact of the development of new out-of-centre retail and leisure uses, the relevant test is to consider the impact on the vitality and viability as a whole rather than on specific sectors or retailers. It is established that it is necessary to consider the impact on turnover of existing centres and to have an understanding of the health of existing centres in order to judge whether the impact on the existing centres will be significant.

When assessing impacts, there is no specific threshold or percentage impact which points to whether the adverse impact on town centre vitality and viability is likely to be 'significant'. PPG (paragraph 018 of the "Planning for town centre vitality and

viability” section) advises that:

“A judgement as to whether the likely adverse impacts are significant can only be reached in the light of local circumstances. For example, in areas where there are high levels of vacancy and limited retailer demand, even very modest trade diversion from a new development may lead to a significant adverse impact.”

The below assessment firstly specifically focuses on the development’s potential impacts upon Sheffield and Rotherham (as the nearest City and Town Centres to the proposal site), then considers the development’s potential impact upon investment decisions and finally provides an overall conclusion on the development’s acceptability in relation to the key policy test of whether the development would have significant adverse impacts on the vitality or viability of any of the existing centres within the site’s catchment or investment within those centres.

Impact Upon Sheffield City Centre (Vitality & Viability):

The proposed development is likely to have the greatest economic impact on Sheffield City Centre in terms of the total amount of trade which would be likely to be diverted from Sheffield City Centre to the extended and expanded Meadowhall facility. Meadowhall is already the City Centre’s main competitor for shopping, with there being a significant level of trading overlap between the two shopping destinations and Meadowhall (relative to Sheffield City Centre) securing a higher comparison goods turnover and enjoying a stronger catchment for a number of comparison goods sub-categories.

In terms of the comparison goods impact it is considered that the applicant’s assessment is likely to have slightly under-estimated the trading impact on Sheffield City Centre (and other existing centres) as a result of an unreasonably low average sales density assumption for Plot 5. However, irrespectively, the forecast percentage impacts of the development on the comparison goods turnover of Sheffield City Centre are considered to be relatively low compared to overall turnover (1.2% or less) and could not reasonably be concluded to be a significant impact even if a higher sales density was used.

Most of the comparison goods floorspace proposed (up to 7,181 sqm GIA assuming no foodstore element) would come forward at Plot 5 in the short term. Plot 5 would effectively become a standalone, large format retail park capable of becoming an attractive shopping destination in its own right – to both consumers and operators. However, the unit size and goods restrictions proposed by the applicant would help to ensure the Plot 5 retail park retains its predominantly ‘bulky goods’ function, thereby limiting the direct trading impacts on Sheffield City Centre.

The above assessment recognises the market share findings of the 2017 Joint Retail and Leisure Study, which cited clothing and fashion, health and beauty goods and jewellery, games, toys and sporting goods as the biggest contributors of comparison goods expenditure in the City Centre. All of these goods, apart from sporting goods, would be restricted at Plot 5 by the proposed planning condition

(other than retail sales ancillary to the main range of goods).

The more recent household survey evidence informing the 2022 Retail and Leisure Study indicates that, there are signs the City Centre has seen a decline in its own 'bulky goods' market share following the closure of the JLP and Debenhams department stores. However a 'no poaching' planning condition is proposed, which would require retailers currently present within Sheffield City Centre and wishing to re-locate to plot 5 to enter into a legal agreement to retain 75% of their presence in Sheffield City Centre for 5 years following re-location.

It is acknowledged that this condition will not necessarily be fully effective in preventing the development from 'poaching' retailers from the City Centre and would not apply at all to the food & beverage and leisure units to be provided within the proposed main Meadowhall extension on Plot TLH. However the condition is likely to assist in deterring the relocation of key retailers from the City Centre to Meadowhall. It is also considered necessary to impose a restriction on developing additional 'mezzanine' floors within the proposed Plot 5 units to ensure that those units do not expand their retail floorspace over time through internal alterations which would increase their trade draw to the detriment of the City Centre and other relevant centres.

More generally, it is considered that the proposed retail restrictions on Plot 5, including the restrictions on the unit sizes, retail floorspace, primary ranges of good to be sold and the 'no poaching' condition will serve to mitigate (but not eliminate) the risk of the development contributing to the further deterioration of the City Centre's comparison goods sector – against a background of major stores closing and/or polarising to a smaller number of prime locations.

The 1,995 sqm GIA food-store/ supermarket now proposed to be potentially included within the Plot 5 development would broaden the retail park's function and appeal to consumers, albeit at the expense of an equivalent amount of comparison goods floorspace. The scale and format of the food-store/ supermarket means it would principally have a 'main food shopping' function. However, the forecast trade draw for convenience goods (less than 0.5% for Sheffield city Centre) is considered to be well within acceptable limits, particularly given the relatively limited 'main food shopping' function of the City Centre – with its convenience-based retail offer more 'basket shop' orientated which would not compete with the Plot 5 food-store/ supermarket on a like-for-like basis.

In terms of the trade draw from the other 'short term' development comprised within the application, i.e. the limited amount of food & beverage floorspace proposed for Plot 5, the food & beverage and leisure/ fitness floorspace proposed for The Source and the proposed cinema extension, given the limited scale of these elements of the development it is considered that the impact would be limited and would not draw significant additional food & beverage and leisure trade from Sheffield City Centre, or any other centre.

It is therefore considered that the short-term impacts of the development (i.e. the impacts arising before the opening of the proposed main extension to Meadowhall after 01 November 2029) can be withstood by Sheffield City Centre. This considers

the evidence that footfall is recovering following the pandemic (although still remaining significantly below pre-pandemic levels) – despite some significant store closures including John Lewis and Debenhams – while a number of developments and investments continue to come forward, which will help to revitalise the City Centre and broaden the variety and attractiveness of its all-round offer to consumers, which include a growing residential population, in addition to an established student and worker population.

It is acknowledged that shop vacancy levels are high although this is a long-standing issue in Sheffield City Centre. There are also some notable voids, such as the John Lewis and Debenhams department stores (with the potential future re-use and/or redevelopment of these buildings under active consideration by the respective landlords). Finding a sustainable future use for these vacant units will be important to ensure the vitality and viability of the City Centre and it is recognised that the proposed development will not assist with this.

Nonetheless, it is considered that the C. 7-year occupation delay restriction to be placed on the proposed extension to Meadowhall would substantially mitigate the development's food & beverage and leisure sector impacts – with these sectors being of particular importance to the future recovery of Sheffield City Centre in the context of reduced retailer demand. The revised proposals would be flexible and adaptable to market demands, and even the existence of a planning permission for the quantum of food and beverage and leisure floorspace proposed may have some effect on investment decisions in the City Centre. However, it is considered that the adverse impacts, without the 'full' threat of the proposed Meadowhall extension being delivered in the short term, are unlikely to be significant.

It is also recognised that some comparison goods floorspace (up to 524 sqm GIA) could be delivered within the Meadowhall extension on Plot TLH after 1 November 2029 (resulting in less such floorspace at Plot 5) and that this would comprise smaller scale, unrestricted retail and would therefore trade at a relatively high sales density. However, it is considered that the relatively modest scale of this retail element within the main Meadowhall extension development would limit its trading impact on Sheffield City Centre.

The proposed development remains a major leisure-led mixed-use development focused in a location that is Sheffield City Centre's main competitor for shopping. The reality that the two locations have overlapping shopping catchments means their wider attractions, such as food and beverage and leisure, are also in competition.

It remains the case that the proposed development will make Meadowhall Shopping Centre a much larger and an even more attractive regional shopping and multi-purpose destination, including in relation to comparison retail, food & beverage, cinema and other leisure uses. However, it is considered that the revised proposals' reduced scale and other planning controls, notably the delay to the occupation of the main Meadowhall extension until 01 November 2029, will serve to substantially mitigate the impacts of the development upon Sheffield City Centre. It is also acknowledged that the maximum amount of leisure and food & beverage floorspace comprised within the currently proposed development is

substantially lower than was previously found to be acceptable in 2018 (albeit it is acknowledged that Sheffield City Centre (like the majority of other centres within the Meadowhall catchment) is now in a more fragile position than was the case at that time). Overall, on balance, it is considered that the adverse impacts the development would have on the vitality and viability of Sheffield City Centre are unlikely to be significant.

Impact Upon Rotherham Town Centre (Vitality & Viability)

Rotherham is the closest Town Centre to Meadowhall and Rotherham Borough Council object to the application upon the basis of the potential detrimental impact upon Rotherham Town Centre and the Forge Island mixed use development project. The applicant has sought to assess impacts on Rotherham through both a quantitative analysis of potential trade draw from convenience and comparison goods and food & beverage sales and a qualitative analysis of the nature of the offer within Rotherham Town Centre and Forge Island and how the development would compete with this.

The applicant's analysis indicates that quantitatively, in the worst-case scenario, in 2030 Rotherham's trade in convenience goods, comparison goods and food & beverage would be lower than it would have otherwise been as a consequence of the proposed development by the following percentages:

- Convenience Goods: 0.3%;
- Comparison Goods: 0.4%;
- Food & Beverage: 0.6%.

In qualitative terms the applicant assesses that:

'Rotherham town centre is focused on the lower end of the market, which has a limited overlap with the proposals at Meadowhall ... Fundamentally, the retail and leisure offer in Rotherham is not comparable to the current proposals at Meadowhall. Any impact on the vitality and viability of Rotherham town centre (particularly given the investment that is coming forward) will not be significant adverse.

Key planned investment in Rotherham at Forge Island is well advanced and is coming forward in the full knowledge of the proposals at Meadowhall. This includes securing the key anchor cinema use. This demonstrates the limited impact of the proposals on Meadowhall and the different role and function the two locations serve. The ongoing investment at Forge Island, or elsewhere in Rotherham, will not be significantly impacted upon.'

On their own, it is accepted that the trade impacts on Rotherham Town Centre are likely to be relatively low, given the limited extent to which the Town Centre can compete for visitors on a like for like basis with the proposed expanded leisure, food & beverage and retail offer at Meadowhall. However, it is also important to consider the qualitative issues, as the proposal will undoubtedly make Meadowhall an even more attractive destination for comparison goods shopping, food and drink, cinema and other leisure uses in a location which is in close proximity to

(and highly connected to) Rotherham Town Centre. Furthermore, there are clear signs that Rotherham Town Centre is increasingly fragile and vulnerable due to significant competition from out-of-centre provision, limited retail and leisure offer, high and rising vacancy levels and declining footfall.

It is acknowledged that the fact that Rotherham lacks a comparable retail and leisure offer to Meadowhall, to a degree, serves to limit the direct impact of the Meadowhall proposals. It is also considered unlikely that the proposal will result in the loss of the important investment opportunity at Forge Island - which will have the potential to claw-back some of the food and drink / cinema trade 'lost' to Meadowhall. Due to this and other investments (including from Towns Fund funding) it also appears to be a realistic possibility that the Town Centre will see improvements to its own leisure-based offer and overall health before the proposed Meadowhall extension would come forward in 2029.

Overall, based upon the different nature of the appeal of Rotherham Town Centre as opposed to the proposed expanded and improved Meadowhall offer, together with the evidence contained in the quantitative and qualitative impact assessments which have been submitted, and also giving consideration to the reduced potential maximum quantum of leisure and food & beverage floorspace comprised within the current application vs. the previous (lapsed consent), it is considered that the proposed development is unlikely to have a significant adverse impact on the vitality and viability of Rotherham Town Centre.

Assessment of overall impact of the development on town centre investment:

The 'town centre investment' impact test is set out under paragraph 90(a) of the NPPF. It specifically concerns 'the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.' What constitutes existing, committed and planned investment is not specifically defined by either the NPPF or PPG. However, the PPG (paragraph 015 of the "Planning for town centre vitality and viability" section) states it is appropriate to assess the impact of relevant applications on investment having regard to (inter alia):

- the policy status of the investment;
- the progress made towards securing the investment;
- the extent to which an application is likely to undermine planned developments or investments based on the effects on current/forecast turnovers, operator demand and investor confidence.

The applicant has provided an assessment of the potential impacts of the development upon planned or committed investments in City and Town Centre centres focusing on the following sites:

- a) The Moor, Sheffield City Centre
- b) Heart of the City 2, Sheffield City Centre
- c) Forge Island, Rotherham Town Centre

It is accepted that no other significant existing, committed and planned investment is likely to be put at risk by the proposed development. The applicant contends that

the reduced scale of the proposed development, particularly in relation to food and beverage and leisure proposals, together with other restrictive conditions, including the C. 7-year delay to the opening of the proposed Meadowhall extension (Plot TLH) will ensure that the potential effects on investment will not be significant adverse. The potential impact upon each of the key investments is assessed in more detail below:

The Heart of the City (HoC2) scheme remains the 'principal investment' in Sheffield City Centre. The project is now on-site/ under delivery. The applicant contends that, although the project will now be less retail focused than previously planned, the controls put forward to limit the scale and nature of the retail floorspace proposed for Plot 5 will ensure that this new retail development will complement rather than compete with any new retail floorspace coming forward within HoC2 or elsewhere in the City Centre. The applicant further points out that investment has continued to come forward within the City Centre, such as at Fargate and within The Moor, in full awareness by the market of the proposals to extend Meadowhall (including the previously consented development).

The above assessment is broadly agreed with in terms of the limited potential for the development to impact upon existing, committed and planned investments within Sheffield City Centre. In particular the benefit, in terms of preserving the current climate for investment, of the proposed C. 7-year delay to opening the main Meadowhall extension on Plot TLH and the fact that the previous consent did not deter the current investment in the City Centre are both acknowledged. While the former John Lewis store stands vacant, it does not represent a planned investment in the terms of the NPPF.

It is noted that Heart of the City 2 is currently under delivery and The Moor scheme is substantially completed, with phase 3 (including H&M, River Island, New Look and Lane7) delivered in 2019 and the 'phase 5' site currently the subject of a planning application (ref. 22/01163/FUL) for a new Lidl supermarket. As well as not qualifying as a planned investment in the terms of the NPPF, it is noted the Lidl plans have been submitted despite the revised Meadowhall development proposals (including a potential foodstore element) being under assessment. It is also noted that the former Debenhams store within The Moor is also being marketed for potential re-occupation. However, this does not constitute a planned investment.

With regards to Forge Island, the scheme referred to in the Rotherham MBC objection, there is considered to be no tangible evidence to suggest that scheme delivery and/or operator demand has been, or is likely to be, undermined by the proposed development at Meadowhall. This considers the September 2021 announcement confirming Travelodge as the hotel operator; in addition to reports that terms have been agreed with two restaurants, which will complement the new cinema (The Arc) committed to the scheme.

Giving consideration to the above factors, it is concluded that the 'town centre investment' test is passed.

Summary and Conclusion on Impacts on Existing Centres

It is acknowledged that the current proposals to extend Meadowhall through the provision of a substantial new leisure hall and a smaller cinema extension, will undoubtedly make Meadowhall an even more attractive regional shopping and multi-purpose leisure destination and will inevitably draw part of its increased trade from existing City, Town and District Centres (in addition to competitor out-of-centre facilities). The impact of the proposed extension to Meadowhall on existing centres will be compounded by the proposals to build out the vacant land around Plot 5, to deliver a completed out-of-centre large format retail park adjacent to Meadowhall, and to change the use of The Source from a training academy to a mixed-use commercial building.

It is also acknowledged that many of the existing centres which the proposed development will draw trade from, including Sheffield City Centre and Rotherham Town centre, are in a relatively fragile 'post-pandemic' condition, with relatively high vacancy rates, a struggling comparison goods retail sector and footfall which is only now beginning to re-bounce following the pandemic (although remaining c. 20% below 2019 levels upon the basis of Sheffield BID's October 2022 2019 v.s 2022 year on year comparison). The issues affecting the existing centres within the Meadowhall catchment is compounded by a general restructuring of the retail (comparison goods) sector in recent years which has seen the withdrawal of several significant retailers from the units which they previously occupied in existing centres, including the Debenhams and John Lewis units in Sheffield City Centre.

It is not yet known how successful the wide ranging currently planned/ committed investments in City and Town Centres, including the Heart of the City II project in Sheffield City Centre, and the various Levelling up Fund, Towns Fund and private sector investments and development projects across the region, including in Rotherham and Stocksbridge, will be in addressing the current issues with vacancies, loss of footfall/ trade and retail contraction. It is clear that the proposed significant expansion of Meadowhall Shopping Centre and the intended broadening of the appeal of Meadowhall by providing an expanded and improved food & beverage offer, together with new leisure attractions, will increase, to some degree, the risk of that these projects will fail to re-attract people to the City Region's City and Town Centres, rather than out-of-centre destinations.

However, it is acknowledged that the current proposals have been substantially reduced, in terms of the maximum amount of leisure and food & beverage uses which could be delivered as part of the development, both in comparison to the amount of development which was originally proposed within the current application and (more importantly) in comparison to what was previously consented in May 2018 through planning permission ref. 16/04169/FUL.

Moreover, it is broadly accepted that the quantitative and qualitative impact assessment provided by the applicant have demonstrated that there is no evidential basis to conclude that the proposed quantum of retail, food & beverage and leisure floorspace which would be developed would have a level of impact on any existing centre which could reasonably be considered to constitute a significant

adverse impact. In particular it is accepted that the amount of trade which would be lost from the comparison and convenience goods sectors in relevant centres would not be significant (less than 2% of total trade) and that the proposed food and beverage and leisure uses would be likely to more significantly impact upon existing out of centre retail and leisure parks than to divert a significant proportion of the population who would otherwise be travelling to City, Town and District centres for eating, drinking and leisure activities.

Although Meadowhall clearly currently competes with existing centres for customers and has harmed the vitality and viability of existing centres due to its trade draw, particularly in terms of comparison goods retail, it is noted that there is a general trend for City and Town centres to diversify their offer and promote city centre living – with centres looking to develop a more self-sustaining, balanced day and night neighbourhood economy (with a mixed shopping, service, food & drink, leisure, working and city centre living offer) rather than necessarily relying on drawing in large numbers of people from surrounding areas. In this context the applicant's claims that the proposed development will largely operate within a different market than the City, Town and District centre within its catchment and mainly draw visitors from other out-of-centre attractions rather than City and Town centres seems credible.

It is furthermore accepted that the mitigation proposed by the applicant should be effective in substantially reducing the impacts of the proposed development. In particular, it is considered that the commitment to delay the occupation of any floorspace within the proposed Meadowhall extension on Plot TLH by C. 7 years (to 01/11/2029), should assist considerably in protecting the regeneration projects currently being planned and delivered within City and Town Centres within the catchment from being significantly affected by the development in terms of competing for operators and customers in the short term while the schemes establish themselves.

Overall, taking all relevant factors into account, in terms of the health of existing centres and the potential impact of the proposed development, as set out in the report above, and subject to the impact mitigation proposed by the applicant being secured through appropriately worded planning conditions and obligations, it is accepted that there is no reasonable basis to conclude that the proposed development would have a substantial adverse impact upon the vitality and viability of any City, Town or District Centre within the catchment areas or any existing, committed and planned public and private investment in those centres. It is consequently considered that the application is acceptable in principle and accords with the relevant Local Plan and National Planning Policy Framework policies set out at the beginning of this section.

Design and landscape Issues

Policy:

Paragraph 130 of the NPPF says planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) 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.

Paragraph 129 promotes the use of design codes to provide clarity about design expectations at an early stage.

Core Strategy Policy CS 74 sets out the design principles which the council expects to be adopted. It says that high quality development will be expected and says that it would be expected to take advantage of and enhance the distinctive features of the city including the townscape and landscape character of the city's districts including the scale, layout, built form and building materials. It also says that development should contribute to place making, that contributes to a healthy, safe and sustainable environment and promotes the city's transformation. It should help to transform the character of physical environments that have become run down and lack distinctiveness and should enable all people to gain access safely and conveniently. Policy CS 74 conforms with the NPPF and therefore should be given significant weight.

Whilst scale, design and appearance are reserved matters the development will regenerate the plot 5 site which is a highly prominent vacant site which will deliver significant design improvements. In addition, the proposed Meadowhall extensions have the potential to generally improve the outward face of Meadowhall, which is currently generally inward looking and outwardly anonymous and illegible (other than in terms of the iconic green roofscape and dome). A Design Code has been submitted to support the application and the form of the development which comes forward through the detailed development scheme comprised within Reserved Matters applications would have to conform with the design principles contained therein. As these guidelines establish design principles which are consistent with the NPPF and Development Plan policies there can be confidence that the development will conform to these policies.

Maximum Scale Parameters

The submission includes a series of plans which will impose constraints upon the form of development which can come forward within the Reserved Matters submissions. These constraints primarily relate to maximum floor areas and

building heights but also include an indication of access points.

The key constraint is upon maximum building heights and the height parameters plan essentially proposes stepped built forms for the Meadowhall extension plots (Plots TLH and Plot Cinema) where the elements closest to the existing Shopping Centre could potentially extend to C. 30 metres in height, but then drop to C. 18 metres in height for the majority of the building extending away from the existing shopping centre. This allows for some variation in form and height to allow sculptural roof elements, as per the previous consent, but would ensure that no building elements would be higher than the highest part of the existing shopping centre and that the scale of the majority of the built form would generally be consistent with the scale and massing of the existing site. The maximum height parameter for Plot 5 would limit building heights to C. 18 metres.

Given that any detailed design scheme submitted within a Reserved Matters application would be tested against Local Plan and NPPF design policies and could be refused if the height/ scale was excessive or the built form and appearance was not of an acceptable design quality, it is considered that the proposed parameter plans provide sufficient controls in design terms at the outline stage.

Design Code

The submitted design code establishes a series of design principles which will guide development across all the plots. These include the following.

- The development of the plots will be integrated with Meadowhall and strong connections will be established between the plots and the surrounding area.
- The scale and massing will be considered in the context of long-distance views and will relate to the movement networks and arrival points. It will make the site more legible by framing key views and focal points and it will create interest through changes in scale and massing.
- The building design will respond to the industrial heritage and landscape character of the area. Visual interest will be created via attractive detailing, high quality materials, depth and shadow lines and variation in form. Visually prominent corners will be marked to create legibility and building facades will be ordered with design establishing a clear top, middle and bottom to the building.
- Building frontages will be sited to relate to the street and maximise the sense of enclosure, glazing will be optimised at the ground floor where it fronts key movement routes or areas of public realm, entrances will be clearly defined, and inclusive design will be incorporated.
- The roofscape will respond to key views and landmarks, help to minimise the impact of larger buildings, where feasible contribute to energy efficiency and incorporate green and brown roofs.
- The design will encourage walking, cycling and the use of public transport and accessible movement.
- Multi-storey car parks will be well integrated and designed not to have a detrimental visual impact with green walls, planting and translucent materials, charging facilities will be provided and sufficient infrastructure for

future proofing. Surface car parking will integrate bio-diverse planting and cycle and disabled parking will be accommodated.

- In terms of landscaping the scheme will incorporate a network of green spaces increasing biodiversity and will incorporate Suds schemes where feasible. It will retain and strengthen existing features of biodiversity value. The landscape strategy in the design and access statement shows enhanced structural street planting to the Meadowhall Way and Vulcan Road frontages of the site and potential new green spaces adjoining the TLH main zone extension.
- The design will deliver a net biodiversity gain.
- Public art will be integrated into the public spaces
- The development will utilise materials that are high quality, robust, durable, and in keeping with the character and context.
- The scheme will incorporate a series of sustainable design principles including improving energy efficiency, incorporating renewable energy where feasible.

Summary of design and landscaping

The previous leisure hall consent was a full permission for a detailed scheme, so the visual and landscape impacts were clear. In this case layout, design and landscaping are all reserved matters which will be subject to separate applications. However, the parameter plans, and design code have demonstrated to a reasonable level of satisfaction that the uses and floor space proposed for the individual plots can be adequately accommodated on the site. The reserved matters applications will be required to be submitted in accordance with the design code and the principles contained within this give confidence that the development is likely to deliver improvements to the townscape and visual amenity of the area. Given the inward facing character of the existing development, the fact that plot 5 is a currently a vacant prominent site and the positivity of the design code principles which the applicant has set out, it is considered that the proposed development is likely to result in significant design and townscape benefits from a relatively low baseline.

Air Quality

Policy:

The 2008 Ambient Air Quality Directive sets legally binding limits for concentrations in outdoor air of major air pollutants that affect public health such as particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂). The UK Government's Environment Act 2021 requires the Government to set legally binding environmental targets for England in four priority areas including air quality, as well as an additional target on fine particulate matter (PM_{2.5}), as this is considered to be the air pollutant of greatest harm to human health. In March 2022 the Government published a consultation on what the targets should look like.

The UK currently has national emission reduction commitments for overall UK emissions of 5 damaging air pollutants:

- fine particulate matter (PM_{2.5})

- ammonia (NH₃)
- nitrogen oxides (NO_x)
- sulphur dioxide (SO₂)
- non-methane volatile organic compounds (NMVOCs)

Paragraph 186 of the NPPF says that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

Core Strategy Policy CS66 says action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets. Policy CS66 is consistent with the NPPF focusing on acting where air quality exceeds national targets, therefore the policy should be given significant weight.

Sheffield Air Quality Action Plan 2015 has been superseded by the Clean Air Strategy. Sheffield's Clean Air Strategy 2017 sets out the Council's vision and actions that will be taken to improve air quality. Key actions include a feasibility study into a Clean Air Zone, reducing emissions from the bus and taxi fleet, promoting sustainable travel. The Government has since mandated Sheffield to implement a Class C Clean Air Zone in order to reduce emission from vehicles except private vehicles with a defined area of the city.

The air quality assessment submitted in support of the application demonstrates, in the most realistic scenario, that the additional air emissions which would be generated by the development (primarily caused by additional traffic) would not lead to an exceedance of air quality limits. Whilst the proposed development will inevitably worsen air quality, appropriate mitigation is proposed and there is considered to be no reasonable basis to conclude that the air quality impacts of the development would be significantly adverse. Therefore, the proposal is consistent with the NPPF and Development Plan policies.

Air Quality Assessment:

The submitted air quality assessment considers the impacts of the development during both the construction and operational phase. The extent of the study area is based on guidance from various sources. For demolition and construction dust it is up to 350m from the site boundary and 50m from routes used by construction traffic. For ecological receptors it 50m from the site boundary and 50m from routes used by construction traffic. For construction traffic emissions it is sensitive receptors within 200m (ecological impacts) and 250m (human health impacts) of any roads where traffic flows exceed screening levels. For the operational phase the study area includes the site and sensitive receptors located within 200m (ecological impacts) and 250m (human health impacts) of the site boundary and within 250m of any roads where traffic flows exceed screening levels.

The pollutants of concern are small particles (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂). Generally, air pollutants in the UK are anticipated to decrease in the coming years. The original assessment has been carried out utilising 2022 emission factors and background concentrations combined with traffic data from 2030 (which includes full Development flows). However, following comments from the air quality officer an additional sensitivity analysis was undertaken using 2026 emission factors and background concentrations combined with traffic data from 2030. The Air Quality Officer has advised that this is a more realistic basis for assessing the air quality impacts than the original assessment. It is still conservative in the assumptions adopted as it assesses the maximum traffic generated but does not fully account for the predicted reductions in emission factors over the same time period. The Air Quality Officer has advised that this sensitivity assessment is the one that should be relied on for determining this application. The operational air quality impacts have been assessed using EPUK (Environmental Protection UK) and the IAQM (Institute of Air Quality Management) guidance 2017 which considers the change in air quality as a result of a development on existing receptors in combination with baseline concentrations at the receptors.

The application site is located within the Sheffield Air Quality Management Area (AQMA). There are 3 AQMAs within Rotherham close to the site. A number of exceedances of the annual mean NO₂ National Air Quality Objective (NAQO) have been measured at sites close to the application site in recent years. Measured annual mean concentrations of PM₁₀ and PM_{2.5} are well below the relevant annual mean NAQOs from 2015 to 2019 and no exceedances of the 24-hour mean PM₁₀ NAQO have been measured during this time period.

Sheffield and Rotherham are authorities identified in the Nation Air Quality Plan for NO₂ to produce a local action plan to improve air quality. Sheffield's preferred solution is a Clean Air Zone where certain vehicles are charged if they do not meet the emission standards. The charging zone would include the City Centre and Inner Ring Road, but this will be reviewed to assess the impact of Covid-19. Rotherham has plans for 4 locations which includes actions such as a speed limit restriction, improvements to bus fleets. It is considered that most of the changes are not close enough to the study area to significantly affect or be affected by the changes as proposed.

Modelling has been used to predict the existing (2019) baseline concentrations of NO₂, PM₁₀ and PM_{2.5} concentrations at each of the identified human receptors. The 'existing' baseline annual mean NO₂ concentrations exceed the annual mean NO₂ NAQO at ten of the 18 receptors. Modelled concentrations (when rounded by the nearest whole number) are not greater than 60 µg/m³ at any receptors and, therefore, it is unlikely that any receptor currently exceeds the 1-hour mean NO₂ NAQO. The modelled 'existing' baseline annual mean PM₁₀ and PM_{2.5} concentrations are well below the relevant annual mean NAQOs at all receptors. Furthermore, as modelled annual mean concentrations are below 32 µg/m³ at all receptors, it is unlikely that any receptor exceeds the 24-hour mean PM₁₀ NAQO.

Proposed Mitigation

The applicant proposes air quality impact mitigation during both the construction and operational phases of development. The construction phase mitigation includes environmental controls through a Construction Environmental Management Plan (CEMP) and a Construction Logistics Plan (CLP). Operational phase impact mitigation includes works to improve the operation of (and reduce congestion on) the Local and Strategic Highway Network (although the extent of these works is not known at this stage). The applicant also proposes to make a financial contribution of £75,000 to the Council to assist in the delivery of its Air Quality Action Plan.

Other operational mitigation measures comprised within the development scheme include sustainable travel measures designed to promote travel by foot, cycle and public transport, as opposed to the private car, as described more fully in the Traffic and Transportation section of this report. Such measures include travel planning measures, cycle and foot connectivity improvements, improvements to Tinsley South Tram Stop, a financial contribution to subsidise/ pump prime enhanced bus services to the site (details to be confirmed), provision of cycle parking, EV charging and public transport real time information display infrastructure within the site and smart parking measures including VMS signs.

Construction impacts:

During the demolition and construction period the development is anticipated to generate an annual average of 22 total Annual Average Daily Traffic (AADT) (19 Heavy Duty Vehicle AADT) over the entire demolition and construction, and 82 AADT (74 HDV AADT) during 2028 (the year when the highest volume of demolition / construction traffic is anticipated to be generated). Taking into account the temporary nature of construction impacts and the mitigation measures that will form part of the CEMP it is considered that there is no reasonable basis to conclude that air quality impacts from the construction phase of development will be significant adverse.

Operational impacts:

Annual mean concentrations of NO₂, PM₁₀ and PM_{2.5} at identified sensitive human receptors have been modelled for the future scenario (i.e. 2022 emissions factors and background concentrations and 2030 traffic data). These have been compared against the 'without development' scenario modelled concentrations which include background concentrations and emissions associated with existing and committed developments.

The 'with development' scenario modelled concentrations also include those generated by the Development and takes into account a number of anticipated mitigation measures. The modelling assumes the amount of development originally proposed within the development scheme (not the reduced revised scheme) and therefore represents a very conservative scenario.

Modelled annual mean concentrations for the future scenario (i.e. 2022 emissions factors and background concentrations and 2030 traffic data) of PM₁₀ and PM_{2.5} are well below the relevant annual mean NAQOs both with and without the Development at all receptors. The Development is not predicted to cause any exceedances of the NAQOs. The modelled changes in annual mean PM₁₀ and PM_{2.5} concentrations are assessed as being 'negligible' at all receptors.

Modelled future year annual mean concentrations of NO₂ are greater than the annual mean NO₂ NAQO at five of the 18 receptors (receptors 5, 6, 8, 9 and 10) both with and without the Development; i.e. the Development is not predicted to cause any further exceedances of the annual mean NO₂ NAQO.

The modelled changes in annual mean NO₂ concentrations (when rounded to the nearest whole number) are +2% at three receptors, +1% at six receptors and 0% at nine receptors. These impacts are assessed as being 'moderate adverse' at one receptor (receptor 8, representing six residences fronting onto Tinsley Roundabout), 'slight adverse' at five receptors (receptors 2, 11, 14, 15 and 16, representing an estimated 51 to 59 residences located adjacent to a section of Meadow Bank Road (A6109) close to Meadowhall Roundabout, adjacent to a section of Greasbro Road close to Tinsley Roundabout and a section of Bawtry Road (A631)) and 'negligible' at the remaining 12 receptors.

Overall, based on this analysis, the applicant concludes that whilst the air quality impacts will be adverse, they will not be significant. The impacts on designated ecological sites are considered in the ecological section of this report.

As stated above the sensitivity analysis based on 2026 emissions factors and background concentrations and 2030 traffic flows is considered to be more realistic and should be relied on. This sensitivity test finds that by 2026, modelled baseline annual mean NO₂ concentrations are below the relevant NAQO at all receptors, and that concentrations would fall further by 2030. It should also be noted that several of the sustainable travel mitigation measures are not accounted for in the modelled impacts and that the model also assumes a greater amount of development than is currently proposed.

The sensitivity analysis predicts that there would no exceedances of the annual mean AQO for NO₂ (of 40 µg/m³). The modelled changes in annual mean NO₂ concentrations (when rounded to the nearest whole number) are +2% at one receptor, +1% at six receptors and 0% at ten receptors. These impacts are assessed as being 'negligible' at all receptors because the background concentrations have reduced due to the use of different emission factors. This assessment is accepted.

Site Suitability (Exposure of Occupants to Poor Air Quality):

Annual mean concentrations of PM₁₀ and PM_{2.5} are not predicted to exceed the relevant annual mean NAQOs within the site. The maximum modelled annual mean concentration of NO₂ at any point within the modelled receptor grid (82.7 µg/m³) is greater than the annual mean NO₂ NAQO. As such, a contour plot has been produced showing modelled annual mean concentrations of NO₂ across the

Site and surrounding area for the 'future year'.

The Development includes the possible introduction of Class E creche or nursery space into Plot TLH and The Source. Any potential creche or nursery facilities would be sensitive to the annual mean NO₂ NAQO. Modelled annual mean NO₂ concentrations are greater than the NAQO at an area of The Source. Modelled annual mean NO₂ concentrations are greater than the NAQO at the extent of the Plot TLH fronting onto Meadowhall Way. Consequently, parts of both Plot TLH and The Source may not be suitable for creche/nursery facilities and, as such, the applicant has agreed to a planning condition which would prohibit the development of a crèche or nursery on either plot.

Although the impacts of road traffic emissions on human receptors are considered to be not significant the following additional measures are to be applied to further reduce emissions associated with road traffic.

- A Taxi Scheme (to encourage adoption of lower emission vehicles) will be implemented throughout the lifetime of the Development;
- The ECO Stars Fleet Recognition Scheme in respect of the security, management and maintenance of vehicles used on and around the Development will be implemented; and
- Electric Vehicle (EV) charging infrastructure within the car parking will be provided in accordance with SCC standards.

Cumulative Effects:

The cumulative effects of the development and other permitted developments have either been taken into account in the traffic data or are considered to not be significant.

Overall assessment of the Significance of Air Quality Impact:

The Council's Air Quality Officer has advised that he is satisfied with the methodology used to assess air quality. His view is that air quality effects of the proposed development on local population exposure will not be significant. As the proposed development is in an Air Quality Management Area (AQMA) and likely to be delivered in phases, whilst the prediction is that the impact of the traffic emissions on local air quality is unlikely to be significant during the operational phase, it is undoubtedly true that the development will worsen air quality primarily due to the additional traffic it will generate (albeit not to the extent that a significant adverse impact would result). It is therefore necessary to ensure that each phase of development which comes forward incorporates an appropriate scheme of mitigation measures, including the proposed measures to enhance the site's pedestrian, cycle and public transportation connectivity and to improve the operation of the local and strategic road network. The conditions set out at the end of this report will provide sufficient control to ensure that such schemes of mitigation are agreed for each phase of development.

Traffic and Transportation

Policy:

Paragraph 110 of the NPPF says “In assessing Sites that may be allocated for Development in plans, or specific applications for Development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) 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 113 says “All Developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.”

Paragraph 104 says “Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.”

Paragraph 111 says “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.”

Core Strategy Policy CS7 is concerned with development at Meadowhall. In terms of the transport aspects of this policy it says that development around the Meadowhall Centre should be integrated with the existing development. It says that transport measures including travel plans will be employed to mitigate the transport impact of new development and to reduce adverse impacts on air quality. These will include:

- improved public transport services for workers and visitors, including new bus rapid transit
- connections with the proposed park-and-ride site at Waverley
- restrictions on long-stay car parking, other than to serve park-and-ride services to the City Centre, and on other private non-residential parking levels
- the creation of a car club
- provision of the M1 Junction 34 Relief Road (Halfpenny Link).

Policy CS 51 sets out the Transport Priorities which are:

- promoting choice by developing alternatives to the car
- maximising accessibility
- containing congestion levels
- improving air quality e. improving road safety
- supporting economic objectives through demand management measures and sustainable travel initiatives.

Policy CS52 identifies a key route network where through traffic and strategic traffic movements will be concentrated. It identified key routes that will receive integrated 'whole-route' treatment of congestion and quality bus corridors. The A6109 City Centre - M1 J34 North and A6178 City Centre - M1 J34 South are both identified as key routes for strategic traffic and strategic freight routes along with being congestion target routes and priorities for public transport investment.

Policy CS53 is concerned with management of travel demand which will be managed to meet the different needs of particular areas. It says this will be done through:

- promoting good quality public transport and routes for walking and cycling to broaden the choice of modes of travel;
- making best use of existing road capacity through the use of variable-message signing and Intelligent Transport Systems;
- implementing Travel Plans for new developments to maximise the use of sustainable forms of travel and mitigate the negative impacts of transport, particularly congestion and vehicle emissions;
- active promotion of more efficient and sustainable use of vehicles through car clubs, car sharing to increase vehicle occupancy and incentives for using alternatively fuelled vehicles. These will be associated with new residential and commercial developments and particularly in the City Centre;
- creating Controlled Parking Zones to manage traffic levels in constrained locations and encourage the use of more sustainable modes of travel, with priority to include the eastern end of the Lower Don Valley.
- applying maximum parking standards for all new developments to manage the provision of private parking spaces.

Many of the transport policies in the Unitary Development Plan have been superseded by the Core Strategy. However, policies T8 and T10 say that pedestrian and cycle routes will be improved. New development will be required to provide links with existing and proposed pedestrian and cycle routes. Cycle

parking will also be expected in new developments.

Policy T16 says that controls and parking and access roads will be used to regulate private traffic and reduce congestion where demand for trips by car exceeds the capacity of the Strategic Road network.

Policy T21 says that provision will be made for car parking where it meets the operational needs for businesses or is essential for the viability of a new development, provided it complies with the car parking guidelines. It also says that parking will be regulated to prevent excessive peak hour congestion.

Policy T28 says that new development which will generate high levels of travel will be permitted only where it can be adequately served by existing infrastructure or improvements to infrastructure linked to the development. It says that development will be promoted where it is best served by public transport and where it is located to reduce the need to travel. Where transport improvements are required, they will normally be provided before any part of the development is occupied.

The development plan access policies are generally consistent with the NPPF and therefore should be given significant weight, except policies T8 and T10 where the priorities identified are superseded by Core Strategy policies so they should be given moderate weight, and T21 where the NPPF focus shifts to more sustainable access and therefore this should be given some weight.

The development will be a high travel generator and is in a highly accessible location where it is well served by sustainable travel modes. The development will promote public transport, walking and cycling whilst regulating parking levels. The transport assessment shows that the impacts on the highway network can be adequately mitigated and the cumulative impacts on the road network will not be severe. Therefore, it is concluded that the proposal accords with NPPF and Development Plan policies.

Transport Assessment:

The Transport Assessment (as updated by the Transport Assessment Addendum submitted to support the revised scheme) has been based upon a worst-case test, in terms of transport impacts. As the amended scheme is in outline form and the precise phasing of the development scheme is not yet known, the transport mitigation for each phase will need to be identified as part of the Reserved Matters Applications as they come forward. The potential Innovation Corridor and the precise scale and type of development, delivery timescale and phasing of the nearby River Don District development may change the nature and phasing of the transport mitigation which is required as part of the Meadowhall development.

The application is seeking consent for a maximum 7,101 car parking spaces across the scheme for a temporary period, reducing to 6,837 once the scheme is fully built out. The aspiration is that there will be no uplift from the existing number of parking spaces within the development area (6,837). In the short term, however, there may be the need to go above the threshold to approximately 7,101

spaces, if Plot 5 is developed first and until Plot TLH is delivered. Cycle parking will be provided in line with the Council's standards on each phase of development to be determined at reserved matters stage. The proportion of electric charging points will accord with the Council's standards.

A model was developed for the previous scheme which provides estimates of person trips for each of the proposed uses for each hour of the day. It provides estimates for a weekday and for a Saturday. This has been used to estimate additional vehicle trips as a result of the scheme during the evening peak (1700-1800) and the Saturday peak (12.00-13.00).

Vehicular Trips:

The current proposal differs from the consented scheme in that, although a similar maximum quantum of commercial floorspace is proposed, this will be distributed differently, with the retail element now to be comprised within the Plot 5 retail park rather than the main extension and the change of use of The Source is also now comprised within the development scheme.

As the application has some flexibility in the floor areas of each land use it has been agreed that the assessment of the impact on the highway would be based on a reasonable worst-case scenario as this will ensure that a robust assessment is undertaken. The following table provides details of the estimated worst case vehicular trips generated by the current proposal and also compares this to the previously consent development. This table does not take account of the fact that the new uses within The Source will be displacing an existing educational use, which will have some level of traffic generation in of itself (although this is likely to be relatively low given The Source Academy's linkage and synergy in terms of acting as a training academy for the Meadowhall workforce).

Comparison of Traffic Impact of current Proposal v.s. Previous Consent						
	Weekday PM (17:00-18:00)			Saturday (12:00-13:00)		
Scheme	Arriving	Dep	Total	Arriving	Dep	Total
Modelled Trip Generation for 16/04169/FUL Scheme	148	176	324	249	227	476
Modelled Trip Generation for Proposed 20/03766/OUT	126	206	332	246	243	489
Difference between current proposal and previously approved scheme	-22	+30	+8	-3	+16	+13
%Change between current proposal and previously approved scheme	-15%	+17%	+2%	-1%	+7%	+3%

It can be seen from the table above that the current proposal results in a slight increase in estimated vehicular movements when compared to the previously consented scheme. The difference partly relates to the differing format of the proposed development, with the anticipated modal split for visitors to the proposed Plot 5 retail park being different to the modal split for the previously consented larger Meadowhall extension i.e. visitors to out-of-centre large format retail parks are significantly less likely to travel by foot, cycle or public transport than visitors to a shopping centre and leisure destination

Traffic Impact Assessment

An operational assessment of the highway network has been undertaken as part of the Transport Assessment. The highway network was assessed using the AIMSUN microsimulation model including assessment of the following individual junctions:

- a. M1 J34 North
- b. M1 J34 South
- c. Vulcan Road – Meadowhall Road
- d. Vulcan Road – Sheffield Road
- e. Alsing Road Gyratory
- f. Meadowhall Road – Jenkin Road
- g. Orange Car Park – Meadowhall Way
- h. Weedon Street – Meadowhall Road
- i. Meadowhall Road - Barrow Road
- j. Blackburn Meadows Way (Tinsley Link)
- k. Yellow Car Park – Meadowhall Way
- l. Red Car Park – Meadowhall Way – Plot 5 Car Park

The modelling indicated, as would perhaps be expected, that the majority of links show a decrease when compared with the previously consented development. There were some very minor increases on a number of links, but it is accepted that these increases are well within the normal variation in flows. The level of traffic

generated by the previous Meadowhall extension consent was determined to be acceptable, subject to mitigation. It is therefore concluded that the current proposal will not have an adverse impact on the operation of the wider highway network.

Nonetheless the assessment indicates that there could be an increase in the number of vehicles at some of specific junctions immediately adjacent to the development site. As a result, further local junction modelling has been undertaken to assess whether such increases would cause operational issues. This modelling was based upon the amount of development originally proposed rather than the revised (reduced) scheme and therefore represents a very conservative scenario. The key outcomes of the modelling were:

- Vulcan Road / Meadowhall Way – the modelling indicated that the junction operates within capacity under all scenarios.
- Vulcan Road / Sheffield Road – the modelling indicated that the junction will operate with a practical reserve capacity of 17%.
- Orange Car Park – the modelling indicated that the junction will operate with a practical reserve capacity of 42%.
- Red Car Park / Meadowhall Way / Plot 5 – the modelling results indicated that the junction will operate with a practical reserve capacity of 37% for the weekday peak and a practical reserve capacity of 4% for the Saturday peak.
- Yellow Car Park– the modelling indicated that the junction will operate with a practical reserve capacity of 17% during the Saturday peak.

The result of the modelling (AIMSUN and individual junctions) show that the current proposal can be adequately accommodated with no detriment to the operation of the highway network. However, it should be noted that National Highways have advised that:

“The AIMSUN model] is not considered to be an approved model by National Highways and is not considered to be fully validated at M1 JN34. As such through this and other applications it has been used to understand change of flows but is not accepted as an impact tool and an assessment tool for mitigation. For the model to be accepted it is likely to require a full update with current flows with a full revalidation before any future year scenarios can be tested.”

Consequently, although it is broadly accepted that the applicant has demonstrated that the proposed development is capable of being safely accommodated on the local and strategic highway network with mitigation, the precise junction impacts modelled by the applicant within their Transport Assessment and Transport Assessment Addendum are not accepted. To address this issue it is proposed to impose a planning condition which requires a traffic model to be agreed with the Council and National Highways prior to any development commencing, together with a Traffic Model Report which sets out:

- I. an assessment of the anticipated traffic impacts of the development as a whole, on the operation of the highway network (based upon the approved model).
- II. an assessment of whether the anticipated traffic impacts of the development as a whole will reach a level sufficient to require the Strategic Road

Network (SRN) Mitigation Works and/ or the Local Highway Network (LHN) Mitigation Works (or part of those works);

- III.(where relevant) an assessment of the number of trips through each relevant junction generated by the development hereby permitted which would trigger the need for the SRN Mitigation Works and/ or the LHN Mitigation Works (or part of those works) (the 'Trip Thresholds').

It would then be required for a Transport Statement to be submitted to support the Reserved Matters applications for each phase of development which sets out:

- IV.an assessment of the projected number of trips it is anticipated will be generated by the part or phase of development covered by the Transport Statement;
- V.an assessment of whether the number of trips generated by the part or phase of development covered by the Transport Statement, together with the number of trips it is anticipated will be generated by any previous parts or phases of development which have already received reserved matters approval, will cumulatively exceed any of the Trip Thresholds, and;
- VI.(where any Trip Threshold is exceeded) full details of the SRN Mitigation Works and/ or LHN Mitigation Works which will be delivered as part of the relevant part or phase of development.

At this stage the applicant has not committed to a specific set of local and strategic highway mitigation works. The precise scope of works will depend upon the phasing of the development and the outcome of the traffic model (once agreed with National Highways). However, the applicant has indicated that, if required, these works may include the following improvements which were previously agreed as part of the previously consented development scheme ref. 16/04169/FUL:

Potential Strategic Road Network (SRN) mitigation works:

- I. Drawing ref. 47826/1005/12 - M1 Junction 34 North Junction Improvements;
- II. ii) Drawing ref. 33909-5515-019 REV C – M1 Junction 34 North Slip Road Improvements;
- III. iii) Drawing ref. 47826/1005/16 - M1 Junction 34 South Improvements Plan.

Potential Local Highway Network (LHN) mitigation works:

- IV. i) Sheffield Road / Vulcan Road signalised roundabout improvement (Stantec Drawing 47826-1005-14);
- V. ii) Widening of Sheffield Road between Vulcan Road and M1 Junction 34 (south) (Stantec Drawing 47826-1005-15);
- VI. iii) Alsing Road Gyratory – (Stantec Drawing 47826-1005-13).

Any approved traffic model would also need to consider the potential additional traffic generated by other committed development including the River Don District development originally approved under outline planning permission ref. 18/03796/OUT.

National Highways have advised of their position that, irrespective of the outcome of the future modelling exercise, they consider that the previously agreed works to Junction 34 North and South are required to mitigate the impact of the Meadowhall

and River Don District applications both individually and cumulatively. However National Highways have indicated that they accept the proposed 'monitor and manage' approach to delivering the required highway mitigation and have now withdrawn their previous holding objection and advised that the development is acceptable to them subject to conditions.

Relevant planning conditions which National Highways advise are required to make the application acceptable in terms of its impact upon the strategic road network are:

- Condition 8 (Requirement for an Updated Traffic Model and TMR)
- Condition 9 (Requirement for a Transport Statement [TS] to be provided for each phase of the development)
- Condition 36 (Travel Plan)
- Condition 38 (Car Park Management Plan)
- Condition 52 (Total Floorspace and Development Specification Update)
- Condition 53 (Individual floorspaces and Development Specification Update)

It is considered that the proposed planning conditions set out at the beginning of this report provide sufficient protection to ensure that the development could not go ahead until a traffic model has been agreed which is acceptable to both the Council and National Highways and that the applicant agrees to a specific scheme of mitigation works for each phase of development which appropriately mitigates the impact of the development on the strategic and local highway network. Subject to these conditions and given the outline nature of the application and consequent uncertainty about the scale of development which will ultimately come forward and the phasing of that development, it is not considered that there is any reason to refuse planning permission in relation to the potential cumulative impact of the development on the highway network.

Car Parking:

There are currently 9,364 permanent visitor car parking spaces at Meadowhall Shopping Centre within the various car parks. In addition to the visitor parking there are 1,143 staff car parking spaces, 262 contractor parking spaces and 33 coach parking spaces. The application site currently has 6,837 permanent parking spaces within the current red line boundary, including 177 Blue Badge and 105 parent and child spaces. Meadowhall offers over 50 free to charge, electric vehicle charging points situated within the Orange and green car parks; these comprise of a mixture of rapid and fast charging.

The current application seeks to maintain the current number of parking spaces within the site, with an allowance for some temporary increase to allow for the practicalities of building the site out in phases. The parking spaces which would be lost due to the Meadowhall extension on Plot TLH would be compensated through a new multi-storey car park within the TLH boundary. There would be no allowance for the additional parking demands of the proposed development.

The parking proposals are supported by a significant amount of data related to existing travel patterns and parking demand. It can be seen from Automatic

Number Plate Recognition data that the car parking accumulation for visitor parking does not generally exceed capacity. This is supported by the fact that the overspill parking is only used in the order of twice each year.

It is suggested that now the existing car parking facilities are not particularly efficiently utilised. It is therefore proposed that improvements will be provided to the existing Variable Message Signing both internally and on the highway, “smart” internal car parking arrangements will be implemented. The proposal also includes the adoption of a Controlled Parking Zone to ensure that the potential for any off-site parking is prevented. The Controlled Parking Zone will be implemented if pre and post development parking surveys show it to be necessary (with the extents of the zone also determined by the survey data).

Cycling and Walking:

The key cycle routes which directly pass Meadowhall are as follows:

- National Cycle Route (NCR) 6: Sheffield City Centre – Newhall – Carbrook – Meadowhall – Rotherham
- NCR 67: South-East Sheffield – Tinsley – Meadowhall – Ecclesfield – Parson Cross – High Green
- Carlisle Street East – Holywell Road – Tyler Street (alternative on-road option to off road NCR6 for connecting to the city centre); and
- The Tinsley Link.

There is a comprehensive network of footways and shared use paths, which enable access into the Site from a range of locations including the Meadowhall South-Tinsley tram stop, bus stops on Meadowhall Road and Meadowhall Way and Meadowhall Passenger Transport Interchange (Meadowhall PTI). The roads and adjacent footways are generally well lit and considered safe for pedestrians.

In order to encourage active travel measures, which are not only a benefit in terms of reducing the reliance on private car journeys but also physical health, the proposal includes a number of improvements. These are:

Plot TLH

- Proposed shared footway/cycleway through car park
- Simplified pedestrian signalised crossings and improved pedestrian facilities between the plots and linking to Tinsley South Tram Stop.
- Secure, covered cycle parking and accompanying facilities such as showers, changing rooms and lockers.
- Cycle parking will be provided in line with SCC minimum standards on each of the Development plots. The exact number of spaces to be provided is to be determined at reserved matters stages for each of the plots.

Plot 5

- Improved cycling facilities on Sheffield Road adjacent to Plot 5 to the north and south of the plot to join with Meadowhall Way with enhanced crossing facilities, cycle routes, signage and markings.
- Secure, covered cycle parking and accompanying facilities such as

showers, changing rooms and lockers.

The Source

- Secure, covered cycle parking and accompanying facilities such as showers, changing rooms and lockers.

The proposed measures will provide a benefit by encouraging active travel to the site.

Public Transport:

Meadowhall is well served by public transport walking and cycling routes. The passenger transport interchange is approximately a 15-minute walk from the site and linked to the centre by a covered bridge. It is served by Supertram, bus, bus rapid transit and national rail. During an average weekday, over 500 services stop at the interchange.

Tinsley South Tram Stop is served by Supertram services, Tram-Train and bus services, including the new X1 service. The X1 service links Rotherham, Meadowhall and Sheffield and operates on a 10-minute frequency. The tram train connects Sheffield and Rotherham centres and there are 3 services an hour in each direction.

The transport assessment previously concluded that the public transport network can accommodate the uplift in trips associated with the scheme, but evening services will need to be improved so that visitors and staff are able to easily travel by public transport. However, the updated Transport Assessment Addendum advised that, with the reduced quantum of development now proposed, the applicant no longer considered it necessary to provide for improved public transportation services. Following negotiation, this position has now been reversed and the applicant has indicated that they are still willing to make a financial contribution towards improving public transportation services to and from the site.

It is accepted that the site is very well served by several public transport options of bus, rail, Supertram and Tram Train. However, it is important to assess whether existing services can accommodate the likely increase in patronage created by both staff and visitors and whether the services are going to the locations required at the times required. The precise extent of the required public transportation service improvements is not known at the time of writing this report and is awaiting input from the South Yorkshire Mayoral Combined Authority (SYMCA).

Nonetheless it is clear that bus service improvements will be required to make the site suitably accessible by bus at the times when visitors are likely to frequent the proposed expanded leisure and food & beverage offer – as was secured previously under consent ref. 16/04169/FUL with a £948,480 S106 bus service improvement contribution. The applicant has agreed in principle to making a financial contribution to subsidise such service improvements subject to the final agreement of the precise services to be improved and the amount of contribution with the Council and SYMCA. The delay to arriving at a precise specification for service improvements is partly due to some current flux in bus service provision as demand levels settle to a new normal post-pandemic.

A Framework Travel Plan has been submitted which sets out specific targets to reduce the proportion of journeys made by car; this applies to both staff and visitor trips. It also includes a detailed Action Plan to allow these targets to be achieved and a comprehensive monitoring and review strategy. Details of the appointment of a site wide travel plan co-ordinator will be agreed as part of the first reserved matters application whilst details of travel plan co-ordinators for each plot will be agreed at the time of the relevant reserved matters application for each respective plot.

A Framework Car Parking Management Plan (CPMP) has also been submitted which also includes a monitoring strategy to ensure that the car parks are managed in an effective way. This will be further facilitated through the provision of enhanced, effective Variable Message Signage (VMS) and the potential introduction of a Controlled Parking Zone. Additionally, a Construction Logistics Plan (CLP) has been submitted to help reduce impacts during the construction period and sets out the principles that will be developed into a final CLP upon appointment of the contractor.

Summary and conclusion on traffic and transportation issues:

Should the full development be implemented, and the full range of highway improvements be carried out it is considered that there will be an overall benefit to the operation of the network across Sheffield as whole with the development and traffic mitigation measures in place. The network would be able to accommodate increased flows with reduced delays. Making the network slightly less congested with the development in place means that the applicant would be mitigating over and above what is required for their development thereby reducing the congestion in future years that would have resulted from already committed development. However, as the highway improvements to be carried out are to be determined at the time of each reserved matters application and it is not clear what form the final development will take this benefit cannot be guaranteed. What can be confirmed however is that the necessary highway improvements will be undertaken to ensure that each phase of development does not result in significant detriment to the operation of the highway network.

There is greater certainty in relation to the active travel and public transport improvements which will be provided through the development scheme; however, the phasing of delivery and the extent of public transport service improvements is also unknown at this stage. It is considered that the controls set out in the proposed planning conditions and planning obligations will be sufficient to ensure that this site is well connected to the shopping centre and well served by sustainable travel modes before it becomes a major leisure attraction. Although the sustainable walking/cycling and public transport measures are to be designed to ensure the development takes a sustainable approach to transportation issues they will deliver benefits in terms of the overall connectivity of the Meadowhall site rather than just mitigating impacts. Therefore, it is considered that there will be an overall benefit to sustainable access even if the full scheme is not implemented.

The Meadowhall area is already highly accessible by sustainable means and is an appropriate location for a high travel generating development such as this. The transport assessment also shows that parking levels proposed can adequately serve the development proposed.

Innovation Corridor Link Road:

A business case is being prepared for an innovation corridor link road to reduce congestion and improve connectivity between Sheffield and Rotherham in order to maximise the potential for growth of the Advanced Manufacturing Innovation District. If supported this will see a link road provided on the former railway embankment which forms the southern boundary of the site. There may be a road connection between the link and Meadowhall Way across the corner of Plot 5. Whilst funding has not been secured for this road it is important that new development does not prejudice its potential delivery given the wider benefits that will arise from its provision. A condition has been agreed with the applicant which prevents development on the relevant part of Plot 5 which is potentially needed for the road link until 23 July 2023, by which time it will be clear whether the link road funding is approved.

Employment and Economic Benefits

Policy:

Economic development is one of the three overarching objectives of the planning system (see paragraphs 8 and 9 of the NPPF). In addition to the social and environmental objectives, Sustainable Development includes the objective of helping to build a strong, responsive and competitive economy by ensuring the right types of land are available in the right places and at the right time to support growth, innovation and improved productivity.

Paragraph 81 says that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The Sheffield Development Framework Core Strategy sets out a vision and series of objectives. Vision part 1 is of a city that will be economically prosperous and attractive to business and new investment and will sustain employment for all who seek it. The objectives to achieve this economic transformation include

- Conditions created for a balanced, diverse and sustainable high-growth economy in the Sheffield city region.
- Cultural and leisure facilities and tourism expanded and improved.

Policy CS 5 promotes the Lower Don Valley for manufacturing, distribution, warehousing and non-office businesses. Policy CS7 says that around the Meadowhall centre, the predominant uses will be for employment, including office development, and non-office business uses.

In relation to employment issues policies CS 5 and CS 7 are considered to be consistent with the NPPF and should be given significant weight.

The development proposals are consistent with the NPPF in they will deliver significant economic development and employment.

Economic impact assessment

The applicant has submitted a Socio-Economic assessment to consider the likely significance of socio-economic effects arising from the development. It should be noted that this is a complex assessment that makes assumptions to determine the likely impacts. There is a significant degree of uncertainty as to what quantum development will take place on the site given the degree of flexibility allowed for by the planning application. The potential occupiers of the development and hence the number of employees is unknown, and estimates have therefore been made.

The assessment takes into account the displacement of existing businesses. The net employment estimates take into account jobs that will be taken up by people living outside the local area, jobs taken up by people who work in similar positions in the area, indirect jobs created in the supply chains of new jobs and businesses in the Development, and induced jobs created by the spending of people in these new jobs. It is estimated that The Source currently accommodates 85 employees.

The application site is located in the Darnall Ward where the resident population experiences a higher unemployment rate, a lower level of education qualifications and they are in lower skilled employment than the rest of the city. Much of the surrounding area and the east side of the city lies within the 10% most deprived areas as defined by the Government's Indices of Multiple Deprivation (2019).

Additional Employment:

The assessment estimates that there would be monthly average of 310 Full Time Equivalent (FTE) construction jobs during the 7-year construction programme. This is based on the applicant's best assessment of what form the development is likely to take and the development costs of developing each plot. The construction employment could be higher or lower than the estimates depending on what form the development takes. There would be some additional benefits through the construction supply chain and construction worker spending, but it is not possible to quantify these.

For the completed development the assessment estimates that operational net additional jobs arising from the Development would total 725 to 850 for the local area (ward), 630 to 735 jobs for the local authority area and 140 to 160 jobs for the regional area.

Additional Spending:

The development would also generate economic benefits for the local economy through indirect spending arising from new employees.

The applicant estimates that in the local area (ward), local authority area and region the development would generate an annual additional spend of £1.7 to £1.9

million annually in the local area, £1.5 to £1.7 million annually in the local authority area and £330,000 to £370,000 in the region.

The Town Centre section of this report describes the impact on existing centres in terms of predicted trade loss.

Employment and Training Strategy:

The application is supported by an Education Employment and Training Strategy which covers both the construction and operational phases of the development. The vision is that throughout the construction and operational phases of development, local people have access to jobs, training opportunities, traineeships and apprenticeships, and employers can access a suitably qualified, skilled and experienced workforce. Local businesses will also have access to supply chain opportunities, and contractors and occupiers will have access to appropriate local suppliers. The Strategy also aims to engage local school children, raising student aspirations and attainment.

The strategy includes setting up a steering group which will include the Council, British Land, and contractors to oversee the delivery of the strategy. Recruitment will be advertised locally, and local people will be supported to complete the application process. The team will work with contractors to deliver training and including apprenticeships. Contractors will be obliged to push the requirements of the strategy through their supply chains. Work will be undertaken with local schools to raise aims and aspirations to future employment.

The Council's Investment Support Manager has worked with the applicant to develop the employment and training strategy and is satisfied with the submission. Conditions are proposed which will require detailed implementation plans (which will include specific targets) to be submitted with each phase of development to secure the employment and training initiatives set out in the strategy

In addition to the above the applicant is also committing £100,000 to a Work Ready Programme which will be secured by a S106 agreement. This was a commitment also made in connection with the previous leisure hall consent.

It will comprise of pre-employability support for young people not in education, employment or training and those aged 25+; a pre-apprenticeship training programme specifically directed to the construction industry; and capacity building comprising of assistance for Small and Medium size Enterprises to achieve accreditation to allow them to tender for contracts. They will apply across Sheffield and the Sheffield City Region but with priority to Darnall, Tinsley and Wincobank areas. The programme will be administered by the City Council Employment and Skills service.

There can be no guarantees about the numbers of local people who will secure employment as such a requirement would make a planning condition unreasonable and unenforceable. It should also be noted that the applicant will only have control of the construction process as the operational employment will arise from individual businesses that are outside the applicant's control. Therefore, this introduces an additional level of uncertainty about the effectiveness of the local employment

strategy in respect of the operational employment and consequently this should be taken into account when deciding what weight to give to the predicted permanent operational employment.

The applicant has estimated that if the scheme is developed out to its maximum parameters Gross Value Added in the City, and the wider City Region, could be up to £71.5m per annum.

Local Finance considerations:

The scheme will generate additional business rates under the “devolution deal” for Sheffield City Region, the combined authority will be able to retain 100% of any additional business rates growth beyond expected forecast. This will be available for spending on local services, infrastructure and measures under the devolution deals.

The scale and nature of the development will attract a Community Infrastructure Levy, which could be up to £430,860 (subject to indexation) and the final form of the development.

The planning practice guidance says that local planning authorities must have regard to a local finance consideration as far as it is material. This could include a payment for the Community Infrastructure Levy. It says that whether a ‘local finance consideration’ is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body.

In this case it is concluded that these local financial benefits are not material to the decision.

Employment and Economic Benefits Conclusion:

The new employment opportunities/increased spending benefits are uncertain because the quantum of development and potential occupiers is uncertain. However, it is clear from the range of options that have been assessed that these benefits will be significant particularly as some of them will arise in the local area which is one of the more deprived parts of the city. The Local Employment Strategy will assist in helping to maximise these benefits to the local area. The planning policy referred to above dictates that these benefits should be given significant weight.

Human Health

Policy:

Paragraph 8 of the NPPF states that one of the three objectives of sustainable development is a social objective which includes supporting healthy communities.

Paragraph 105 of the NPPF says the planning system should actively manage

patterns of growth in support sustainable transport. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.

Paragraph 185 of the NPPF says planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum, the potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The Core Strategy identified a number of challenges to support the regeneration of the city. Challenge 6 is promoting health and well-being for all. The challenge being to design environments that promote safety, health and a sense of well-being for all. The Sheffield Development Framework identifies a series of objectives which align with the challenges identified. In terms of challenge 6 objective S6.1 says:

“A healthier environment, which includes space for physical activity and informal recreation and does not subject people to unacceptable levels of pollution, noise or disturbance”.

There are objectives to support sustainable transport which will help to mitigate the impacts on health of transport and congestion. There is also an objective to improve air quality in order to support healthy communities.

These objectives are reflected in the spatial policies such as CS45 which is concerned with safeguarding and improving open space; CS51, CS54, CS55 and CS56 which are concerned with reducing congestion and promoting sustainable travel. Also, policy CS66 which is concerned with action to improve air quality.

The transport and air quality Development Plan policies referred to above which will have an indirect effect on health are consistent with the NPPF and so should be given significant weight. The development complies with these policies as it provides options for sustainable access and promotes sustainable access improvements and will not result in further exceedances of the air quality limit values as assessed in the air quality section. It is also consistent with the NPPF for the same reasons

Assessment of Health impacts:

Part of the Environmental Statement (ES) considers the health impacts of the development. Where other parts of the application submission identify potential indirect effects on human health these have been qualitatively assessed to determine whether adverse effects might be expected.

Publicly available information and information in the application has been analysed

to establish the baseline health conditions. The available baseline data and projections on health presented in the baseline largely predate the Covid-19 crisis. The future baseline is 2030 when the project will be complete.

Overall, most health indicators for The City of Sheffield residents were worse than the national average but better than the regional average. The life expectancy of men and women in The City of Sheffield is lower than across the nation. The life expectancy in the Darnall Ward is lower than across Sheffield as a whole.

The Government's Indices of Multiple Deprivation (2019) measures deprivation by combining indicators including a range of social, economic and housing factors to give a single deprivation score for each small area across England. The Site and surrounding area fall within the top 10% and 20% most deprived neighbourhoods in England. This area of deprivation is part of a wider concentration of deprivation to the east of The City of Sheffield.

Based on the baseline profile and Local Authority policy and strategic documents, the following have been identified as key health priorities for consideration:

- Improving air quality (reflecting on higher rates of respiratory disease reported across The City of Sheffield);
- Reduction in health inequalities (reflecting the differences in life expectancies across The City of Sheffield);
- Road safety and healthy roads (reflecting upon the higher Killed and Seriously Injured rates across The City of Sheffield compared to the region and nation) and;
- Sustainable use of natural resources (including air and water pollution, noise and contamination) to minimise environmental impacts and contribution to climate change.

Being in employment can be a significant contributing factor to improved health; people living on a low income being more likely to experience worse health and be less physically active. The Darnall ward has a lower economic activity rate than Sheffield, the region, and the nation.

The loss of biodiversity may lead to direct effects on human health where ecosystem services (such as availability of fresh water, food, and fuel services) are no longer adequate to meet social needs. Provision of open space to support biodiversity also results in direct benefits to human health including physical and mental health. A detailed baseline assessment of biodiversity is set out in the Biodiversity section of the ES.

Poor air quality is associated with negative health outcomes such as chronic lung disease, heart conditions and asthma, particularly among children. The application site and the eastern part of the city lies within an Air Quality Management area. The Air Quality section of this report assess the air quality impact.

Traffic or transport may have beneficial or adverse effects on health. Planning and development may improve or reduce access to services, including health services, and to employment. It may provide or remove access to public transport, walking

and cycling routes that support active lifestyles. Increased traffic can result in fear and intimidation to pedestrians and cyclists and discourage walking and cycling. It can also potentially have an adverse effect on safety. The baseline traffic and transportation conditions are assessed in the traffic and transportation section of this report.

Development can disturb contamination which has the potential to impact on health. The Ground Conditions section of the ES considers the land contamination issues.

Pollution of water resources and flood risk can have an adverse impact on health. These issues are considered in the Flooding and Water Quality sections of this report.

Noise and vibration can have health impacts particularly in places where people live or work close to sources of noise and vibrations. Excessive noise and vibrations may lead to mental health issues, stress-related illness and disturbances in sleep. This issue is considered in the noise section of this report.

Construction Effects on Health:

Taking into account: (a) the nature of the site and project and (b) the measures in the Construction Environmental Management Plan (CEMP) and Construction Logistics Plan (CLP); it is considered that the potential effects on air quality, of construction works, construction traffic, ground works, noise, the biodiversity and the water/flooding impacts are unlikely to have a significant impact on human health.

The potential creation of 310 full time equivalent jobs on average over the 7-year construction programme is likely to have positive effects on human health but these are unlikely to be significant. Overall therefore, subject to the implementation of appropriate and effective environmental and traffic controls through the CEMP and CLP it is considered that the effects of the construction phase on human health should be neutral.

Operational Impacts on Health:

The socio-economic section of the report outlines the potential for employment creation by the development. The Education, Employment and Training Strategy will endeavour to ensure that local economic and employment benefits are maximised. Whilst this is likely to have a positive impact on health it is unlikely to be a significant effect.

The development will be required to deliver a biodiversity net gain, alongside various specific forms of ecological mitigation including the installation of an artificial otter holt, nest boxes and biodiverse roofs. The provision of green spaces within the development is likely to have a beneficial effect on human health.

The air quality assessment models the impacts of the development on nitrogen dioxide levels. In the sensitivity analysis the development is predicted to worsen

air quality, but it will not lead to exceedances of the National Air Quality Standards and the increases are assessed as being negligible. The sensitivity analysis is a conservative assessment. The predicted long-term and short-term concentrations of fine particulate matter (PM10 and PM2.5) will be below the relevant objectives across all locations, therefore, a negligible effect is identified. Whilst the air quality effects are likely to have a harmful impact on health, they are not likely to be significant or lead to any significant deterioration of measured current population health indicators within the Darnall Ward or wider District.

The traffic and transport impacts of increased traffic and delays, fear and intimidation are unlikely to be significant and are unlikely to have a significant adverse effect on health. Should all access mitigation be implemented the development should have an overall benefit to the operation of the highway network. Public transport and pedestrian improvements will have a beneficial impact on health, but this is unlikely to be significant.

As far as ground conditions are concerned the mitigation measures are likely to minimise increased exposure to pollutants and, as a result this aspect of the development will have a negligible effect on human health. Similarly it will be expected for the development to deliver Sustainable Urban Drainage Systems which have a neutral or beneficial impact in terms of water quality and flood risks.

Summary of health impacts:

The negative impacts on health are associated with construction traffic, dust and noise during the construction phase and the air quality and noise impacts of traffic during the operational phase. The health benefits associated with the construction and operations phases arise from economic development, employment, sustainable transport improvements and biodiversity enhancements. It is considered that both the negative and positive health impacts of the development are unlikely to have a significant impact on human health at either the local, ward, district or wider regional level. Consequently, and subject to the proposed mitigation measures being secured by appropriately worded planning conditions, it is considered that there is no reasonable basis to conclude that the development would result in any significant adverse or unacceptable impacts in relation to human health.

Ecology

Policy:

Paragraph 174 of the NPPF says that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other matters) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan) and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

UDP policy GE 10 is concerned with the Green Network. It says a network of

Green Corridors and Green Links will be:

- a) protected from development which would detract from their mainly green and open character, or which would cause serious ecological damage; and
- b) enhanced by encouraging development which increases their value for wildlife and recreation; and
- c) extended by creating new open space in area of Desired Green Links.

UDP policy GE13 is concerned with Areas of Natural History Interest and Local Nature Sites. It says that development which would damage Areas of Natural History Interest will normally not be permitted. Development affecting Local Nature Sites should, wherever possible, be sited and designed so as to protect and enhance the most important features of natural history interest.

Where development would decrease the nature conservation value of an Area of Natural History Interest or Local Nature Site, that decrease must be kept to a minimum and compensated for by creation or enhancement of wildlife habitats elsewhere within the site or local area.

Policy GE11 is not considered to be fully compliant with the NPPF as it is more restrictive than the NPPF which seeks to protect and enhance the sites of landscape or biodiversity value consistent with their identified quality whereas GE11 says they should be protected regardless. Policy GE13 is not fully compliant with the NPPF in that paragraph 174 d) refers to minimising impacts and providing net gains in biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures: Paragraph 175 says that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. Policy GE13 needs updating to reflect the NPPF changes. Given this, both these policies should be given moderate weight.

As the Green Network and Areas of Natural History Interest will be protected from harm the proposal is consistent with the Development Plan policies. As it will protect the areas of higher biodiversity value and deliver Biodiversity Net Gain it is also consistent with the NPPF policies.

Ecological Importance of the site and surroundings:

Much of the application site is covered by buildings, parking and servicing areas with some formal landscaping around the perimeter. This particularly applies to Plot TLH. Plot 5 is sparsely vegetated vacant land with grass embankments around the perimeter.

Plot 5 adjoins a disused railway embankment which is outside of the site but is a Local Wildlife Site (LWS). Local Wildlife Sites are the replacements for the Areas of Natural History Interest and Local Nature Sites referred to the policies above and are of local importance. It comprises of a 50-60m-wide strip of broad-leaved woodland and scrub, much of which is very densely vegetated with immature trees and scrub. It is part of a green corridor, linking the Sheffield & Tinsley Canal (also a LWS) with other sites in the Lower Don Valley. Plot TLH adjoins the River Don which is also a LWS with areas of natural vegetation adjoining the channel. The

LWS are of district (Sheffield) level importance.

An ecological assessment has been submitted in support of the application which involved consulting desk top information and carrying out various field surveys in 2020. The majority of habitats within the Site (hard-standing parking areas, modern/light-weight warehouses, roads, and amenity grassland) have negligible ecological value. The formal landscaping areas adjacent to the car parks and warehouses are assessed to have negligible intrinsic ecological value, although they may have potential to be used by nesting birds. Plot 5 has some value as an Open Mosaic Habitat (OMH), but it does not have enough variation or diversity to clearly meet all the criteria required to be an OMH of principle importance.

Within the Site the extent of nesting bird habitat is limited. The site is assessed as being of local value for 3 birds of conservation concern and the LWS adjoining the site to be of local value for their bird assemblage. Parts of Plot 5 provide some foraging habitat, which is assessed to be of Site value. The habitats adjacent to the Site (Lower Don Valley - Disused Railway, Meadowhall LWS and the River Don) are assessed to be of Local Value for bats.

The suitability of the Site for other species including otter and water vole, which have been recorded from the River Don, and badger, reptiles have been considered. They are either considered to be absent from the Site and zone of influence (i.e. badger, reptiles, great crested newt), or present nearby but unlikely to be affected by the Development (i.e. otter and water vole).

Demolition and Construction mitigation:

Standard measures will be applied to protect retained habitats and to avoid harm to nesting birds during site clearance and these will be secured by the Construction Environmental Management Plan (CEMP). The CEMP will also include measures to protect the River Don LWS from pollution and damage during construction by temporarily fencing off this area.

The BNG assessment described below shows that the habitats lost within the site can be compensated for by the measures outlined below. Conditions are proposed to ensure that this is delivered and managed for a period of 30 years. Nest boxes will be provided for both kestrel (1 box) and house sparrow (10 boxes) around the site.

Operational Development mitigation:

New lighting within the Development will be designed in line with best practice to minimise additional lighting of retained habitat features suitable for bats. The detailed design of the site lighting, including provisions to avoid light spill onto the River Don and Disused railway embankment Local Wildlife Sites, will be reserved by planning condition. An artificial otter holt will be provided as part of enhancement for protected species in a suitable location along the River Don, the details of which will be confirmed in the CEMP.

Air Quality Impacts:

The critical level of Nitrogen oxides for grassland and woodland habitats is already exceeded in this location. The completed development will generate increased levels due to traffic. The secondary woodland, scrub and grassland habitats within the LWS have developed within the context of the existing air quality and air pollutants. It is considered unlikely that nitrogen sensitive vegetation has colonised the LWSs given the existing and likely historical levels of NOx. It is therefore not anticipated that there will be a significant effect on the LWSs.

Ecological Impact Assessment:

The Environmental Statement assesses the residual effects of the development upon ecology during construction as being minor beneficial (significant at Site level) for habitats, and neutral for all other features, with the exception of skylark (adverse but significant at Site level only). For the completed development with the mitigation in place the impacts are assessed as being neutral.

Biodiversity Net Gain (BNG):

An illustrative BNG assessment has been submitted in support to the application. It is unlikely if the whole development comes forward that an overall biodiversity net gain can be achieved within the Site therefore, biodiversity net gain is likely to be achieved through a combination of on-site provision, off-site provision on land within the Applicant's ownership and/or through a financial contribution that is proportionate to the scale and nature of the impacts.

The illustrative BNG assessment shows how a 13% BNG could be delivered with the site and other land close by owned by the applicant. This is likely to be achieved by biodiverse green roofs, landscaping incorporating native species, the retention of some neutral grassland in the verges around plot 5, and new habitat on part of the staff parking site off Alsing Road.

The BNG will be secured at reserved matters stage and a condition is proposed requiring a minimum of 10% BNG to be delivered for the scheme as a whole with each reserved matters application to include a scheme for delivering BNG through both on and off-site ecological enhancements. Each reserved matters application will be supported by a Landscape and Environmental Management Plan which will ensure the BNG areas are maintained for a period of 30 years to ensure the long-term delivery of the BNG.

Summary on Ecological Issues:

This site is not a high value site in ecological terms. The LWS's are outside the site and will be protected from significant ecological impacts by the measures in the CEMP, together with a sensitive lighting scheme. The proposal complies with the NPPF and development plan ecological policies and the BNG, alongside the proposed otter holt and nest box installation should deliver an overall benefit in ecological terms.

Hard and Soft Landscaping

Policy:

As part of guidance for achieving well designed places paragraph 130 of the NPPF says that planning decisions should ensure that development is (amongst other matter) sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)

Paragraph 170 of the NPPF says that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other matters) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).

Core Strategy policy CS74 sets out a series of design principles to guide new development these include to take advantage of and enhance the distinctive features of the city including the townscape and landscape character of the city's districts.

The landscape aspects of policy CS74 is consistent with the NPPF and should be given significant weight. The landscape principles in the design code and design and access statement are consistent with this policy and with the NPPF guidance and therefore the proposal complies with these policies.

Existing landscape Character:

Most of the site is occupied by urban development comprising of car parks, and access roads. The main landscape features within the site comprise of ornamental landscaping to the perimeter roads and within the surface car parks and the quayside area of hard and soft landscaping character adjoining the cinema. Both landscape features contribute positively to the character of the area.

Plot 5 comprises of grassland and scrub regenerating on a vacant site. Adjoining the site to south west and north west are green corridors and Sites of Importance for Nature Conservation comprising of a disused railway embankment and the River Don and associated linear park.

Landscape impact:

The development will inevitably result in the loss of some ornamental landscape around and within the car parks and the applicant intends to replace some of the planting around the perimeter roads. It will also result in the loss of the scrub and grassland on plot 5 as this is developed for large format retail units.

Most of the ornamental planting was created 30 years ago when the shopping centre was developed. It is not of such high value that its loss and replacement with new planting would have a significant harmful amenity impact.

The development should not significantly impact on landscaping within the adjoining green corridors and Sites of Importance for Nature Conservation areas of importance as these areas largely outside of the site boundary. There is no reason why existing ornamental planting cannot be adequately replaced and compensated for as part of the reserved matters applications for the development of the individual plots.

The redevelopment of plot 5 is likely to enhance its landscape character given that it is currently a vacant site. Should the leisure hall extension proceed within plot TLH in a form similar to the extension permitted under the 2016 consent there are likely to be significant landscape benefits it that it is likely to take the form of a more outward facing development with south facing public spaces and improved surface level landscaped pedestrian and cycle connections to the main shopping centre.

However, the flexibility sought within the current (primarily outline) application means that the applicant has the option to not progress a more ambitious leisure hall extension on the main development zone to the south-east and instead progress a simpler and smaller scheme within the alternative development zone to the south. No significant weight can therefore be attached to the illustrative main development zone scheme showing significant landscape character improvements; however, some weight can be attached to the principles set out within the Design Code which include provisions to achieve a positive relationship between the development and surrounding land on both development zones. In addition, planning conditions will require a proportion of green roofs to be provided on the new buildings and this will be a landscape benefit.

Landscape design code:

Whilst landscaping is a reserved matter the Design and Access Statement and design Code include guidance on the public realm and landscape. This establishes a series of objectives for landscaping which will seek to facilitate ease of movement and inclusive access, multi-functional spaces, spaces that encourage activities outdoors, landscaping which maximises the biodiversity value and landscaping that responds to local character.

The landscape strategy proposed by the applicant is to encourage permeability across the site and to the existing habitat sites and areas beyond. The landscape proposals are likely to include new public spaces, planting in the car parks to reinforce routes and the introduction of green walls, replanting the frontages to Meadowhall Way to encourage biodiversity, green roofs on new buildings, improved linkages to tram stops. Within the public realm resting points will be provided water features and signage to assist in way finding.

Structural planting along the highways is noted as being important and indeed this is a strong and attractive element of the local character. It is the intention to replace and enhance the aesthetic and ecological value of planting especially on the main routes. The new parking areas could be greened with trees and planting beds and green walls to the edges of the multi-storey and deck car parks. The Landscape and Ecological Management Plan will set out the long-term management arrangements for the new planting.

Although landscaping is reserved for future approval, a condition is proposed to ensure when development is brought forward in the reserved matters applications it will be carried out in general compliance with the Design Code. The design parameters and principles within the design code provide confidence that landscape losses will be adequately mitigated, and the hard and soft landscaping will be a strong feature of the new development.

As the site has limited landscape value, and a design code will be secured by planning condition which includes provision to improve the site's landscape setting, it is reasonable to conclude that the development is likely to enhance the landscape character of the site.

Flood Risk

Policy:

Paragraph 167 of the NPPF says that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 162 of the NPPF says the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

Core Strategy policy CS63 says that action to adapt to expected climate change will include locating and designing development to eliminate unacceptable flood risk.

Policy CS63 is consistent with the flood risk guidance in the NPPF and should be given significant weight. The flood risk assessment shows that the development will not be subject to unacceptable flood risk and also passes the sequential test. Therefore, the development is consistent with the Development Plan and NPPF flood risk policies.

Flood risk and sequential assessment:

The Environment Agency (EA) 'Flood Map for Planning' shows the Site lies predominantly within Flood Zone 2 (1 in 100 and 1 in 1,000 annual probability of river flooding) with some areas within Flood Zone 3a (1 in 100 or greater annual probability of river flooding). The area is defended from river flooding by existing flood defences consisting of a combination of defences around Meadowhall and flood defences that defend the land just upstream of Meadowhall and on the opposite bank.

Meadowhall is defended to a standard of up to 1 in 200 event plus a minimum of 0.3m freeboard whilst the Lower Don Valley Flood Defence Project has been designed to provide a standard of protection of 1 in 100 years with an additional allowance for the impact of climate change. In November 2019 a significant flood event with an approximate return period of 1 in 100 years (1% annual probability) occurred and did not give rise to any flooding within the defended area. Therefore, the risk of river flooding arising from either a failure of the defences and/or an exceedance event is low. Flood risk from all other sources, including surface water is considered to be low.

As the area is defended to an appropriate standard and the potential impacts of climate change have been taken into in the design of the defences, no specific mitigation is proposed for fluvial flood risk. Continuous safe access from the Site is provided at the 1 in 100 annual probability plus climate change flood level via land to the south.

Retail, leisure, food and beverage and office uses all constitute less vulnerable land uses, which are considered appropriate within Flood Zones 2 and 3. Drinking establishments and nurseries are more vulnerable and police stations highly vulnerable. More vulnerable uses are appropriate in flood zone 2 but the exception test is required for flood zone 3a. Highly vulnerable uses need to pass the exception test for flood zone 2 and should not be permitted in flood zone 3a. In this case the Police Station is not required to be operational during flooding and therefore is classified as a less vulnerable use and acceptable in flood zone 3.

For the more vulnerable uses to pass the exception test (drinking establishments and the nursery) the proposal must demonstrate wider sustainability benefits that outweigh the flood risk. It is accepted that the proposal as a whole demonstrates wider sustainability benefits. Flood warning and other mitigation measures listed in the flood risk assessment will ensure that the second part of the exception test is passed: the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere, and will reduce flood risk where possible. However, policy CS67 part m. requires that more vulnerable uses, as defined in the PPG Table 2, are above ground floor level and this is controlled by condition.

In terms of the flood risk sequential test the TLH plot has a sites specific case for development which cannot be served elsewhere as per the retail sequential test. Alternative in-centre and edge-of-centre sites within Sheffield and Rotherham have been considered for Plot 5 and officers accept that none of these are suitable and

available. The applicant has also considered other potential preferable sites within the Lower Don Valley in Flood Zone 1 (The Lower Don Valley being a commercially viable and highly accessible area and identified as a preferred area for leisure development outside of the City Centre), and we accept there are no suitable or available sites there either. Therefore, the proposal passes the flood risk sequential test.

The Environment Agency do not object to the proposal subject to appropriate conditions including that the development is carried out in accordance with the Flood Risk Assessment (FRA) and an Ecological Management Plan/landscape plan be submitted and implemented. The mitigation within the FRA is:

- Preferential flow paths for overland flows shall be maintained and directed away from buildings and critical infrastructure on the site.
- Building plant and utility services shall be raised as high as practicable above ground level.
- The existing access width for the River Don shall be maintained.

The Environment Agency also consider that the BNG assessment should include the river habitats. This cannot be insisted on as the development is unlikely to affect the river corridor given the CEMP controls over construction and demolition works and as the application boundary only crosses the river where an existing highway passes over the river.

Overall it is considered that both the sequential and exceptions test are passed and that therefore the development is acceptable in relation to relevant NPPF and Local Plan policies on flood risk, as summarised at the beginning of this section.

Drainage

Policy:

Paragraph 169 of the NPPF requires that 'Major developments should incorporate SuDS unless there is clear evidence that this would be inappropriate'. Para 169 further requires that maintenance arrangements are in place to ensure an acceptable standard of operation for the lifetime of the development and that SuDS should, where possible, provide multifunctional benefits.

Policy CS 63 'Responses to Climate Change' says that action to adapt to expected climate change will include:

- i. adopting sustainable drainage systems

Policy CS 67 'Flood Risk Management' says the extent and impact of flooding will be reduced by:

- a) requiring that all developments significantly limit surface water run-off;
- b) requiring the use of Sustainable Drainage Systems or sustainable drainage techniques on all sites where feasible and practicable;

These Core Strategy policies are consistent with the NPPF and should be given significant weight. Conditions are proposed which require run off to be limited and

sustainable drainage techniques applied where appropriate, therefore the drainage impacts will comply with Development Plan and NPPF policies.

Existing drainage:

Plot TLH currently drains to piped drainage systems. Plot TLH is split into two separate catchments both draining un-attenuated into the River Don via different outfalls, one outfall is located close to The Oasis on the northern side of the Site and the other outfall is located on the western side.

The Source drains to a separate system consisting of a culverted watercourse that runs east to the River Don.

There is some conflicting information in relation to the current drainage provisions for the existing development on Plot 5. The applicant states that:

‘The current development on Plot 5 drains to the combined sewerage system in the area therefore does not currently drain to a watercourse, however the culverted watercourse described above is a potential alternative drainage route for the new development, subject to further investigation works prior to detailed design.’

However, the Council’s Drainage Officers advise that: An agreement was made in 2014 that a stub end for both the surface water and foul serving the existing Costa and Next site would be left for the plot 5 site. The agreed surface water rate was 10.5l/s in 2014. This ultimately discharges to the existing watercourse that passes through the M1 Distribution Centre site.

Assessment:

The low permeability of the ground and potential for contamination means that infiltration measures for surface water drainage are not appropriate for this site. The majority of the application is in outline only and therefore it is not possible at this stage to produce a detailed surface water drainage strategy. However, the applicant has included an outline strategy in their Flood Risk Assessment, which includes the following key elements:

The following drainage strategy options are proposed for the Development:

- Attenuation storage provision in the form of a combination of:
 - o Lined sub-base below permeable paving beneath the highways and surface
 - o carparks. Where additional storage capacity is required, permeable paving will be augmented with geo-cellular storage;
 - o Below ground geo-cellular storage beneath the multi-storey carparks:
 - o Below ground geo-cellular storage serving buildings.

Discharge from all stormwater attenuation will be restricted to the peak runoff rates [10.5 l/s for Plot 5 and 30% betterment for Plot TLH]

The requirement to reduce peak discharge from the Site will be achieved by adapting the existing surface water drainage system in this area [Plot TLH] using the following features: -

- New piped system contained within highway network and car park areas.
- Stormwater attenuation system and flow control device.
- All surface water from car parking areas will percolate through the permeable paving system and pass through a downstream Class 1, full retention oil separator prior to connection to the wider piped network.
- Loading bay/refuse area to discharge into foul drainage system via Class 2 bypass separator and catch pit.
- Surface water run-off from roof areas will discharge directly to attenuation tank.
- Various storage systems will be incorporated in a mixture of large bore pipework, and geo-cellular storage below ground.

The revised Design Code (Revision 1 July 2022) elements namely: 4.6 Roofscape; 4.8 Carparking; 4.10 Landscape and Public Realm; 4.11 Biodiversity and Ecology; 4.14 Sustainability also that show promising pointers to SuDS. These need to be elaborated in the final design as they are all interrelated and when combined an excellent showcase of robust design should prevail for all plots incorporating the 4 pillars of SuDS.

The Council's Drainage Officers advise that the outline drainage strategy is very limited in scope and does not consider the full 4 pillars of SuDS design, quality, biodiversity, amenity, and quantity. For Plot TLH (including the Cinema) discharge of surface water to existing Meadowhall Drainage at a brownfield rate based on the 1 in 1 year event with a 30% reduction will be acceptable.

For Plot 5 the Council's Drainage Officers advise that surface water discharge to public sewer is not agreed. The surface water discharges from Plot 5 should be to the stub end for both the surface water and foul serving the existing Costa and Next site at the agreed surface water rate of 10.5l/s. However, it is recognised that part of the site bordering Vulcan Road/Costa may not be able to discharge to the same outfall. This needs to be investigated. The watercourse is close to the Vulcan Rd/Costa site area and could discharge to it. If this is anticipated, then the agreed 10.5 l/s discharge near the Next site will need to be adjusted accordingly.

Full details of the drainage systems for each phase of development will be submitted as part of any Reserved Matters planning applications. It will be expected (and required by the proposed planning condition) for Sustainable Urban Drainage techniques to be used to control flows and improve water quality. This will include making use of permeable paving, rainwater harvesting and green roofs, as shown on the illustrative plans.

Yorkshire Water have no objections to the application subject to conditions requiring the protection of water mains and sewers, controls over surface water discharges, separate surface and foul water sewers to be provided on site and provision of petrol/oil interceptors where the development area exceeds certain

criteria.

Subject to the applicant submitting acceptable detailed drainage designs, informed by the principles of SUDS, at the Reserved Matters Stage, which addresses the detailed advice provided by the Council's Drainage Officers/ LLFA in relation to SUDS design, attenuation and outfall expectations, it is considered that the applicant has adequately demonstrated that an effective, appropriate and sustainable drainage scheme for the site is feasible to achieve.

Heritage Impacts

Policy:

Heritage assets include designated heritage assets such as listed buildings and Ancient Monuments along with undesignated buildings and structures of historic interest and below ground undesignated remains of archaeological interest.

The Planning (Listed Buildings and Conservation Areas) Act 1990 says that in deciding whether to grant planning or listed building consent the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 197 of the NPPF says that in determining applications Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 200 says that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 203 says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

UDP policy BE19 says that proposals for development affecting the setting of a listed building will be expected to preserve its setting.

UDP policy BE22 says that sites of archaeological interest will be preserved, protected and enhanced. Development will not normally be allowed which would damage or destroy significant archaeological sites and their settings. Where disturbance of an archaeological site is unavoidable, the development will be permitted only if:

- (a) an adequate archaeological record of the site is made; and
- (b) where the site is found to be significant, the remains are preserved in their original position.

Policies BE19 and BE22 are more restrictive than the NPPF and therefore should be given moderate weight. Given the development will not impact on designated heritage assets to a degree that would affect their significance the scheme complies with the Development Plan and NPPF policies in this respect. It is not

clear at this stage whether the development will impact on the undesignated below ground archaeology. Controls are in place to ensure this will be properly investigated and any impacts can be considered in the context of the guidance in the NPPF. The development is therefore consistent with the NPPF but not entirely with policy BE22 which is more restrictive.

Heritage Assets:

There are several non-designated heritage assets located within the site, all of which relate to 19th and 20th century industrial works associated with the Sheffield steel industry. There is also a potential for paleoenvironmental evidence to be present within deeply stratified alluvial deposits.

There are several designated heritage assets within the surrounding area and their setting may be affected by the proposed development. These include the Wincobank Hillfort and the Roman Ridge to the north west and north of the site on the valley side, both of which are Scheduled Ancient Monuments. The Sheffield former tram sheds on Sheffield Road to the south and west of the site are listed grade II and Brightside Nursery: Infant School is listed grade II.

Significance:

The buried remains are non-designated heritage assets and may provide information about the steel works, the 19th and early 20th century working practices, the development of the works over their lifespan and their construction. There is a potential for paleoenvironmental remains to be present within deeply stratified alluvial deposits that run through the Site and may provide information as to the former environmental conditions and the potential for the preservation of isolated artefacts, which would be of great importance to furthering our understanding of the prehistoric landscape.

The significance of the former tram sheds is derived from their historic interest and the as the surroundings have been significantly altered its setting adds little to its significance. The Brightside School derives its significance from their historic and architectural interest as an element of a wider industrial landscape serving the 19th and 20th century steel industry and as an example of the high-quality design of the buildings designed by the Sheffield School Board in the 19th century. The buildings draw their significance from their historic and spatial relationship with each other which defines their immediate setting. The wider setting of the asset currently adds little to its significance as the landscape has been significantly altered over the past 30 years since the decline of heavy industry in the area.

Wincobank Hillfort and the two sections of Roman Ridge derive their significance from their archaeological and historic interest as elements of a wider prehistoric and Romano-British landscape which include the nearby Roman fort at Templeborough and its civilian settlement. Their prominent topographic position and the relationship with the River Don valley adds to their significance. Their immediate setting is enhanced by the presence of each other and creates a strong associative relationship. Their setting is formed by the estates on the hillside around the site and wider industrial and commercial development in the lower Don

Valley.

Potential Impacts:

Development within the site has the potential to lead to the loss of significance of buried archaeology. However, a scheme of mitigation including further archaeological assessment has been agreed with South Yorkshire Archaeological Service and will be controlled by planning conditions.

The site is some distance from the designated heritage assets with intervening buildings and features and in the case of the Scheduled Ancient Monuments at a lower level. Taking this into account along with the scale of development as controlled by the parameter plans, and the scale of existing development around the shopping centre it is considered that the development will not have any appreciable impact on the setting of any of these heritage assets which will adversely affect their significance.

Heritage Summary:

The proposed planning conditions will ensure the impact of development on the buried archaeology is investigated prior to construction and either removed following recording or left in situ. Given this, and as the proposal will not have a harmful impact on the setting of the designated heritage assets, it is concluded that the development will comply with the requirements of the Planning and Listed Buildings Act, the NPPF and the development plan policies relating to heritage assets.

Ground Conditions, Dust and Noise

Policy:

Paragraph 183 of the NPPF says that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

Paragraph 185 says that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum the potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Conditions will ensure the ground conditions are adequately mitigated for their future use and the CEMP will ensure noise and dust is mitigated to avoid significant impacts. Therefore, the proposed development will be consistent with

the above NPPF policies.

Assessment:

Numerous reports assessing ground conditions have been carried out which are collated within the submitted Synopsis Report Presenting Ground Conditions Assessment - 47826/3501 | Rev: 02 – Sept 2020. A Coal Mining Hazard Assessment – ref. 47826 / 3502 / CBH / GEO RPT03 (MRA) – Sept 2020, has also been submitted. A Construction Environment Management Plan (CEMP) and Noise Assessment have also been submitted in support of the application. These have been considered by the Council's Environmental Protection Service (EPS) and the Coal Authority.

EPS has advised that the submitted assessments are satisfactory but further ground investigations are needed, this is controlled by condition. The CEMP includes measures to minimise the risk from the generation of ground contamination during the demolition and construction phases, each reserved matters application will need to be accompanied with a CEMP which will define the measures to be followed for that phase. The outline CEMP includes noise and vibration, and dust management measures which are also considered to be satisfactory control these potential impacts during construction/demolition. Noise and vibration of traffic during the operational phase were scoped out of the EIA subject to the results of a screening assessment of the potential significance of any changes in road traffic noise. A technical note submitted confirms that noise increase from traffic will be negligible. Therefore, EPS are satisfied with this assessment and that no noise conditions relating to traffic noise are necessary.

The Coal Mining Hazard Assessment concludes that there is a potential risk posed to the development by past coal mining and therefore recommends that intrusive site investigations are carried out on site. The Coal Authority has no objections to the proposal subject to suitable site investigation and remedial works if appropriate being carried out. This is controlled by planning conditions.

The applicant has submitted sufficient information to enable the contamination, coal mining and noise impacts to be assessed. The land contamination, coal mining and CEMP conditions will ensure that the impacts are adequately mitigated and therefore the proposal is in accordance with the NPPF policies referred to above.

Sustainability

Policy:

Paragraph 7 of the NPPF says the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 says the achieving sustainable development means that the planning system has three overarching objectives, an economic objective, a social objective and an environmental objective which are interdependent and need to be pursued in mutually supportive ways. Paragraph 9 says they are not criteria against which

every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 10 says that, so sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 says that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of NPPF policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Sustainability is a key guiding principle for Core Strategy policies. This is reflected in policies that seek to ensure sufficient land is available to meet the different land use requirements, in order that development for shopping, leisure and employment is directed to sustainable locations. For example, policy CS 14 is concerned with the city-wide distribution of shopping and leisure development saying that facilities with city-wide and regional catchments will be concentrated in the City Centre Primary Shopping Area. Policy CS15 says that large scale leisure and cultural facilities that serve the city and wider region will be located in or at the edge of the City Centre where possible and major leisure facilities will be located in the Lower Don Valley if no sites are suitable or available in City Centre or its edge.

Other policies promote sustainable transport, sustainable design and design that responds to climate change – including renewable and low carbon energy generation and energy efficiency. Overall the Development Plan policies are considered to be consistent with the NPPF and should be given significant weight.

Impacts:

The proposed development will help to maintain Meadowhall as a successful regional shopping and leisure destination which will help to support growth and build a strong local economy/employment in a deprived part of the City. However, this needs to be balanced against impacts on City and Town Centres - which is also of key importance to economic/social and cultural health and sustainable development. Nonetheless it is accepted that the applicant has demonstrated that the proposed development would not significantly harm the vitality and viability of existing centres. Moreover, the applicant has demonstrated there are no suitable, available sites in the City Centre on its edge or in other centres that could accommodate the proposal.

The development is sustainably located in a location highly accessible by means other than the private car and sustainable transport options are being

improved/promoted as part of the development. The proposal will regenerate a prominent gateway site and the Design Code will help to foster a well-designed and safe built environment. The air quality assessment shows that the development will have a negligible impact on human health.

The scheme will be developed on land which does not have a high ecological value and measures are proposed to protect and enhance the natural environment. The application includes proposals and commitments to mitigate and adapt to climate change and move towards a low carbon economy by being resilient to flooding, incorporating sustainable drainage and green roofs and also by incorporating controls which will respond to Core Strategy policies CS64 and CS65 by ensuring that a minimum of 10% of the predicted energy needs of that part or phase of development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy.

The applicant has also made specific commitments for the use of Photo-voltaic panels to generate energy and to explore the potential to connect the development to the Blackburn Meadows District Heating System and has confirmed that the development will be designed to meet the BREEAM Very Good Standard.

Subject to the imposition of the planning conditions and planning obligations recommended at the end of this report, which require, amongst other things:

- A contribution towards improving existing public transport services to the Meadowhall site;
- Significant upgrades of South Tinsley Tram Stop;
- Pedestrian and cycle connectivity improvements, EV charging and travel planning measures;
- A commitment to Join ECO Stars Fleet Recognition Scheme;
- A Commitment to achieving at least 10% Biodiversity Net Gain and to incorporate biodiverse roofs within the development scheme;
- A Commitment to achieve BREEAM Very Good;
- A Commitment to meeting a minimum of 10% of the predicted energy needs of the development from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy;
- The delivery of Sustainable Urban Drainage Systems.

It is considered that the proposed development is consistent with the principles of Sustainable Development embodied within the NPPF and Core Strategy.

SUMMARY AND RECOMMENDATION

Environmental Impact Assessment Summary

In the course of considering this planning application the environmental information (the environmental statement and all representations and consultations submitted on the application) has been examined, including through consultation with expert consultees and internal review. The main body of the report above includes a

description of the features of the development and the measures envisaged in order to avoid, prevent, reduce and, if possible, offset, likely significant adverse effects on the environment. The conditions set out at the beginning end of the report specify the mitigation measures considered to be necessary to ensure that the development's environmental impact is minimised.

Following detailed consideration of the effects the development could have on population and human health, biodiversity/ protected species and habitats, land, soil, water, air and climate, material assets, cultural heritage and the landscape, the interaction between all of the above factors, informed by the environmental information and the examination of that information, taking account of the potential for cumulative effects, it is concluded that the effects of the development on the environment are acceptable, subject to the planning conditions and obligations recommended as part of this report.

Overall summary conclusion and recommendation

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The most important Development Plan policies for determining the application are shopping and leisure policies that relate to this site (CS7, CS14, CS15, S5, S8, LR2). Also, the employment/economic development aspects of policies CS5, SC7; the transport aspects of policies CS7, CS51, CS52, CS53, T16, T21 and T28; and air quality policy S66. Whilst some of these policies do not fully comply with the NPPF they mostly do and have been assessed as generally having significant or moderate weight. Overall, it is concluded that the most important Development Plan policies are not out of date. Therefore paragraph 11(d) of the NPPF is not engaged.

The key considerations with this application are: (a) Its compliance with planning policy especially the impact on the vitality and viability of other town centres, including Sheffield City Centre and Rotherham Town Centre, as the success of these centres is particularly important for the economic, social and cultural well-being of the local population; (b) The economic impacts of maintaining a competitive and successful regional shopping centre at Meadowhall which meets customers' needs and the economic and employment benefits of the development; (c) The transport impacts, given the congested nature of the road network at peak times around the site and the implications for safety, and the impact of additional congestion on amenity and costs to business; (d) The air quality impacts given that the site is located in an air quality management area and as it will generate significant additional traffic which has the potential to impact adversely on-air quality and human health.

As explained above permission 16/04169/FUL for a (larger) leisure hall extension to Meadowhall expired in May 2021. Given this, and because circumstances have changed significantly in terms of the health of town centres due to failures of key retailers and the impact of Covid, and as the proposed scheme is significantly different to the previous permission, members are advised to give the previous consent little weight.

The scheme has been assessed considering the worst-case impacts should the full scheme be implemented (i.e. town centre, highway, air quality and other impacts). Similarly, the economic and employment benefits include an assessment of the full scheme. Because this is an outline application, and the applicant is seeking flexibility to respond to market conditions the scheme allows for a lot of flexibility as to the form the final development might take. This means the impacts may be less than those that would result from construction of the full scheme but should not be worse.

The applicant has demonstrated a site-specific case for Meadowhall to widen its leisure and food and drink offer in order to compete with other regional centres and to meet customers' needs. It has also shown that there are significant economic and employment benefits from the development in respect of the continued success of Meadowhall - which employs a considerable number of people and attracts spending and visitors from outside the area. Also, employment and economic development benefits will arise directly and indirectly from the construction and operation of the development.

The applicant's proposed local employment strategy will ensure that these benefits are maximised for the deprived local community. The applicant has had a consent for a similar leisure development within the confines of the existing shopping centre but has been unable to deliver it. The outline nature of the current application reflects the additional flexibility which the applicant indicates is required to respond to market demands and deliver the scheme.

The success of the existing town centres within the catchment area of Meadowhall is also critical to the economic, social and cultural well-being of the local population. This is recognised by the NPPF policies which seek to direct development to town centres first and ensure that development outside of these centres does not undermine their vitality and viability. These issues have been carefully assessed by officers and a specialist retail consultant assisting the Council. The potential impacts of the development have been reviewed in the light of the closures of Debenhams and John Lewis in Sheffield City Centre resulting from national trends in City/ Town Centre retailing contraction. As covered in detail in the main body of the report above, it is considered that there is a location specific case for the food and drink and leisure elements of the development scheme which mean that these aspects of the scheme cannot be located elsewhere and there are accepted to be no sequentially preferable sites which could accommodate the proposed Plot 5 large format retail park development.

For the reasons explained above in detail, whilst there are concerns about the impact of the proposal on the vitality and viability of existing centres, in terms of the effect of the development in making Meadowhall a more attractive place to visit at the potential expense of trips to City and Town centres, the balance of quantitative and qualitative evidence is considered to indicate that the proposals are unlikely to have a significant adverse impact on the vitality and viability of any existing City, Town or District Centre, including Sheffield City Centre and Rotherham Town Centre. This assessment is subject to the controls proposed by the applicant being imposed in relation to commercial floorspace caps, trading and poaching restrictions and the approximate 7-year delay to the opening of the proposed

Meadowhall extension on Plot TLH.

There are accepted to be clear signs that a number of centres within Meadowhall catchment, including Rotherham Town Centre, are increasingly fragile and vulnerable. However, a range of investment including investments arising from the government's Levelling up Fund and Towns Fund, as well as private sector and local authority led investments are being made to help these centres recover and to adapt their offer to address the changing nature of consumer demand and structural changes to the retail sector. It is considered reasonable to predict that the changing function of City and Town Centres, in terms of increased central residential populations and broadened retail, leisure and service offers, will mean that they will be more self-contained, broad based and resilient to competition from out-of-centre shopping and leisure centres, potentially lessening the impact of the proposed development.

Given that investments have continued to come forward within the Region's City and Town Centres despite the previous (larger) consent for an extension to Meadowhall being extant for a 3 year period between May 2018 and May 2021 and giving consideration to the robust mitigation proposed by the applicant, including the 7 year delay to opening any floorspace within the main development plot, there is considered to be no reasonable basis to predict that the proposed development will derail any of the existing or planned investments within City, Town and District centres in Meadowhall's catchment area.

The application is sustainably located for a high travel generating development such as this due to its proximity to the Meadowhall Transport Interchange, Tinsley Tram stop, the Tram Train and the cycle network. The applicant has demonstrated that the highway network, parking provision and the sustainable travel network can adequately accommodate the development with the improvements proposed without significant detriment to congestion and safety. The application takes a balanced approach to transportation issues promoting sustainable travel initiatives appropriate to the scale of development along with road improvements. There will be a benefit to the sustainable travel opportunities as a result of the proposed improvements and to the overall operation of the highway network if the full level of mitigation is implemented, although this cannot be guaranteed as the full development may not proceed.

The air quality assessment shows that whilst there will be a negative impact on air quality due to that additional traffic the impact will be negligible and will not result in further exceedances of air limit values if the full development is implemented taking into account the likely development programme. The Health Assessment shows there are potential health impacts and health benefits from the proposal, but neither are likely to be significant.

There will be design, townscape and landscape benefits from the scheme given the parameter plan constraints and design controls in place. These will be most significant if an extension similar to the previous extension ultimately goes ahead, demolishing part of the deck car parking and providing a new landmark building/entrance point and outward facing development.

The development will protect the areas of natural history interest adjoining the site and will create a biodiversity net gain. The development will be designed to incorporate sustainable design measures and renewable energy. Its design will be resilient to flooding and run-off from the site will be mitigated by sustainable drainage methods. Non designated heritage assets comprising of underground archaeology will be appropriately investigated/ protected/ recorded. Land contamination, and the environmental impacts from noise and dust will be mitigated such that there should be no significant health or amenity impacts.

Taking account of the factors for and against the development, as summarised above, and giving consideration to each relevant policy test, as set out in the main body of this report, on balance it is concluded that the proposed development is acceptable in principle and subject to mitigation, would have an acceptable environmental effect. Conditional approval of planning permission, subject to prior consultation with the Secretary of State and engrossment of a legal agreement under Section 106 of the Act is therefore recommended.

RECOMMENDATION

Under the terms of the Town and Country Planning (Consultation) (England) Direction 2021 where the local planning authority does not propose to refuse permission for development of 5,000m² of retail or leisure floorspace which is on edge-of-centre or out-of-centre land and not in accordance with the provisions of the development plan the Secretary of State for Housing, Communities and Local Government must be consulted.

Therefore, it is recommended that members agree that they are minded to grant planning permission

- subject to no objection from the Secretary of State for Housing, Communities and Local Government.
- subject to the conditions listed on the agenda, and subject to the applicant entering into a legal agreement to secure the Heads of Terms described below.

S106 Heads of Terms

1) A financial contribution to subsidise additional bus services to and from the site – specific service improvements and amount of contribution to be confirmed by the South Yorkshire Mayoral Combined Authority.

2) A financial contribution to deliver works for the improvement and upgrade of the South Tinsley Tram Stop and also two adjacent bus stops – amount of contribution to be confirmed by the South Yorkshire Mayoral Combined Authority.

3) A scheme for monitoring and implementing a controlled parking zone within the adjacent residential area – depending upon the outcome of pre and post development parking surveys.

4) A financial contribution of £100,000 to support the delivery of the Work Ready programme - directed at the Sheffield and the Sheffield City Region but with

priority to Darnall, Tinsley and Wincobank areas.

5) A financial contribution of £75,000 to support the delivery of the Council's Air Quality Action Plan.

6) An obligation for the site operator to join the ECO Stars Fleet Recognition Scheme.

7) A prohibition on the existing food & beverage units within the Oasis and/ or the existing Meadowhall cinema from changing their use to retail units (other than ancillary sales to the main use).

8) A prohibition on the delivery of the supermarket already approved under consent ref. 21/04322/FUL on the nearby River Don District site, in the event that a supermarket is delivered on Plot 5.

Planning obligations must be:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In this case the public transport infrastructure and service improvements in HoT (1) and (2) are needed to promote modal change, make the development reasonably accessible by public transportation at the times when such services are needed and provide appropriate quality public transportation facilities for visitors to the site. The improvements are directly related to the development and no more than what is reasonable and necessary given the high level of movements which will be made to and from the site and the imperative of ensuring that as high a proportion as possible of those movements are made by sustainable modes of transportation.

HoT (3) is necessary to prevent overspill parking into residential streets near to the site which otherwise would detract from the amenity of local residents and potentially undermine the sustainable travel initiatives being promoted as part of the scheme. This obligation is no more than is needed to address the potential adverse impact of the development.

The Work Ready Scheme (HoT 4) is necessary to ensure that the local community will have the best opportunity to take advantage of the economic benefits of the development. This is considered necessary to balance the local impacts of the development and the level of contribution is proportionate the scale of development proposed.

HoTs (5) and (6) are necessary to mitigate the air quality impacts of the development by funding the delivery of compensatory air quality mitigation measures through the Council's Air Quality Action Plan and ensuring that the applicant operates a low emissions commercial vehicle fleet. These requirements relate fairly to the nature and scale of the development – which is a very significant development project which's impact must be mitigated robustly.

HoTs (7) and (8) are necessary to mitigate the potential impact of the development on the vitality and viability of City and Town Centres and mitigate traffic impacts. Without obligation (8) those centres could be unacceptably affected by the development of 2 supermarkets in relatively close proximity, which would also be likely to generate excessive traffic. Without obligation (7) the applicant could implement the development and then re-purpose redundant leisure and food and beverage facilities within the Oasis to retail to the detriment of City and Town Centre trade.