

THE TOWN AND COUNTRY PLANNING ACT 1990
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS ACT 1976
AND
THE ACQUISITION OF LAND ACT 1981

THE SHEFFIELD CITY COUNCIL
(PINSTONE STREET AND TRAFALGAR STREET)
(NEW RETAIL QUARTER)
COMPULSORY PURCHASE ORDER 2006

***Draft* STATEMENT OF THE
COUNCIL'S REASONS FOR
MAKING THE ORDER**

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CONTENTS

1.	INTRODUCTION	1
2.	LOCATION AND DESCRIPTION OF THE ORDER LAND	2
3.	JUSTIFICATION FOR USE OF COMPULSORY PURCHASE POWERS.....	5
4.	DESCRIPTION OF THE SCHEME	11
5.	TRANSPORT IMPLICATIONS OF THE SCHEME	15
6.	PLANNING POSITION	20
7.	RELATED ORDERS.....	31
8.	THE VIEWS OF GOVERNMENT DEPARTMENTS	32
9.	HUMAN RIGHTS AND OTHER SPECIAL CONSIDERATIONS	33
10.	ADDITIONAL INFORMATION.....	36
11.	LIST OF DOCUMENTS, MAPS OR PLANS FOR THE PUBLIC INQUIRY	37

1. INTRODUCTION

- 1.1 On [] 2006 Sheffield City Council (the "Council") made The Sheffield City Council (Pinstone Street and Trafalgar Street) (New Retail Quarter) Compulsory Purchase Order 2006 (the "Order") and has submitted it to the Secretary of State for Communities and Local Government (the "Secretary of State"), Government Office for Yorkshire and the Humber ("GOYH"), for confirmation. The Order was made pursuant to the Council's resolution on [] 2006.
- 1.2 The Order has been made pursuant to Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) (the "1990 Act") in relation to the acquisition of existing land and interests and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (the "1976 Act") to enable the Council to create new rights.
- 1.3 The Order has been made to enable construction of a comprehensive redevelopment scheme in Sheffield City Centre, known as the New Retail Quarter ("the Scheme"). The Scheme is being carried out by Hammerson Property Limited ("the Developer") and will assist in securing the regeneration of Sheffield City Centre.
- 1.4 The Council considers that there is a compelling case in the public interest for the making of this Order to secure the outstanding land and property interests required (the "Order Land") for the purpose of implementing the Scheme, which will help deliver the regeneration of Sheffield City Centre. The Order Land is more fully described in section 2 of this statement. The interests and rights comprising the Order Land are identified in the schedule to the Order (the "Order Schedule"), which refers to the map accompanying the Order (the "Order Map").

2. LOCATION AND DESCRIPTION OF THE ORDER LAND

- 2.1 The land and interests included in the Order comprise approximately 61,925 square metres located within Sheffield City Centre and shown on the Order Map. The Order Land required permanently is shown coloured pink on the Order Map and is bounded by Pinstone Street, Furnival Gate, Charter Row, Wellington Street, Trafalgar Street, Devonshire Lane, Division Lane, 28-36 Carver Street, 45 Carver Street, 12 Cambridge Street and Barkers Pool. For the purposes of constructing the Scheme, the Order Land extends beyond the land permanently required to include crane oversailing rights and other new rights which are shown coloured blue on the Order Map.
- 2.2 The part of the Order Land which is in the ownership of the Council and the Developer (or its associated companies) is believed to be unencumbered by other interests at present. This land is, however, included in the Order in the event that interests or encumbrances that are unknown at the date of the making of the Order are subsequently revealed.
- 2.3 The character of the site varies considerably, with retail uses dominating the eastern part and office and industrial uses dominating the western part of the Order Land. Pockets of under utilised land and vacant buildings are common features. Buildings dating from the Victorian and post-war eras are most evident. In general terms the site slopes north to south with Barkers Pool being approximately 10 metres higher than Moor Head.
- 2.4 The buildings within the site fronting Pinstone Street comprise a variety of late Victorian buildings with disjointed shop fronts at ground floor. They are in retail use at ground level with offices above, although the upper floors of Nos. 44-62 Pinstone Street and Laycock House are used for residential purposes. A number are in a poor state of repair. Between Barkers Pool and Cross Burgess Street they form a more uniform terrace of predominantly 5 storey buildings, which provide the eastern boundary of the site overlooking the recently completed Peace Gardens. The ground floor shop fronts lack any coherent design and the upper floors are under-utilised.
- 2.5 Land bounded by Trafalgar Street, Devonshire Lane, Rockingham Street and Wellington Street comprise former metal works buildings and adjacent temporary car parks.

- 2.6 The block between Cambridge Street and Furnival Gate, built during the 1960s, is used for retail, car parking and hotel uses and possesses little architectural or townscape merit. The Grosvenor Hotel at 12 storeys comprises the only tall building within the Order Land. Charter Square is dominated by highway and the adjacent 15 storey Telephone House.
- 2.7 The existing John Lewis department store located between Cambridge Street and Burgess Street was built in the 1960s and has a multi storey car park on the upper levels. The building is not in keeping with the scale and grain of older buildings in the conservation area.
- 2.8 On the opposite side of Cambridge Street there is a terrace of 3/4 storey buildings including the listed Leah's Yard and the Bethel Chapel Sunday School. They vary in their state of repair and are generally used for retail purposes. Behind these buildings is a single width lane called Backfields and a large under-utilised site used as a public car park. St. Matthews Church adjoins this part of the site and forms a local landmark.
- 2.9 A large metal and glass clad building, currently used as a nightclub on the upper floors and shops on the ground floor, fronts Barkers Pool along with the John Lewis department store.
- 2.10 The area between Carver Street and Rockingham Street is dominated by the South Yorkshire Fire Authority Headquarters building. This brick building is currently used for offices, a control centre, a maintenance facility and operational fire station and was constructed in the 1980s.
- 2.11 The conservation area in the City Centre (the "City Centre Conservation Area" or the "Conservation Area" as appropriate) covers approximately half of the Order Land. Fanning out from its core, the Conservation Area takes in Pinstone Street, Burgess Street, Charles Street and Cambridge Street excluding the Grosvenor Hotel block; it terminates at Backfields.
- 2.12 The following buildings within the Order Land are listed buildings:
- Leah's Yard – 20-22 Cambridge Street (Grade II*) – vacant and on English Heritage's Buildings at Risk Register.

- Former Salvation Army Citadel, Cross Burgess Street (Grade II) – vacant and currently dominated by the adjacent John Lewis building and car park.
- Former Bethel Chapel Sunday school, 32 Cambridge Street (Grade II) – subject to various 20th century alterations, particularly when it was converted to its current use as a bar.

2.13 In summary, the Order Land is currently under-utilised and in a poor state of repair. The retail and leisure offer needs to be improved significantly and the Order Land is in urgent need of regeneration.

3. JUSTIFICATION FOR USE OF COMPULSORY PURCHASE POWERS

3.1 Although significant parts of the Order Land are already owned by the Council and the Developer, the implementation of the Scheme requires the acquisition of a number of further property interests currently owned by third parties. The Developer has already secured a number of these interests through private agreements and is continuing efforts to acquire remaining interests on a voluntary basis. However, a significant number of interests need to be acquired through the exercise of compulsory purchase powers to enable the early implementation of the Scheme.

Statutory Powers and guidance

3.2 Section 226 of the 1990 Act enables a local authority to acquire land compulsorily, subject to confirmation by the Secretary of State, where this is necessary in order to achieve the implementation of the authority's planning proposals. In particular, section 226(1)(a) of the 1990 Act enables the compulsory acquisition of land "if the authority thinks that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land."

3.3 A local authority must not exercise the power under s.226(1)(a) of the 1990 Act unless they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects:

3.3.1 the promotion or improvement of the economic well-being of their area;

3.3.2 the promotion or improvement of the social well-being of their area;

3.3.3 the promotion or improvement of the environmental well-being of their area.

3.4 Section 13 of the 1976 Act provides for a local authority to acquire compulsorily such new rights over land as are specified in a compulsory purchase order.

3.5 Office of the Deputy Prime Minister ("ODPM") (now the Department for Communities and Local Government) Circular 06/04 states Ministers' belief that "compulsory purchase powers are an important tool for local authorities and other public bodies to use as a means of assembling the land needed to help deliver social and economic change" and that they "can contribute towards effective and efficient urban and rural regeneration, the revitalisation of communities and the promotion of business leading to improvements in quality of life".

- 3.6 Circular 06/04 states that the factors which the Secretary of State can be expected to consider, in deciding whether or not to confirm a CPO include:
- 3.6.1 whether the purpose for which the land is being acquired fits in with the adopted planning framework;
 - 3.6.2 the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area;
 - 3.6.3 the potential financial viability of the scheme for which the land is being acquired;
 - 3.6.4 whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.

The Need for Compulsory Purchase

- 3.7 The Order Land is described in section 2 of this Statement of Reasons. Section 2 describes how the Order Land is currently under-utilised and in a poor state of repair. The Scheme is described in section 4 and the Council believes that it will provide an improved physical environment for Sheffield. It will meet an identified need for further and improved retail provision in the City Centre and meet the policy aim of providing a unified retail destination rather than the current disconnected retail areas of Fargate and The Moor which are some distance from each other. The Scheme will also provide a significantly improved department store offer for the City Centre.
- 3.8 A number of retail studies have been carried out to assess the need for improved retail provision in the City Centre. The Healey and Baker Retail Study (2000) concluded that the City Centre retail offer was significantly under performing in comparison with comparable cities and the Cushman and Wakefield Healey and Baker City Wide Quantitative Study of Comparison Goods Retailing (2002) confirmed the need for significant additional sales space in the City Centre. These studies confirm that Sheffield is performing poorly in terms of its retail function and the urgent need for additional retail floorspace.
- 3.9 The Scheme will provide a permeable public realm with streets and walkways being accessible to the public, including the disabled. The new public square will provide a location for people to meet and for street activities to take place.

- 3.10 The Scheme will improve security in the City Centre through sensitive design, the location of residential units above new shops and appropriate use of CCTV cameras.
- 3.11 Leisure provision within the City Centre will be significantly enhanced by the provision of a health and fitness facility, new public square, cafés, bars and restaurants located in an environment, and designed in a manner, which will constitute a significant improvement over the current leisure offer.
- 3.12 The Scheme provides for a new multi-storey car park which will provide the City Centre with a much-needed, improved parking facility for both shoppers and residential occupiers. Car parking within the Order Land is currently poor. The number of spaces is inadequate with there being approximately 550 spaces in surface-level and multi-storey car parks. Existing spaces are poorly configured and run-down and provide poor levels of security. New high quality car parks, providing some 1700 additional spaces, will help the Council to improve significantly the car parking in the City Centre.
- 3.13 The majority of the existing buildings on the Order Land will, as described in section 4, be demolished to enable the Scheme to be constructed. However, the following buildings will be retained:
- 3.13.1 18-42 Pinstone Street. These properties are currently in retail use at ground floor with offices above. Extensive modifications have been made to the shopfronts and rear of the premises. Despite being located at a key boundary of the Order Land, facing the Town Hall and Peace Gardens, they are currently in varied states of repair. The rear of the buildings at 18-28 Pinstone Street will be reconfigured to remove untidy rear additions and form a simple block parallel to Pinstone Street to provide space for the Scheme to the rear, and the existing lift will be removed and replaced with a new lift which will improve access for disabled persons. The rear of 30-42 Pinstone Street, which fronts Burgess Street and constitutes approximately half of the floor area of the properties, will be demolished. The brick and stone façade for 18-42 Pinstone Street will be retained and the mansard roof will be remodelled to complement existing materials and, in relation to 30-42, a new mansard roof will be added. The upper floors will be converted for use as residential apartments whilst the shop units will be reconfigured to provide

more unified shopfronts and efficient retail space. The works will involve extensive repair and renewal of all services in the buildings.

3.13.2 68-76 Pinstone Street (Laycock House). Laycock House is currently in retail use and is located in a prominent location at the junction of Pinstone Street and Cross Burgess Street. The building is to be retained because of its architectural merit. Existing adjoining buildings are to be demolished and it is necessary to undertake works to the building to integrate it into the Scheme. In addition, the road level at the rear of the building will be lowered requiring the yard at the rear of the building to be remodelled to enable access for the residential units on the upper floors.

3.13.3 20-22 Cambridge Street (Leah's Yard). This Grade II* listed building is currently in an appalling state of disrepair both internally and externally. The Scheme provides for it to be extensively renovated in order to reinstate the original character of the building.

3.13.4 24 and 26 Cambridge Street. These properties adjoin Leah's Yard and are also in a poor state of repair. The Scheme provides for the external façades and roof to be repaired in order to improve their appearance and to improve the setting of the adjoining listed Leah's Yard. Internal works will also be carried out in order to provide an integrated use with Leah's Yard.

3.13.5 Former Salvation Army Citadel, Cross Burgess Street. The Grade II listed former Salvation Army Citadel will form a gateway from the east into the Scheme. Minor alterations are necessary to the listed building to prevent damage during the construction of the Scheme and provide alternative servicing facilities from the side or rear.

3.13.6 88-92 Pinstone Street. This building will be substantially demolished with only the Pinstone Street façade and part of the roofscape retained and incorporated into the Scheme for townscape reasons.

3.14 The proposals are expected to provide a net increase of approximately 2,341 jobs once opened and 800 jobs during the construction process. Commitments in the Section 106 agreement to construction and employment training will ensure that these jobs are available to local people.

- 3.15 The Order Land comprises a large urban site in multiple ownership which is suitable for, and required, in order to secure the carrying out of the Scheme. In summary, the Council considers that:
- 3.15.1 the Scheme accords with national and local planning policies; in particular, policies which support city centre housing and centrally located retail and leisure facilities, and the creation of vibrant and viable city centres;
 - 3.15.2 the Scheme will make a major contribution to improving the social, economic and environmental well being of the Order Land and Sheffield as a whole;
 - 3.15.3 having entered into a Development Agreement with Hammerson for the delivery of the Scheme, the Scheme is financially viable;
 - 3.15.4 without a CPO, it is unlikely that the Order Land would ever be assembled to enable the Scheme to proceed and the Council considers that the purposes of the Scheme could not be achieved without a CPO.
- 3.16 The Council will ensure that all reasonable attempts are made to acquire the required land by agreement in parallel with the compulsory purchase process. This approach of making the Order and, in parallel, conducting negotiations to acquire land by agreement is in accordance with the guidance given in paragraph 24 of ODPM Circular 06/04.
- 3.17 The Council and the Developer between them own the freehold of approximately 34,416 square metres of the Order Land, and Development and Land Sale Agreements between the Council and the Developer have been completed. This position does not, however, ensure that the Developer, within a realistic timeframe, can obtain vacant possession of the remaining land. This can only be achieved if the Order is confirmed.
- 3.18 The Scheme also involves the carrying out of works to enable the integration of the new development, which is to be constructed on land to be permanently acquired, with adjoining land. Consequently, there is also a need to obtain new rights over adjoining land, without which the Scheme cannot be delivered. These new rights are required in order to enable:

- 3.18.1 construction of a new retaining wall up to 8 metres below street level and the perimeter wall of block 3 along the line of the rear of 6-14 Pinstone Street in connection with the construction of block 3;
 - 3.18.2 construction of a new retaining wall up to 10 metres below street level and the perimeter wall of block 3 along the line of the rear of Pinstone Chambers in connection with the construction of block 3;
 - 3.18.3 construction of a new retaining wall up to 8 metres below street level in connection with the lowering of Charter Square and the construction of new retail units and a lift shaft adjacent to the north east gable of Telephone House and the erection of a piece of public art on the north east gable wall of Telephone House;
 - 3.18.4 construction of a new retaining wall in connection with the new multi-storey car park to be constructed as part of the Scheme which retaining wall will be constructed on the south side of Devonshire Lane and to the west of Rockingham Street and could extend up to 8 metres below street level;
 - 3.18.5 the construction of new foundations to enable construction of block 7 which foundations will be adjacent to the south gable wall of the properties at 28-36 Carver Street;
 - 3.18.6 construction of a new retaining wall up to 19 metres below street level in connection with the construction of block 6 and a new service yard underneath block 6 to the south of St Mathews Church and its associated buildings;
 - 3.18.7 works to enable the underpinning of, and access into, Leah's Yard (20-22 Cambridge Street) for the stabilisation of Leah's Yard during the construction of the service yard underneath block 6 and block 6 itself; and
 - 3.18.8 the operation of cranes in connection with the construction of the Scheme.
- 3.19 The Council has given very careful consideration to the need to include each parcel of land shown on the Order Map, and the new rights identified in the Order Schedule, and believes there is a compelling case in the public interest for confirmation of the Order.

4. DESCRIPTION OF THE SCHEME

- 4.1 The Scheme is a mixed-use development with up to 98,500 sq.m. (Gross External Area ("GEA")) of new retail (Use Classes A1-A5) floorspace, a maximum of 232 residential units and supporting uses including a nightclub (Sui Generis use), a health club (D2 use) and car parking.
- 4.2 A masterplan approach has been adopted for the Scheme. Outline planning permission (the "Outline Planning Permission") has been secured for the principle of the scale and quantum of development, with design guidance agreed to inform the design, which is expected to be brought forward by a number of architects. The masterplan for the Scheme was formulated in the context of a City Centre wide masterplan (see below) to ensure it is compatible with wider objectives as well as with neighbouring development. Extensive consultation was undertaken with statutory bodies, the public and occupiers of the Order Land during the formulation of the proposals and as part of the planning process.
- 4.3 The key features of the masterplan shown on the application drawings can be described as follows:
- A department store with floorspace in the order of 25,000 sq.m. with 3½ trading floors. This is expected to provide a sales area of around 15,000 sq.m. and also include a customer restaurant and other customer facilities;
 - Approximately 65,000 sq.m. of new A1 retail floorspace in a series of buildings located around a network of predominantly open streets;
 - Refurbishment and reconfiguration of retail units at 18-42 Pinstone Street, 68-76 Pinstone Street (known as Laycock House) and the retention of the facade and roofscape of 88-92 Pinstone Street (known as the HSBC bank);
 - Cafes, bars and restaurants integrated within the Scheme which are likely to be focused around Barkers Pool, Cambridge Street and the new public square;
 - Approximately 232 one and two bedroom apartments located in up to 4 locations within the Scheme (including a tower element above building 5);

- Provision of off-street public car parking for up to 2,200 cars in the new multi-storey car park provided off Rockingham Street to the west of the Scheme and above the department store, and additional car parking for residential occupiers;
- The refurbishment of Grade II* listed Leah's Yard (20-22 Cambridge Street) and improvements to the setting of the Grade II listed former Salvation Army Citadel on Cross Burgess Street;
- Additional uses including a health club, nightclub, public toilets and shop mobility facility and management facility;

4.4 A demolition plan that accompanied the planning application confirms that demolition of the following 8 building blocks is necessary in order to enable construction of the new blocks which will constitute the Scheme:

- 4.4.1 Block 1 and 2 – demolition of existing John Lewis department storey/multi-storey car park and part of 19-21 Barkers Pool;
- 4.4.2 Block 3 – demolition of 6-21 Barkers Pool, buildings on the eastern side of Burgess Street (excluding the former Salvation Army Citadel) and alterations to the rear of 18-59 Pinstone Street;
- 4.4.3 Block 4 – demolition of the two triangular blocks bounded by Pinstone Street, Cambridge Street and Cross Burgess Street but excluding Laycock House (68-76 Pinstone Street) and the Edwardian HSBC bank building (88-92 Pinstone Street);
- 4.4.4 Block 5 – demolition of buildings bounded by Furnival Gate, Cambridge Street, Wellington Street;
- 4.4.5 Block 6 – demolition of buildings to the south of 26 Cambridge Street and redevelopment of the car park fronting Carver Street;
- 4.4.6 Block 7 – demolition of South Yorkshire Fire Authority Headquarters and 38 Carver Street;
- 4.4.7 Block 8 – demolition of all buildings bounded by Wellington Street, Rockingham Street, Devonshire Lane and Trafalgar Street.

- 4.5 A new pedestrian route will be created between Barkers Pool and Cross Burgess Street.

Housing

- 4.6 Residential floorspace will be constructed to provide up to 21,000 sq.m. of residential floorspace which could provide up to 232 new residential units. All of the units will be 1 and 2 bedroom private sector housing, although the eventual mix of unit sizes is dependant upon prevailing market demand.
- 4.7 The housing will comprise the following developments, located at up to 4 principal locations within the Scheme:
- 4.7.1 Conversion (change of use) of the upper floors of 18-42 Pinstone Street for up to 40 residential units;
 - 4.7.2 The provision of up to 24 residential units on the upper floors of building 3;
 - 4.7.3 A tower above the buildings fronting Charter Square providing up to 150 residential units; and
 - 4.7.4 The provision of up to 18 residential units above building 4.

Retail

- 4.8 The Scheme will involve the demolition of approximately 27,151 sq.m. (GEA) of retail (A1) floorspace and the maximum additional retail floor area would result in a net increase of 68,559 sq.m. (GEA).
- 4.9 The illustrative drawings supporting the planning application show a mixture of single and two level streets. The indicative drawings show that in the two level streets there will be 2 publicly accessible levels forming lower ground and upper ground levels for retailing and catering facilities. A mixture of different sized shops will line the streets to meet the requirements of contemporary retailers and caterers. Standard shop units will be provided together with accommodation for a number of larger stores (known as major space users or "MSU's"). A new department store will anchor the Scheme.

Public realm

- 4.10 The Scheme includes new pedestrianised routes between Pinstone Street and Carver Street at both the lower and upper levels and the creation of a new public square between Carver Street and Cambridge Street.
- 4.11 New Burgess Street will form a new route through the extended retail core connecting Fargate with The Moor. East-West routes to the west of Pinstone Street are formed by Division Street, Cross Burgess Street and Wellington Street. New partly covered routes will connect existing shopping areas with the new covered shopping area.
- 4.12 The Masterplan uses the level change from the north to the south of the site to create two natural floor levels. The upper ground level relates to Fargate, Barker's Pool, Division Street, Carver Street and Wellington Street. The lower ground level relates to Cross Burgess Street and the Moorhead. The new public square will be the focal point that connects the lower and upper city levels.

5. TRANSPORT IMPLICATIONS OF THE SCHEME

5.1 The Scheme is located within the City Centre which has excellent public transport provision with bus, rail and tram services available within a short walk of the Order Land. There are also a number of taxi ranks throughout the city centre with several close to the Scheme.

Buses

5.2 Sheffield has a large number of bus routes which operate throughout the city. Bus services on the main routes operate at regular intervals. Bus stops are situated adjacent to the Scheme at a number of locations including:

- Pinstone Street /Leopold Street
- Charter Row
- Eyre Street/Arundel Gate; and
- West Street/Church Street.

5.3 Additionally, a new midibus interchange is being proposed on Charter Square adjacent to the Order Land which will enable relocation of the existing bus station and provide new taxi and bus pick-up and drop-off points. This will be delivered by the Council as part of their Masterplan and is expected to open at the same time as the first phase of the Scheme.

Tram

5.4 Sheffield's tram network covers 29Km and has 48 stops on its 3 lines. In the City Centre, Supertram operates on-street in an east-west direction along Glossop Road, West Street, Church Street, High Street and Commercial Street. Within five minutes walk of the Scheme there are 5 Supertram stops. The City Hall stop is likely to be popular for those travelling to and from the Scheme due to its close proximity.

Cycles

5.5 Cycle parking facilities will be provided as part of the Scheme and secure storage will be appropriately located within the Order Land. Condition 34 of the Outline Planning Permission requires details of the location of facilities to be submitted prior

to works starting on site. Sheffield City Centre has a number of recommended cycle routes that allow good access to the City's amenities. Major routes are designated along several key links including Division Street, Pinstone Street and Furnival Gate.

Walking

- 5.6 There are currently a number of important pedestrian routes in and around the Order Land in particular along Cambridge Street, Pinstone Street and Division Street. In addition, Barkers Pool outside the City Hall is an important area of public realm which has recently been the subject of a major enhancement scheme.
- 5.7 During construction a number of these routes will be severed, and the resulting development does involve the closure of some public highway routes, however all the main pedestrian routes through the Scheme will be available for 24 hour public access and this has been covered by conditions 14, 25 and 26 of the Outline Planning Permission.
- 5.8 The Scheme will increase pedestrian flows in the City Centre and the proposals for creating new pedestrian-only streets within the Scheme will greatly improve amenity and safety for pedestrians. This will be complemented with high quality crossing facilities to Charter Square, Moorhead and Pinstone Street, to help link the Scheme with the rest of the City Centre.

Car Parking

- 5.9 Car parking is proposed at two locations within the Scheme (adjacent to Rockingham Street): block 8 on the western part of the Order Land, which will be a dedicated multi-storey car park, and the upper floors of block 7. A maximum of 2,200 public car parking spaces have been approved for blocks 7 and 8 and a maximum of 1 space per 1 residential unit with consent has been granted in addition for a maximum of 232 residential units.
- 5.10 The Council is pursuing a traffic management strategy for the City Centre with increased co-ordination proposed through the introduction of Variable Message Signing ("VMS"). The strategy also envisages the construction of new car parks. These are likely to include one in the north-west of the City Centre in the West Street area, one to the south-east in the Eyre Street area to serve the Moor and the Cultural Industries Quarter, and another as part of the Heart of the City project.

Highway Network

- 5.11 To enable the Scheme to take place, it will be necessary to stop-up or pedestrianise a number of public highways in the area covered by the Scheme. Additionally, some areas of highway will be improved and some new sections of highway will be provided.
- 5.12 The areas of public highway that need to be stopped up (in part or entirely) to permit the Scheme to be constructed are as follows:
- Burgess Street between Barkers Pool and Cross Burgess Street;
 - Charles Street between Cambridge Street and Pinstone Street;
 - Wellington Street between Cambridge Street and Carver Street;
 - An irregular shaped area to the north east of Charter Square that adjoins Carver Street and Wellington Street;
 - A section of Rockingham Lane between Division Lane and the fire station;
 - Backfields between the north east corner of Carver Street car park and Wellington Street;
 - The entire length of Bethel Walk;
 - Footpath between Carver Street and Rockingham Street;
 - Small triangular plot at the junction of Rockingham Street and Division Lane;
 - Small triangular plot at the junction of Rockingham Street and Wellington Street;
 - Irregular shaped plot within Barkers Pool; and
 - Small plot at the junction of Wellington Street and Trafalgar Street.
- 5.13 In addition, to enable the implementation of the Scheme, some sections of highway will be stopped-up and replaced by new pedestrian thoroughfares; in some cases over two levels. Hammerson will enter into an agreement with the Council to permit public access to these areas for agreed periods. Highways that will be stopped-up and replaced by pedestrian thoroughfares are:

- Cambridge Street between Barkers Pool and Pinstone Street;
- Cross Burgess Street; and
- Carver Street between the north east corner of the fire station and Charter Square.

5.14 New highway will be provided as part of the Scheme as follows:

- A new section of highway linking Backfields and Carver Street as part of a proposed one way loop needed for servicing traffic;
- A new section of highway along the southern side of Devonshire Lane between Trafalgar Street and Rockingham Street.
- New sections of highway as part of improvement works to Carver Street and Pinstone Street.

5.15 There are also several areas of highway to be improved as part of the Scheme or alongside highway works proposed by other parties. These principally comprise improvements to footways adjacent to the Scheme.

5.16 In order to facilitate the construction of the Scheme, a number of temporary road closures will be needed to allow specific site enablement works to be undertaken prior to the primary construction sequence, or during the main periods of construction to permit safe working and certain building works.

5.17 The Outline Planning Permission ensures that highway improvements to roads near the Scheme will be secured prior to the opening of the Scheme. Condition 27 requires highway works to have been carried out before the development is brought into use in the following locations:

- Pinstone Street from 5 metres north of Cross Burgess Street to Moor Head.
- Broad Lane/Rockingham Street.
- Rockingham Street/West Street and Rockingham Street/Division Street.
- New Road to link Backfields with Carver Street.
- Division Street/Holly Street/Cambridge Street.

- Wellington Street and Trafalgar Street.
- Devonshire Lane.
- Rockingham Street between Division Street and Wellington Street
- General traffic management works to the Devonshire Quarter.
- VMS to main access roads for the new multi storey car parks including connecting the car parks to the VMS control centre.
- Reconstruction of footways within or abutting the site.

5.18 The Scheme will generate additional trips to, and around, the City Centre and also involves the closure of a number of public highways. However, the provision of the Scheme within the City Centre is considered to offer significant benefits as it will be highly accessible, and should reduce the level of trips from within Sheffield to other shopping centres.

The Council considers that the highway mitigation measures listed above are sufficient to mitigate the effects the Scheme is likely to have on the City Centre transport network.

6. PLANNING POSITION

Status of Planning Permission for the Scheme

6.1 The following planning applications (the "Applications") have been submitted to the Council for the Scheme:

- Application for outline planning permission (the "Outline Planning Application");
- Listed Building application to demolish 32 Cambridge Street;
- Conservation area consent application to demolish buildings within the Conservation Area;
- Listed building consent application to make alterations to, and refurbish, Leah's Yard (20-22 Cambridge Street); and
- Detailed Planning application for alterations to, and refurbishment of, 20-26 Cambridge Street (Leah's Yard and adjacent properties).

6.2 The Applications were presented to the Council's Area Board for the City Centre (the "Area Board") on 21 August 2006 with a comprehensive officers' report which set out all material considerations relevant to the determination of the Applications. The Area Board resolved to approve the Applications subject to referral of the Outline Planning Application and the listed building consent applications to the Secretary of State under the Town and Country Planning (Shopping Development) (England and Wales) (No. 2) Direction 1993 and the Town and Country Planning Development Plans and Consultation (Departures) Direction 1999 and, other than in relation to the conservation area consent application, the satisfactory completion of a planning agreement under section 106 of the 1990 Act.

6.3 The Secretary of State, acting through GOYH, confirmed by letters dated 25 September 2006 and 9 October 2006 that the Secretary of State did not wish to intervene in relation to the Outline Planning Application and the listed building applications and that the decision as to whether to grant outline planning permission and listed building consent would therefore remain with the Council. Outline planning permission and listed building consents were granted on 6 November 2006. Conservation area consent, and detailed planning consent in respect of 20-26 Cambridge Street, were granted on 22 August 2006.

- 6.4 The Outline Planning Application was accompanied by an Environmental Statement ("ES") in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The application was evaluated in the light of all of the material submitted in support of the application, including the ES, Heritage Assessment, Transport Assessment and Travel Plan, Retail Assessment, Disabled access Statement, Statement of Community Involvement and Planning Statement taking into account the Development Plan and all other material considerations, as required by section 38 of the Planning and Compulsory Purchase Act 2004.
- 6.5 The Outline Planning Application reserves all matters for subsequent approval with the exception of the principal means of access to the Scheme boundary. Condition 5 requires all details of reserved matters to be submitted pursuant to the Outline Planning Permission in accordance with Development Specification and Parameter Plans accompanying the applications. Reserved matters are also required to be in general accordance with the design principles which accompanied the Outline Permission Application.

Planning Policy Background

- 6.6 In resolving to grant Outline Planning Permission for the Scheme the Council has taken into account Government policy and advice issued in relevant Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) as well as development plan policies and other material planning considerations as required by section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the 1990 Act. It will continue to take into account all of these considerations to determine the reserved matters applications for the Scheme when submitted.
- 6.7 Paragraph 4.3 of that document goes on to confirm that the identification of the New Retail Quarter has the specific aim of recapturing Sheffield's role as a regional shopping destination.
- 6.8 National Planning Policies
- 6.9 PPGs and PPSs set out the Government's policies on different aspects of planning. The guidance was material to the consideration of the applications by the Council.

- *PPSI (General Policy and Principles)* – explains that sustainable development, social cohesion and inclusion, the protection and enhancement of the environment and good design are key elements of the planning system. The guidance stresses the importance of encouraging retail and commercial development if the economy is to prosper and provide for improved productivity, choice and competition and requires planning policies to deliver good quality homes in suitable locations.
- *PPG 3 (Housing)* – set out the Government’s objectives for the development of housing. It emphasises the need to provide as much new housing as possible within existing urban areas. Previously developed land and under-used land or buildings should be developed for housing before new greenfield sites are released for development.
- *PPS6: (Planning for town centres)* – places emphasis on promoting the vitality and viability of town centres; it promotes the sequential approach to selecting sites for development; it also promotes the provision of a range of shopping, leisure and local services to provide choice to, and meet the needs of, the local community.
- *PPG13: (Transport)* – promotes the reduction of the growth in the length and number of motorised journeys, encourages alternative means of travel which have less impact on the environment and the reduction in reliance on the private car. Detailed guidance is given on the importance of maximising accessibility by other means of travel and on appropriate levels of parking provision for different land uses. Local authorities are required to focus major generators of travel demand in town/city centres.
- *PPG15: (Planning and the historic environment)* – provides a statement of Government policies for the identification and protection of the historic environment and explains the role played by the planning system in their protection.

Development Plan Policies

Regional Spatial Strategy for Yorkshire and the Humber to 2016

- 6.10 The Regional Spatial Strategy for Yorkshire and the Humber to 2016 (2004) ("RSS") forms the upper tier of the Statutory Development Plan.
- 6.11 It identifies Sheffield as included in the South Yorkshire priority area. Policy S2 identifies the need to target investment in such priority areas to support regeneration initiatives. The City is also identified as a main urban area where policies P1, E4 and H2 require economic and housing development to be focused.
- 6.12 Policy E1 is a principal policy relating to town and city centres and states as follows:
- "A. Existing city and town centres (including market and coal field towns) will continue to be the main focus for shopping, cultural, social, leisure and business services. Development plans should make adequate provision for this and require proposed developments to reflect the scale and character of the centres to which they relate; where a development represents a variation in these terms a full appraisal for sustainability will be required.
- B. Existing centres will be the focus of efforts to upgrade environment, attractiveness and accessibility, especially in the regeneration priority areas (Policy S2). Opportunities for central area living should be integrated into central area improvement schemes wherever feasible."
- 6.13 Policy H2 sets out the sequential approach to the allocation of housing land and confirms that the overriding consideration is the relative sustainability of different locations and confirms that the first preference for the allocation of housing land should be previously developed land and conversions of existing buildings and housing use within urban areas, subject to providing decent accommodation in acceptable settings.
- 6.14 Policy T1 relates to land use and transport integration and confirms that development which generates a large number of passenger movements should be located at or close to sites which provide ready and convenient access on foot, by cycle and public transport. It goes on to state that development should be planned in such a way as to make the best use of existing transportation networks and developments should be planned to enhance the viability of existing public transport services.
- 6.15 Policy SOC3 relates to retail and leisure facilities and confirms that no further out of centre regional or sub-regional shopping centres or large scale expansion of those that

exist, including Meadowhall and White Rose, should be permitted. Criterion E is particularly relevant to the Scheme:

“Local planning authorities should:

- i) maintain a good quality, level and range of provision for retail and service needs appropriate to serve the catchment area;
- ii) minimise the need for travel especially by car...”

Sheffield Unitary Development Plan ("UDP")

- 6.16 The UDP sets out the Council's planning policies for the Order Land. It was adopted in March 1998 and covers the period 1998-2008.
- 6.17 Most of the Order Land (land bounded by Pinstone Street, Furnival Gate, Carver Street and Barkers Pool) is located within the central shopping area. Policy S3 states that retail, residential and offices are preferred uses and business, hotel, residential institutions, community facilities, leisure and recreation uses, amusement centres and car parking and hostels are acceptable.
- 6.18 Land to the west of Carver Street/Charter Row, including the South Yorkshire Fire Station, is identified as a business area where Policy IB6 states that B1/B8 uses are preferred and small shops, A2, A3, housing and car parking spaces, and a range of other uses, are acceptable. It confirms that large shops will be acceptable if they are located on the edge of a shopping area.
- 6.19 The frontage of Cambridge Street (east and west) Cross Burgess Street (north), Pinstone Street (west) Charles Street (both sides) are identified as core retail frontages where Policy S2 describes uses within Class A1 of the Use Classes Order 1987 as preferred and uses within classes A2 and A3 as acceptable where a window display is provided.
- 6.20 The majority of land bounded by Carver Street, Wellington Street, Cambridge Street and Division Street is identified as a development site. The UDP states that it is one of 8 potential sites in the city centre where the Council will encourage development to come forward. Site 4, identified as Cambridge Street (0.8 ha), is shown ‘to include housing and shops’ (A1) on the ground floor.

- 6.21 The City Centre Conservation Area extends to approximately half of the Order Land. Policy BE16 requires consideration of whether development proposals would preserve or enhance the character of the Conservation Area and favours the retention of buildings which provide a positive contribution to the character and appearance of the Conservation Area.
- 6.22 Pinstone Street and Barkers Pool are identified in the UDP as public open space. Policy BE11 states that public open space will be protected and enhanced where it makes an important contribution to the character and appearance of the area. The Policy goes on to state that development will only be permitted where it respects the character of public open spaces in terms of function, scale, proportion and views.
- 6.23 The UDP is supportive of regeneration and major retail development in the City Centre. Policy SP2 states:

“Sheffield will be promoted as a regional centre for jobs, shopping, commerce, public services, higher education, leisure, culture, entertainment and tourism by making the most of opportunities available in different parts of the City. The City Centre and Lower Don Valley will have important complementary roles and a balance will be maintained which would:

- a) promote the regeneration of the City Centre as the major commercial and cultural centre of the City; and
- b) promote the regeneration of the Lower Don Valley, through the development of industry, business and large scale uses which could not be accommodated in the City Centre; and
- c) lead to a more efficient and effective use of roads and public transport; and
- d) locate facilities where they would be most accessible for potential users.”

The supporting text on page 37 clarifies the policy and states as follows:

“Regeneration of the City Centre is necessary to stimulate the City’s regional role and bring new life to the inner areas. The Government’s strategic guidance states that the role of Sheffield City Centre as the principal commercial centre of South Yorkshire should be developed and expanded to assist the regeneration of inner Sheffield.”

- 6.24 Policy SP3 confirms that the City Centre will be promoted as a principal commercial centre of South Yorkshire and will be developed in a way that caters for disadvantaged people, will be made safe and more accessible for pedestrians and cyclists and people using public transport, made more attractive as a place to live in and visit and encouraged as a focus for the social, economic and environmental regeneration of the City.

Emerging Statutory Development Plan

- 6.25 The Statutory Development Plan is in the process of being revised. The draft replacement Regional Spatial Strategy, the draft Yorkshire and Humber Plan is to be considered by an independent panel at an Examination in Public held in Autumn 2006. Policy YH8 of the draft Yorkshire and Humber Plan states that local planning authorities should concentrate the majority of new development at Regional and Sub-Regional centres and requires developments to be focussed along transport corridors. Policy SY1 of the same draft Plan states that plans, strategies, major investment decisions and programmes for the South Yorkshire Area will seek to "develop Sheffield as a major Regional Centre offering high order shops and services, as well as jobs and homes needed to serve its extended City region".
- 6.26 The draft Sheffield Local Development Framework, which will in due course replace the UDP, was published in February 2006. It contains:
- Emerging Options for City Policies;
 - Preferred Options for the Core Strategy; and
 - Emerging Options for City Sites.
- 6.27 Policy PS5 of the Emerging Core Strategy states:
- “There will be a strong focus on regenerating the City Centre and developing the New Retail Quarter. Only limited retail development will take place at Meadowhall.....”
- 6.28 Policy PCC8 of the same document confirms that Charter Row is one of 12 locations in the City Centre where tall buildings are considered to be appropriate.
- 6.29 Policy PC11 states the intention to strengthen distinctive roles of different Quarters in the City Centre including the Heart of the City (which incorporates the Order Land).

Supplementary Planning Guidance

- 6.30 Site Specific Supplementary Planning Guidance for the New Retail Quarter was adopted by the Council in July 2002.
- 6.31 The document contains 10 guidelines which, together with supporting text, confirm:
- 6.31.1 The location of the Order Land for a major mixed use comprehensive development in order to protect and recapture Sheffield's role as a regional shopping destination;
 - 6.31.2 Protection for the Order Land by not permitting major non-food retail development that may prejudice or delay the Council's re-development strategy;
 - 6.31.3 The need for a retail led development with a minimum of 65,000 sq.m. of additional sales area; and
 - 6.31.4 That account has to be taken of the comprehensive nature of proposals when taking into account the impact of development on the City Centre Conservation Area.
- 6.32 The City Council has also issued various other Supplementary Planning Guidance documents which are relevant to the Scheme. Those directly relevant are:
- Sheffield City Centre Urban Design Compendium (September 2004) – This confirms that the redevelopment proposal for the Order Land will be a comprehensive development which incorporates Leah's Yard and will be defined by strong and cohesive contemporary architectural forms and spaces. It also confirms that the Scheme has been identified as the location for a tall building.
 - City Centre Living SPG (April 2004). This confirms that the redevelopment proposals for the Order Land should attract high quality apartments back to the City Centre. Guideline 5 of the document confirms that due to the amount of social housing stock in and around the City Centre, there is no requirement for an affordable housing element.

Retail Studies

6.33 The Scheme has been informed by a number of retail studies, masterplans and planning policy documents, including the following:

- Hillier Parker and the Oxford Institute of Retail Management's 1994 study commissioned by the Sheffield Development Corporation and the Council, which recommended the unification of The Moor and Fargate through major retail development.
- Koetter Kim Associates City Centre Masterplan (2000) & Healey & Baker Retail Study (2000) commissioned by Sheffield's urban regeneration company, Sheffield One. The Masterplan included proposals for a completely revitalised retail core located within the Order Land. The retail report concluded that Sheffield's City Centre retail offer was significantly under performing in comparison with cities of a comparable size and regional importance.
- A City Wide Quantitative Study of Comparison Goods Retailing (2002) commissioned by Sheffield City Council from Cushman Wakefield Healey & Baker. Informed by a detailed household survey, it confirmed a need for between 53,401 sq.m. and 73,854 sq.m. of net sales area in the City Centre.

Planning policy justification for the Scheme

6.34 The Officers' Report to Committee describes the proposals as 'exemplary in terms of national, regional and local planning policy'. Paragraph 18.3 continues by stating:

"...it is retail development located in a major city centre where it is easily accessible by all transport modes. It is on previously developed land, it is a mixed use scheme and it will be a big boost to the promotion of Sheffield as a major regional centre and the regeneration of the City Centre."

6.35 In retail planning terms, paragraph 18.5 of the Officers' Report to Committee notes that the Scheme supports the Government's retail planning policy contained in PPS6 which seeks to direct such development to existing centres and meets tests relating to need, scale, impact on other centres and accessibility.

6.36 In terms of quantitative need, the retail assessment has confirmed there is sufficient expenditure to support the Scheme which is predicted to increase the City's required

market share to 20.7 percent rather than let it decline further from its current 17 percent.

- 6.37 In terms of qualitative need, the Scheme will address geographical shortcomings of retailing in the City Centre by linking the two principal shopping areas, Fargate and the Moor. They will also redress deficiencies in department store provision, reduce vacancy rates and improve the balance between City Centre and out-of-centre provision.
- 6.38 The scale of the Scheme in retail terms is entirely acceptable. Sheffield is positioned at the top of the shopping hierarchy in South Yorkshire and, consistent with guidance in PPS6, the Scheme will reinforce and enhance the City's position in the shopping hierarchy.
- 6.39 Consistent with guidance in PPS1, the Scheme is a mixed use scheme and includes retail, housing, restaurant and leisure uses which complement the City Centre's existing offer. The Scheme will contribute towards meeting the Council's housing targets by providing up to 232 new residential dwellings in a sustainable location adjacent to offices, shops and public transport facilities and will complement other recent residential development in the City Centre.
- 6.40 The Council has considered:
- (a) the effect of the proposals on the three listed buildings within the Order Land:
- Leah's yard, 20-22 Cambridge Street (Grade II*) which will be improved as part of the Scheme;
 - Former Bethel Chapel Sunday School, 32 Cambridge Street (Grade II) which requires demolition due to its central location within the Scheme; and
 - Former Salvation Army Citadel, Cross Burgess Street (Grade II) which will be retained but its setting will be improved.
- b) The effect of the proposals on the setting of listed buildings adjoining the site, including the City Hall and Town Hall.

- c) The impact of the proposals on the character and appearance of the City Centre Conservation Area which includes a number of unlisted buildings that have been identified as buildings of townscape or local importance in the Council's Urban Design Compendium.
- 6.41 The demolition of 32 Cambridge Street is required because of its central location in the Scheme and its retention would fundamentally compromise the ability to deliver a development of the required scale and character. Proper consideration was given to guidance in PPG15 which states that 'whilst it is an objective of Government policy to secure the preservation of historic buildings there will occasionally be cases where demolition is unavoidable'. Part 3.19 says that there may be cases where the proposed works bring substantial benefits to the community which have to be weighed against the arguments for preservation. In this instance both the Council and English Heritage were satisfied that the relatively modest nature of the building and the importance of the Scheme to Sheffield means that, on balance, its demolition is acceptable in the context of PPG15 and UDP policies.
- 6.42 The Council is satisfied that the Scheme will make a positive contribution to the character and appearance of the City Centre Conservation Area.
- 6.43 The Scheme will deliver the objectives of Policies S2, BE16, SP2 and SP3 of the UDP, Policy PS5 of the Emerging Core Strategy and the Council's supplementary planning guidance for the New Retail Quarter adopted in July 2002.
- 6.44 In summary, the Scheme accords with national, regional and local policies.

7. RELATED ORDERS

- 7.1 An application will be made to the Secretary of State under section 247 of the 1990 Act for the stopping up or diversion of any highways that are necessary to enable development of the Scheme to be carried out. (Details of the highways to be stopped up are provided in paragraphs 5.12-5.13.) Any necessary Traffic Regulation Orders ("TRO's") and Road Closure Orders ("RCO's") will also be made.
- 7.2 It is intended that any unresolved objections to these applications/orders will also be dealt with at the same time as any inquiry to be held in respect of the Order.

8. THE VIEWS OF GOVERNMENT DEPARTMENTS

- 8.1 In response to the referral by the Council of the Outline Planning Application to GOYH under the Town and Country Planning (Shopping Development) (England and Wales) (No. 2) Direction 1993 and the Town and Country Planning Development Plans and Consultation (Departures) Direction 1999, GOYH confirmed by letter dated 25 September 2006 that the Secretary of State did not wish to intervene and that the decision as to whether to grant planning permission would therefore remain with the Council.
- 8.2 GOYH has also confirmed, by letter dated 9 October 2006, that the Secretary of State does not wish to intervene in relation to listed building consent applications (reference 05/03936/LBC and 05/03934/LBC) and that the decision whether or not to grant listed building consent would therefore remain with the Council.
- 8.3 The draft Order, draft Order Schedule and this Statement of Reasons were submitted to GOYH for comment on 13 November 2006. GOYH responded by letter dated 28 November 2006 and their comments have been addressed.

9. HUMAN RIGHTS AND OTHER SPECIAL CONSIDERATIONS

Human Rights

9.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights (the "Convention"). The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.

9.2 In resolving to make the Order the Council has carefully considered the rights of property owners under the Convention against the wider public interest.

Article 1 of the First Protocol to the Convention

9.2.1 This protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the relevant national and international laws.

Article 6

9.2.2 This entitles those affected by the Scheme to a fair and public hearing. This includes property rights and can include opportunities to be heard in the consultation process.

Article 8

9.2.3 This protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in the interest of national security, public safety or the economic well-being of the country.

Article 14

9.2.4 This protects the right to enjoy rights and freedoms in the Convention free from discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, or national or social origin.

9.3 The European Court of Human Rights has recognised that "regard must be had to the fair balance that has to be struck between competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into

account in the exercise of the Council's powers and duties as a local planning authority. Any interference with a Convention right must be necessary and proportionate.

- 9.4 In light of the significant public benefit which would arise from the implementation of the Scheme, the Council has concluded that it would be appropriate to make the Order. It does not regard the Order as constituting any unlawful interference with individual property rights.
- 9.5 In addition to the publicity and consultation on the planning application for the Scheme, all the known owners and occupiers of land within the Order Land have been contacted regarding the Scheme. Further representations can be made by way of objections to the Order in the context of any public inquiry that the Secretary of State decides to hold in connection with the Order. Those parties, whose interests are acquired under the Order, will be able to claim compensation under the relevant provisions of the Compensation Code.

Other special considerations

- 9.6 Within the Order Land, there are three listed buildings:
- Grade II*, Leah's Yard, 20-22 Cambridge Street;
 - Grade II, the Former Bethel Chapel Sunday School, 32 Cambridge Street; and
 - Grade IV, the former Salvation Army Citadel, Cross Burgess Street.
- 9.7 Leah's Yard will be improved as part of the Scheme and the Former Bethel Chapel Sunday School will be demolished. The former Salvation Army Citadel will be retained and its setting will be significantly improved. Listed Building Consent has been granted for the demolition.
- 9.8 The Order Land to the east of Carver Street, north of Wellington Street and east of the southern part of Cambridge Street, is located within the City Centre Conservation Area. The Council has given careful consideration to the impact of the Scheme on the Conservation Area and concluded that the Scheme will enhance its character and appearance. Conservation Area Consent has been granted for those parts of the Scheme located in the Conservation Area.

- 9.9 There is one Crown interest within the Order Land. The Secretary of State for Work and Pensions has a leasehold interest in first and second floors of 1 to 7 Charles Street, 9 to 11 Charles Street and 14 Cross Burgess Street which premises are occupied by the Child Support Agency. The Council, and its agents, are in discussions with the Secretary of State regarding the relocation of its interests. In addition, the Secretary of State for Communities and Local Government, in respect of premises occupied by the Probation Service, is listed in table 2 of the Order Schedule as a party who may have a claim in respect of interference with rights of light.
- 9.10 Yorkshire Electricity Group plc has a leasehold interest in a number of electricity substations within the Order Land. The Council, in conjunction with the Developer, is holding discussions with them to secure the relocation of their interests or their integration within the Scheme.
- 9.11 British Telecommunications plc ("BT") has an interest in land over which crane oversailing rights are sought. The exercise of those rights will not interfere with the use of the land but the Council and its agents are nevertheless in negotiations with BT to secure their consent to the oversailing of the premises in which they have an interest.
- 9.12 There is one ecclesiastical interest located within the Order Land; St Matthews Church on Carver Street which is owned by the Church Commissioners for England. However, only crane oversailing rights are sought in respect of the church itself and other rights, including rights to underpin and install temporary ground anchors are sought in respect of a part of the church grounds. The exercise of these rights should not interfere with the use of the church. Nevertheless, the Council and its agents are in discussions with the Church Commissioners to secure their consent to the oversailing of cranes through the airspace above the church and the exercise of the other rights sought.

10. ADDITIONAL INFORMATION

- 10.1 Persons requiring further information regarding the Order should contact Max Littlewood at Sheffield City Council on 0114 273 4568; email: max.littlewood@sheffield.gov.uk; address: Corporate Property Division, Sheffield City Council, 4th floor, Cathedral Court, 1 Vicar Lane, Sheffield S1 1HD.
- 10.2 Owners and tenants of properties, and any other parties with interests affected by the Order, who wish to negotiate a sale or discuss matters of compensation should also contact Max Littlewood, as above.
- 10.3 Tenants or businesses may wish to investigate relocation to alternative premises and again enquiries in this respect should be addressed to Max Littlewood, as above.
- 10.4 This Statement of Reasons for making the Order is not intended to discharge the Council's statutory obligations under the Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990.
- 10.5 Copies of the Order, Order Map and this Statement of Reasons can be inspected during normal office hours at the Council's offices at:

Sheffield City Council
First Stop Reception
Pinstone Street
Sheffield
S1 2HH

Sheffield City Council
First Point
Howden House
1 Union Street
Sheffield
S1 2SH

The documents can also be viewed on the Council's website: www.Sheffield.gov.uk

11. LIST OF DOCUMENTS, MAPS OR PLANS FOR THE PUBLIC INQUIRY

11.1 In the event of a public inquiry, the Council would intend to refer to or put in evidence the following documents:

1. Town and Country Planning Act (TCPA) 1990
2. Planning and Compulsory Purchase Act (2004)
3. Planning (Listed Buildings and Conservation Areas) Act 1990
4. Planning Policy Guidance Note/Statements/Circulars:
 - *PPS1: Delivering Sustainable Development (2005)*
 - *PPG3: Housing (2000)*
 - *PPS6: Planning for Town Centres (2005)*
 - *PPG13: Transport (2001)*
 - *PPG15: Planning and the Historic Environment*
 - *PPG16: Archaeology and Planning (1990)*
 - *PPG24: Planning and Noise (1994)*
 - *Circular 06/2004: Compulsory Purchase and the Crichel Down Rules*
 - *Circular 05/2005: Planning objection*
5. Regional Spatial Strategy for Yorkshire and Humberside to 2016 (2004)
6. Yorkshire and Humber Plan: Draft (2005)
7. Sheffield Unitary Development Plan (1998)
8. Sheffield Development Framework:
 - *Emerging Options for City Policies for informal consultation (February 2006)*
 - *Preferred Options for the Core Strategy (February 2006)*

- *Emerging Options for City Sites (February 2006)*
9. Supplementary Planning Guidance
 - *Supplementary Planning Guidance for the New Retail Quarter, July 2002*
 - *City Centre Living supplementary Planning Guidance (April 2004)*
 - *Mobility Housing Supplementary Planning Guidance (2001)*
 - *Sheffield Urban Design Compendium (2004)*
 10. Making it Happen: The Northern Way, Office of the Deputy Prime Minister (2004)
 11. Planning for Town Centres: Design and Implementation Tools (ODPM 2005)
 12. By Design: Urban Design in the Planning System: towards better practice, Commission for Architecture and the Built Environment (2000).
 13. Guidance on Tall Buildings, CABE and English Heritage (March 2003).
 14. Sheffield One: Sheffield City Centre Regeneration Masterplan Report, Koetter Kim & Associates, (December 2000).
 15. Sheffield City Centre Retail Strategy Report and Appendices, Healey and Baker for Sheffield One, November 2000.
 16. A City Wide Quantitative Study of comparison goods retailing, Cushman and Wakefield Healey and Baker for Sheffield City Council, June 2002.
 17. Sheffield retail Study: Main Report for Sheffield Development Corporation and Sheffield City Council, (July 1994).
 18. Planning and related permissions:
 - *05/0933/OUT: Outline Planning the New Retail Quarter*
 - *05/03934/LBC: Listed Building consent to demolish 32 Cambridge Street*
 - *05/03935/CAC: Conservation Area Consent to demolish buildings in the conservation area*

- 05/3936/LBC: *Listed Building Consent to make alterations and refurbish Leah's Yard (20-22 Cambridge Street)*
- 05/03937/FUL: Detailed Planning Consent for alterations and refurbishment of 20-26 Cambridge Street (Leah's Yard and adjacent properties).

19. Officers Report to Area Board, 21 August 2006.

11.2 The Council reserves the right to introduce such additional documents as may be relevant to any Public Inquiry in respect of the Order and will endeavour to notify the Public Inquiry and any statutory third parties of any such documents as soon as possible prior to the opening of such Public Inquiry.