

Planning and Highways Committee

Tuesday 22 November 2016 at 2.00 pm

**To be held at the Town Hall, Pinstone
Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

Councillors Chris Rosling-Josephs (Chair), Peter Rippon (Chair), Ian Auckland, Alan Law, David Baker, Jack Clarkson, Michelle Cook, Dawn Dale, Tony Damms, Roger Davison, Dianne Hurst, Joe Otten, Zahira Naz, Peter Price and Zoe Sykes

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

PUBLIC ACCESS TO THE MEETING

The Planning and Highways Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Recording is allowed at Planning and Highways Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

Planning and Highways Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

Further information on this or any of the agenda items can be obtained by speaking to Martyn Riley on 0114 273 4008 or email martyn.riley@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
22 NOVEMBER 2016**

Order of Business

- 1. Apologies for Absence**
- 2. Welcome and Housekeeping Arrangements**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 8)
Minutes of the meeting of the Committee held on 1 November, 2016
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Proposed Diversion of Footpath BRA/71: Broad Oak House, Stopes Road** (Pages 9 - 14)
Report of the Interim Director of Development Services
- 8. Applications Under Various Acts/Regulations** (Pages 15 - 170)
Report of the Director of Regeneration and Development Services
- 9. Enforcement of Planning Control: Land at Little Intake Farm, Woodhead Road, Grenoside** (Pages 171 - 184)
Report of the Interim Head of Planning
- 10. Record of Planning Appeal Submissions and Decisions** (Pages 185 - 188)
Report of the Director of Regeneration and Development Services
- 11. Date of Next Meeting**
The next meeting of the Committee will be held on 13 December 2016

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Planning and Highways Committee

Meeting held 1 November 2016

PRESENT: Councillors Chris Rosling-Josephs (Chair), Ian Auckland, Jack Clarkson, Dawn Dale, Tony Damms, Roger Davison, Dianne Hurst, Alan Law, Joe Otten, Zahira Naz, Peter Price, Peter Rippon and Zoe Sykes

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Michelle Cook and David Baker but no substitutes were appointed.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the previous meeting of the Committee, held on 11 October 2016, were approved as a correct record.

5. SHEFFIELD CONSERVATION ADVISORY GROUP

5.1 The Committee received and noted the minutes of the Sheffield Conservation Advisory Group held on 20 September 2016.

6. SITE VISIT

6.1 **RESOLVED:** That the Interim Head of Planning, in liaison with a Co-Chair, be authorised to make arrangements for a site visit in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7.1 **RESOLVED:** That (a) the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder and for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989, be decided, granted or refused as stated in the report to this Committee and as amended in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for

any other purpose;

(b) following consideration at the meeting of representations from three local residents speaking against the application, and from the applicant's agent and the developer speaking in favour of the application, an application for planning permission for demolition of car showroom and associated buildings and erection of mixed use development comprising four blocks ranging from 6 to 11 storeys in height to provide 1,956sqm of retail floorspace, 144 residential apartments, 40 student cluster flats (190 student beds) with basement car parking, associated landscaping, bin stores, cycle parking and electricity substation (amended resubmission of previously refused application no. 15/01180/FUL) at 245 Ecclesall Road (Case No. 16/03159/FUL) be granted, conditionally;

(c) following consideration of a clarification to the officer's report, and subject to an additional directive, as outlined in a supplementary report circulated at the meeting, and following consideration at the meeting of representations from a resident speaking against the application, and from the applicant's agent speaking in favour of the application, an application for planning permission for demolition of existing buildings and erection of a mixed use development incorporating student accommodation, comprising 346 studio apartments, 6 x 1 bed apartments, 3 x 2 bed apartments and 102 cluster flats providing at a total of 972 bed spaces, commercial units and Hub Space (Use Class A1 [with no more than 250sqm of sales area], A2, A3, A4, A5, B1 and D1), with associated works, access, landscaping and ancillary features at site of 20 Hollis Croft and 31 Hollis Croft, City Centre (Case No. 16/02910/FUL) be granted, conditionally;

(d) subject to an amendment to condition 2, as outlined in a supplementary report circulated at the meeting, and following consideration of representations at the meeting from a local resident speaking against the application, and from the applicant's agent speaking in favour of the application, an application for planning permission for partial demolition, alterations and extension to building to form 21 apartments with restaurant/café (Use Class A3) at ground floor and basement level at Acorn House, 288-292, Shalesmoor (Case No. 16/01915/FUL) be granted, conditionally; and

(e) following consideration of an additional representation, and subject to an additional condition, as outlined in a supplementary report circulated at the meeting, and following consideration of representations at the meeting from two local residents speaking against the application and from the applicant's agent speaking in favour of the application, an application for planning permission for demolition of working men's club and erection of 27 apartments in 1 x 3 storey block with the provision of underground car parking accommodation and associated landscaping works at Handsworth Working Men's Club and Institute, 445 Handsworth Road (Case No. 16/00480/FUL) be granted, conditionally, subject to the completion of a legal agreement.

8. ENFORCEMENT OF PLANNING CONTROL: BARLEYWOOD ROAD

- 8.1 The Interim Head of Planning submitted a report informing Members of a breach of planning control in respect of the unauthorised use of land as a vehicle

breakers yard, storage of vehicles, parts and waste and unauthorised erection of a building, at Barleywood Road.

- 8.2 The report stated that a complaint had been received about the use of land at Barleywood Road, adjoining the cemetery, for a scrap yard. On visiting the site, a car breakers use was found, including storage of scrap vehicles, parts and a large new building was under construction. The owner of the business reported that he had applied for building regulations for the building. This had been checked and confirmed. However, there was no permission for the new building or for the use of the land. The access lane, part of Barleywood Road, was also being used to store vehicles and waste material.
- 8.3 The owner was verbally advised at the site that, although the use was described as acceptable in principle due to the local plan zoning as industrial land, the close proximity to the cemetery and to the setting of listed buildings raised serious concerns. The quiet enjoyment of the cemetery by families visiting graves could be spoiled and the setting of the listed buildings and listed wall was considered to be spoiled by the visual impact of the use and large new building. A letter, dated 8 September 2016, was sent to the business owner giving the officer view in writing.
- 8.4 It had been confirmed that some of the unauthorised use was taking place at Barleywood Road carriageway, itself a public highway (un-adopted), owned by Sheffield City Council. Highways enforcement were taking this up with the business owner to ensure that it was free from obstructions. It was currently used for storing scrap vehicles and depositing waste. A public footpath was also affected, in that some of the storage/waste obscured the view of the path line for the members of the public that wished to use it. The Highways Public Rights of Way Team were investigating.
- 8.5 **RESOLVED:** That (a) the Interim Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action, including the use of stop notice powers, and the institution of legal proceedings to secure the cessation of the use of the land at Barleywood Road as a vehicle breakers yard and removal of the unauthorised building and clearance of the land of any items associated with the unauthorised use; and

(b) the Interim Head of Planning, in consultation with a Co-Chair of this Committee, be designated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

9. QUARTERLY OVERVIEW OF ENFORCEMENT ACTIVITY

- 9.1 The Committee received and noted a report of the Interim Head of Planning providing a quarterly update of progress on the work being undertaken by the enforcement team within the City.

10. QUARTERLY UPDATE OF ENFORCEMENT CASES

- 10.1 The Committee noted (a) a report of the Interim Head of Planning providing an

update on the progress of enforcement cases across the City and (b) further information provided orally by the Interim Head on enforcement matters in response to questions from Members of the Committee.

RESOLVED: That (i) the information now reported be noted and; (ii) with regard to Land at Kettlebridge Road, S9 (item 1, page 153) (A) the Committee concurs with the assessment of the Interim Head of Planning that no further enforcement action should be pursued in respect of the planning obligation monies, which were required as part of the Legal Agreement associated with the planning permission granted for the property because the Council no longer wishes to progress with the highway improvement works associated with the agreement; and (B) the outstanding invoice be written off accordingly.

11. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 11.1 The Committee received and noted a report of the Interim Head of Planning detailing (a) the planning appeals recently submitted to the Secretary of State and (b) the outcome of recent planning appeals, along with a summary of the reasons given by the Secretary of State in his decision.

12. DATE OF NEXT MEETING

- 12.1 It was noted that the next meeting of the Committee will be held at 2:00p.m on Tuesday 22 November 2016 at the Town Hall.



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Interim Director Development Services

Date:

Subject: HIGHWAYS ACT 1980 SECTION 119 PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH BRA/71 AT STOPES ROAD, STANNINGTON, SHEFFIELD S6

Author of Report: Mark Reeder 0114 2736125

Summary:

To seek authority to process the Public Path Diversion Order required altering the course of definitive public footpath BRA/71, at Stopes Road, Stannington, Sheffield.

Reasons for Recommendations

Recommendations:

Raise no objections to the proposed diversion of definitive public footpath BRA/71, as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

Background Papers:

Category of Report: OPEN

DIRECTOR OF DEVELOPMENT SERVICES

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
22nd November 2016

HIGHWAYS ACT 1980 SECTION 119 PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH BRA/71 AT STOPES ROAD, STANNINGTON, SHEFFIELD S6

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required altering the course of definitive public footpath BRA/71, at Stopes Road, Stannington, Sheffield.

2.0 BACKGROUND

- 2.1 The City Council has received an application from the landowner requesting the diversion of part of definitive public footpath BRA/71, off Stopes Road, Stannington, as shown on the plan included as Appendix A (hereby referred to as 'the plan').

- 2.2 Footpath BRA/71 runs for 394m, from Stopes Road until it joins bridleway BRA/175 known as Spoon Lane.

- 2.3 The proposal is to divert a 120m section currently running through Broad Oaks Farm. The alternative route will commence 22 metres west of the existing path (shown as point A on the plan) and re-join footpath BRA/71 at a point shown as B on the plan.

- 2.4 The existing route runs through the applicant's premises. Following recent concerns they feel that moving the path will be beneficial to them in terms of security and privacy. They also assert that the new route will be easier for people to walk, despite being slightly longer.

- 2.5 The proposed new route will only pass through land owned by the applicant.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.

- 3.2 Not all the consultees had responded at the time of writing this report. But of those that have responded, only one objection (see below) had been received.

- 3.3 If any negative comments relating to the application are received before the Planning and Highways Committee meeting, they will be reported verbally.
- 3.4 National Grid Gas initially objected to the proposals on the grounds that they had equipment that could be affected by the diversion. Following further consultation their objection was removed.
- 3.5 The original consultation showed the new route to run close to the west side of the western boundary wall of Broad Oaks Farm. Following comments by the Ramblers' Association and discussion with the applicant it was agreed that the new route would pass through a gap in the stone wall as shown as C on the plan.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal & Governance has been consulted and has advised that if the Council was minded to agree to this application it would be appropriate to process the diversion using the powers contained within Section 119 of the Highways Act 1980. These powers provide for a public footpath to be diverted if it is expedient in the interests of the landowner, and if the Council believes that the proposed alternative will be substantially as convenient to the public as the existing path.

5.0 HIGHWAY IMPLICATIONS

- 5.1 The subject path BRA/71 is part of the definitive public footpath network in the Stannington area.
- 5.2 The proposed alternative route, at 137 metres, will be 17 metres longer in length than the existing course, but although a similar gradient it will be through open fields. Therefore pedestrians will not be in potential conflict with private vehicle movements around Broad Oaks Farm as at present.
- 5.3 An approved kissing gate will be fitted at the point where the new route meets Stopes Road. This is shown at point A on the plan.
- 5.4 The proposed diversion should therefore not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 No particular equal opportunity implications arise from the proposal in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

7.1 No particular environmental implications arise from the proposal in this report.

8.0 FINANCIAL IMPLICATIONS

8.1 All the costs of the Diversion Order process and the provision of the new path will be met by the applicant.

8.2 If the application is successful then the new path, once satisfactorily provided by the applicant, will be maintained by the Council's Public Rights of Way team, in lieu of the old path. It is slightly longer but similar in nature to the old route and consequently the effect on the Public Rights of Way maintenance budget is considered to be negligible.

9.0 CONCLUSION

9.1 Based on the above information, the proposed diversion of definitive public footpath BRA/71, as shown on the plan included as Appendix A, is supported by Officers.

10.0 RECOMMENDATIONS

10.1 Raise no objections to the proposed diversion of definitive public footpath BRA/71, as shown on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

10.2 Authority be given to the Director of Legal & Governance to

- a. take all necessary action to divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
- b. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved;
- c. submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

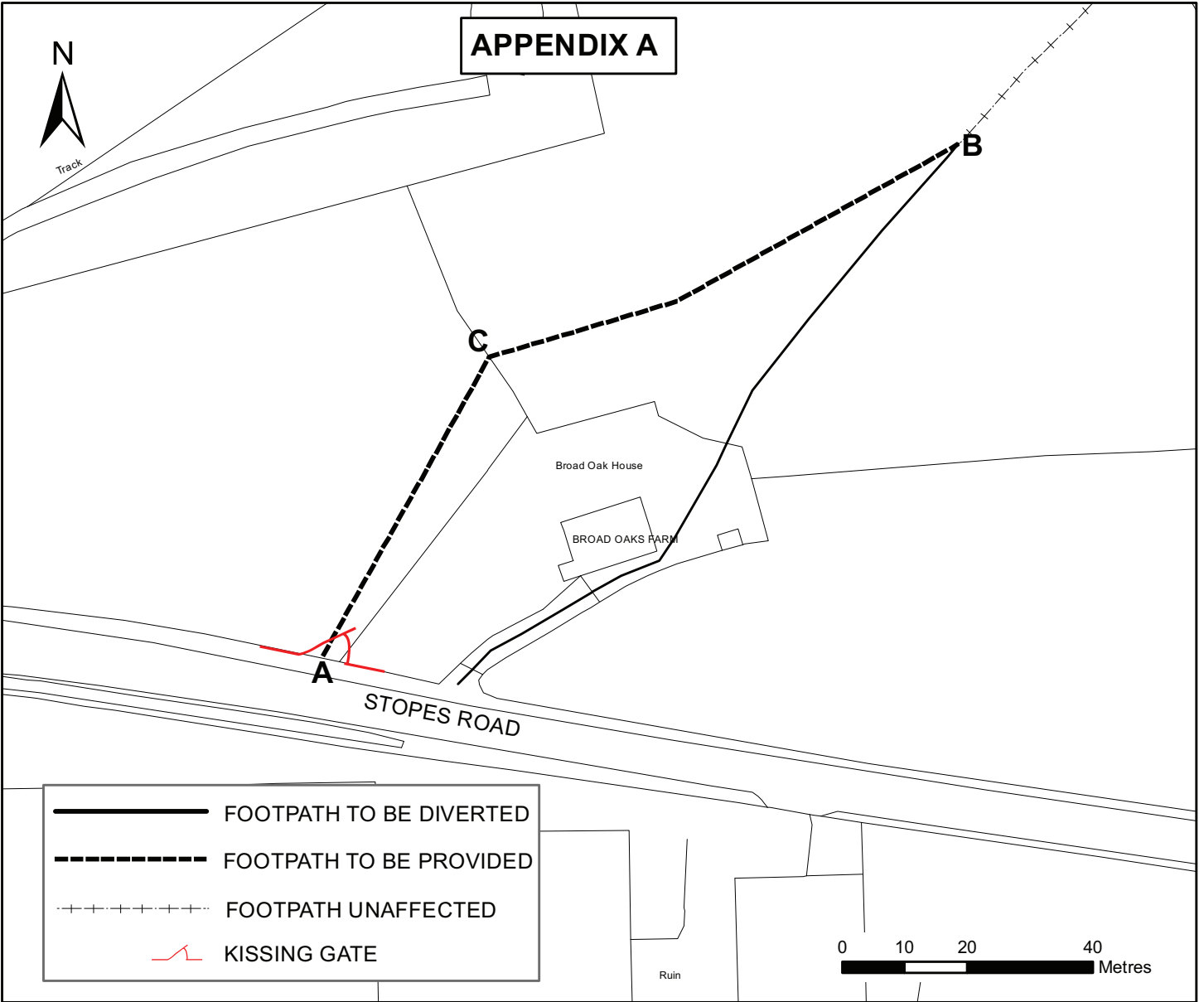
Steve Robinson
Head of Highway Maintenance

22nd November 2016



**HIGHWAYS ACT 1980 SECTION 119
PROPOSED DIVERSION OF FOOTPATH BRA/71
AT STOPES, SHEFFIELD S6**

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of Development Services

Date: 22/11/2016

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond, Chris Heeley and John Williamson 2734218

Summary:

Reasons for Recommendations
(Reports should include a statement of the reasons for the decisions proposed)

Recommendations:

Background Papers:

Category of Report: OPEN

Application No.	Location	Page No.
16/03503/FUL (Formerly PP-05453786)	Site Of Former Car Park Rockingham Street Sheffield S1 4EA	19
16/03328/RG3 (Formerly PP-05340593)	Land At Junction Of Pinstone Street, Wellington Street & Charter Square Sheffield S1 3EH	45
16/02751/FUL (Formerly PP-05333752)	Site Of TTS Car Sales Ltd Archer Road Sheffield S8 0LA	86
16/02551/FUL (Formerly PP-05259272)	Ewen Engineering Co Roscoe Road Sheffield S3 7DZ	106
16/00833/FUL (Formerly PP-04830783)	33 Lyndhurst Road Sheffield S11 9BJ	122
16/00530/FUL (Formerly PP-04810864)	Land Rear Of 183 To 273 Greystones Road Sheffield S11 7BT	138
15/04365/CHU (Formerly PP-04671103)	White Acres Farm Spout Lane Sheffield S6 6EF	160

SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning
To the Planning and Highways Committee
Date Of Meeting: 22/11/2016

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

NOTE Under the heading "Representations" a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

Case Number	16/03503/FUL (Formerly PP-05453786)
Application Type	Full Planning Application
Proposal	Erection of a mixed use development incorporating student accommodation, comprising 69x studio apartments, 17x 1-bedroom apartments and 85x cluster flats providing a total of 543 bedspaces, 2x commercial units (Use Class A1 (with no more than 250sqm retail floorspace per unit), A2, A3, A4, A5, B1 & D1), associated works including access, cycle parking, a pedestrian link walkway, and ancillary facilities
Location	Site Of Former Car Park Rockingham Street Sheffield S1 4EA
Date Received	13/09/2016
Team	City Centre and East
Applicant/Agent	DLP Consulting Group Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

Plan reference numbers:

16/01 P03 Rev B - Level 0 plan
16/01 P04 Rev C - Mezz level plan
16/01 P05 Rev C - Level 1 plan
16/01 P06 Rev C - Level 2 plan
16/01 P07 Rev C - Level 3 plan
16/01 P08 Rev C - Level 4 plan
16/01 P09 Rev C - Level 5 plan
16/01 P010 Rev C - Level 6 plan
16/01 P011 Rev D - Level 7 plan
16/01 P012 Rev C - level 8 plan
16/01 P013 Rev B - roof plan
16/01 P014 Rev A - Contextual street elevations
16/01 P015 Rev B - Rockingham Street elevation
16/01 P016 Rev C - Newcastle street elevation
16/01 P017 Rev C - Courtyard section/elevation A-A, B-B
16/01 P018 Rev B - Courtyard section/elevation C-C, D-D
16/01 P019 Rev B - Courtyard section/elevation E-E, F-F
16/01 P020 Rev B - Courtyard section/Elevation G-G
16/01 P021 - Courtyard section/elevation F-F
2077_01 Rev B - Landscape Drawings -

Reason: In order to define the permission.

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

3. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

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

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

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

4. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

- i. been carried out;

- ii. or details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the building is brought into use.

Highway Improvements:

- i. The footway and kerb to the adjacent to the development on Rockingham Street and Newcastle Street should be fully reconstructed in the appropriate Urban Design Compendium palette to the satisfaction of the Local Planning Authority.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

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

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

6. Unless shown not to be feasible and viable, no development above the ground floor slab level shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been

installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

7. Prior to the commencement of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies CS53

8. The surface water discharge from this brownfield site shall be reduced by at least 30% compared to the existing peak flow. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres per second per hectare should be demonstrated. Before the use of the development is commenced, a validation test to demonstrate that the necessary equipment has been installed and that the above flow rate has been achieved shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority.

Reason: In order to mitigate the affects of flooding and to comply with current planning legislation, the National Planning Policy Framework.

9. Foundations shall not commence until full details of the proposed surface water drainage including calculations have been submitted to and approved by the Local Planning Authority, including the arrangements for surface water infrastructure management for the life time of the development. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site.

Reason: To ensure surface water flooding and pollution management.

10. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- (a) Eaves
- (b) All Fenestration details (including window recesses).
- (d) Doors
- (e) Entrance gates
- (f) Shop/office fronts
- (g) Down pipes and rainwater goods
- (h) Parapets
- (i) Entrance canopies
- (j) Typical elevation sections including cladding/metal framing
- (k) Brickwork detailing
- (l) louvres and perforated ventilation panels
- (m) shop fronts

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

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

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

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

12. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

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

13. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

14. The proposed green/brown roof(s) (vegetated roof system) shall be provided on the roof(s) in accordance with locations shown on the approved plans prior to the use of the building commencing. Full details of the green/brown roof construction and specification, together with a maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. Unless an alternative specification is approved the green/brown roof shall include a substrate based growing medium of 80mm minimum depth and incorporating 15 - 25% compost or other organic material and the vegetation type shall be herbaceous plants. The plant sward shall be

maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

15. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

16. Prior to the first occupation of the development full details of lighting the buildings, courtyards and public route through the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter retained.

Reason: To ensure an appropriate quality of development and to promote personal safety and security in accordance with Policy BE5.

17. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

a) Be capable of achieving the following noise levels:

Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
Bedrooms: LAFmax 45dB (2300 to 0700 hours).

b) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

Reason: In the interests of the amenities of the future occupiers of the building.

18. Before the commercial use(s) hereby permitted commences, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:

a) Be based on the findings an approved noise survey of the application site, including an approved method statement for the noise survey

b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:

- (i) as a 15 minute LAeq, and;
- (ii) at any one third octave band centre frequency as a 15 minute LZeq.
- c) Be capable of restricting noise breakout from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:
 - (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

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

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

Reason: In the interests of the amenities of the locality and of the residential occupiers of the building.

19. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

- a) Be carried out in accordance with an approved method statement.
- b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

NB. The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

Reason: In the interests of the amenities of the future occupiers of the building.

20. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

21. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall be in accordance with Defra document; "Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems" and) shall include:

- a) Plans showing the location of the fume extract terminating and including a low resistance cowl.
- b) Acoustic emissions data.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the system's required cleaning and maintenance schedule.
- e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building).

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

Reason: In the interests of the amenities of the locality and of the residential occupiers of the building.

22. Site clearance works shall be undertaken outside of the bird breeding season (1st March -31st August inclusive). No site clearance works shall commence within the bird breeding season unless and until a breeding bird survey is carried by a suitably qualified ecologist out and the report have been submitted to and approved in writing by the Local Planning Authority. Once approved site clearance works should commence within 28 days or further breeding bird surveys will be required prior to site clearance. No works shall be carried out within 5 metres of an identified bird nest until the young have fledged and are no longer returning to the nest site following which works should only be undertaken once a scheme ecologist has declared the nest to be no longer in use.

Reason: In the interests of biodiversity.

23. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

24. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing 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.

25. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the designated City Centre Permit Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

Reason: In the interests of highway safety and in order to define the permission.

26. The approved shop fronts shall be installed prior to the first occupation of the building or within an alternative timescale to be first agreed in writing with the Local Planning Authority. Thereafter the approved shop fronts shall be retained.

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

Other Compliance Conditions

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

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

28. The development shall not be used unless the cycle parking accommodation for the development as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield and Core Strategy Policy CS53.

29. The development shall be carried out in accordance with the Watkin Jones Bailey Fields Draft Construction Management Plan dated September 2016.

Reason: In order to ensure a satisfactory form of development to minimise the impact of the scheme on the amenity of adjoining residents and the public highway during the construction phase of the development.

30. Commercial deliveries to and collections from any B1/A1/A2/A3/A4/A5/D1 uses shall be carried out only between the hours of 0800 to 2100 on Mondays to Saturdays and between the hours of 0900 to 2100 on Sundays and Public Holidays.

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

31. The sales floor space of any individual unit within the development which is to be used for retail (use class A1) purposes shall not at any time exceed 250 sq metres.

Reason: In the interests of the retail viability of the city centre.

32. No movement, sorting or removal of waste bottles, materials or other articles, nor movement of skips or bins associated with the B1/A1/A2/A3/A4/A5/D1 uses shall be carried on outside the building within the site of the development between 2300

hours and 0800 hours Monday to Saturday and between 2300 hours and 0900 hours on Sundays and Public Holidays.

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

33. No customer shall be permitted to be on any part of the premises to be used in accordance with use classes A3/A4/A5/D1 outside the following times: 0800 to 0030 the following day on Monday to Saturday and 0900 to 2230 on Sundays and Public Holidays.

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

34. No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the sewer i.e. a protected strip width of (6) metres, that traverses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker

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

35. The fire exit doors shall only be used as an emergency exit and shall not at any other time be left standing open.

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

36. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

37. The building shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator 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.

3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

4. 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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

5. 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:-

Sheffield City Council
Town Hall
Penistone Street
Sheffield
S1 2HH

For the attention of Mr P Vickers

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.

6. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

7. The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The Local Planning Authority has

evaluated the risk assessment and remediation scheme on the basis of the information available to it, but there may be contamination within the land, which has not been discovered by the survey/assessment.

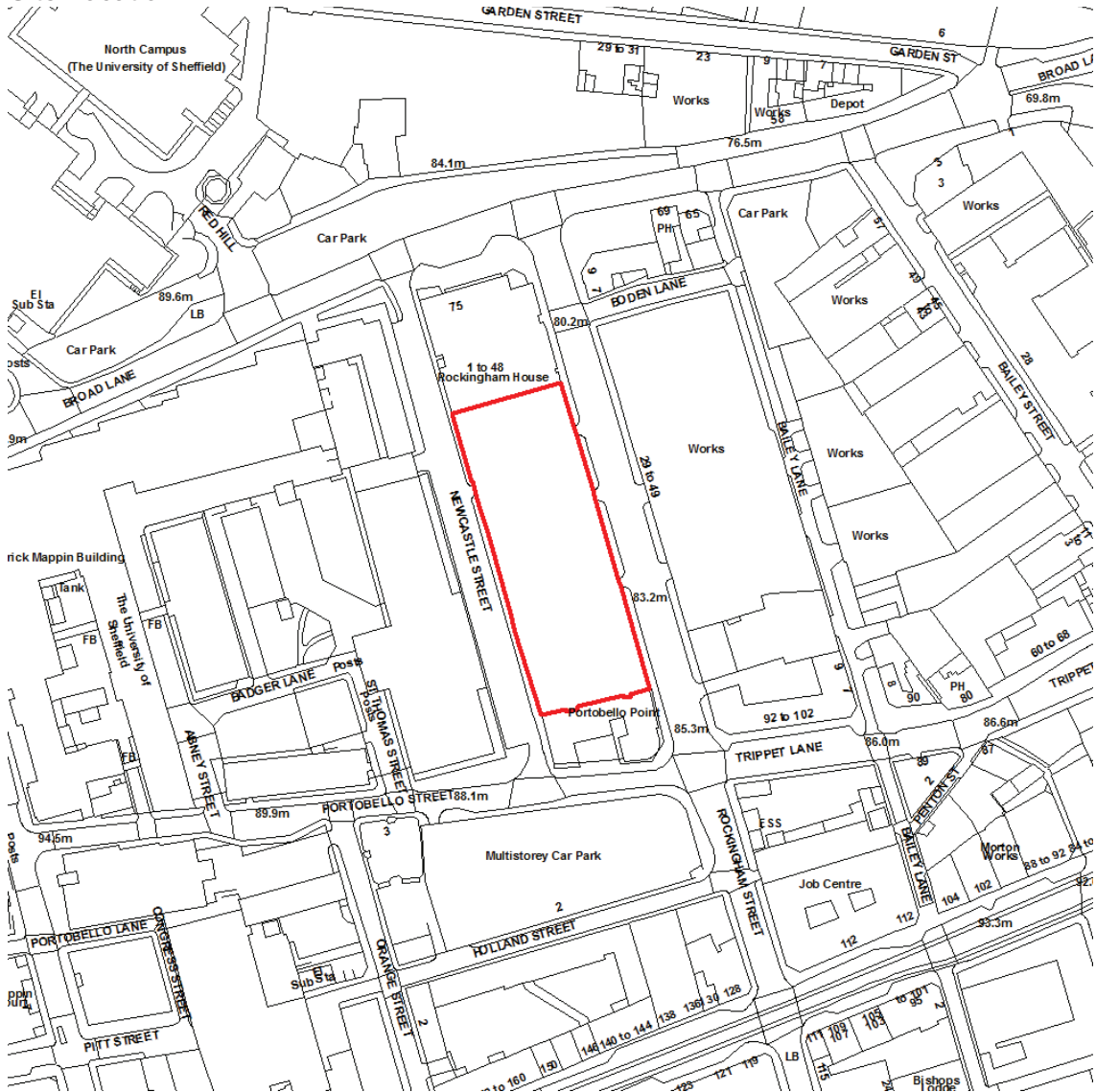
8. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
9. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
10. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.
11. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
12. You may need a Premises Licence under the Licensing Act 2003. You are advised to contact Sheffield City Council's Licensing Service for advice on Tel. (0114) 2734264 or by email at licensing@sheffield.gov.uk.
13. The proposed development lies within a coal mining area. In the circumstances applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
14. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt

with in compliance with the EIR. Should you have any queries concerning the above, please contact:

Richard Harris
Ecology Manager
Sheffield City Council
Meersbrook Park
Brook Road
Sheffield
S8 9FL
Tel: 0114 2734481
E-mail: richard.harris@sheffield.gov.uk

15. When preparing detailed proposals for the development of this site, the developer is advised that the Council will encourage the provision of easily accessible housing, capable of adaptation to meet the needs of various people with mobility impairments. Known as "mobility housing", further details are available together with guidance notes from the Access Officer on (0114) 2734197 or from Planning Enquiries on (0114) 2039183.

Site Location



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INTRODUCTION

This application relates to land between Newcastle Street and Rockingham Street in Sheffield City Centre. The site measures approximately 0.33 hectares and comprises of a vacant cleared site that formerly accommodated commercial uses. The site is flanked to the north by Rockingham House a 10 storey student housing scheme and to the south by Portobello Point a 7 storey residential development. To the west across Rockingham Street are a number of large scale buildings which form part of the Sheffield University Faculty of Engineering and to the east across Rockingham Street is Grunweg Works which comprises of two storey industrial/commercial buildings.

Planning permission is sought for the redevelopment of the site for a mixed use scheme comprising of a 7 to 9 storey building accommodating 69 studios, 17 one bed flats and 85 five/six/seven bed student clusters flats resulting in a total of 543 bed spaces. Two ground floor commercial units are also proposed as well as ancillary student support services, landscaping and associated communal access.

The entire application site is located in a Fringe Industry and Business Area and the St George's Quarter as defined by the Core Strategy (CS)

RELEVANT PLANNING HISTORY

No relevant planning history

SUMMARY OF REPRESENTATIONS

One letter of representation from the University of Sheffield Estates Department has been received. The issues raised are summarised as follows:

- Student accommodation is not suitable in this area taking account of the proximity of the University research and teaching buildings which operate 24 hours a day and have associated plant and equipment.
- The new development should not constrain the existing or future operations of the University's buildings.
- The submitted noise assessment was undertaken outside of term time and so is not representative of the activities that take place within University buildings.
- Processes undertaken in the University's building can give rise to noise and disturbance and fumes which the development will need to take account of.
- The development should not jeopardise the future investment in the area by the University.

PLANNING ASSESSMENT

Policy Issues

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Its key goal is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Land Use

The site is in a Fringe Industry and Business Area as defined in the adopted Sheffield Unitary Development Plan (UDP). Policy IB6 relates to development in such areas and advises that office (B1), General Industry (B2) and Warehouse (B8) are preferred uses of land in the policy area. IB6 advises that residential uses can also be considered acceptable in principle in the policy area subject to compliance with other policies. Student housing (sui generis use) is not however specifically identified as acceptable in the policy area and as such must be determined on its individual merits in accordance with IB6. As noted above other types of residential development (C3 and C2), which are considered to be similar in character to student housing are identified as acceptable in the policy area. As such it is considered that the principle of the redevelopment of this site for student housing is acceptable.

Policy IB9 confirms that preferred business, industrial and warehouse uses should effectively remain dominant in the policy area. This policy position has been superseded by more up to date Core strategy (CS) policy, specifically policy CS6 which discourages manufacturing uses within the City Centre and policy CS17 part (g) which promotes a mix of uses in the St George's Quarter with a specific focus for the University of Sheffield with complementary retail and business uses. In light of the above, B2 and B8 uses are no longer appropriate as a result of the Core Strategy and as such a greater range of uses as proposed in this residential led mixed use scheme is considered acceptable.

The scheme includes two commercial units each less than 250 sq. metres in floor area. These units are identified to potentially be used for a wide range of uses including office uses (B1), a full range of class A uses (A1, A2, A3, A4, A5) which could include retail, financial and professional services, food and drink uses and drinking establishments. A full range of D1 uses is also proposed which could include health centres, nurseries, art galleries, places of worship and non-residential education and training centres. All of the above uses are identified in Policy IB6 of the UDP as either preferred or acceptable uses of land in fringe industry and business areas and accord with policies CS6 and CS17 of the CS.

However, the NPPF is the more up to date policy consideration and requires out-of- centre proposals for main town centre uses to satisfy sequential and impact assessments when relevant. A1, A3, A4 some D1 and B1 uses are main town centre uses (as defined in annex 2 of the NPPF). If the site were out of centre a sequential approach would apply to these main town centre uses. For retail uses, the centre consists of the Primary Shopping Area, but for A3, A4, B1 and D1, it consists of the City Centre as a whole. As the site is outside the Primary Shopping Area, but within the City Centre, the only out of centre use is retail (A1). Therefore,

the sequential approach only applies to the retail use. The commercial uses proposed are considered acceptable in this city centre location, however in order to protect the vitality and viability of the retail core the floor space of each commercial unit will be restricted so that it does not exceed 250 sq. metres. This will ensure that the uses are small scale and will protect the function of the retail core as the primary shopping and leisure location in the city as required by the NPPF. The impact test only applies to retail uses over 2,500 square metres.

This development would comply with Policy CS24 which encourages the reuse of previously developed sites and Policy CS27 which seeks the further expansion of city centre living.

Housing Density

Core Strategy Policy CS26 “Efficient Use of Housing Land and Accessibility” aims to make efficient use of land for new housing and sets out appropriate density ranges dependent on location and accessibility. The recommended density for City Centre sites is at least 70 dwellings per hectare; the proposal is well in excess of this at 518 dwellings per hectare.

Shared Housing

Core Strategy Policy CS41 seeks to create mixed communities through encouraging mixed size, types and tenures of housing.

Part (a) of the policy requires no more than half of the units in a scheme to be of a single house type. In this instance a total of 171 units (543 bedspaces) are proposed, comprising of 69 studios, 17 one bed flats and 85 cluster flats. The mix of accommodation complies with part (a) of the policy.

Student accommodation in the city centre is supported by policy CS41 part (c) however this should be as part of a mix of tenures and sizes of units on larger developments. This proposal is entirely student accommodation and therefore fails to meet this part of the policy.

The applicant has submitted a detailed student demand survey report in support of their application. This report identifies that there is a shortfall of dedicated student accommodation across the city, with the current number of bedrooms provided by university halls of residence and private sector schemes equating to only 40% of total student accommodation provision in Sheffield. The remaining 60% of the student population is unable to access purpose built accommodation and is therefore seeking alternative forms of accommodation.

The site is located in very close proximity to the University of Sheffield and as such is considered to be a logical and sustainable location for student accommodation; the submitted evidence provided by the applicant also demonstrates that a market exists for further purpose built student accommodation. A number of other student schemes in the locality are in the process of being constructed or have extant planning permission and the introduction of further student housing is not considered to detrimentally affect any established communities. The provision of

further purpose built student accommodation could also enable more traditional family houses in areas with strong communities such as Broomhall, Walkley, Crookes and Ecclesall to be reverted back to family housing.

The applicants have demonstrated that the scheme is also capable of conversion to studio, one bed and two bed flats without requiring major structural alterations to the building, should the demand for student housing decline. In light of the above it is considered that a clear argument exists for relaxing the requirements of Policy CS41 part (a) and (c).

Policy CS41 part (d) seeks to limit shared housing accommodation to no more than 20% of residencies within 200 metres of the site. In this instance the existing density of shared housing within 200 metres of the site is 16%. The proposal will raise the density to 20% meaning that it will conform to part (d) of policy CS41.

Design Issues

The NPPF attaches great importance to the design of the built environment and the achievement of high quality and inclusive design for all developments. However, although visual appearance and the architecture of individual buildings are very important facts, the NPPF states that securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, decision making should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Policy CS74 of the CS advises that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods. Policy CS74 also advises that any new development should respect the topography of the City, views and vistas and the townscape and landscape character of the particular area with their associated scale, layout, form and building style and materials. Policy BE5 of the adopted UDP relates to building design and siting and advises that good design and the use of good quality materials will be expected in all new developments, with new buildings expected to complement the scale form and architectural style of surrounding buildings. It seeks to achieve original architecture and a design on a human scale and for large scale developments materials should be varied and the overall mass of development broken down.

Layout

The site has stood vacant for a number of years forming a significant gap in the streetscape on this key route into the city centre. The proposed scheme comprising of three interlinked blocks with buildings constructed up to the back edge of the pavement on both the Newcastle Street and Rockingham Street frontages. The primary frontage of the building faces Rockingham Street where active ground floor commercial uses are included in order to animate the street. Newcastle Street is a secondary route and the built form is broken into blocks separated by a series of courtyards which are open to the street in order to maximise daylight and sunlight penetration. Two of the courtyards will remain private for the use of residents only, enclosed to the street by two storey duplex apartments that will

have direct 'front door' access from Newcastle Street. A central link through the site which facilitates public pedestrian access between Newcastle Street and Rockingham Street is also proposed. This route is proposed to be finished in high quality hard landscaping materials and will be flanked at ground floor by management offices, student social spaces, communal facilities and entrances to the student accommodation which will ensure that the route is active and benefits from natural surveillance creating a secure high quality public space.

The layout of the site is considered acceptable and will repair this substantial gap in the streetscape which has existed since 2007.

Scale and Massing

The Sheffield Urban Design Compendium identifies Rockingham Street as a key vehicular gateway into the city centre where buildings of scale which address the street to create an 'urban wall' or a sense of enclosure are acceptable.

This site is 'book ended' by existing residential buildings which range between 7 storeys (Portobello Point) and 10 storeys (Rockingham House) in height. The proposed development links the two adjoining developments together with a 9/7 storey building which steps and reduces in height to reflect the sloping topography of Rockingham Street. The scale of the buildings will create the sense of enclosure advocated by the urban design compendium and is considered appropriate for this key gateway site.

Taking account of the natural topography of the area which rises to the north and east of the site and the surrounding built form, including the adjoining residential buildings highlighted above and the neighbouring Sheffield University Faculty of Engineering building which rises to 10 storeys in height, the development will not be viewed prominently in any short or long views across the city centre. The development will be read in the context of established built form and rising topography to the west and south.

The site frontage extends to approximately 100 metres in length; however the overall massing of the scheme has been successfully broken down by varying the building height to follow the natural sloping topography of the site which creates an interesting stepped roof line. The design approach which presents the scheme as three distinct buildings, each with their own identity, varied architectural detailing and high quality materials also reduces the overall mass of the scheme. The scale and massing is considered acceptable.

Elevation treatment

The design approach is contemporary and given the length of the site's two street frontages the development has been designed to appear as three separate distinctive buildings through the use of different elevation treatments, materials and detailing.

The proportions of the Rockingham Street façade are well defined incorporating a double height ground floor which draws attention to the active commercial street

level uses. Vertically proportioned fenestration with a strong pattern and rhythm is incorporated throughout the scheme with subtle interest added by varying the proportion and positioning of windows within the façades.

The overall palette of materials consists of high quality brick work facades in red, grey and black, some of which incorporate feature metal framing and anodised metal cladding panels. The central block located above the public thoroughfare linking Newcastle Street and Rockingham Street will be finished in high quality metal cladding and incorporates distinctive projecting window bays which create a striking feature and allows residents to take advantage of longer distance views across the city centre towards West Bar and Kelham Island.

The design of the scheme is considered acceptable and will enhance the character and appearance of the street scene by infilling this long established gap in the city scape with a high quality contemporary building of an appropriate scale. As such it is concluded that the proposed development accords with Policies BE1, BE5 of the UDP, CS74 of the CS and the NPPF.

Sustainability

In accordance with Policy CS64 all new commercial development (including student housing) which has a floor area in excess of 500 square metres should achieve a BREEAM rating of very good (or equivalent). The applicants have indicated in their design and access statement that BREEAM very good can be achieved and a suitably worded condition will be attached to ensure compliance with policy CS64

Policy CS65: Renewable Energy and Carbon Reduction of the CS sets out objectives to support renewable and low carbon energy generation and also to further reduce carbon emissions. Policy CS65 requires, if it is feasible and viable, new developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy source, or an equivalent reduction in energy from a fabric first approach is also now considered policy compliant. The applicant's sustainability statement identifies that a Combined Heat and Power (CHP) unit will be incorporated into the development to fulfil the requirements of policy CS65, full details of which will be secured by condition.

Brown roofs are included on each of the rear wings of the building which abut Newcastle Street. The roof area of the buildings fronting Rockingham Street will be a more traditional roof construction which could accommodate any additional necessary plant and equipment required by the development. The proposal accords with the requirements of Policy CC1 of the Climate Change and Design Supplementary Planning Document.

Further to the above the site has other credentials that promote and encourage sustainable design/living. The development makes use of a vacant previously developed site; the site is in a highly sustainable central location close to several modes of public transport and major shopping facilities and the development includes ample cycle parking and recycling facilities.

Overall, the proposal is considered to comply with the requirements of Policies CS63, 64 and 65.

Flood Risk/Drainage

Policy CS67 “Flood Risk Management” deals with flood risk management and requires the use of Sustainable Drainage Systems on all sites where feasible and practical.

The site is located in Flood Zone 1 and so is at the lowest risk of flooding. As the site is less than 1 hectare in area a flood risk assessment is not required.

The site is not hard surfaced but is made up of construction material left over from the demolition of the previous buildings on the site. This is an urban intensive site with limited options for sustainable drainage; however it is proposed to reduce the surface water run off rate by 30% compared to existing rates. This will be done through the use of brown roofs and attenuation storage tanks which restrict outflow to the public sewer. The proposals are acceptable in principle and final details will be secured via condition. The proposal is considered to comply with Policy CS67.

Amenity Issues

Policy IB9 of the UDP seeks to ensure that the environment for future residents would be acceptable.

A daylight and sunlight assessment has been submitted in support of the application which analyses the impact of the development on adjoining properties and light levels for future occupants.

Two well-proportioned and landscaped private courtyards are provided on site for the use of residents and all residents are considered to benefit from acceptable outlook. The analysis shows that the development will have a limited impact on the daylight and sunlight that is received to the neighbouring properties, a majority of which are in commercial use. As such the proposal is not considered to result in any unacceptable overshadowing, overbearing or overlooking of adjoining properties.

The British Standard BS8206 Part II gives the following recommendations for the average daylight factor (ADF) in residential units: (a) Kitchen 2%; (b) Living room 1.5%; (c) Bedrooms 1%

In relation to the future amenities of residents, Daylight Distribution (DD) and Average Daylight Factor (ADF) tests have been undertaken to establish the extent of natural light provision to all units. The submitted report demonstrates that whilst a majority of the accommodation will achieve the recommended standards some of the bedroom accommodation, particularly those flats on the lower levels within the rear corners of the courtyards facing Newcastle Street will fall below the recommended standards. The reduced light levels to these flats is largely due to the relationship of the site to the taller parts of the Sir Robert Hadfield Building

located on the opposite side of Newcastle Street, which restricts light penetration into the development.

It should be noted that during the consideration of the application parts of the building have been reduced in height including some of the wings of the rear courtyards which will increase the amount of natural light reaching the accommodation and further reduce the impact on adjoining properties.

Notwithstanding the above, the relationship of this scheme to other large scale buildings is not considered uncommon or unusual in the city centre where higher density development is promoted. The scheme has been designed to maximise light penetration with courtyard spaces that are open to the street and large floor to ceiling height windows have been incorporated into the design in order to maximise light penetration. In light of the above, whilst there is a shortfall in some limited locations; overall the proposed amenities of residents are considered acceptable when considering the overall benefits of the scheme.

Noise

A noise assessment has been undertaken which identifies that the dominant noise source affecting the site is generated by local traffic using the adjoining highways. The University of Sheffield commented that the initial noise survey works were undertaken outside of term time, and as such did not take account of the operation of the University's Faculty of Engineering buildings (Sheffield's Quarrel laboratory, Sir Robert Hadfield and Pam Liversidge buildings) which are located opposite the site on Newcastle Street. As such further noise surveys were undertaken in October in order to clarify any potential noise and disturbance associated with the operation of the University's faculty of engineering buildings. The amended noise survey did note that some plant noise associated with the University's buildings was audible; however the report concludes that an acceptable living environment can be provided for future residents subject to the provision of acoustic double glazing and acoustically treated ventilation.

The concerns of the University that their existing research operations should not be constrained by the introduction of new residential development is noted. However there are already a number of established residential buildings in the area, two of which are located on Newcastle Street (Rockingham House and Portobello Point) which have the same relationship as the application site to the University's buildings. In light of the above it is clearly evident from the presence of these existing buildings that the environment for residents is acceptable and would not impose any undue restrictions on the operations of the University's faculty of engineering buildings.

In light of the above the proposal is considered to comply with Policy IB9.

Odour/Air Quality

Sheffield University undertake various research and testing operations in the buildings which adjoin the application site. During the consideration of the application the University have commented that their existing research and testing

activities should not be constrained by the presence of additional residential accommodation, and that future residents could be affected by odours and emission associated with plant and extraction equipment on the building.

It is noted that there are a number of extraction flues located on the University's buildings. With the exception of a small extract flue located at first floor level, all other visible flues facing Newcastle Street extract at or above the 6th floor of the building. As noted above there are already established residential premises in the locality and it is clear from the presence of these dwellings that acceptable living conditions are available in this part of the city centre. However in order to clarify any potential impact the applicants have undertaken some air quality testing to establish potential impacts on the amenities of residents.

The submitted air quality testing report demonstrates that all volatile organic compound readings (VOC's) were below the limit of detection and there were no significant peaks in any of the samples. As such the proposal is considered acceptable from an air quality perspective.

Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development. Desk based assessments have been submitted and intrusive site investigations have been undertaken on the advice of South Yorkshire Archaeological Service (SYAS) to establish the potential for underground archaeology. SYAS have reviewed the submitted reports and it is concluded that further intrusive investigations are required to accurately establish the potential for archaeology below a previously undisturbed natural ground level. As such a condition will be attached requiring further investigations to be carried out before development commences.

Highways issues

In policy terms, Policy IB9 of the UDP advises that new development in industry and business areas will be permitted provided that it would be adequately served by public transport and provides safe access to the highway network and appropriate off-street parking.

No alterations are proposed to the layout of the adjoining highways other than to reinstate the former dropped kerbs and vehicle crossings to footways.

A new pedestrian route will be provided through the centre of the site linking Rockingham Street and Newcastle Street. The route will remain in private ownership rather than forming part of the adopted public highway, however it will provide residents and the general public with open access through the site.

Policy CS61 'Pedestrian Environment in the City Centre' seeks to create a high quality environment through improved landscaping design materials and street furniture, as such improvements to the footways adjoining the development sites in accordance with the Urban Design Compendium (UDC) secondary palette standard are required.

The site is located within a sustainable location within close proximity to major shopping facilities and high frequency bus and tram routes, the closest of which are located on West Street and which provide links to various parts of the city. No on site car parking is proposed or required in this sustainable city centre location, however significant levels of secure cycle parking are provided for the use of residents. The development will be designated as 'car free' such that residents will not be able to apply for on street parking permits. This will be secured by condition.

The proposed residential and flexible use space can be adequately serviced from the adjoining highways.

In light of the above the proposal is not considered to give rise to any unacceptable highways implications and therefore complies with Policy IB9.

Access

Unitary Development Plan Policy H7 "Mobility Housing" sets standards for the level of mobility housing. However, as these standards are not part of an up to date local plan they have been superseded by the recently introduced Technical Housing Standards (2015), which removes the requirement for mobility housing to be provided as part of the development. Nevertheless the development includes larger rooms which have been designed to accessible standards and comprise of a mixture of studios and cluster bedrooms.

Affordable Housing

Core Strategy Policy CS40 "Affordable Housing" states that developers of all new housing schemes will be required to contribute towards the provision of affordable housing where practicable and financially viable.

However a more spatial approach to affordable housing has since been adopted and in accordance with Policy GAH2 of the CIL and Planning Obligations Supplementary Planning Document there is no requirement to provide or contribute towards affordable housing in this part of the City Centre.

CIL

The Community Infrastructure Levy was introduced in July 2015 and replaces all other financial contributions, with the exception of affordable housing. Student accommodation is subject to a CIL charge of £30 per square metre.

No charges are due for commercial elements of the scheme in accordance with the adopted Charging Schedule.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Initial discussions indicated that

public art will be integrated into the building around the new public link through the site. Full details will be secured by condition.

Contamination

Desktop and intrusive ground investigations have been carried out and assessed by the Council's Environmental Protection Service. No unacceptable levels of contaminants have been found that cannot be remediated. Appropriate remediation measures will be secured by condition. The Coal Authority have also confirmed that the submitted ground investigations are acceptable.

Ecology

The site is a cleared brownfield site and contains some self-seeded scrub which has established since spoil was spread on the site following the construction of Rockingham House.

The submitted ecology report identifies that the site is of limited ecological value and the development will not result in any significant harmful ecological impacts. However it does identify that measures to improve ecology should be incorporated into the development. As such the landscape scheme has been amended to include more native species. Bird and bat boxes have been integrated into the building and brown roofs are provided as a new form of habitat all of which are considered to significantly enhance the ecological value of the site. Site clearance should not be undertaken during the bird breeding season (March to September) unless a pre clearance survey is approved by the City Ecologist. The development is considered acceptable subject to the imposition of relevant planning conditions.

Air Quality

Core Strategy Policy CS66 (Air Quality) states that action to improve air Quality will be taken across the built up area. The proposal does not provide any car parking and is not considered to generate and harmful air quality issues associated with road traffic movements and appropriate measures will be put in place to minimise the impact on air quality during the construction period.

The site is in an Air Quality Management Area (AQMA) and the scheme includes measures to mitigate the impact of the development including the provision of green/brown roofs, the incorporation of travel plans, the provision of new landscaped courtyards and commitments to minimise energy use. The proposal is therefore supported from an air quality perspective.

SUMMARY AND RECOMMENDATION

The redevelopment of this vacant site with a high quality mixed use development is welcome. This site has stood vacant since at least 2007 and forms a significant gap in the established streetscape of the St George's Quarter. The design and layout of the scheme is acceptable and will secure a high quality mixed use scheme which is considered to enhance the character and appearance of the streetscene on this key route into the city centre.

The scheme does not strictly accord with Policy CS41 (Mixed Communities) in that it comprises wholly of purpose built student accommodation, however an argument has been made that additional purpose built student accommodation is required in the city centre and this site is considered to be a logical place for it given its sustainable location and close proximity to the University.

Active ground floor uses are provided which will help to increase footfall and enliven the area and a new public square which facilitates access between Rockingham Street and Newcastle Street which will improve the pedestrian environment.

With regard to sustainability the development will achieve a BREEAM rating of 'Very Good' for all commercial parts of the development including the student accommodation. 10% of the development's energy requirements will also be secured from a decentralised renewable or low carbon energy source or an equivalent from an alternative fabric first approach. Brown roofs are also proposed on large parts of the building which will help to improve air quality, enhance ecology and minimise future drainage issues.

The scheme complies with other policy requirements in relation to, highways, drainage, archaeology, landscaping, and amenity and air quality.

It is considered that the development complies with the provisions of the UDP, the Core Strategy the guidance contained in the Sheffield Urban Design Compendium and the NPPF and it is recommend that planning permission is granted subject to the listed conditions.

Case Number	16/03328/RG3 (Formerly PP-05340593)
Application Type	Application Submitted by the Council
Proposal	Erection of mixed use development comprising a six-storey office (Use Class B1) and retail block (Use Classes A1/A2) with rooftop plant room, basement car park and service area, erection of a standalone food and beverage/retail unit (Use Classes A1, A3, A4 and A5) with enhanced public realm and formation of new highway between Backfields and Carver Street (Full application under Reg 3 - 1992)
Location	Land At Junction Of Pinstone Street, Wellington Street & Charter Square Sheffield S1 3EH
Date Received	31/08/2016
Team	City Centre and East
Applicant/Agent	Montagu Evans
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

PRC-LDA-ZZ-ZZ-DR-A-08001 Proposed Location Plan;
 PRC-LDA-ZZ-ZZ-DR-A-08002 Proposed Site Plan;
 PRC-LDA-ZZ-ZZ-DR-A-08003 Proposed Site Context Plan;
 PRC-LDA-ZZ-B1-DR-A-08010 Rev A Level B1 GA Plan;
 PRC-LDA-ZZ-GF-DR-A-08011 Rev A Level 00 GA Plan;
 PRC-LDA-ZZ-01-DR-A-08012 Rev A Level 10 GA Plan;
 PRC-LDA-ZZ-02-DR-A-08013 Level 20 GA Plan;
 PRC-LDA-ZZ-03-DR-A-08014 Level 30 GA Plan;

PRC-LDA-ZZ-04-DR-A-08015 Level 40 GA Plan;
 PRC-LDA-ZZ-05-DR-A-08016 Level 50 GA Plan;
 PRC-LDA-ZZ-06-DR-A-08017 Level 60 Roof Plan;
 PRC-LDA-ZZ-ZZ-DR-A-08030 Section A-A and Section B-B;
 PRC-LDA-ZZ-ZZ-DR-A-08031 Section C-C & Section D-D;
 PRC-LDA-ZZ-ZZ-DR-A-08040 Main Building - Elevations Sheet 1 of 2;
 PRC-LDA-ZZ-ZZ-DR-A-08041 Main Building - Elevations Sheet 2 of 2;
 PRC-LDA-ZZ-ZZ-DR-A-08042 Proposed Elevations Units 7 & 8;
 PRC-LDA-ZZ-ZZ-DR-A-08050 Proposed Elevations Typical Bay - Fine Character;
 PRC-LDA-ZZ-ZZ-DR-A-08051 Proposed Elevations Typical Bay - Monumental Character;
 PRC-LDA-P1-ZZ-DR-A-08 070 P2 Furnival Gate Elevation Phase 1 Finishes Setting Out;
 PRC-LDA-P1-ZZ-DR-A-08 071 P1 Pinstone St and Cambridge St Phase 1 Finishes Setting Out;
 PRC-LDA-P2-ZZ-DR-A-08 072 P1 Cambridge St Phase 2 Finishes Setting Out;
 PRC-LDA-ZZ-ZZ-DR-A-08 073 P1 Wellington St Phase 2 & 3 Finishes Setting Out;
 PRC-LDA-P3-ZZ-DR-A-08 0704 P1 Wellington St (SCC Corner) and Charter Sq Elevation Phase 2 & 3 Finishes Setting Out;
 PRC-LDA-P3-ZZ-DR-A-08 060 P1 Section A - A Charter Square Elevation Details;
 PRC-LDA-P1-ZZ-DR-A-08 061 P1 Section B - B Furnival Gate Elevation Details;
 PRC-LDA-P2-ZZ-DR-A-08 062 P1 Section C - C Cambridge Street Elevation Details;
 PRC-LDA-P2-ZZ-DR-A-08 063 P1 Section D - D Cambridge Street Elevation Details;
 PRC-LDA-ZZ-ZZ-DR-A-08 064 P1 Section G - G Wellington Street Elevation Details;
 PRC-LDA-P2-ZZ-DR-A-08 065 P1 Section E - E Wellington Street Elevation Details;
 PRC-LDA-ZZ-60-DR-A-08 201 P1 Plant Screen Plan;
 PRC-LDA-ZZ-60-DR-A-08 202 P1 Plant Screen Elevations - Façade;
 PRC-LDA-ZZ-60-DR-A-08 203 P1 Plant Screen Elevations;
 PRC-LDA-ZZ-60-DR-A-08 204 P1 Plant Screen Details - Plans;
 PRC-LDA-ZZ-60-DR-A-08 205 P1 Plant Screen Details - Sections;
 PRC-LDA-ZZ-60-DR-A-08 206 P1 Plant Screen Details - Elevations;
 PRC-LDA-ZZ-60-DR-A-08 207 P1 Plant Screen - Views;
 PRC-LDA-P5-GF-DR-A-08 100 P1 Proposed Kiosk Plan - Level 00 - Phase 5;
 PRC-LDA-P5-01-DR-A-08 101 P1 Proposed Kiosk Plan - Level 10 - Phase 5;
 PRC-LDA-P5-RF-DR-A-08 102 P1 Proposed Kiosk Plan - Level 20 - Phase 5;
 PRC-LDA-DR-A-08 103 P1 Proposed Kiosk Elevations; and
 PRC-ARP-ZZ-10-DR-D-1600 Rev P06 Access Junction General Arrangement (Service Yard)

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No development, including ground works, shall take place in the area bounded by Backfields, Carver Street and Wellington Street until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation of this area and this has been approved in writing by the Local Planning Authority. The WSI shall include:
 - The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.

- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

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

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

4. Any intrusive investigations recommended in the approved Preliminary Geo-Environmental Risk Assessment (ref: PRC-ARUP-ZZ-XX-RP-G-1002, PO2, dated 30/8/16) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

5. Any 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 in writing by the Local Planning Authority prior to the development commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

6. No construction of buildings or other structures shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that construction activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual effects from construction phase noise and vibration that cannot be managed to comply with acceptable levels at source. The CEMP shall also include details relating to the permitted working hours on site, and include a fugitive dust management plan.

Working hours shall be based on the principal that all construction and associated activities audible at or beyond the site boundary shall be confined to 0730 to 1800 hours on Mondays to Fridays, 0800 to 1300 hours on Saturdays, with no working on Sundays or Public Holidays. Any extraordinary arrangements shall be subject to agreement in writing by the local planning authority. The CEMP shall detail suitable community communications procedures to ensure that occupiers of dwellings and other sensitive uses are informed in advance of any disruptive or extraordinary working arrangements likely to cause significant amenity impacts.

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

7. No construction of buildings or other structures shall take place until the scheme of intrusive site investigations outlined in Section 6.3.1 of the Coal Mining Risk Assessment Report is undertaken and a report of the findings arising from the intrusive site investigations, including the results of gas monitoring, is submitted for approval by the local planning authority. In the event that the site investigations confirm the need for remedial works, a scheme of remedial works shall be submitted to the local planning authority for approval; and thereafter the remedial works shall be implemented in accordance with the approved details.

Reason: In order to establish the exact situation regarding coal mining legacy issues on the site

8. No construction of buildings or other structures shall take place until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements cannot be proven, or if the site currently discharges to a different outlet than that required, then a discharge rate of QBar based on the area of the development should be demonstrated. A 30% 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. The development shall thereafter be carried out in accordance with the approved details.

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

9. No construction of buildings or other structures shall take place until measures to divert or otherwise formally close the sewers and water mains that are laid within the site have been implemented in accordance with details that have been submitted to and approved by the local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage and to maintain the public water supply.

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

10. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

11. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

12. No construction of buildings or other structures shall take place until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

- a) been carried out; or
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the (variable) is/are brought into use.

Highway Improvements:

- Traffic Regulation Orders, Cycle Tracks and associated works on Trafalgar Street and Charter Row to facilitate safe movement of pedal cycles;
- Cambridge Street (to become one way northbound);
- Rockingham Street / Charter Row (provision of UTC CCTV camera);
- Wellington Street between Carver Street and Cambridge Street (closure to motor vehicles and associated public realm works);
- The junction and approaches to the junction of Wellington Street and Carver Street (provision for on-street loading);
- Backfields (diversion to provide a link to Carver Street to the north of Wellington Street);
- Cambridge Street, between Cross Burgess Street/Wellington Street and Pinstone Street (closure to motor vehicles and associated public realm works);
- Charles Street, between Cambridge Street and Pinstone Street (closure to motor vehicles and associated public realm works); and
- Cambridge Street (to become one way northbound).

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence. g Authority, will be generated by the development.

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

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

14. No construction of buildings or other structures shall take place until an Employment and Training Strategy, including an implementation plan has been submitted to and approved by the Local Planning Authority. Thereafter the strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic benefits of the scheme for the local community.

15. Notwithstanding the approved plans, the following details are not approved:

- Soffit to the main office entrance
- Roof edge detail/brise soleil to the food and beverage unit

No construction of buildings or other structures shall take place until large scale details at a minimum scale of 1:20 of the items listed above have been approved in writing by the Local Planning Authority.

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

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

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

17. Large scale details at a minimum scale of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- Capping detail to the terracotta facade
- External doors
- Stall risers
- Glazed curtain walling
- External lighting

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

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

18. No construction of buildings or other structures shall take place until full details of suitable and sufficient external cycle parking accommodation within the site has been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

19. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

20. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

21. Any office accommodation forming part of the development hereby permitted shall not be brought into use unless a scheme of sound insulation works has been implemented and is thereafter retained. Such works shall:

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of achieving the following noise level: Noise Rating Curve NR40 (0700 to 2300 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilations.

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz

Reason: In the interests of the amenities of the future occupiers of the building.

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

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:
 - (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as a 15 minute LZeq.

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

[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

Reason: In the interests of the amenities of the locality and of the residential occupiers of the building.

23. Any commercial food uses forming part of the development hereby permitted shall not commence unless details of a scheme for the installation of equipment to

control the emission of fumes and odours from the premises have been submitted for written approval by the Local Planning Authority. These details shall include:

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

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

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

24. Within 3 months of the commencement of development a study shall be submitted to the local planning authority, the scope of which shall first be agreed in writing, which shall assess the provision for and movement of cyclists and pedestrians at the junction of Pinstone Street, Charter Row and Furnival Gate, with the aim of identifying interventions which will provide safe cycling routes in this location

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

25. Within 6 months of occupation of the completed development the results of a scheme of monitoring of the traffic conditions on Division Street shall be submitted to and approved in writing by the Local Planning Authority. The monitoring, which shall be undertaken in a neutral month at least 3 months after first occupation and the completion of associated highway works, shall assess peak hour two-way traffic volumes on the part of Division Street between Carver Street and Rockingham Street.

In the event that traffic volumes on that part of Division Street exceed the predicted volumes by more than 30 vehicles per hour (i.e. if volumes exceed 98 vehicles in the AM peak or 122 vehicles in the PM peak hour), the developer will promote a traffic regulation order to restrict vehicular traffic (except pedal cycles) to run only from west to east on that part of Division Street.

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

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

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

27. The food and beverage units shall not be used unless the servicing arrangements for these units have been submitted to and approved in writing by the Local Planning Authority. No servicing or loading in connection with the development shall take place on any footway, carriageway or cycle track on Charter Row or Charter Square during the hours of 7.30 am to 6.30 pm, on any day including Sundays and bank holidays.

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

28. The development shall not be used unless the internal cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

29. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

30. The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' or LEED Silver and before the development is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good' or LEED Silver has been achieved, shall be submitted to and approved in writing 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

31. Signs will be erected in accordance with the signage zones identified in the Design and Access Statement.

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

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

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

33. The use of the standalone food and beverage units shall be in accordance with Classes A1, A3 and A4 of the Town and Country Planning (Uses classes) Order, 1987, as amended. A5 uses shall at all times remain ancillary to the range of uses hereby approved.

Reason: In order to define the permission.

34. No more than 929 sq.m of the ground floor of the office and retail block shall be used for A2 purposes.

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

35. No piped discharge of surface water from the application site shall take place until surface water drainage works including off-site works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice is available from SCC Environmental Protection Service; Commercial Team, 5th Floor (North), Howden House, 1 Union Street, Sheffield S1 2SH: Tel. (0114) 2734651, or by email at eps.admin@sheffield.gov.uk.

Extraordinary working arrangements shall typically only be granted in cases where logistical constraints dictate (e.g. due to road closure requirements), or where specific processes cannot be undertaken and completed within the relevant timeframe (e.g. power-floating or other treatments relating to large volume concrete pours). Additional working hours will not generally be granted to address scheduling or project management shortfalls.

4. The Construction Environmental Management Plan (CEMP) to be produced by the main Contractor (and any subsequently appointed main Contractor), in liaison with the Local Planning Authority and SCC Environmental Protections Service, should be worded so as to assist in ensuring that construction activities are planned and managed in accordance with the environmental requirements identified in the ARUP Environmental Statement ref. SRQ ES; 24/07/2015 (as amended by the ARUP Environmental Statement Addendum; 18/02/2016). The CEMP should be based on the framework of the approved draft CEMP; ARUP ref. SRQ CEMP01, Rev A; 22/02/2016. The CEMP should document the Contractor's plans to ensure compliance with relevant best practice and guidance, as identified in the ES in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP should include strategies to mitigate residual effects from construction phase noise and vibration, as identified in the ES. Copies of the referenced ES

and CEMP documents are available from the LPA or SCC Environmental Protection Service upon request.

5. As the proposed development will involve the closing/diversion of a highway(s) you are advised to contact the Principal Engineer of Highway Information and Orders, Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH, as soon as possible.
6. 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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

7. 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:-

Sheffield City Council
Town Hall
Penistone Street
Sheffield
S1 2HH

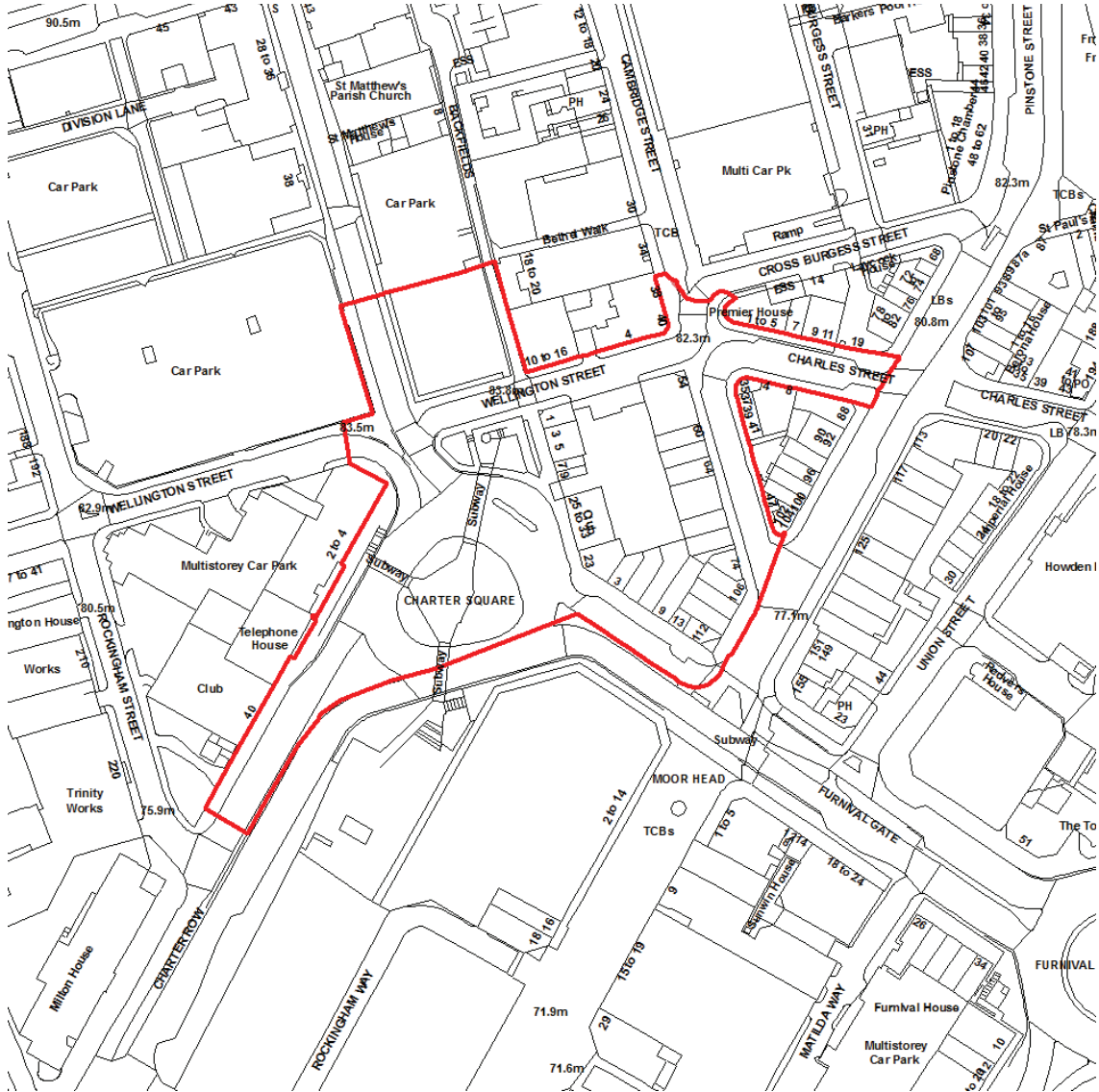
For the attention of Mr P Vickers

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.

8. The applicant is advised that highway improvements relating to Traffic Regulation Orders, Cycle Tracks and associated works on Trafalgar Street and Charter Row to facilitate safe movement of pedal cycles should include:
 - An extension of the cycle track on the southern side of Charter Row to a location opposite Trafalgar Street;
 - An extension of the cycle track on the northern side of Charter Row to a location opposite Trafalgar Street;
 - Improvements to the refuge in Charter Row to facilitate movements across the street;

- Works to exempt cyclists from one-way traffic orders on Trafalgar Street; and
 - The removal of parking from Trafalgar Street between Charter Row and Wellington Street where this promotes conflict between oncoming motor vehicles and cyclists.
9. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use. Reference may be made to the background noise survey data presented in in the ARUP Environmental Statement ref. SRQ ES; 24/07/2015 (as amended by the ARUP Environmental Statement Addendum; 18/02/2016). Copies of the referenced ES documents are available from the LPA or SCC Environmental Protection Service upon request.
 10. For larger commercial kitchens or cooking types where odour risk is high, a risk assessment should be conducted in accordance with Annex C of the document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (Defra; 2005) to determine appropriate odour abatement options. Annex B of the document provides guidance on the information required to support a planning application for a commercial kitchen.
 11. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
 12. The applicant is advised that the signage indicated on the submitted drawings is not approved as part of this permission and will require separate Advertisement Consent. To discuss arrangements for obtaining such consent, and to request application forms, the applicant should contact Development Control Section, Development Services, on Sheffield (0114) 2039183 or go to www.sheffield.gov.uk/in-your-area/planning-and-city-development

Site Location



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INTRODUCTION

Members will recall that the principles of the Sheffield Retail Quarter (SRQ) proposals as described in the current outline planning application (and accompanying 5 applications – see planning history below) were endorsed at committee on 30th August 2016. The Endorsement Resolution confirmed the general acceptability of the proposals submitted to date, recognising that the scheme was likely to evolve in response to changing operator and occupier demand, the needs of the city centre and the outstanding concerns of the local planning authority.

The principles which formed the basis of that Endorsement Resolution are appended (Appendix 1) to this report.

LOCATION AND PROPOSAL

The application site is bound by Wellington Street to the north, Cambridge Street and Pinstone Street to the east, Furnival Gate to the south and Charter Row to the west. It comprises of the former Grosvenor House Hotel, a 12 storey hotel tower which sits on a three storey retail podium and car park that is in the process of being demolished, and Charter Square, which is dominated by a roundabout traversed via a subway, with areas of poor quality paving on the periphery. The Highway Authority are currently carrying out a scheme of works to improve pedestrian and cyclist connectivity across Charter Square, the key element of which is the replacement of the roundabout with a new two way single carriageway road. This will allow the introduction of a signalled surface level crossing of the new road and an off road segregated two-way cycle track. A Highways Act legal order has been made which will extinguish public vehicular rights in the square (with the exception of the new link road), but reserve public bridleway rights to allow it to remain as a public highway for use by pedestrians and cyclists.

Numbers 38 and 40 Cambridge Street (Henry's Café) and 10-16 Wellington Street, to the north of the site are two storey properties constructed from red brick with stone dressings which form the southern boundary of the City Centre Conservation Area.

Numbers 4-8 Charles Street, 35-41 Cambridge Street and 94-104 (known as the Pepperpot building) comprise the city block to the east of the application site. They are again constructed from red brick with ashlar dressings and the Pepperpot building has an ornate roofscape featuring a distinctive turret and Dutch gabled dormers. These properties are also in the City Centre Conservation Area and form part of the Victorian frontage that characterises Pinstone Street.

To the south of the application site is Moorhead and a four storey building occupied by Debenhams while to the west is the site of Telephone House. The 15 storey tower of Telephone House was recently refurbished for use as student accommodation under office permitted development rights

(13/04133/ORPN) while the podium remains in use as a car park with a nightclub and retail unit fronting Charter Square.

Planning permission is sought for the erection of a mixed use development comprising of a six-storey office and retail block with rooftop plant and a basement car park and service area, plus the erection of a standalone food and beverage/retail unit and areas of public realm. In addition consent is sought for the formation of new highway between Backfields and Carver Street. This will enable the continued use of Backfields for servicing and access to the rear of properties on Cambridge Street and Carver Street following the closure of the eastern length of Wellington Street to vehicular traffic.

RELEVANT PLANNING HISTORY

15/03138/DPN An application for the demolition of the former hotel was approved in September 2015.

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

15/02917/OUT The Outline planning application for a comprehensive retail-led mixed use scheme, including demolition of existing buildings and associated structures, the closure and alteration of highways, engineering works and erection of new buildings for retail (A1/A2), food and drink (A3/A4/A5), office floor space (B1) and residential accommodation (C3) with ancillary development including new and enhanced pedestrian routes, open spaces, car parking, vehicular access and servicing facilities.

15/02938/FUL Application to demolish non-listed buildings in the conservation area, including 78 - 82 Pinstone Street, 24 - 26, 28 (facade), 30, 32 -34 (rear), 36, 38 - 40 and 35 - 41 Cambridge Street, 2 - 4 and 10 - 16 Wellington Street, 4 - 8, 1 - 11 and 19 Charles Street, 31 Burgess Street, John Lewis Store, Barker's Pool and Multi Storey car park, 11 - 21 Barker's Pool, Barker's Pool House, Burgess Street and 14 Cross Burgess Street and for the retention of building facades at 30 - 42, 88 - 92 and 94 - 104 Pinstone Street.

15/02941/FUL and 15/02942/LBC Applications for works to stabilise and repair Leah's Yard (20-22 Cambridge Street), a grade II* listed building.

15/02939/FUL and 15/02940/LBC Applications for the demolition of part of the former Sunday School (32 Cambridge Street), a grade II listed building, plus the retention, making good and stabilising of the elevation fronting Cambridge Street and part retention of the elevation and roof fronting Bethel Walk.

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

SUMMARY OF REPRESENTATIONS

One representation was received from a member of the public in relation to the proposed development. They consider it important that the proposed development maintains and enhances the city centre conservation area's character. They also like the proposed roof garden and public realm treatments and feel they will encourage more people into the area.

Historic England

In their consultee response, Historic England note that the site is partially located within the boundary of the City Centre Conservation Area (namely along Cambridge Street and Charles Street) and consider that it affects the setting of a number of heritage assets including the grade II* listed Leah's Yard (20-22 Cambridge Street) and grade II former Sunday School (32 Cambridge Street). They describe how the western portion of the Conservation Area reflects the nineteenth century expansion of Sheffield, defined by the laying-out and development of the 'Devonshire grid', and how the area contained a variety of building types resulting from the association with the metal trade industries, including domestic housing, public houses, places of worship, small industrial workshops and commercial premises, which were laid out rapidly resulting in the characteristic form we see today. They also note the proximity of the site to Pinstone Street, a significant late nineteenth century, finely grained, thoroughfare dominated by commercial premises with a strong townscape presence and architectural detailing on the upper floors.

Historic England go on to make the following comments:

'We previously provided advice on 15th October 2015 and 18th March 2016 in response to application No 15/02917/OUT for the wider redevelopment of the city centre. In summary we identified that the proposed extension of Fargate would result in the demolition of heritage assets on Cambridge Street, harming the special interest of the Conservation Area and Leah's Yard.

This application seeks to bring forward the first phase of the Sheffield Retail Quarter to provide an office led mixed use scheme with retail and restaurant space. Historic England welcomes, in principle, the replacement of the Grosvenor Hotel block. However, we are concerned regarding the impact of the proposed development on those heritage assets identified on Cambridge Street, Wellington Street and Pinstone Street. We consider further improvements are required to the design to reinforce local distinctiveness.

In determining this application it is a legal requirement to have special regard to the desirability of preserving the listed buildings and their settings (s.66, Planning (LBCA) Act 1990). Special attention should also be paid to the desirability of

preserving or enhancing the character or appearance of the conservation area (s.72, Planning (LBCA) Act 1990).

The National Planning Policy Framework (NPPF) (March 2012), sections 128-134 are relevant to this application. In particular, paragraph 131 calls on local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF also requires local authorities, in considering the impact of a proposed development on the significance of designated heritage assets, to give great weight to the asset's conservation.

When considering the impact of this proposed development on the significance of those designated heritage assets affected, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (para.132, NPPF). We consider the proposed development will cause some harm to the City Centre Conservation Area and the setting of a number of heritage assets including Grade II* Leah's Yard (20-22 Cambridge Street) and grade II former Sunday School (32 Cambridge Street). We recommend therefore that this harm be weighed against the public benefits of the scheme as required by paragraph 134 of the NPPF and bearing in mind the statutory duty as outlined above.

We would also like to draw your attention to paragraph 61 of the NPPF which requires planning decisions to address the integration of new development into the historic environment. In addition paragraph 137 calls for local planning authorities to look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance.

Historic England supports the principle of redevelopment of this site and we understand the overall strategic objectives of the Sheffield Retail Quarter. We have carefully considered the impact of the proposed development on the character and appearance of the City Centre Conservation Area and the setting of the adjacent designated heritage assets.

We consider there is an opportunity to strengthen the historic routes which lead into and out of the Conservation Area through an appropriately designed building which seeks to reinforce the townscape of Pinstone Street and the dense urban grain of Cambridge Street. Whilst we are largely content with the proposal to redevelop this significant corner plot, we remain unconvinced regarding the height, mass, architectural treatment and palette of materials of the proposed building. In particular the submitted aerial views indicate the extent of the proposed massing and height of the new block and the impact this will have on the adjacent three and four storey heritage assets. We are concerned that the proposed development will dominate views along Pinstone Street particularly from the Peace Gardens and also views along Cambridge Street and Wellington Street. We are not fully convinced by the detail of the scheme presented and would wish to see the height and massing of the block reduced and/or set back along Cambridge Street and

Wellington Street to respond to the significance of the listed buildings and the Conservation Area.

In order to fully understand the impact of the new development upon the setting of the adjacent designated heritage assets, we advise that a number of the submitted aerial views are revised to adequately illustrate the architectural treatment of the proposed development including the palette of materials. Based on the information submitted we have some concerns regarding the architectural quality of the replacement development and how this will respond to the existing townscape. In particular we consider the scheme should seek to make a clear and positive contribution to the local character and reinforce the distinctiveness of the City.

In its present form the proposed development fails to take account of the opportunities to draw on the contribution made by the historic environment to the character and appearance of the Conservation Area and the setting of the adjacent listed buildings.

We request that further consideration be given to the proposals. In accordance with paragraph 129 of the NPPF, the applicant should seek to improve the design of the proposed development in order to avoid or minimise the conflict between the heritage asset's conservation and any aspect of the proposals.

Historic England is unable to support this application in its current form and recommends that the application be withdrawn or a decision deferred. This is in order to allow for detailed aerial views to be undertaken and further amendments sought to the height, massing and appearance of the proposed development. This is to ensure the proposals constitute sustainable development as defined by the NPPF.'

Conservation Advisory Group

At their meeting on 20th September 2016, the Conservation Advisory Group (CAG) observed that there were no contextual drawings to show the impact of the scheme, which made it difficult to assess. The Group welcomed the exclusion of the Pepperpot Building from the scheme. The Group felt that the very large building within the scheme was not on the same scale as the buildings beyond the Peace Gardens. The Group considered that it was not in a position to say, but it doubted that the building would form a satisfactory frontage with Cambridge Street, Pinstone Street and the Moor. The Group deferred making its final decision on the scheme, until the next meeting on 18th October, the minutes of which were not available at the time of writing this report.

PLANNING ASSESSMENT

Policy Background and the Range of Proposed Uses

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 and supersedes previous national planning guidance contained in

various Planning Policy Guidance and Planning Policy Statements. The NPPF sets out the Government's approach to planning matters, and is a material consideration in the determination of planning applications.

The NPPF describes the Government's commitment to securing economic growth in order to create jobs and prosperity (para.18) and the planning system is expected to support sustainable economic growth and make it easier for jobs to be created in cities, towns and villages (para.9).

To ensure the vitality of town centres (paragraph 23) the NPPF also expects local planning authorities to promote competitive town centre environments and to set out policies for managing the growth of centres over the plan period. The Framework continues to support the principle of 'town centre first', and recommends that local planning authorities should, in aiming to meet their town centre's full retail needs, promote customer choice and a diverse retail offer.

The Development Plan

The statutory development plan for Sheffield currently comprises of:

- Sheffield City Council Core Strategy (March 2009); and
- Saved policies from the Sheffield City Council Unitary Development Plan (UDP) (1998).

The Core Strategy describes the vision for Sheffield and identifies the city centre as playing a crucial role in the transformation of the city's economy and in the development of Sheffield's role as the core city for the city region. Consequently, the city centre is seen as the focus for most new development of offices, shops, leisure, culture, higher education and other services.

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

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

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

The site is located in the Central Shopping Area as defined in the Unitary Development Plan (UDP). Policy S3 of the UDP (Development in the Central Shopping Area) describes shops (A1) as a preferred use and offices (B1) as

acceptable, thereby supporting both the retail and the office element of the proposals.

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

Supplementary Planning Guidance

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

Draft City Centre Masterplan

Consultation on a new Draft City Centre Masterplan was undertaken in 2013. In the new Plan shopping will remain a major part of the City Centre's function but is likely to be consolidated within the identified SRQ core. It is also expected that the shopping experience will change in light of the increasing use of the internet and become part of a rounded experience alongside leisure, work and culture.

The site is in the City Centre and the proposals are considered to conform to national planning policy requirements to invest in city centres. Consequently there was no requirement to provide an impact assessment or sequential site assessment.

The proposed development includes 20,973 sq.m of office floorspace and 7,960 sq.m of retail and restaurant uses, a range of uses that are supported by both the Core Strategy and the Unitary Development Plan.

The proposed office accommodation will bring wide-ranging socio-economic benefits to the city centre and Sheffield as a whole and as a significant proportion of the office floorspace has been pre-let, it is understood that it will provide in the region of 2900 jobs (some of which are relocated from another site in the city centre), with the construction and retail elements of the scheme generating many more job opportunities in both the short and long term. Moreover, the applicant is prepared to work with the Local Authority to ensure that local people benefit from the job creation.

While the site forms a relatively small part of the Primary Shopping Area (PSA), its development is likely to encourage rather than preclude retail development elsewhere in the PSA. Indeed the proposal maximises the amount of retail floorspace achievable at street level and therefore starts to address the current

inadequacy of Sheffield's retail offer and the historical difficulties that have arisen from the city centre's linear form.

The applicant seeks flexibility with regard to the ground floor retail and food and beverage units to ensure that the letting strategy can respond to market demand. Some flexibility is considered to be acceptable in principle, subject to the predominance of A1 uses in the ground floor main office and retail block and limits on the extent of A5 uses in the standalone food and beverage units (which can be reserved by condition).

In conclusion, the proposed development is considered to be consistent with development plan and national policy and remains in the spirit of the endorsed SRQ masterplan.

Design and Landscape Proposals

The NPPF advises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (para. 56). It goes on to say that both 'planning policies and decisions should aim to ensure that all developments:

- 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;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping' (para. 58).

In design terms, the Core Strategy is in line with the NPPF as it seeks to build upon the distinctiveness of Sheffield, with its hills and valleys and its industrial heritage. Policy CS74 (Design Principles) therefore expects high quality development that takes advantage of and enhances the distinctive features of the city, including its topography and other natural features, key views and vistas to landmarks and skylines into and out of the city centre, the townscape and landscape character of the city's districts and the distinctive heritage of the city, particularly the buildings and settlement forms associated with metal trades and the city centre. It advises that development should also contribute to place making, be of a high quality, help to transform the character of physical environments that have become run down and are lacking in distinctiveness, and contribute towards creating attractive, sustainable and

successful neighbourhoods.

Policy BE3 of the UDP (Views and Vistas in the City Centre) deals with the protection of vistas of value. It states that development will not be permitted to damage the traditional City Centre skyline or views and vistas, which are important to the Centre's character.

Policy expectations in respect of building design are contained in policy BE5 (Building Design and Siting). It expects good design and the use of good quality materials in all new and refurbished buildings and extensions and applies the following principles:

Physical Design

- (a) original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings;
- (b) in new developments comprising more than one building there should be a comprehensive and co-ordinated approach to the overall design;
- (c) all extensions should respect the scale, form, detail and materials of the original building;
- (d) in all new developments, design should be on a human scale wherever possible, and, particularly in large-scale developments, the materials should be varied and the overall mass of buildings broken down;
- (e) special architectural treatment should be given to corner sites in order to create a lively and interesting environment;
- (f) designs should take full advantage of the site's natural and built features;
- (g) the design, orientation and layout of developments should encourage the conservation of energy and other natural resources.

User Requirements

- (h) the design of buildings, landscaping and lighting should promote all aspects of personal safety and security, particularly at night time;
- (i) designs should meet the needs of users, particularly people with disabilities, elderly people, people with children, and women;
- (j) designs which reflect the varied ethnic and cultural traditions of the City's residents will be acceptable provided they do not conflict with the design principles set out in this Plan;
- (k) on shopping streets projecting canopies, colonnades and covered walkways may be provided for pedestrian use where they would be in keeping with the building and the street scene and provided they do not lead to a loss of safety or cause an obstruction.'

The Urban Design Compendium was approved by Cabinet in 2004 as a guide in the preparation of planning applications and to be taken into account when they are being determined, though its relevance is decreasing in the context of the changing policy background.

The application site falls within the Heart of the City Quarter as defined in the Compendium, which advises new development in that part of the quarter contained in the City Centre Conservation Area should be introduced sensitively but that, outside of this area, the degree of intervention will be 'reinvention and reconfiguration' and could support more contemporary influences including traditional materials used in modern forms or more contemporary materials such as glass and steel.

The Compendium advises that, within the Conservation Area, the height of new buildings should reflect the height of adjoining buildings, which is mostly 2-5 storeys, but that there may be scope for taller buildings to the south of the Conservation Area, providing it can be demonstrated that there will be no visual or amenity impact on the streetscape and that view corridors to important landmarks are not impeded.

The proposed development sits on the site of Block H/J as described in the recently endorsed SRQ masterplan. While the opportunity has arisen to bring this element of the plan forward in advance of the wider SRQ, the scheme varies from the masterplan in a number of ways as a consequence of the requirements of the building's main occupier. These requirements include the provision of office accommodation across no more than four floors, the need for a clear and well positioned office entrance, the provision of a roof top amenity area and the need for a dedicated servicing area with direct internal access to the building.

Therefore, whereas block HJ comprised of a two storey retail plinth with up to eight levels of office accommodation over, the scheme now proposed comprises of a five to six storey building with retail units at ground floor level, four levels of office accommodation, a basement level service bay and small parking area and a roof top plant enclosure. In addition, a separate two storey building for food and beverage use is proposed. The two buildings are linked via an area of public realm which seeks to add to the city's collection of high quality public spaces.

The two main office entrances are located at key points providing high levels of activity and pedestrian movement: the main entrance is at the intersection of Cambridge Street and Wellington Street/ Cross Burgess Street. The secondary entrance faces onto a new area of public realm to the west.

The proposed office building has a bigger footprint than the existing Grosvenor Hotel but is smaller than block HJ. It is generally considered to create a strong sense of street enclosure at a scale (6 storeys) that does not over dominate the prevalent scale of neighbouring buildings.

The site rises considerably from south-east to north-west and the building floor plates, at the lower levels, step in section to relate to the topography of the site. This approach creates a uniform massing which, over such a large floor area, could be considered monolithic. However variation in height has been introduced at the three key corners to create some subtle distinction and aid legibility.

In developing the design of block HJ as part of the SRQ masterplan it was recognised, given its large size, that the elevations would have to respond to a variety of contexts and the corresponding design code set out how the design of the block might be unified and legible, whilst incorporating variations to reflect the distinctive streets and spaces that surround it.

This same requirement has been applied to the current proposals and so, the architectural language and cladding materials will be used to breakdown the building to read as a series of related but smaller elements which seek to reflect the grain of the surrounding context, which the architect has summarised into the following three character areas:

- Charter Row / Furnival Gate – Monumental Character

Defined as ‘Monumental’ in character, this area is defined by large scale, modernist buildings which are lacking in elements of a human scale.

- The Moor / Pinstone Street – Grid / Fins Character

The medium scale buildings of early modernist and contemporary architecture with vertical articulation and a predominance of Portland Stone on the Moor changes to Victorian and Edwardian buildings with greater vertical proportions of facing brickwork and stone detailing along Pinstone Street. This has been defined as the ‘Grid / Fins’ character.

- Cambridge Street / Wellington Street – Fine Character

The ‘Fine’ character of the medium to small scale Victorian and Edwardian buildings with vertical proportions of facing brickwork and stone detailing dominate Cambridge Street and Wellington Street (with the exception of the John Lewis store).

The proposed office building will be clad in a combination of terracotta panels (in four colours), anodised aluminium and glass. Between the corners the building is broken down in scale by varying the relationship of the solid and glazed elements, the layering of the façade and the module size of materials to reflect the character areas above.

Monumental Character

To respond to the large scale architectural elements of the surrounding buildings in the Monumental Character Area the proposed elevations are articulated using:

- large vertical openings within a strong terracotta frame which extends up to the top of the roof parapet;
- large format terracotta panels (approx. 300mm wide by 1800mm high) are installed vertically and will be a mix of irregularly applied grey tones;
- glazing is set 275mm back from the terracotta frame with anodised aluminium reveals (colour will be introduced to add interest to some of the oblique views) to create depth;

- where opaque elements are required within the glazing zone, back painted glazing will be used to maintain a simplicity of finish;
- structural silicone shopfront glazing is set 450mm back from the terracotta frame with terracotta reveals; and
- the plant screen on all elevations is a simple anodised aluminium vertical box section with recessed vertical panels expressed at regular intervals.

Grid / Fins Character

To respond to the mix of large and small scale architectural elements of the surrounding buildings, including super grids and fins, the elevations of the building which face towards Moorhead are articulated using:

- large format openings within a strong terracotta frame which extends up to the top of the roof parapet, even adjacent the roof terrace to accentuate the vertical proportions on the end elevation;
- terracotta panels will be of a smaller scale format relative to Furnival Gate (approx. 200mm wide by 1800mm high) and will be in regularly laid in a white tone to respond to the Portland Stone of the immediate context (along the Moor);
- the large format openings are broken down with anodised aluminium fins to give a finer grain to the elevation and greater vertical emphasis;
- glazing is set 275mm back from the terracotta frame with anodised aluminium reveals to create depth;
- where opaque elements are required within the glazing zone, anodised aluminium panels are used to complement the metal fins and maintain a simple, crisp character; and
- the shopfront comprises of structural silicone glazing set back from the terracotta frame with structural columns set behind the glazing to ground the upper floors.

Fine Character

To respond to the finer architectural elements of the surrounding buildings on Cambridge Street and Wellington Street the proposed elevations are articulated using:

- large vertical openings within a strong terracotta frame which extends up to the top of the roof parapet;
- the terracotta frame will be articulated with a deeper edge profile to reflect the detailing of the older buildings along Cambridge Street;
- terracotta panels will be of a smaller scale format relative to both Furnival Gate and the Moor (approx. 100 to 200mm wide by 1200mm high) and will be in a mix of regularly laid grey tones;
- the large format openings are broken down with terracotta fins to give a finer grain to the elevation and greater vertical emphasis;
- the glazing is set 275mm back from the terracotta frame with anodised aluminium reveals to create depth;

- where opaque elements are required within the glazing zone - anodised aluminium panels are used to add richness to the materiality and detailing; and
- the shopfront comprises of structural silicone glazing set 450mm back from the terracotta frame with terracotta reveals.

The three corners of the building are also treated differently in order to contribute to the sense of place. While the corner facing onto Moorhead reflects the Grid and Fins character described above, it is given greater prominence by the presence of a roof top terrace which will be visible within the openings of the terracotta façade.

The main office entrance at the junction of Cambridge Street and Wellington Street/Cross Burgess Street is set back and glazed to create a sense of arrival and an intermediary space between the street and the internal reception area, as well as clear views into and out of the lobby. An enlarged terracotta frame gives the corner greater prominence while a finely detailed corner column, potentially given greater expression with inlaid LED lighting, responds to the busy pedestrian junction.

The secondary office entrance, which faces onto a new area of public realm to the west of the application site, is defined by a simple glazed opening at ground level with a raised terracotta frame over. Within the frame are a series of deep anodised aluminium fins.

It is considered that this architectural approach will result in a single, visually cohesive building, but one with subtly different elevations that make reference to their specific context. Furthermore, the proposed materials – terracotta, glass and anodised aluminium – are contemporary and suitable for a large, city centre office building, but are also sufficiently versatile and adaptable to be able to relate to each of the defined character areas.

The roof top plant enclosure is required in order to conceal the large amount of plant necessary to service the proposed office building from street level views. It comprises of deep metal fins punctuated at regular intervals (reflecting the rhythm of the terracotta cladding below) with anodised aluminium trays to add visual interest and connection with the main façade. The scale of the enclosure is partly a result of the function of the building and of the limitation on layering (of the floors) and, whilst not ideal, it should neither dominate nor detract from the scheme overall. A condition requiring details of the layout and height of roof top plant is recommended in order to avoid plant from projecting above the top of the enclosure.

Signage Zones

Signage for the main office tenant and retail units will, in most cases, need advertisement consent. However, locations for signage have been agreed in principle and are identified on the submitted drawings.

The office tenant signage will be displayed in four locations – at street level behind the main glazed entrance screen and in three other high level locations. All four

locations have been agreed in principle and are considered to be sufficiently visible without compromising the architectural language of the building.

Signage for the retail units will be displayed behind the shop front glazing, within a defined zone so that, again, the rhythm and order of the elevations is maintained.

Food and Beverage Units

The two storey food and beverage block in the south-western corner of the site is separated from the main building by a new area of public realm which defines the new pedestrian routes from the Moor and the new cinema development to the south.

The lower unit, which has openings facing out onto the re-modelled Charter Row, is anchored within the public realm and uses the same stone detailing along its elevation - the reveals of the openings are smooth in contrast the textured stone of the main walls.

The upper unit is set further back from Charter Row to create a south facing terrace. In contrast to the lower unit it is a simple lightweight glazed structure with a projecting eaves line and a green roof. The green roof will help to attenuate rainwater as well as maintain views from taller neighbouring buildings.

Both units also help to mask the vehicular access ramp to the service basement from Charter Square.

Landscape Proposals

The spaces around the proposed buildings provide an opportunity to create a new series of high quality public spaces which, together with the building plots, start to build a strong retail connection with The Moor shopping areas as proposed by the endorsed SRQ masterplan and the proposals for the Charter Square area are inspired by one of Sheffield's most characteristic features, its topography.

Building upon the Pennine City theme already established in the city centre, a terraced garden area between the office building and the food and beverage units will provide a comfortable and fully accessible sloping route across the level change. The route will be bordered by planting and breakout spaces in which people can sit and rest and the Pennine landscape will be represented by coarse textured sandstone, wild planting and a roughhewn boulder wall to signify the millstone edge on the outskirts of the city.

The terraced garden will lead up to a new square to be created to the west of the proposed office building. Temporary landscape features will occupy this square until it can be completed as part of future phases of the SRQ. A further square at the junction of Cambridge Street, Wellington Street and Cross Burgess Street will mark the main office entrance and provide space for this busy pedestrianised crossroad.

The existing road pattern will remain largely intact and the surrounding highways will be finished in a flush surface designed to reflect the city's historic streets - comprising of sandstone footways either side of a granite sett carriageway – with the new squares highlighted in a contrasting finish.

The security requirements of the intended office tenant are significant and vehicular access to the building is restricted solely to the service access ramp. In order to prevent vehicles approaching the building a protective edge is required. In many areas this will be achieved with bollards, which will have an impact on the visual amenities of the area but cannot be avoided in this instance. However, in key locations such as the junction of Cambridge Street and Pinstone Street, the bollards will combine with raised planting areas and granite cubes in order to create a sense of place, to provide opportunities for seating and planting and to reduce the requirement for bollards.

In the short term, and to allow for future phases of the SRQ, surfaces along the northern edge of the site will be finished in standard tarmac. There may be opportunities for meadow planting to be used alongside the temporary tarmac surface in order to add colour and seasonal interest along the edge of the site. Both the tarmac and meadow planting can be easily removed without significant cost implications.

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

Built Heritage

The application site includes the adjacent highways (Charles Street and Cambridge Street) which are located within the City Centre Conservation Area and the buildings opposite the site along Wellington Street and Cambridge Street are identified as unlisted buildings that contribute to the character of the area (Urban Design Compendium 2004).

The proposed development will also impact on heritage assets to the north of the application site including the grade II* listed Leah's Yard (20-22 Cambridge Street) and the grade II listed former Sunday School (32 Cambridge Street).

Under Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, it is a legal requirement for local planning authorities, when considering whether to grant planning permission for development which affects a listed building, to 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.'

Section 72 of the Act describes the same general duty with respect to conservation areas and states that 'special attention shall be paid to the

desirability of preserving or enhancing the character or appearance of the area.'

Chapter 12 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies relating to the historic environment.

Paragraph 129 states that, when determining planning applications, local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) and take this assessment into account when considering the impact of a proposal on a heritage asset.

Paragraph 131 also advises local planning authorities to take account of 'the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraph 132 notes that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'

In paragraph 133, local planning authorities are advised to refuse consent for development that 'will lead to substantial harm to or total loss of significance of a designated heritage asset', unless it can be demonstrated that 'the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss' while paragraph 134 deals with less than substantial harm and notes that 'this harm should be weighed against the public benefits of the proposal.'

The Unitary Development Plan (UDP) sets out the Council's general policy in relation to areas and buildings of architectural and historic interest in policy BE15. It states:

'Buildings and areas of special architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced. Development which would harm the character or appearance of listed buildings, conservation areas or areas of special character will not be permitted.'

Policy BE16 deals specifically with development in conservation areas. It advises that buildings which make a positive contribution to the character or appearance of a conservation area should be retained, including buildings which affect the setting of a conservation area or significant views into, or out of, the area, and that the redevelopment of sites which detract from a conservation area will be encouraged.

Policy BE17 (Design and Materials in Areas of Special Architectural or

Historic Interest) requires a high standard of design in Conservation Areas and the use of traditional materials. It also expects a sensitive and flexible approach to layout of new buildings, roads and footpaths.

Development affecting listed buildings is covered in policy BE19. Proposals for development within the curtilage of a building or affecting its setting are expected to preserve the character and appearance of the building and its setting.

The Cathedral Conservation Area and the Town Hall Conservation Area were designated in 1969 and 1976 respectively. They were amalgamated and extended in 1996 to form the City Centre Conservation Area, which incorporates a high concentration of listed buildings (most notably the grade I listed Town Hall) and varies in character from the dense building form of the Cathedral Quarter built in the 18th century to the larger and wider streets of the Victorian core.

The south-western end of the conservation area, which converges with the application site, reflects the rapid late eighteenth and nineteenth century expansion of Sheffield and contains a variety of building types associated with the metal trades industries. Buildings along Cambridge Street, Wellington Street and Charles Street – which are characterised by two and three storey red brick buildings with stone dressings and which includes the grade II* listed Leah's Yard and the grade II listed former Sunday School – will be most affected by the proposed development.

Historic England supports the principle of redevelopment of this site and they understand the overall strategic objectives of the Sheffield Retail Quarter. However, they remain unconvinced regarding the height, mass, architectural treatment and palette of materials of the proposed office building. In particular they are concerned that the proposed development will dominate views along Pinstone Street, particularly from the Peace Gardens, and also views along Cambridge Street and Wellington Street, and suggest that the massing of the block be reduced and/or set back along Cambridge Street and Wellington Street to respond to the significance of the listed buildings and the Conservation Area.

Based on the information submitted Historic England also raised concerns regarding the architectural quality of the proposed development and how it will respond to the existing townscape – they consider that the scheme should make a clear and positive contribution to local character and reinforce the distinctiveness of the City – and suggest that, in its present form, the proposed development fails to take account of the opportunities to draw on the contribution made by the historic environment to the character and appearance of the Conservation Area and the setting of the adjacent listed buildings.

As a consequence, Historic England consider the proposed development will cause some harm to the City Centre Conservation Area and the setting of heritage assets including Leah's Yard and the former Sunday School, and they recommend that this harm be weighed against the public benefits of the scheme as required by

paragraph 134 of the NPPF and bearing in mind the statutory duty as outlined above.

In response, while the range of buildings along Cambridge Street, Wellington Street and Charles Street do form an important part of the conservation area and contribute to the setting of the grade II* listed Leah's Yard and the grade II listed Sunday School, it is considered that the heritage value of the group is diminished by the impact that the existing John Lewis department store, Premier House, the Grosvenor Hotel and other inappropriate interventions in the vicinity have already had on the character and appearance of the area. In contrast to the Grosvenor Hotel, the impact of the proposed development on the setting of these buildings will arguably be a significant improvement.

At 5 to 6 storeys in height (plus set back plant enclosure) the proposed development is well within the 10 storey limit endorsed for block HJ in the SRQ masterplan. It is also considered that the scale of the proposed development, which itself sits outside the conservation area, will not over dominate the prevalent scale of neighbouring buildings and that the recently submitted illustrations demonstrate that there will be no harmful impact on the streetscape as a result of the building's height. It is considered that views to or from important landmarks, including the Peace Gardens, will also not be harmed or impeded.

Furthermore, the proposed materials and architectural treatment of the building, whilst contemporary and perhaps more reflective of the building's commercial use and tenants than the neighbouring conservation area, are considered to be sufficiently versatile so as to allow the architect to vary the elevations in a way which makes specific reference to their context. Thus the elevations facing onto Cambridge Street and Wellington Street have been designed to reflect the vertical proportions and finer detailing of buildings in the conservation area.

It is therefore considered that the proposed development will not cause harm to the City Centre Conservation Area nor, therefore, the setting of heritage assets including Leah's Yard and the former Sunday School.

Moreover, the proposed development is sustainable, is necessary in that it represents the first phase of the much needed SRQ, and it will bring about substantial economic and social gains in its own right including many jobs, a number of new retailers and significant new public spaces which will add to the city's already impressive collection and continue to establish a strong sense of place and an attractive and comfortable place to live, work and visit as encouraged by the NPPF.

Highways and Transport

The NPPF states that developments should be located and designed where practical to accommodate the efficient delivery of goods, give priority to pedestrian and cycle movements, have access to high quality public transport facilities and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians (para. 35).

The proposed development includes a basement service area with 18 on site car parking spaces and 88 long stay cycle parking spaces will be provided at ground floor level with access from Charter Square. A Transport Assessment has been undertaken to determine the impact of the development on the surrounding highway network, which considers access to the site by all modes of transport.

Vehicular access to the site is taken from Charter Square and a new priority junction will provide a left in/right out access to the basement car park. While the initial access proposals raised concerns in relation to pedestrian safety, the practicality of reversing manoeuvres in the event that heavy commercial vehicles are rejected at the access control barrier, and the impact of vehicles reversing into the path of traffic on the main carriageway, a revised access geometry has since been agreed with a shorter and easier reversing path for rejected vehicles and a refuge to allow pedestrians to make the crossing in two, shorter stages.

Charter Square, between Moorhead and the junction of Charter Row and Rockingham Street, is currently being reconfigured as part of the Charter Square highway improvement scheme. The scheme involves the removal of the subways, provision of a two way route for all traffic between Rockingham Street and Pinstone Street, and a segregated two way cycle track.

The proposed development includes the removal of the cycle track running between Carver Street and Furnival Gate, which was to be constructed as part of the Charter Square highway scheme. No mitigation has been proposed, however the Road Safety Auditor considered the volume of motorised traffic here and lack of provision for cyclists to be a road safety issue.

Cambridge Street is to be part pedestrianised and so is not considered to be a suitable alternative route. Rockingham Street, to the west, is also considered to be unsuitable owing to the volumes of traffic and space constraints. A condition is therefore proposed requiring details of a new cycle route connecting the Charter Square cycle track with Division Street via Charter Row and Trafalgar Street. This would constitute traffic regulation changes to allow cycling in both directions on Trafalgar Street.

The pedestrianisation of Wellington Street and Charles Street raises similar issues in that it removes a level separated carriageway for east-west cycling movements. Again, mitigation is required and improvements to Moorhead and Pinstone Street may be the most appropriate means of achieving this. It is acknowledged, however, that there are significant issues regarding the volume and conflicting nature of traffic movements in this location - the two pedestrian crossings of Furnival Gate at Moorhead are two of the busiest in the city by pedestrian volume, in excess of 140 buses per hour pass through the junction and there is a total peak hour motor vehicle movement of about a thousand vehicles, and it may not be practicable to improve cycling facilities at the current time without increasing the degree of conflict. Thus it is considered that the provision of adequate conditions for cycling in this location requires wider strategic thinking and may go beyond that which it could expect the developer to reasonably deliver.

A condition is therefore proposed requiring the developer to conduct a study of cyclist movements with the aim of identifying interventions which will provide safe cycling routes in the vicinity of the development and in light of wider planning and transport matters.

Beyond these alterations, further changes are proposed as part of this planning application including:

- Wellington Street between Carver Street and Cambridge Street will be pedestrianised and a new carriageway link will be provided between Carver Street and the retained section of Wellington Street.
- Backfields will be diverted to join Carver Street to the north of Wellington Street.
- Cambridge Street, between Cross Burgess Street/Wellington Street and Pinstone Street, will be pedestrianised.
- Charles Street, between Cambridge Street and Pinstone Street, will be pedestrianised.
- The direction of traffic flow on the eastern section of Cross Burgess Street will be reversed so that it becomes a one way eastbound route. The priority of traffic will change such that eastbound traffic will give way to John Lewis traffic approaching from Pinstone Street.

These changes are largely supported as they make possible the public realm proposals described above. However, in light of city centre congestion events that have arisen during works to demolish the Grosvenor Hotel, there are concerns that the development leaves a large part of the city centre with only one egress route (via Leopold Street and Trippet Lane) which could result in gridlock situations and severe delays to traffic.

It is considered that the 'gridlock' situations have arisen in part because traffic joining the rear of the queue has no opportunity to escape via an alternative route in the event of a blockage on Trippet Lane owing to the closure of Wellington Street. The development proposes to permanently close Wellington Street to traffic.

It is therefore recommended that (through changes to the TRO) the development provide a second egress from the Burgess Street area, avoiding Trippet Lane, by reversing the one way restriction on Cambridge Street. In addition, a closed circuit television camera will need to be provided at the junction of Rockingham Street and Charter Row, linked into the City's Urban Traffic Control system, to enable the Urban Traffic Control Team to adapt traffic signals in response to traffic conditions in order to minimise queuing and the risk of gridlock situations.

The reversal of traffic on Cambridge Street has been subject to traffic modelling and it is considered that the impact on the adjacent network will generally be acceptable. However Division Street, as a busy shopping street, is sensitive to any increase in traffic beyond that foreseen by the traffic model, and any unanticipated increase in traffic volumes could pose an unacceptable danger to pedestrians. A condition is therefore proposed requiring the developer to:

- Monitor, at least 3 months after completion of the development and associated highway works, peak hour two-way traffic volumes on the part of Division Street between Carver Street and Rockingham Street.
- In the event that traffic volumes on that part of Division Street exceed the predicted volumes by more than 30 vehicles per hour (i.e. if volumes exceed 98 vehicles in the AM peak or 122 vehicles in the PM peak hour), the developer will promote a TRO to restrict vehicular traffic (except pedal cycles) to run only from west to east on that part of Division Street.

The proposed development site is well served by sustainable modes of transport. The existing public transport infrastructure provides access to a large number of high frequency bus services which operate at a 10 minute (or better) frequency. There are bus stops on Pinstone Street, Charter Row, Arundel Gate, Furnival Gate and West Street which are all considered to be within an acceptable walking distance of the site. Sheffield Midland Train Station is within 800m walking distance of the site and provides access to a wide range of local, regional and national services, while Supertram provides access to large parts of Sheffield via the Yellow, Blue and Purple routes. There are tram stops at City Hall, West Street, Cathedral and Castle Square which again are all considered to be within an acceptable walking distance of the site.

In terms of trip generation, estimates have been made of the number of trips generated by the office use and retail use for both the AM and PM peak periods. The table below gives a breakdown of the number of trips by mode:

	Number of trips	
	AM	PM
Car	143	209
Car passengers	25	102
Bus passengers	87	141
Train passengers	13	17
Tram passengers	28	39
Pedestrians	42	77
Cyclist	10	15

Given the limited number of on-site parking spaces proposed it is inevitable that parking demand will need to be accommodated in existing car parks. Within 400m of the site there are a total of 3972 parking spaces. Data collected in April 2016 from 3 city centre car parks (Atkinsons, Wellington Street and Charles Street) shows a maximum occupancy of 74%, 58% and 72% respectively. Based on this information and earlier studies (2009) which indicated an average maximum occupancy of 18 city centre car parks of 62%, it is estimated that there is in the order of 30% spare capacity. This equates to some 1191 parking spaces.

Using the predicted trip generation estimates a parking accumulation exercise has been carried out for both the office and retail parking demand. This indicates a

likely maximum accumulation of 125 vehicles and 272 vehicles (total 397). Given an estimated availability of 1191 parking spaces within 400m of the development it is concluded that the likely parking demand can be adequately accommodated.

In order to assess the impact of the proposal on the highway network modelling was carried out for both the AM and PM peak periods (0800-0900 and 1700-1800) using the AIMSUN micro-simulation model. The modelling works allow a comparison to be made of journey times on short routes and vehicle flows on key links. The result of the modelling indicates that the development will not have a detrimental impact on the operation or safety of the highway network.

It is concluded that the proposed development is located in a highly sustainable location with good access to all modes of transport and that the scheme can be accommodated without detriment to the local highway network.

Access and Facilities for Disabled People

The proposed development comprises of a mixed use scheme surrounded by a series of public open streets and spaces which are intended to knit naturally into Sheffield's existing urban realm. In doing so, the design must resolve large variations in levels across the site in order to achieve a high level of inclusive design and improve accessibility for pedestrians, especially those that are less able-bodied.

Specifically, the design of the public realm has been developed to include a number of ways to navigate the level changes across the site, including:

- a ramped route alongside Telephone House which will provide access from the western end of Charter Row up to the new public space.
- a wide set of steps with an adjoining ramp between the food and beverage units and the main building at the midpoint of Charter Row which will allow all users to move from Charter Row up to the new public space.
- a set of steps along the southwest edge of the building also provides access from Furnival Gate up to Charter Square.

Access along Cambridge Street to the east elevation of the building will be maintained using the existing sloping street levels.

Vehicular traffic will be excluded from streets adjacent to the proposed development and the site will be well served by existing bus routes to the north, east and south – with additional bus stops to be provided on the new Charter Square as part of the Highway Authority improvement works.

Environmental Issues

Proposed development comprises of a range of acceptable city centre uses and so, in amenity terms, raises no general concerns subject to conditions in relation to servicing, hours of operation and fume extraction where relevant.

However, existing residential properties could be significantly affected by noise and vibrations resulting from the construction phase of the proposed development, as well as noise from the operational phase, including traffic noise. A condition is therefore proposed requiring the preparation of a Construction Environmental Management Plan (CEMP) to assist in ensuring that construction activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses.

In addition, the CEMP should document the Contractors plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures and include strategies to mitigate any residual effects from construction phase noise and vibration that cannot be managed to comply with acceptable levels at source.

Sustainability

Section 10 of the NPPF (Meeting the challenge of climate change, flooding and coastal change) describes how planning 'plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.'

It advises that, in determining planning applications, local planning authorities should generally expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply and to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Action to reduce the impact of climate change is also a key part of the vision of the Core Strategy. Policy CS63 (Responses to Climate Change) aims to give priority to development in the City Centre and other areas that are well served by sustainable forms of transport, to promote higher densities of development in locations that are well served by sustainable forms of transport, to promote routes that encourage walking, cycling and the use of public transport and to design development to increase energy efficiency and reduce energy consumption and carbon emissions.

Policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings to be energy efficient and to use resources sustainably, while policy CS65 (Renewable Energy and Carbon Reduction) seeks to secure the generation of energy from renewable sources. Where appropriate, developments will be encouraged to connect to the City Centre District Heating Scheme and all significant developments will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. Policy CS65 also requires all new commercial developments to achieve a BREEAM Very Good rating or equivalent.

The submitted Sustainability Statement provides an overview of the sustainability aspects of the proposed development, covering all aspects of sustainability including social, economic and environmental sustainability and focusing on the energy efficiency of the development in response to the requirements of the Core Strategy.

The proposed development has excellent public transport links but car parking will be limited in keeping with the aims of the LEED assessment for minimising car parking provision. Internal facilities include a fitness suite and secure cycle storage.

Measures to minimise the building's energy usage include a fabric first approach, which can greatly reduce energy demand. However, as it is not possible to fully eliminate the requirement for space heating, the building will connect to the Sheffield district heating network, which offers reduced emissions when compared with equivalent grid electricity and natural gas installations. This connection to the district heating will provide 100% of the peak heat demand of the building.

Whilst improvements in the thermal performance of the building fabric can greatly reduce solar gain, some mechanical cooling will be required to achieve a comfortable internal environment. It is proposed that space cooling within the offices and retail spaces will be provided by highly efficient air cooled chillers which offer high Seasonal Energy Efficient Ratings (SEER). Similarly, LED fittings will provide lighting within the office areas where lighting controls will further reduce the energy demand of the development.

The air handling units that serve the proposed mechanical ventilation systems within the development will incorporate heat recovery devices which significantly reduce the heating energy demand of the building by recovering heat from the ventilation exhaust air stream (that would otherwise be lost) to pre-heat incoming fresh air during winter. These highly efficient heat recovery devices can deliver a heat recovery efficiency of 70% or greater.

Other strategies to create a building which is highly sustainable include minimising water use, designing for future flexibility, and selecting materials which have a minimal impact on the environment. In addition, both the office building and the food and beverage unit will have 'blue' roofs which are designed to store rain water in order to regulate discharge to the combined sewer.

Finally, the development will target a BREEAM Very Good rating for the retail elements of the scheme and a LEED Silver for the office element, both of which are reserved by condition.

Community Infrastructure Levy (CIL)

The Council approved the CIL Charging Schedule on 3 June 2015 and it came into effect on 15 July 2015. The Schedule adopts a matrix approach, setting out differing CIL rates for new housing, retail, hotels and student accommodation.

As per the Schedule, Major Retail Schemes with a floorspace of 3,000 square metres are charged at a rate of £60 per square metre. The CIL charge will apply to the whole of the net additional retail floorspace.

SUMMARY AND RECOMMENDATION

The proposed development represents the first phase of the much needed SRQ. It is consistent with the local development plan and national policy and is considered to remain in the spirit of the endorsed SRQ masterplan.

Whilst a large building, constrained in terms of massing by user requirements, the architectural approach should result in a visually cohesive building which makes appropriate reference to its mixed context and which will make a positive contribution to the character and appearance of the city centre. Moreover, the proposed public spaces will provide a quality setting for the new development and help to establish a strong sense of place and an attractive and comfortable place to live, work and visit.

It is considered that the proposed development will not cause harm to the City Centre Conservation Area, nor the setting of heritage assets including Leah's Yard and the former Sunday School. Additionally, the proposed development is sustainable, accessible to all modes of transport and will bring about substantial economic and social gains to the city.

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

APPENDIX ONE

The following principles formed the basis of this committee's Endorsement Resolution on 30th August 2016:

1. Retail Need

That the proposed scheme:

Responds to national planning policy requirements to invest in city centres and the objectives of the Sheffield Core Strategy to enhance the regional role of Sheffield City Centre.

Addresses the current inadequacy of Sheffield's retail offer, in particular the difficulties that have arisen from the city centre's historically linear form.

Would provide the quantity and quality of retail floorspace required in order to improve the City's retail offer.

2. Anchor Store

The replacement of the existing department store at Barker's Pool with a new store to meet 21st century retailing needs as a key part of the scheme is supported, both to anchor the new Sheffield Retail Quarter and maintain the future vitality and viability of the city centre as a whole.

That the final position of the store is not fixed and could be altered in response to the operational needs and master planning requirements of the scheme and the trading requirements of the occupier.

3. Quantum and Mix of Development

The proposed mix of retail, leisure and office floorspace is considered to be acceptable.

The inclusion of up to 38,323 square metres of office floorspace (use class B1) within proposed block HJ is supported and reflects the ambitions of the draft City Centre Masterplan to expand the Central Business District.

The proposals include sufficient floorspace to deliver an appropriate number of homes, in accordance with the Sheffield Strategic Housing Land Availability Assessment and the ambitions of the City Centre Masterplan.

4. Layout and Built Form

The format of the outline planning application, based on parameters or limits for development, supported by a series of plot specific Design Codes, an Urban Design Code and a Public Realm Design Code, provides a sound yet flexible basis for developing the City's retail quarter.

The limits for development set by the parameter plans strike a reasonable balance between the requirement to deliver a viable quantum of development within the constraints of the location, apart from where further work is recommended to mitigate any potential harm caused by the upper limit of development on existing built form.

The intention to build upon the historic street pattern to create a series of open streets and spaces that reinforce the distinctive character of Sheffield City Centre is welcomed.

The commitment to deliver a high quality public realm that reflects the quality of the existing public spaces within the city centre is welcomed.

5. Heritage

Although the proposals are harmful to some heritage assets, the harm is less than substantial such that the benefits to the City outweigh the injury to the City's heritage and adequately meet the requirements of the NPPF.

Where harm is caused – to the setting of the grade II* listed Leah's Yard, as a result of the loss of a significant proportion of the grade II listed Bethel Chapel Sunday School and as a consequence of demolitions on the western fringe of the City Centre Conservation Area – opportunities to minimise that harm should be sought wherever possible. Retention of the Victorian frontages facing onto

Pinstone Street is supported as a particularly positive feature of the outline proposals.

The benefits of the SRQ are considered to outweigh the loss of archaeological remains, but that loss should be mitigated by thorough investigations and detailed reporting of remains during the implementation of any subsequent development.

6. Highways and Transport

The predicted SRQ traffic can broadly be accommodated on the local highway network, with little or no impact on the Strategic Road Network.

The proposed vehicular access routes into the SRQ are acceptable and good public transport links appear to be maintained.

Pedestrianised streets and spaces will be expected to remain open to the public 24 hours a day.

The cycling strategy comprising high quality primary routes around the edge of the SRQ, secondary commuter routes through the site and access to all areas for cyclists, is sound, subject to further work on the location of the cycle hub.

Notwithstanding the Highway Authority's commitment to improve Charter Square, subsequent proposals for Charter Square, including removal of the private car, are fully supported subject to satisfactory alternative servicing and access arrangements for the existing businesses and residents affected.

The intention to maximise access for all people to all parts of the development and to design inclusively (beyond the minimum requirements of the Building Regulations Part M) is fully endorsed.

7. Environmental Impacts

The EIA and supporting documentation, as amended, provides a sound basis for assessing the impact of the development on the local environment and attempting to minimise the harm it could cause.

8. Sustainability

It is acknowledged that the proposed development could comfortably exceed the local policy requirement to provide a minimum of 10% of predicted energy needs from decentralised and renewable or low carbon energy.

Given the scale, nature and location of the retail quarter, and its significance for Sheffield, it is expected that, as the detailed design of the proposals evolve, every effort will be made to minimise its carbon footprint.

This application relates to the part of the SRQ site currently occupied by the Grosvenor Hotel, effectively forming a first standalone phase of the SRQ. It has been necessary to bring this scheme forward in advance of the outline consent in order to accommodate the timescale requirements of the future tenant.

The proposal comprises of a six storey office and retail block, similar to Block H/J in the SRQ masterplan, which will deliver 20,973 sq.m (gross external area) of office accommodation and another 7,960 sq.m of retail and food and beverage floorspace.

Case Number	16/02751/FUL (Formerly PP-05333752)
Application Type	Full Planning Application
Proposal	Demolition of existing building and erection of 28 apartments with associated car parking accommodation
Location	Site Of TTS Car Sales Ltd Archer Road Sheffield S8 0LA
Date Received	19/07/2016
Team	South
Applicant/Agent	Space Studio
Recommendation	GC Subject to Legal Agmt Sec of State

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

- SITE / LOCATION PLAN EXISTING AND PROPOSED / A15-152-01 Revision C
- GROUND FLOOR SITE PLAN / A15-152-03-1 Revision D
- BASEMENT FLOOR PLAN / A15-152-02 Revision D
- GROUND FLOOR PLAN / A15-152-03 Revision D
- FIRST FLOOR PLAN / A15-152-04 Revision C
- SECOND FLOOR PLAN / A15-152-05 Revision C
- THIRD FLOOR PLAN / A15-152-06 Revision C
- ROOF PLAN / A15-152-07 Revision C
- FRONT AND REAR ELEVATIONS / A15-152-08 Revision C
- ELEVATIONS / A15-152-09 Revision C
- TYPICAL SECTION D-D / A15-152-10 Revision C

Reason: In order to define the permission.

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

3. The intrusive investigations recommended in the approved Phase I Site Investigation by ECUS Ltd ref. JW/0635/061123/P1; Dec 2006 shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

4. 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 in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) 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 is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

5. Unless shown not to be feasible and viable, no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

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

6. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

7. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

8. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

9. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

10. The Local Planning Authority shall be notified in writing upon completion of the green roof.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

11. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off -site works and calculations to demonstrate the reductions, have been submitted to and approved by the local planning authority . The details shall include evidence :-
 - i) as to why other (than discharge to public sewer) means of surface water disposal have been considered and why they have been discounted ;
 - ii) of existing positive drainage to public sewer and the means of ensuring a minimum of 30% reduction in flow volume based on the existing peak discharge rate during a 1 in 1 year storm event. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres / hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details, and there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and to mitigate against the risk of flooding

12. No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements.

13. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

14. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:

a) Be based on the recommendations of the approved noise survey by S & D Garritt Ltd dated 21/10/2013.

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq 15 minutes 30 dB / NR25 (2300 to 0700 hours);

Living Rooms: LAeq 15 minutes 40 dB / NR30 (0700 to 2300 hours);

Terraces: LAeq 16 hour 55 dB

c) Include a system of alternative acoustically treated ventilation to all habitable rooms, to include ducted ventilation to habitable rooms on the Archer Road façade, to allow for summer cooling.

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

Reason: In the interests of the amenities of the future occupiers of the building.

15. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority.

Such Validation Testing shall:

a) Be carried out in accordance with an approved method statement.

b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

Reason: In the interests of the amenities of the future occupiers of the building.

16. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with

Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

17. The development shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

18. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

- a) been carried out; or
- b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the (variable) is/are brought into use.

Highway Improvements:

Archer Road (alterations to road markings and relocation of street light)

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

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

20. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

21. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

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

22. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

23. Before the development is commenced, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the apartments shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason; In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield (and/or Core Strategy).

24. No development shall commence until details of a scheme of intrusive site investigations have been submitted to and approved in writing by the Local Planning Authority, and shall include details of measures to locate and assess the mine entry (adit) and the investigation of the potential shallow coal mine workings. The approved site investigation works shall be undertaken before the commencement of development, and a Coal Mining Legacy Report detailing the findings of the intrusive site works, together with any remedial measures necessary shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In order to ensure that coal mining legacy issues are correctly dealt with.

25. Any remediation works recommended in the Coal Mining Legacy Report referred to in the preceding condition shall be the subject of a Coal Mining Legacy Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced.

Reason: In order to ensure that coal mining legacy issues are correctly dealt with.

26. All development and associated remediation shall proceed in accordance with the recommendations of the approved Coal Mining Legacy Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Coal Mining Legacy Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Coal Authority should be contacted immediately. Revisions to the Coal Mining Legacy Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Coal Mining Legacy Remediation Strategy.

Reason: In order to ensure that coal mining legacy issues are correctly dealt with.

27. Upon completion of any measures identified in the approved Coal Mining Legacy Remediation Strategy or any approved revised Coal Mining Legacy Remediation

Strategy a Validation Report shall be submitted to the Local Planning Authority. The development or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority.

Reason: In order to ensure that coal mining legacy issues are correctly dealt with.

28. No development shall commence until intrusive site investigation works have been undertaken to establish the position regarding the nature and geotechnical properties of the ground in front of the toe of the present embankment. A Geo-Technical Remediation Strategy report detailing the findings of the intrusive site works, together with any remedial measures and details of a temporary and permanent retaining wall as necessary shall be submitted to an approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In order to ensure that geo-technical issues are correctly dealt with.

29. Any development and associated remediation shall proceed in accordance with the recommendations of the approved Geo-Technical Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Geo-Technical Remediation Strategy, or unexpected circumstances are encountered at any stage of the development process, works should cease and the Local Planning Authority should be contacted immediately. Revisions to the Geo-Technical remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved Geo-Technical Remediation Strategy.

Reason: In order to ensure that geo-technical issues are correctly dealt with.

30. Upon completion of any measures identified in the approved Geo-Technical Remediation Strategy or any approved revised Geo-Technical Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development or any part thereof shall not be brought in to use until the Validation Report has been approved in writing by the Local Planning Authority.

Reason: In order to ensure that geo-technical issues are correctly dealt with.

31. Prior to any occupation of the development details of screening of a minimum 1.7metres in height along the rear perimeter of the terrace areas at Second Floor Level shall be submitted to and approved in writing by the Local Planning Authority. The approved screening shall be erected prior to occupation of any apartments within the development, and shall be permanently retained in the approved form thereafter.

Reason: In the interests of the amenities of neighbouring occupiers.

32. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority , full details of dropped kerbs and blister surface tactile paving within the footway of Archer Road, shall have been submitted to and approved in writing by the Local Planning Authority and the occupation of the development shall not commence unless such facilities have been provided in accordance with the approved plans and thereafter such facilities shall be retained.

Reason: To ensure ease of movement and access for disabled persons at all times.

33. Notwithstanding the details of the Front Elevation and the Ground Floor plan drawings, prior to the commencement of development amended drawings shall be provided which show a step down from the internal space out onto the Balcony areas of all Ground Floor Apartments. The development shall then be carried out in accordance with the approved amended drawings.

Reason: In the interests of the amenities of the occupiers of the development.

34. The use of glazing for the safety screen across the approved balcony areas is not hereby approved. Prior to the commencement of development alternative balastrading including traditional railings shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as part of the scheme prior to the occupation of the development, and be retained in the approved form thereafter.

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

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

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

36. Notwithstanding the approved front elevation drawing, prior to the commencement of development details of brickwork detailing at the plinth level shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details thereafter.

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

Other Compliance Conditions

37. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

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

38. Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

39. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

40. All development and associated remediation shall proceed in accordance with the recommendations of the approved Contaminated Land Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of

the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

41. There shall be no gates or barriers erected at the means of access to the site.

Reason: To ensure access is available at all times.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. 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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

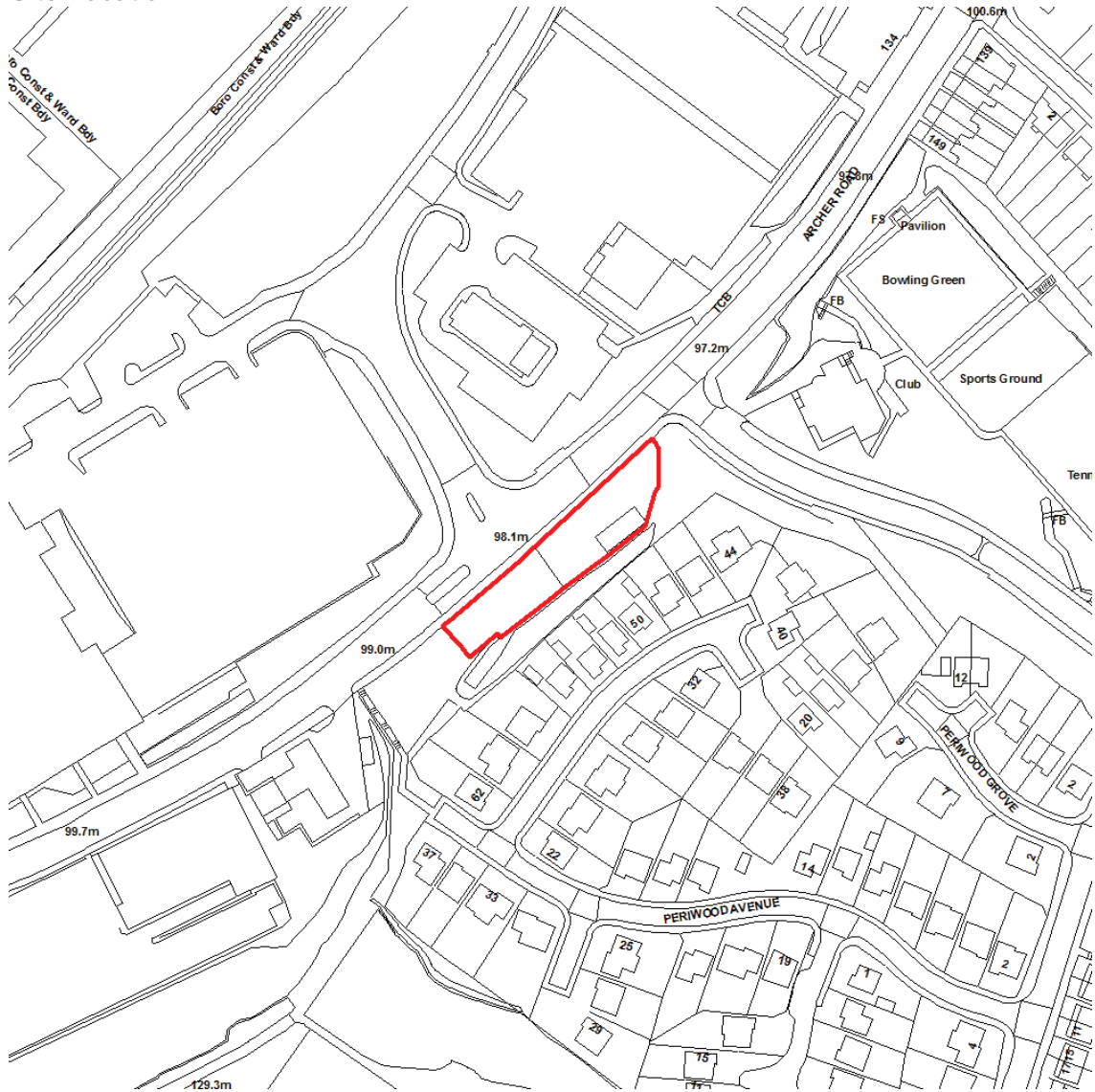
Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

5. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with 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.

Site Location



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LOCATION AND PROPOSAL

The application site is located to the south-east of Archer Road, immediately opposite the junction with the access road to Sainsbury's supermarket and retail outlets.

The site currently operates as a Car Sales premises, and is located within a Mixed Use Area as identified within the Unitary Development Plan. Immediately to the south-east the land rises steeply and is populated by trees. The sloped land is designated as an Open Space Area and an Area of Natural History Interest under the Unitary Development Plan. At the top of this steep edge are residential dwellings which are designated as being within a Housing Area within the UDP.

The application seeks full planning permission for the erection of 28 apartments with associated parking. Vehicular access would be taken from Archer Road, and residents' access would be achieved from separate access points along the Archer Road frontage.

The building would be a total of four storeys in height, with parking incorporated in a semi-basement level, giving 4.5 storeys overall.

The building would be split into two components from 1st floor level upwards. The 3rd floor level accommodation would be set in from the side elevation of the accommodation below.

The building would be largely faced with red brick work, and there would also be elements of white render, grey powder coated metal cladding, coloured glass look-alike panels and aluminium curtain walling for the balcony features.

The semi-basement would include 31 car parking spaces, as well as a cycle store including 27 spaces.

RELEVANT PLANNING HISTORY

06/01564/OUT; Erection of 24 flats and associated parking.
Refused on 20.6.07 for the following reasons

1. The Local Planning Authority considers that the proposed development would not be capable of providing satisfactory living conditions for occupiers of the accommodation due to the identified status of the site as within noise exposure Category C within PPG 24: 'Planning and Noise', and the impact of measures necessary to mitigate nuisance from external noise including non-openable windows and mechanical ventilation. The proposed development is, therefore, contrary to Policies H5, MU8, MU11 and BE5 of the adopted Unitary Development Plan and Guidance in PPS1, Delivering Sustainable Development, and PPG24: Planning and Noise.

2. The Local Planning Authority considers that the proposed development for 24 apartments, as per the submitted layout, would not be capable of providing appropriate levels of off-street parking and turning facilities for delivery/refuse

vehicles, therefore creating on-street parking and servicing requirements which would have a prejudicial impact on highway safety on Archer Road and Fraser Road. The proposed development is, therefore, contrary to Policies H5, MU8 and MU11 of the adopted Unitary Development Plan.

Following this refusal a revised application involving 19 apartments was submitted under reference number 08/03908/OUT, which sought to address the previous reason for refusal. The revisions were considered to address the concerns and consequently outline approval was later granted.

The time limit of this outline consent was later extended, under reference number 10/02641/OUTR.

After this an outline approval was granted consent under 13/03732/OUT for a scheme matching the 08/03908/OUT and 10/02641/OUTR approvals

SUMMARY OF REPRESENTATIONS

After neighbour notification, the display of a site notice and publication of a press advert; 8 written representations have been received.

The comments made can be summarised as follows:

- Impact on privacy (raised by owners of No's 48, 50, 52, 54, and 60 Periwood Avenue)
- Trees provide only partial screen
- Noise intrusion from roof terrace

- Proposal development is excessively sized for the site, and out of character in locality.

- Site is not in a sustainable location, parking levels are insufficient.
- Site opposite a busy location, access to Sainsbury's etc.

- Excavation potentially will have undermining impacts, and lead to subsidence risks to neighbouring properties.
- Concerned that trees on the embankment would be removed.

- A smaller outline approval has been granted, which took into account the Periwood Avenue housing above.

- Scheme is designed to maximise profit
- Archer Road doesn't need any further flats. A nearby scheme has halted, and GPs aren't able to take any more patients.

Cllr Steve Ayris has also provided comments, and these are summarised as follows:

- Financial viability is not a planning consideration
- A 2006 application for 24 apartments was refused, due to occupants being put at risk of noise exposure and a prejudicial impact on highway safety
- A 2009 scheme was approved after resolving those issues

- Current scheme is larger than the refused scheme
- Overlooking impacts to Periwood Avenue properties
- Noise impacts to Periwood Avenue properties
- 4.5 storey development is out of character in location
- Risk of subsidence. Site is in a High Risk Area in regards to coal mining legacy
- Site is not in a sustainable location. Scheme includes an under-provision of parking spaces

PLANNING ASSESSMENT

The Unitary Development Plan designates the site as being within the Archer Road Mixed Use Area, and therefore UDP policy MU8 is applicable.

The policy does not list residential development within the land uses, and therefore it is necessary to assess the current proposal upon its own merits.

Policy MU11 is the policy supplementing MU8, giving more specific criteria against which to assess the proposal.

The National Planning Policy Framework (NPPF) at para 111, encourages effective use of land, re-using land that has been previously developed. Policy CS24 of the Core Strategy complies with this section of the NPPF, by giving priority to development of previously developed land and allowing no more than 12% of dwellings on greenfield sites. The site is previously developed and therefore the proposal would contribute positively towards the aims of this policy.

Sustainability

The Sheffield Development Framework Core Strategy includes policies CS64, CS65 and CS67 relating to sustainability issues.

Policy CS64 requires new residential buildings to be designed to reduce emissions of greenhouse gases and to use resources sustainably. The applicant's supporting statement confirms that the proposal will be capable of meeting the requirements of Policy CS64.

Policy CS65 requires residential schemes to provide 10% of its predicted energy needs from renewable / low carbon energy sources, unless it is evidenced to not be feasible or viable. There is also scope for this same energy saving to be achieved via a fabric first approach. The supporting statement doesn't refer to this policy, however, the requirement has previously been raised with the applicant's agent. Additionally, the previous outline approval included a condition covering this issue and it is therefore appropriate to add a similar condition to any consent granted here.

Policy CS67 requires a reduction in surface water run-off. To address this issue a condition should be incorporated in any consent which requires a reduction in run off to be secured.

The proposed scheme includes green roof provision, thereby satisfying the relevant guideline of the Climate Change and Design Supplementary Planning

Document. A condition requiring the submission of further details can be incorporated into any approval issued as part of this scheme.

Design

The proposed scheme features a building which incorporates 4 storeys of accommodation, and also a semi-basement level. The buildings would occupy much of the site. From 1st floor level upwards the building would be split into two halves. The 3rd floor level would include roof terrace areas, meaning that there would be setbacks from the side walls of the two halves below each of approximately 3metres.

Whilst the buildings would occupy a large portion of the site, the visual character of the area is comprised of large scale commercial uses. The surrounding uses are large retail outlets, petrol stations and the associated parking facilities. As a result, it is considered that the utilisation of the majority of the site would not be out of character within the locality.

Policy CS26 of the Core Strategy aims to ensure that housing development makes efficient use of land by developing at appropriate densities. The proposed density of 223 dwellings per hectare (dph), would significantly exceed the suggested appropriate density of 30-50 dph. The policy does add that exceptions to this stated density range may be allowed where it would achieve good design, reflect the character of an area or protect a sensitive area. The proposed density is considered to be acceptable in this location, along this portion of Archer Road where there isn't a strong residential character and where the commercial buildings are of substantial scale. In addition, flats inevitably generate higher densities than traditional housing. As a result, the proposal would be considered to be acceptable in regards to this policy.

The site occupies a prominent position at the junctions of Archer Road/Fraser Road, and Archer Road/Archer Drive and a substantial building is considered appropriate here. Given also the extent of physical separation from other built form, the 4.5 storey building would not be considered to be in conflict with the surrounding street scene. Although a significant introduction, the proposal would not undermine the appearance of the locality and is considered acceptable in scale and massing terms.

The semi-basement level would mean that the ground floor level accommodation would be set above the pavement level by approximately 1.5m. The apartments would be accessed by five separate sets of steps. The apartments would also feature a balcony at the front elevation, and would be given full height glazing across much of their front elevations. As a result the main elevation of the dwelling would present an active frontage to the street, and contribute positively in this regard.

Overall, the proposal would be considered to be in keeping with the character of the locality, and to meet the requirement of BE5 and MU11 (d) of the UDP and CS74 from the Core Strategy.

Living Conditions of Neighbours

The neighbouring dwellings most likely to be affected are those at Periwood Avenue to the south-east, being separated from the site by an embankment. The embankment is allocated in the UDP as being an Open Space Area and an Area of Natural History Interest.

The rear elevation of the building would be separated by approximately 21metres from the rear elevation of Periwood Avenue properties. The 3rd floor accommodation doesn't include any windows in its rear elevation, therefore preventing overlooking from the internal spaces of the 3rd floor apartments.

The proposed accommodation at 2nd floor would be either at an equivalent level or below the 2nd floor level windows of the Periwood Avenue housing. The separation distance would be sufficient to prevent any harmful overlooking and resulting privacy impacts. The scheme would therefore be considered to be acceptable in this regard.

The use of the roof terrace area would allow overlooking opportunities towards Periwood Avenue, and therefore some discrete screening would be needed in order to prevent overlooking in this direction. Details of such screening could be controlled by condition.

Representations refer to noise generation from the roof terrace areas. Any noise generated would be unlikely to be significantly greater than from a conventional garden area, so the scheme could not reasonably be resisted on this basis.

Overall, it is considered that the proposal would avoid having a detrimental impact upon the living conditions of neighbouring residents. Therefore, the scheme would meet the relevant requirements of MU11 (b), which requires developments in mixed use areas to not cause residents to suffer from unacceptable living conditions.

Living Conditions for Potential Occupiers

Similarly MU11 part (b) requires development to provide acceptable living conditions for potential residential accommodation.

The main source of potential nuisance is traffic noise, and particularly the traffic associated with the junction accessing the supermarket and Retail Park opposite, as well as the adjacent petrol filling station and supermarket.

A noise report has been submitted with the application, and recommends that specific double glazing types are installed to specific rooms. Certain types of roof construction are also recommended. These recommendations are considered to

be appropriate and would be required to be incorporated by condition added to any approval.

The internal space provided to each apartment is considered to be appropriate. All apartments (except Unit 04) are provided with balcony areas (approximately 4.5 sq metres in area). There would also be small external garden areas assigned to apartments 1 to 4, as well as a communal garden area. The flats at the upper floor would have their own roof terraces.

Whilst of relatively limited floor space, these areas would be considered to provide adequate external amenity provision, in a way that wouldn't undermine the internal amenities of occupants of other apartments through loss of privacy for example.

In this respect the proposal would provide adequate amenities for its potential occupants, and would therefore meet the requirements of policy MU11(b).

Highway Issues

MU11 (Conditions on Development in Mixed Use Areas) in part (f) requires development to be adequately served by transport facilities, to provide safe access to the highway network and appropriate off-street parking.

The proposed scheme would achieve refuse collection from the highway, adjacent to the main vehicle access point. However, the existing car sales facility already has refuse collections undertaken from the highway, and therefore continuation of this activity, whilst not ideal, is considered acceptable.

The 2006 application was refused partly due to the lack of turning facilities for refuse / delivery vehicles. It is noted that the current size of refuse vehicles would make it virtually impossible to provide a turning facility within the site as part of any development. Therefore, given the limited concerns relating to safety caused by on-highway refuse collections, it is considered that it would not be reasonable to resist the application based upon this issue.

The scheme is shown to include 31 parking spaces. This would amount to one space per apartment and 3 visitor spaces. This provision would be marginally below (by 4 spaces) the maximum provision outlined in the Council's parking guidelines. Notwithstanding this shortfall the site is considered to be accessible by frequent public transport services, and there are a range of shops and facilities locally. On this basis the proposed parking provision would be considered to be acceptable.

Overall, the proposal is considered to meet the requirements of MU11 (f).

Mobility Issues

Although there is only stepped pedestrian access from the footway in Archer Road, level access is provided to the units via the semi-basement car park. Details of dropped kerbs and blister surface tactile paving would need to be provided within the footway of Archer Road, on both sides of the vehicular access to the site.

This would be considered to be acceptable, and these measures could therefore be integrated as a condition in any approval issues in response to this scheme.

Landscaping

Landscaped areas are indicated, providing communal amenity space. No comprehensive details have been provided of hard or soft landscaping, and it will therefore be required that appropriate details are submitted and integrated into the scheme.

The submitted drawings show green roofing across the large majority of the building. This would meet the requirements of the relevant guideline in the Climate Change and Design Supplementary Planning Document, which requires a minimum of 80% of roofs to be made green roofs.

Conditions can be included within any consent granted which required further details to be provided.

Affordable Housing

The Sheffield Local Plan Core Strategy Policy CS40 states that developers of new housing in all parts of the city will be required to contribute to the provision of affordable housing where this is practicable and financially viable.

Affordable Housing Interim Planning Guidance (IPG) was updated in 2014, and was then replaced by the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (SPD) in December 2015. Guideline GAH2 of the SPD sets required levels of developer contribution towards affordable housing in different parts of the city, and identifies a contribution requirement of 30% for sites in the South West Affordable Housing Market Area, in which this site falls, subject to scheme viability.

The NPPF at paragraph 50 requires policies to be set for the provision of affordable housing. Also paragraph 173 states that 'to ensure viability, the costs of any requirements likely to be applied to a development, such as requirements for affordable housing.....should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable'.

A financial appraisal was submitted with the application, which concluded that any contribution towards affordable housing would make the scheme unviable.

In line with normal practice in such cases, and reflecting the requirements of the NPPF and policy CS40, the District Valuation Office (DV) independently assessed the developer's viability case.

The DV's report advised that a contribution to off-site affordable homes of £121,346, equivalent to a level of approximately 3.5%, could be delivered whilst retaining scheme viability and a reasonable developer profit. In these circumstances a 3.5% contribution to Affordable Housing would be required to meet the requirements of Policy CS40 and Guideline GAH2.

The Developer has agreed to this contribution, and it would therefore be incorporated within a legal agreement.

Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £50 per square metre. The application has been accompanied by the requisite CIL forms.

Other Issues

Contamination

A Phase 1 Site investigation has been provided with the application, which recommends further intrusive site investigations. As a result, it is recommended that the relevant conditions should be added to any approval which is granted.

Coal Mining

The site is located in a High Risk Area regarding coal mining legacy issues. The Coal Mining Risk Assessment provided with the application concludes that shallow mine workings and the mine entry pose a potential risk to the stability of the application site.

As a result the Coal Authority advise that intrusive site investigation works (including monitoring for the presence of gas) are undertaken in order to establish the exact situation regarding ground conditions and to enable appropriate remedial measures to be identified if necessary.

Slope Stability

Para 120 of the NPPF states that to prevent unacceptable risks from land instability, planning policies and decisions should ensure that new development is appropriate for its location. It also states that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The embankment at the rear of the site has been the subject of a Geo-Technical Survey as part of the previously submitted applications. This document has been re-submitted with this application, and provides the following conclusions:

- there is insignificant hazard of slope failure,
- the majority of the embankment is made ground at its natural angle of rest, and tree cover should be maintained to reduce weathering,
- existing domestic garages at the crest of the embankment are not considered to affect the stability of the slope,
- a standard site investigation should be carried out to establish the temporary and permanent works which would be needed to protect the toe of the slope, although a retaining wall is stated as being required for this purpose and to act as a catch fence for any surface material etc sliding down the slope

It is therefore concluded that the proposal would not have the potential to lead to undermining impacts upon the general stability of the embankment, and a retaining wall would be needed to support the toe of the embankment. It is therefore recommended that a condition is added to any approval requiring a site investigation to ascertain precisely what will be necessary in this respect.

RESPONSE TO REPRESENTATIONS

The majority of points have been addressed in the above assessment. Regarding the other comments, concerns that the scheme is intended to maximise profit are not a material planning consideration.

Also the stagnation of construction work at a nearby apartment development would not be a reason to resist the current application, as it doesn't constitute evidence that apartments are not required locally.

Whilst the capacity of local GP services can be a relevant planning consideration, consultation with the relevant providers is not undertaken for schemes with such few units of accommodation.

SUMMARY AND RECOMMENDATION

The application seeks planning permission for a 4.5 storey building incorporating 28 apartments, utilising an existing car sales site. The site is located in the Archer Road Mixed Use Area.

The proposal is considered to have an acceptable impact upon the local street scene, and the character of the area. It would avoid undermining the living conditions of the neighbouring residential occupiers and provide an acceptable environment for the occupants of the proposed accommodation. The scheme's impacts upon local highway safety circumstances, whilst presenting a slight shortfall in parking provision, would also be acceptable.

Overall, it is recommended that the application should be approved subject to a Planning Obligation to secure the payment of a commuted sum for affordable housing provision.

HEADS OF TERMS FOR UNILATERAL UNDERTAKING

(i) The owner(s) of the site shall serve on the Council, within 21 days of the commencement of development, notice of the commencement of the development and in the event of such notice not being served, covenant to pay the Council, immediately on demand, all sums due under the provisions of this Deed.

(ii) On or before the commencement of development, the owner(s) shall pay to the Council the sum of £121,346 towards the provision of affordable housing. The owner shall not permit occupation of more than one dwelling until such sums have been paid.

Case Number	16/02551/FUL (Formerly PP-05259272)
Application Type	Full Planning Application
Proposal	Demolition of existing industrial unit and erection 54no flats in 4 x 4 storey blocks with associated cycle parking and landscaping (Amended Plans)
Location	Ewen Engineering Co Roscoe Road Sheffield S3 7DZ
Date Received	01/07/2016
Team	West and North
Applicant/Agent	Coda Planning Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

90 001 Rev A
90 003 Rev A
07 001 Rev A
07 002 Rev A
08 001 Rev A
08 002 Rev A
08 003 Rev A
08 004 Rev A
08 006 Rev A
08 005 Rev A

Reason: In order to define the permission.

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

3. Unless shown not to be feasible and viable, no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

4. Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

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

Part B (pre-occupation/use)

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

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

5. The Development shall not commence until full details of the proposed surface water drainage including calculations has been submitted to and approved by the LPA including the arrangements for surface water infrastructure management for the life time of the development. This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site.

Reason: To ensure surface water flooding and pollution management.

6. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

7. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) 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 is properly dealt with.

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

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

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

9. Large scale details, including materials and finishes, at a minimum of 1:20; of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- a) window openings
- b) door openings

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

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

10. Details of the proposed window frames, glazing including opaque glazing , including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

11. Details of the proposed bin store and cycle store doors, including their finish shall be submitted to and approved in writing by the Local Planning Authority before their installation. Thereafter, the development shall be carried out in accordance with the approved details.

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

12. Details of the proposed rainwater goods shall be submitted to and approved in writing by the Local Planning Authority before their installation. Thereafter, the development shall be carried out in accordance with the approved details.

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

13. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

14. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

15. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

16. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

17. The shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway and means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

18. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

19. The development; shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan

20. Details of the type of cycle rack shall be submitted to and approved in writing before construction of the bikeshop is commenced. Thereafter, the development shall be carried out in accordance with the approved details prior to occupation of the development.

Reason: To ensure appropriate facilities to encourage sustainable travel.

21. The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

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

22. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the designated Permit Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

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

23. The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

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

24. No development shall take place, including any works of demolition, until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during demolition and construction works.

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

25. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

a) Be based on the findings of the approved Boise Assessment Report (Blue Tree Acoustics Ref.2745.11/1;06/06/2016)

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);

Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours); Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

Reason: In the interests of the amenities of the future occupiers of the building.

26. Before the use of the development is commenced, Validation Testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

a) Be carried out in accordance with an approved method statement.

b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

Reason: In order to protect the health and safety of future occupiers and users of the site.

27. Any intrusive investigation recommended in approved Phase I Preliminary Risk Assessment Report (Silkstone Environmental ref/16007; 16/02/2016) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

30. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

Other Compliance Conditions

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

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

29. Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

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

31. Window reveals shall be provided at 150mm unless alternative details are first submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

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

32. The upper floor windows on the elevation of the development facing north east and all windows facing South West shall be fully obscured to a minimum privacy standard of Level 4 Obscurity, the full details of which shall have first been submitted to an approved in writing by the Local Planning Authority. The approved obscurity measures shall thereafter be retained and at no time shall any part of the glazing revert to clear glass.

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

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
2. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

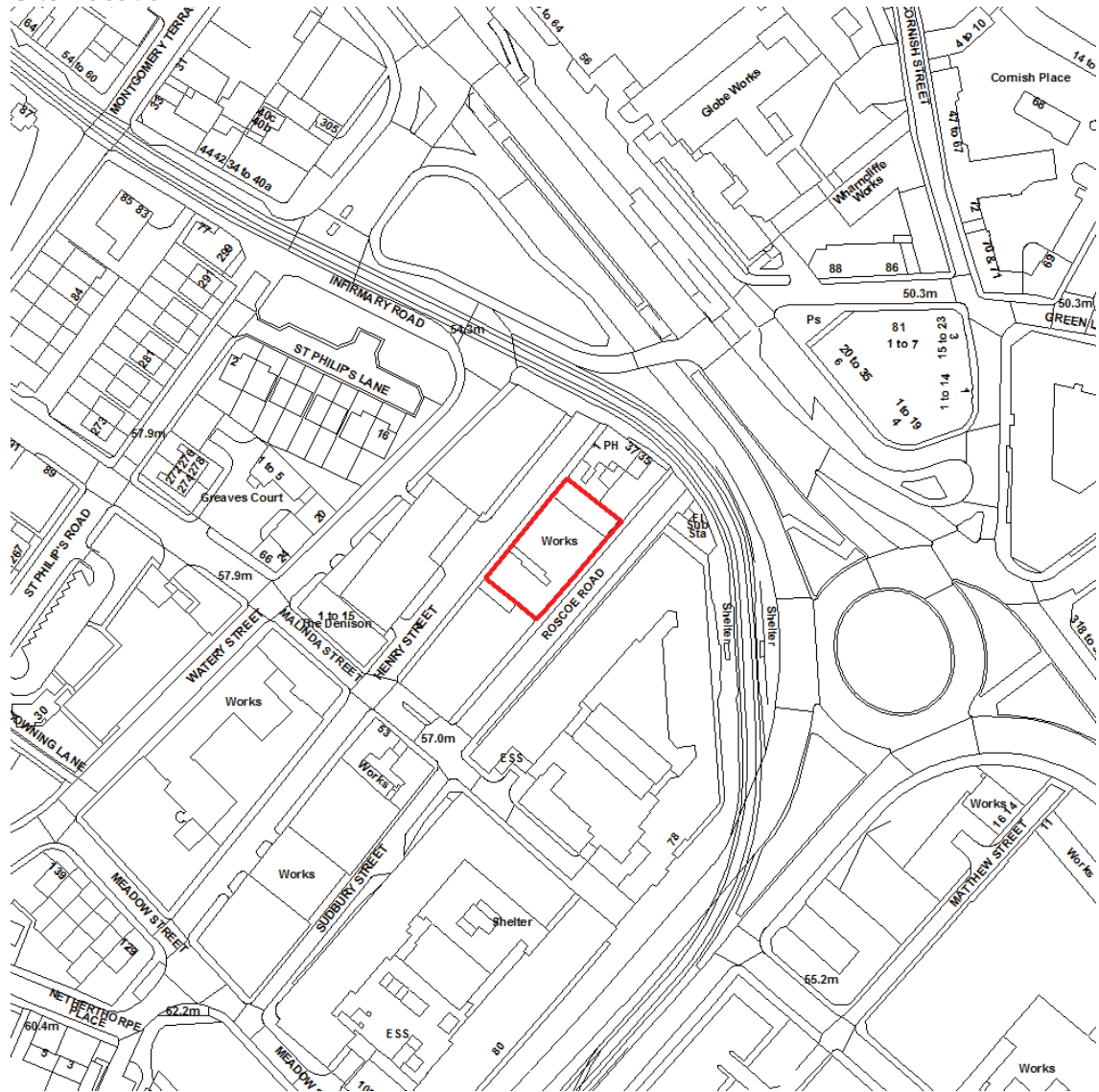
Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield
S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

4. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with 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.
5. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. The applicant is advised that the cycle store should be lit, ventilated and locable - only residents with bikes should have access. If CCTV is to be provided this should cover the cycle store.

8. 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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LOCATION AND PROPOSAL

The application site relates to part of the current Ewan Engineering site, situated between Roscoe Road and Henry Street. To the north east is a two storey terrace which includes the Wellington Pub. The scheme seeks to demolish part of the existing Ewan Engineering works and redevelop the site with a 4 storey development with linked blocks fronting Roscoe Road and Henry Street with link blocks and walkways between. Centralised amenity space is proposed within the development. Waste and cycle storage facilities are proposed within the site. No parking is incorporated within the scheme.

SUMMARY OF REPRESENTATIONS

One letter of objection has been received raising the following points;

- No provision for parking and none available on street.
- Insufficient cycle parking
- Loss of light to the Wellington pub, particularly the beer garden
- Concern about disruption to business in terms of the redevelopment of the site as the gable wall adjoins the rear of the public house and the beer garden.
- The building should be two storey with some parking.

PLANNING ASSESSMENT

Principle of Development

The site is allocated as being within a Fridge Industry and Business Area as identified in the Unitary Development Plan. Policy IB6 details Housing (C3) uses to be acceptable within this area subject to other policy criteria. One criteria listed within Policy IB9, (a) is that development should not lead to a concentration of uses which would prejudice the dominance of industry or business in the area or lead to the loss of important industrial sites. There have been a number of new residential developments in the area since the UDP was adopted and now the preferred uses are in the minority. For this reason the designation in the UDP is no longer appropriate and was reflected by the proposal in the Draft City Policies and Sites document to designate this as a Flexible Use Area, where any uses other than industrial would be acceptable. For this reason there is no objection in principle to the use.

Efficient Use of Land

The development would be on previously developed land and therefore compliant with the aims of policy CS24. The density would be 659 dwellings per hectare which due to the proximity of the site to the city centre, is acceptable and compliant with policy CS26.

Mixed Communities

Policy CS41 seeks to provide mixed communities by developing sites for housing to meet a range of needs. The scheme comprises of 1 bedroomed apartments. The policy requires developments of over 60 units to have no more than half the homes as a single "type". As this development is for less than 60 units there is no compliance issue with this policy.

Design

Policies CS74, UDP policies BE5 and IB9 (C) seek to secure appropriate design and visual impact.

The scheme has been amended during the course of the application to improve the appearance.

The scheme involves the demolition of existing buildings. These have no merit and their removal is acceptable.

The layout addresses the two main road frontages, abutting Henry Street and being set back from Roscoe Road. Ideally Officers would have preferred to see the development abut Roscoe Road, however this was not compatible with the aspirations of the developer. Not all the buildings in the immediate streetscene abut the highway, therefore significant harm would not arise as a result of this set back.

The building is 4 storeys rising up in height with the gradient of the street. Recent developments adjacent to the site have been constructed with a greater height. The development would be in context with these taller buildings so acceptable in principle in this area. The pub to the north east is two storey and amendment has been secured during the course of the application to lower the height where the development abuts this terrace. This has improved the appearance from this angle which is prominent due to it's relationship with the Shalesmoor intersection.

The roof line is a series of pitches, which break up the massing and provides some vertical emphasis. The elevations are treated with a contemporary approach with a mixture of brickwork and cladding and balconies to add interest. The final finish of the materials, particularly the windows and cladding has yet to be finalised, but this issue can be controlled through condition. Officers wish to see the entrances to the road frontages have a greater emphasis. At present Officers are seeking improvements on this. The conclusion of this will be reported verbally to Committee.

Overall the scale, massing, design and materials are acceptable subject to the issues surrounding the entrance being resolved.

Residential Amenity

Policy IB9 b seeks to secure acceptable living conditions for surrounding properties and Policy H5 seeks to secure suitable living conditions for future occupants and existing neighbours and not result in a concentration of flats that would cause nuisance to existing residents. Policy IB11 also seeks to ensure acceptable living conditions due to the proximity of industry and ensure that the housing does not constrain future business and industry development.

Impact on surrounding property

Apartments are the predominant development type in the area and are compatible with one another in terms of use. There are no adverse implications on amenity through allowing more apartments in this area.

Residential accommodation is present across the highways and above the pub. Separation between units is generally across a highway and sufficient separation would exist to secure acceptable living conditions given the character that one would expect in more densely developed areas at the edge of the city centre. Similarly it is noted that there is living accommodation above the pub. The height in relation to this property has been reduced to improve the relationship in terms of overbearing and overshadowing. This is now considered acceptable given the character of the area and location of the site. The building would be higher than the existing, immediately adjacent to the beer garden of the pub. This is located to the north of the development and would result in additional loss of light during the day. The beer garden is commercial space and is not afforded the same degree of protection in terms of amenity standards as a residential garden and its presence does not justify resistance to the scheme. There is a further property to the east of the pub, adjoining it. This is not in use and no representation has been received. This impact on this building is acceptable. Other surrounding development is commercial and the impact on these premises is acceptable. High level windows are proposed in the outward facing elevations of the link blocks. These will be conditioned to be obscure glazed to prevent overlooking implications.

Amenity for future occupants

The apartments all have a reasonable degree of outlook, access to natural light and privacy. The units within the two edge link blocks have secondary high level windows. As these are at the edge of the site they have the potential to be compromised if adjacent sites are developed. These windows all serve rooms which are either non habitable or have an alternative primary opening serving the room. These are therefore acceptable, as to build adjacent to them would still allow these rooms adequate amenity. These windows will be conditioned to be obscure glazed to prevent overlooking to other adjacent sites

Outdoor Amenity Space

Being an urban apartment block outdoor amenity space within the site is limited. Two internal court yard areas are provided and some of the units have external balconies. Overall the external amenity space provision is considered acceptable.

Noise and Disturbance

A noise assessment report has been submitted as part of the application. Potential impacts from adjacent commercial uses have been considered and separately the intention to reopen the adjacent pub with extended opening hours and music is noted. The scheme is close to other residential uses that have been approved and subject to conditions for internal noise levels then the scheme is acceptable.

Given the proximity of neighbouring residential units construction works will be controlled in terms of hours of work and also in terms of dust emissions through appropriate conditions.

Given the changing nature of the area, the presence of other residential development and the glazing standards that will be required, then the development would not constrain industrial / commercial uses.

Highways

IB9 (f) requires development to be adequately served by transport facilities and provide safe access to the highway network and appropriate off street parking. H5 – requires adequate off street parking for the people living there. Policy CS23 – states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. The main focus will be on suitable and sustainable sites.

No parking is proposed as part of the development. The streets immediately adjacent to the site are predominantly permit parking only. 24 Cycle spaces are proposed within the development. The site is immediately adjacent to the tram line another public transport routes and within walking distance of the city centre.

The site is in a highly sustainable location close to the amenities and employment opportunities of the city centre. The area is well connected by a choice of public transport modes, thus reducing the likelihood of occupants requiring a car. The development is proposed as car free and a condition will be attached restricting future occupants from obtaining parking permits. Any parking demands generated would need to be accommodated in legitimate spaces and inappropriate parking would be controlled by the relevant enforcement bodies and therefore would not compromise highway safety.

24 cycle parking spaces are proposed. This is considered sufficient for the likely demand generated by the development, and its' close to city centre location.

The scheme complies with the spirit of the above mentioned policies.

Public Art

Policy BE12 encourages works of public art in places which can readily be seen by the public as an integral part of the development. Various ideas have been discussed with the agent and the final detail is likely to be incorporated around the entrance points. The final detail of this will be controlled by condition.

Sustainability, Flood Risk and Drainage

Policies CS64 seeks for new buildings to be designed to reduce emissions of greenhouse gases and function in a climate change. Policy CS65 seeks to promote renewable energy and carbon reduction and requires developments to provide a minimum of 10% of their predicted energy needs to decentralised and renewable or low carbon energy. Policy CS67 seeks developments to incorporate measures to reduce the impact and extent of flooding.

The submission details that the aim will be to recycle waste from the demolished building and aim to select green construction methods and materials. The building has been designed to maximise natural light and it is expected that PV panels will be installed to provide the 10 % renewables. The final method to achieve this requirement will be controlled by condition.

The site is not in a higher risk flood zone. A condition will be attached to require the development to reduce surface water run off. The scheme details that the central garden areas will be designed to attenuate water. A green roof has been explored, however is not suitable due to the roof design.

Overall the scheme meets the aims of the above mentioned policies

Archaeology

The South Yorkshire Archaeology Service has commented that this application has archaeological implications. A condition will be attached requiring a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation.

Affordable Housing

Whilst the number of units is over the threshold to trigger an affordable housing contribution, as required by policy CS40, the site falls within an area where there is no contribution required.

Community Infrastructure Levy (CIL)

The site falls within Zone 4 where the CIL levy is £50 per square metre of floor space.

RESPONSE TO REPRESENTATIONS

The majority of the issues raised have been discussed in the above assessment. Concern is raised about disruption to business in terms of the redevelopment of the site as the gable wall adjoins the rear of the public house and the beer garden. This is non planning issue.

SUMMARY AND RECOMMENDATION

The evolving nature of this part of the city and the presence of other adjacent residential developments means that this site is suitable for residential purposes. The site is sustainably located, close to the city and with excellent public transport links. This justifies the development being car free and no significant highway safety implications would arise. The scheme subject to issues surrounding the entrances being resolved is acceptable in terms of design and compatible with the existing streetscape. The development would result in acceptable living conditions for future occupants and acceptable amenity standards for neighbours. The scheme has been designed to be sustainable. For these reasons then the scheme is compliant with the policies detailed in the main body of the report.

Recommendation : Grant Conditionally.

Case Number	16/00833/FUL (Formerly PP-04830783)
Application Type	Full Planning Application
Proposal	Demolition of bungalow and garage, erection of 5 apartments with associated landscaping and undercroft parking (amended plans)
Location	33 Lyndhurst Road Sheffield S11 9BJ
Date Received	01/03/2016
Team	South
Applicant/Agent	Coda Planning Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

Basement floor plan Scan Date 19.10.2016 Ref 2152-1-Rev J
Ground floor plan Scan Date 19.10.2016 Ref 2152-2-Rev J
First floor plan Scan Date 19.10.2016 Ref 2152-3-Rev J
Second floor plan Scan Date 19.10.2016 Ref 2152-4-Rev J
Roof plan Scan Date 19.10.2016 Ref 2152-5-Rev J
Sections Scan Date 19.10.2016 Ref 2152-6-Rev J
North and West Elevations Scan Date 19.10.2016 Ref 2152-7-Rev J
South and East Elevations Scan Date 19.10.2016 Ref 2152-8-Rev J
Site and Location Plans Scan Date 19.10.2016 Ref 2152-9-Rev G
Site Plan Scan Date 19.10.2016 Ref 2152-10-Rev G

Reason: In order to define the permission.

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

3. No development shall commence until full details of measures to protect the existing trees, shrubs and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

4. Unless shown not to be feasible and viable, no development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

5. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

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

6. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the

site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

7. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

8. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

9. The existing landscaped areas within the site shall be retained and protected from construction activity. Any damage during construction / demolition works shall be made good by reinstating to the condition/appearance prior to the commencement of the works.

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

10. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority prior to the commencement of the building works and shall be retained for verification purposes until the completion of such works.

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

11. Masonry shall be pointed or bedded using a lime mortar mix that is weaker than the surrounding masonry. The colour of the new mortar should match the original mortar before weathering. No propriety coloured mixes of pigments shall be used. A sample panel of proposed pointing shall be approved in writing by the Local Planning Authority before the development commences.

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

12. Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason: In order to protect the character of the original building.

13. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in

writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

14. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- Windows
- Window reveals
- External doors
- Garage doors
- Balconies
- Entrance Details
- Eaves
- Roof covering to parapet
- Rainwater goods

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

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

15. The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres/hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

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

16. Before the first occupation of the building hereby permitted, the windows in the roof slope at second floor level on both side elevations shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity to any part of the windows that is less than 1.7 metres above the floor of the room in which it is installed and shall be non-opening. The windows shall be permanently retained in that condition thereafter.

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

17. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the apartments shall not be used unless such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

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

18. The apartments shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the apartments commencing, and shall thereafter be retained.

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

19. Before the first occupation of the building hereby permitted, the full height screens on both sides of the balconies on the rear at first floor level shall be fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity. The screens shall be permanently retained in that condition thereafter.

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

20. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the building shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

Other Compliance Conditions

21. Rooflights shall be conservation style whereby no part of the rooflight shall project above the surface of the roofing slates unless otherwise approved in writing by the Local Planning Authority.

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

22. The building shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

23. All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

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

24. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

25. The stone boundary wall to the front of the site abutting Lyndhurst Road shall be retained, and at no point shall any part of the wall be removed.

Reason: In order to protect the character of the building and the surrounding Conservation Area.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
4. Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Control, Howden House, 1 Union Street, Sheffield S1 2SH. Tel (0114) 2734170

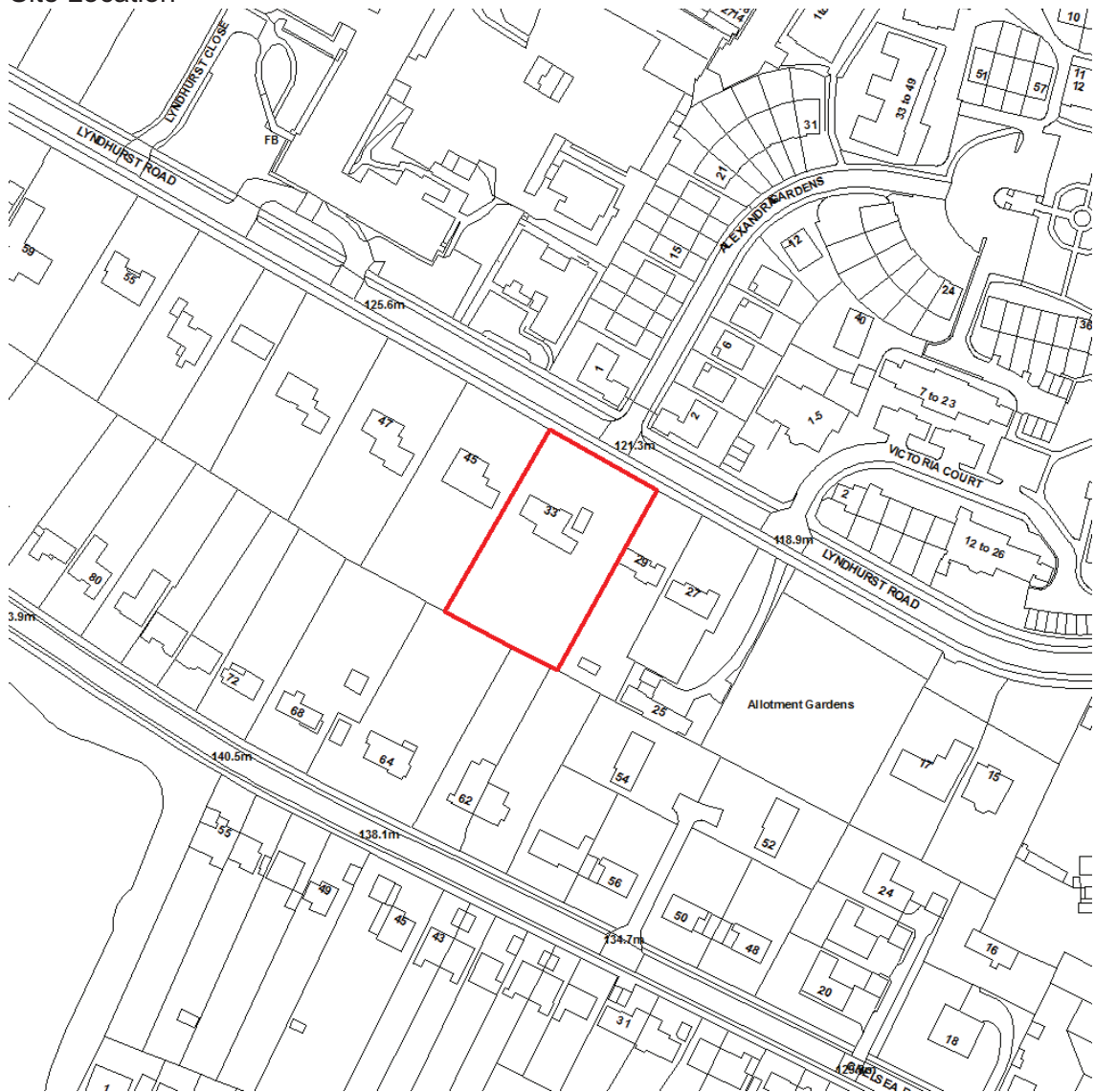
Environmental Protection Services can be contacted at Development Services, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651

5. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
6. The developer is advised that in the event that any un-natural ground or unexpected contamination is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the

site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority.

7. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
8. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with 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.
9. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, Howden House, 1 Union Sstreet, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
10. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.

Site Location



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LOCATION AND PROPOSAL

The application site is currently occupied by a large detached bungalow which is set back from the highway within substantial grounds. The site lies within the Nether Edge Conservation Area, and within a Housing Area as defined in the Unitary Development Plan (UDP).

The street is characterised by a mixture of building styles and design, which are predominantly in residential use. The land slopes up from the front of the site to the rear, following the natural topography of the area.

Planning permission is sought for the demolition of the existing house on the site, and the construction of a building which includes three floors of accommodation (including one within the pitched roof), providing 5 apartments, plus an additional level of partial subterranean car parking accommodation beneath the building.

RELEVANT PLANNING HISTORY

There is no relevant formal planning history relating to re-development of the site, however pre-application advice has recently been sought for a larger scheme than that which is subject of this application. There have been a number a small scale extensions granted in the 1990's to the existing building.

SUMMARY OF REPRESENTATIONS

Original Submission

19 representations were received objecting to the proposal, including objections from both immediate neighbours, from Councillor Akther and from Nether Edge Neighbourhood Group. Issues raised include:

- The building is out of character with the other houses along Lyndhurst Road, and the wider Conservation Area.
- It is a storey higher than the neighbours, with the roof scape being overly dominant
- The proposal will set a precedent for other such developments in the area
- The deep footprint of the building is out of context
- There will be a loss of sunlight and overshadowing to neighbouring properties
- The level of excavation could potentially damage neighbouring buildings.
- The proposal could impact on the local water table and water run-off in the surrounding area.
- The balconies and roof terrace are elevated and will allow views over neighbouring properties. Natural boundary treatment should not be a justification.
- The building is overly fenestrated.
- The proposal will create more traffic, noise and pollution.
- The density of the proposal is too high, harming the distinctiveness of the road.
- The under croft parking does not reflect the "characteristic parking arrangements" within the area.

Amended Submission (August 2016)

Following a second round of consultation on the amended plans, 10 representations have been received, all of whom commented on the original scheme.

- The alterations have no impact on the mass of the building which is still significantly greater in every dimension and contrary to policy G5, and is made worse by pulling the building forward.
- Sinking the building in the ground by a further 1.2 metres will result in more excavation, further impacting on the water table and neighbours, and damaging the roots of the mature planting already on the site.
- The undercroft car parking is not in character with the surrounding area and is more akin to an office development.
- The roofscape is now worse with roof lights inserted with the removal of the hip roofs.
- Moving the buildings forward means the balconies are moved closer to the back of the neighbouring houses, having a wider view which would create additional overlooking and would also generate significant noise which is contrary to DHE8 (draft SPD guidance for designing house extensions) and against the Human Rights Act.
- The garage exit in the side will create vehicle noise and fumes to neighbours (esp 29 Lyndhurst Road)
- The site is not a brownfield site, and is contrary to the NPPF.
- The density still remains too high and does not reflect policy CS26.
- The existing hedging is oppressive and oversized and should not be relied on to provide screening, especially when it is in close proximity to the excavation.

Amended Submission (October 2016)

Following a third round of notification of amended plans, 6 representations were received, including from Councillor Akther and Councillor Teal and from the Nether Edge Neighbourhood Group. A joint letter from both of the immediate neighbours has been received which is a lengthy 17 page document. A brief summary of the main points has been listed below. General comments which have been included in the previous rounds of comments have not been listed below.

The proposal remains too big in relation to the plot and will dominate the lower end of the road, being disproportionate in size to the surrounding adjacent properties and impact on the character of the street scene and conservation area.

- The overbearing nature of the building has arisen from it being too big for the site, intruding into neighbouring privacy and amenities.
- Moving the building forward by 2 metres brings it closer to properties opposite.
- Removing one set of garage doors, results in a concentration of traffic movement impacting on properties closest to the entry/exit experiencing excessive traffic flow, and excessive noise from vehicles.
- The gain of 4 units does not outweigh the harm to the integrity, character and distinctiveness of Lyndhurst Road.

- Pre-planning guidance required the building to have the appearance of a house, however this is not the case and it is clearly a block of flats
- The flattening of the front garden area to allow the building to be lowered into the ground would impact negatively on the surrounding street and the conservation area.
- The proposal is 2.4 metres (a storey) higher than No. 29 and 1 metre higher than No. 45 which breaks the rhythm of the street in terms of the roof scape and the natural stepping.
- There are now 10 windows in the side facing No. 29 and 12 windows facing No. 45 which will overlook both neighbouring properties.
- The balconies and the new walkway will create overlooking to neighbouring properties, along with the noise emanating from the use of these areas by 5 individual properties.
- The proposed building does not improve the character and quality of the area nor the way it functions.
- The plans are still not up-to-date, and much of the precise details still remain guesswork.

PLANNING ASSESSMENT

The main issues to be considered are whether the principle of the development is acceptable, the effect on the character and appearance of the area and the Conservation Area, the effect on living conditions of future and existing residents and whether suitable highways access and off-street parking is provided.

Principle of Development

The application site falls within a Housing Area, and the principle of redeveloping the site for housing (C3) is in line with the preferred use identified within UDP policy H10. Policy CS23 seeks to focus at least 90% of new dwellings in the main urban area and Policy CS24 gives priority to previously developed sites. The proposal is in accordance with these policies.

Policy CS26 requires that new housing sites should make efficient use of land, and states the ideal density for a site in this type of location would be 30 – 50 dwellings per hectare. The density of this proposal falls below the recommendation at 21 dwellings per hectare. It is acknowledged that densities on the opposite side of the road in the former Hospital Site are much higher than the proposal, however when taking into consideration the character of this part of the conservation area where single buildings are set within large grounds, and the substantial depth of the site, this density is similar to that already found in the vicinity. As such, Policy CS31, which gives priority to safeguarding the character of South West Sheffield is complied with.

Based upon the most current information available, a deliverable supply of housing land over the coming 5 years cannot be demonstrated. The Local Planning Authority has identified a 4.7 year of supply. Paragraph 49 of the NPPF advises that relevant policies relating to housing supply should not be considered to be up to date if a five year supply cannot be demonstrated and that the presumption in favour of sustainable development should apply. The issue of a shortage in housing land availability is a material consideration which supports the principle of

residential development at this site and the proposal would provide a small and helpful contribution to the local supply of housing land, in a sustainable location.

In terms of sustainable development, the site is surrounded by residential properties. It is close to bus routes, and within walking distance of the Nether Edge Shopping Centre. The proposals represent efficient use of a previously developed site. The overall package of measures will result in an energy efficient building which will comply with Policies CS63, CS64, CS65 and CS67.

Character and Appearance of Conservation Area

The site falls within the Nether Edge Conservation Area, and as such Policy BE16 is relevant. The site however falls outside of the character areas and is not indicated as a building of historic interest in the Nether Edge Conservation Area Appraisal. The existing building is of little architectural merit or historic interest and its demolition is acceptable in principle, subject to its replacement.

The surrounding area is characterised by large properties within significant grounds along this side of Lyndhurst Road, and directly opposite are two and three storey stone built dwellings with pitched roofs which are on the site of the old Nether Edge Hospital complex. This proposal is set towards the centre of the site, and does not fill the width of the site, allowing for the views between the proposal and immediate neighbours, which safeguards the green character of the area, meeting the requirements of Policy CS31. Furthermore, car parking is mainly contained within the garaging, and the proposal is not car dominated when viewed from the highway.

The majority of properties within the surrounding area are constructed from natural stone, under pitched slate roofs. This proposal has been designed as a contemporary approach to a traditional villa, with a central entrance and bay window/projections on either side. The massing of the building has been reduced and this has been achieved by lowering the basement level so that it is 2.8 metres below the existing floor level, reducing the pitch of the roof, removing the gables to the side and bringing the building 2 metres further forward. Natural stone and slate are proposed for the front elevation, and parts of the sides, details and samples of which can be controlled through a condition.

The result is a building which it is acknowledged will be more visible than the existing dwelling, but which now sits comfortably between the neighbouring properties and within the street scene. It has a ridge line that is higher than its immediate neighbours (approx. 2.4m higher than No.29 and 1 m higher than No.45) though not to a degree that renders it out of scale or character. This complies with Policy CS74 and BE5 which seek high quality developments which do not detract from the character of an area.

The NPPF paragraph 132 requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The Conservation Area is the heritage asset. The existing building is of little merit and the site falls outside of the character areas

identified within the Conservation Area Appraisal. In this context, given the replacement building is considered to be of acceptable design, the development is not considered to be harmful to the heritage asset.

Overall, the building is well designed and subject to satisfactory building materials being used, a good quality scheme can be achieved and the proposals will comply with Policies BE5, BE16, H14 and CS74.

Effect on Living Conditions

UDP policy H14 requires that all residential units should provide good quality amenities for all future occupants. The policies also seek to ensure that the amenities of existing neighbouring residents are not compromised.

Whilst the Local Planning Authority's Supplementary Planning Guidance: Designing House Extensions (SPG) is not strictly relevant to the assessment of this application, some of the guidelines help to interpret policy H14 of the Unitary Development Plan. In particular in this instance Guidelines 4-6 are relevant which essentially require extensions to avoid overshadowing neighbouring property and to maintain minimum levels of privacy.

Future Occupiers

The apartments are spacious and the units would provide good quality living conditions for future occupants. Each unit has a good outlook, patio area, terrace or balcony providing a small degree of private amenity space, with a large communal garden area to the rear which will provide more than sufficient external space. Therefore adequate levels of residential amenity can be provided and maintained for proposed residents and in these respects the proposals thereby comply with Policies H5, H14 and H15.

Effect on Existing Occupiers of Neighbouring Properties

When assessing the effect of unreasonable overshadowing and over dominance of a proposal, the principles of Guideline 5 of the SPG relating to house extensions can be applied. The neighbouring properties are located within close proximity of the site boundary, with the proposal standing approximately 9-10 metres away from the side boundaries. The neighbouring properties have primary windows in the front and back of their properties, and the relationship of the proposed development is positioned sufficient distance away from these windows to prevent adverse levels of overshadowing, meeting the recommended 45 degree rule found in Guideline 5. The proposal at the rear is essentially two storeys in nature under a pitched roof. It is not considered that depth of the building would cause any significant over dominance or overbearing, being set back from the boundaries of the site which consists of mature tall evergreen hedging. At present the boundary treatment is particularly tall, however, should this be reduced in size, there still would be adequate screening.

With regard to privacy, the 2 units at first floor have balconies on the rear which have obscure glazed screens to both sides. A terrace is proposed to the top floor which is set within the fabric of the building with pitched roofs located on either side

of the terrace. With the screens in place, the presence of the roof structure, and a distance of approximately 10 metres to the side boundaries, it is not considered that significant overlooking will be created by the balconies/terrace located on the rear to occupiers of the adjoining properties. Furthermore, owing to the footprint of the building extending back into the site, the most private areas of garden space which are normally immediately to the rear of a property are protected, along with windows in the rear of immediate neighbours.

There are a number of windows proposed in each side elevation. 6 small windows are proposed on each side elevation which are high level windows with a minimum height of 1.7 metres above the floor level of the room they serve. A set of double patio doors are also proposed on ground floor in the sides which are set away from the boundaries and as such will not create overlooking to neighbouring properties. Several roof lights are proposed on both sides of the roof slope, which are largely high level and will not create any adverse overlooking to occupiers of the neighbouring properties. A condition will ensure any such windows positioned less than 1.7m above floor height will be obscurely glazed and fixed.

Amended plans have been received show a single set of garage doors located close to the boundary with no.29 but facing Lyndhurst Road. The set of garage doors are located below the ground floor level of the neighbouring property and as such headlights of cars entering and exiting the garage will not shine into the neighbouring properties windows. With regards to cars entering and exiting the garage to the side, there will be a retaining wall, with a mature evergreen hedge along the boundary and it is considered that the potential for noise and disturbance from the garage will be mitigated by these factors to an acceptable level.

The properties to the rear along Chelsea Road and those to the front on the opposite side of road are considered to be such a distance away from the proposal that no material impact will occur from the development.

Therefore it is considered that the proposal would not result in a significant and/or unreasonable loss of privacy to neighbours or result in a development having an overbearing or overshadowing nature which would be to the detriment of neighbours' amenities meeting the requirements of Policy H14, the NPPF and the principles of the SPG.

Highways

In total 8 parking spaces are provided within the garage, with 2 parking spaces located to the front of the building. This is considered sufficient for 5 apartments in this location and therefore the development is in accordance with UDP Policy H14 (d), and BE9.

Access arrangements utilise existing openings and the intensification in vehicle use is not of a level that would warrant improvement of the access arrangements, or generate a highway safety concern.

Landscape Issues

Policy BE6 requires that good landscape design is required in all new developments. A number of trees within the centre of the site are to be removed which do not contribute significantly to the visual amenity of the street scene or

Conservation Area character as such. The soft landscaping and trees to the front of the building are to be retained, along with the boundaries treatments on all sides. The front garden area is to be flattened and regraded, and a condition can be attached to any approval to ensure appropriate landscaping is provided as part of the development and that the existing landscaping is retained.

Other Issues

The Community Infrastructure Levy - CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. The application site lies within CIL Charging Zone 3 with the charge for this development being £30 per square metre.

Flood Issues - The site is not within a high or medium risk flood zone which would affect the principle of the development, and as such does not require a Flood Risk Assessment to be carried out.

Issues relating to the water table can be given little weight, however conditions restricting surface water run off can be attached to any approval to ensure any alterations are to a minimum.

RESPONSE TO REPRESENTATIONS

Issues relating to excavation, construction noise, and construction traffic are all regulated through Environmental Protection Services or the Highway Authority. These disturbances are an unavoidable consequence of development, however a directive can be added to inform the applicant of appropriate hours of construction.

With regard to the Human Rights Act, the Council should be aware of and take into account any implications that may arise when making a decision. Under the Act, it is unlawful for a public authority to act in a manner which is incompatible with the European Convention on Human Rights. Particular reference is made to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of possessions, including land). In addition, under Article 6 the applicant and those third parties (including local residents) who have made representations have the right to a fair hearing which means that full consideration should be given to their comments.

When making its decision the Council must balance any likely private harm against the wider public good to ensure that interference with anyone's rights shall only be permitted if it is proportionate (the degree of harm to the individual balanced against the public interest). On this occasion it is the view of Officers that any interference is in accordance with the law and justified as being in the public interest and on the basis of the planning merits of the proposal. Any restriction on rights caused as a result of the proposed development is considered to be proportionate to the wider benefits of granting permission and that such a decision falls within the margin of discretion afforded to the Council.

SUMMARY AND CONCLUSION

The principle of demolishing the existing dwelling on site and replacing with 5 apartments within a single block is acceptable. The amendments secured to the proposal have resulted in a development that is considered to have an acceptable impact upon the character of the immediate street scene and the surrounding Conservation Area. Therefore, in the context of the NPPF, no substantial harm would occur to the heritage asset. It is considered that the development would not adversely impact on the living conditions of neighbouring occupiers, or impact on highway safety.

The proposal would represent efficient use of previously developed land, in a sustainable location and would provide four additional housing units which would make a small contribution to the city's housing stock.

Therefore, the proposals comply with the applicable policies and guidance outlined above and it is recommended that planning permission is granted subject to conditions.

Case Number	16/00530/FUL (Formerly PP-04810864)
Application Type	Full Planning Application
Proposal	Erection of 6 dwellinghouses, associated landscaping, parking and access arrangements
Location	Land Rear Of 183 To 273 Greystones Road Sheffield S11 7BT
Date Received	10/02/2016
Team	South
Applicant/Agent	Coda Planning Ltd
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

Drawing Numbers: 2399-002 Revision K and 2399-001 Revision K, both received on the 10th November 2016;
Drawing Numbers: 2399-003 Revision G, 2399-004 Revision G, 2399-005 Revision F, 2399-009 Revision A, 2399-011 - Revision A, and, the photo montage showing the site entrance, all received on the 9th November 2016;
The Skyline Ecology - Phase 1 Habitat Survey dated 24th May 2016,
Drawing Number: 15080/GA/02 rev B

Reason: In order to define the permission.

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

3. No development shall commence unless a detailed ecological management plan has been provided and approved, which should include measures for replacement trees and details of the boundary treatment for the demarcation of the badger run. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of biodiversity and protected species

4. No development shall commence until full details of measures to protect the existing trees, shrubs and hedges to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

5. No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

6. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

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

7. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

8. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) 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 is properly dealt with.

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

9. The development shall not commence unless details of the new gateway entrance from Greystones Road drawn to at least a scale of 1:50 in plan and elevation form, have been provided and approved, and thereafter, this part part of the development shall be built in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety.

10. Before any works are carried out to the existing driveway, details of the level of excavation and measures to protect trees shall have been provided in writing and approved by the Local Planning Authority. Thereafter, this part of the development shall be built in accordance with the approved details.

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

11. The dwellings shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

12. The dwellings shall not be used unless the sight line, as indicated on dwg no 15080/GA/02 rev B , has been provided. When such sight line has been provided, thereafter the sight line shall be retained and no obstruction to the sight line shall be allowed within the sight line above a height of 1 metre.

Reason: In the interests of pedestrian and highway safety.

13. The development shall not be occupied unless the measures within the approved ecological management plan have been carried out.

Reason: In the interests of biodiversity.

14. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

15. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

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

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

17. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

18. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

19. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 5 litres per second per hectare. Before the use of the development is commenced, a validation test to demonstrate that the necessary equipment has been installed and that the above flow rate has been achieved shall have been carried out and the results submitted to and approved in writing by the Local Planning Authority.

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

20. Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Thereafter the hard surfacing shall be implemented in accordance with approved details.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

21. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

22. The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the development commencing, and shall thereafter be retained.

Before that part of the development commences full details of the proposed surfacing of individual and private drives shall have been submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be implemented prior to the occupation of individual dwellings.

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

23. The development shall not be used unless details of on-site cycle parking accommodation for at least 6 cycles has been provided, the details of which shall have first been submitted to and approved by the Local Planning Authority. Thereafter, the approved on-site cycle parking provision shall be provided and thereafter retained.

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

Other Compliance Conditions

24. Notwithstanding the details shown on the approved plans, all of the privacy screens to each of the proposed balconies to the new dwellings identified as plots 1 to 5, shall at all times be glazed with obscure glass to a minimum level 4 obscurity.

Reason: In the interests of amenities of occupiers of the proposed new dwellings and occupiers of neighbouring property.

25. There shall be no gates or barriers erected at the means of access to the site.

Reason: To ensure access is available at all times.

26. Notwithstanding the details shown on the approved plans, the south-facing windows on the elevation of the dwelling identified as Plot 6 shall at all times be glazed with obscure glass to a minimum of level 4 obscurity and, shall at all times be fitted with restricted opening windows with a maximum opening capability of 150mm.

Reason: In the interests of amenities of occupiers of neighbouring property.

27. Notwithstanding, the details shown on the approved plans, all of the windows on the north facing elevation of the property identified as Plot 6, shall at all times be glazed with obscure glass to a minimum of level 4 obscurity.

Reason: In the interests of amenities of occupiers of nearby property.

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

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

29. The soft landscaped areas shall be managed and maintained for a period of 5 years from the date of implementation and any plant failures within that period shall be replaced in accordance with the approved details.

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

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the dwellings shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted sizes of the curtilages.

31. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .

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

Attention is Drawn to the Following Directives:

1. 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 a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group
Development Services
Sheffield City Council
Howden House, 1 Union Street
Sheffield

S1 2SH

For the attention of Mr S Turner
Tel: (0114) 27 34383

2. The developers' attention is drawn to the attached extract from the South Yorkshire Act 1980, regarding access for the Fire Brigade.
3. The proposed development lies within a coal mining area. In the circumstances applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
4. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with 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.
5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk. Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
6. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator 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.
7. 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.
8. 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:-

Sheffield City Council
Town Hall
Penistone Street

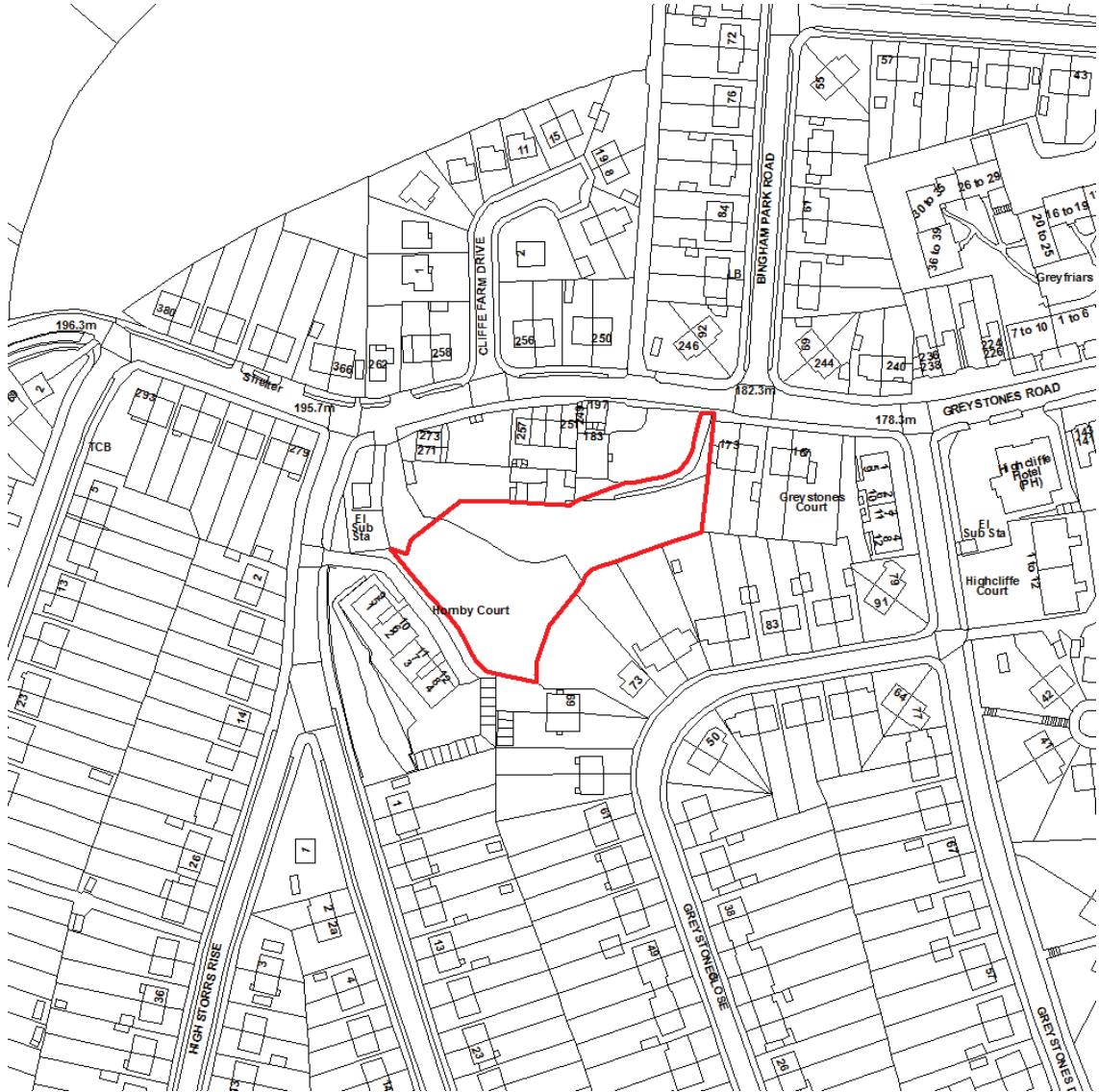
Sheffield
S1 2HH

For the attention of Mr P Vickers

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.

9. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

Site Location



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LOCATION AND PROPOSAL

The site is currently an area of overgrown natural scrubland consisting of trees, shrubs and grassed areas. The site had originally formed part of the garden of 183 Greystones Road, but is now in separate ownership. The development site is accessed via an existing driveway which currently also serves 183 Greystones Road.

When originally submitted, the proposal was for 10 new dwellings however, the current proposal (as amended) has been reduced and is now only for 6 new dwellings, and these will consist of 2 detached dwellings and 2 separate pairs of semi-detached dwellings. The semi-detached properties and one of the detached properties will be 3 bed units and the remaining detached property will be a 5 bed unit.

The proposal also includes the formation of ancillary parking areas, hard and soft landscaping works and, access drive improvements (including the widening of the access/egress point into the site off Greystones Road).

RELEVANT PLANNING HISTORY

Relevant planning history for the site as a whole (including the development site and 183 Greystones Road) includes several applications, and these include:-

90/00002/OUT – This was an application for outline planning consent for residential development. This application was withdrawn in March 1990.

97/01554/FUL – This was an application for the erection of 4 dwellinghouses. This application was conditionally approved in December 1998. The scheme was never implemented.

13/01828/FUL – This was an application for the erection of 4 dwellinghouses with associated car parking and landscaping. This application was withdrawn in July 2013.

14/00221/FUL – This was an application for the erection of 4 dwellinghouses with associated car parking and landscaping. This application was conditionally approved in April 2014. This application has not as yet been implemented.

15/03259/FUL – An application for alterations and extensions to 183 Greystones Road for use as 5 self-contained flats. This application was conditionally approved in July 2016.

15/04156/PREAPP – This was a pre-application enquiry application for advice relating to the erection of 10 dwellinghouses. Officer advice was given in January 2016. Officers advised that should an application be submitted, they

could not support the proposal and listed the various concerns, which included overdevelopment.

SUMMARY OF REPRESENTATIONS

Original Submission

The proposal has resulted in 43 representations being made (this includes a representation from Cllr Shaffaq Mohammed), a petition with 138 names on has also been submitted. The representations and petition are all in opposition to the proposal.

Cllr Shaffaq Mohammed has made the following comments:-

- 10 dwellings on such a small site is an over development.
- There is concern about the loss of the existing small woodland area which provides much needed amenity for local residents.
- Increased traffic from the development will increase noise and pollution within the local area.
- 20 cars entering and exiting the proposed access point is dangerous.
- The proposed development is not in keeping with the area.
- Rooftop terraces will also create overlooking problems for neighbouring residents.

The other neighbour representations have been summarised and the concerns raised are listed below:-

- There is a concern that the existing vehicular exit/entrance into the site is quite narrow and has poor visibility. This development will lead to an increase in the number of vehicles using the site and as a consequence, there will be an increased risk to the safety of pedestrians and other motorists using Greystones Road.
- There is concern that due to the higher number of dwellings being proposed there will be a significant number of trees lost in order to accommodate the new dwellings.
- With greater areas of hard-surfacing, there will be a greater risk of surface water run-off and flooding issues further down the hill and to neighbouring gardens.

- There are concerns about the choice of materials and designs of the proposed new dwellings. The flat roof dwellings of contemporary design will be totally out of character with the surrounding area.
- Compared to previous applications, the proposed development (for 10 dwellings) is an overdevelopment of the site.
- The resulting gardens will be very small and therefore not suitable for properties with lots of bedrooms (presumably aimed at families).
- There will be severe overlooking and loss of privacy issues as a result of the new dwellings being close to party boundaries. This problem will be worse in winter when many of the deciduous trees have lost their leaves.
- A development of this scale could easily result in as many as 30 children, this therefore will have a significant impact on nearby schools which are already at maximum capacity.
- Whilst a badger run is shown, it's possible that the new home owners will want to make changes to their rear gardens which might affect the badger runs (rendering the badger run ineffective). The development will significantly affect the wildlife habitats of other species of animals including owls, woodpeckers and other uncommon birds.
- The previously approved scheme for 4 new dwellings was considered acceptable because there was minimal impact on the site entrance/exit and protected trees would not be affected, however, this current proposal for 10 dwellings is completely different. The proposal will lead to significantly higher levels of traffic and the two protected trees at the front of the site could be affected. We are totally opposed the proposal for 10 dwellings but have no objection to the original approval for 4 dwellings.
- There has been evidence of subsidence issues in the immediate locality, there is concern that the development of the site could make this problem worse for immediate neighbouring properties.
- This development together with the conversion of 183 Greystones Road to form 5 self-contained flats could lead to a total of 25 additional cars coming in and out of the site thereby affecting highway safety and creating unacceptable levels of noise disturbance.
- The proposed plans do not appear to make a positive contribution in terms of character and style to the already historic house and cottages that surround it.

- The developer has not served the correct certificate of ownership forms and the red line boundary is not correctly shown in the right place.
- Some of the trees on the site contain bat colonies and these are likely to be affected by the proposal.
- The traffic/speed survey carried out on behalf of the developer does not specify where on Greystones Road it was carried out or at what time of day the survey was carried out, this is crucial to the validity of the survey.
- There are 3 trees (2 Scots Pine and 1 Yew) near to the site entrance and these are protected by TPO's. The applicant proposes to remove 1 of these trees along with many other non-protected trees. The loss of the protected tree and other trees is a loss in residential amenity. A more up to date tree survey report needs to be provided in order to fully assess the impact on trees.
- The new access drive (being positioned adjacent to a garden area) will lead to increased noise and pollution from vehicles.
- The development would not be in accordance with Sheffield planning policy. The proposed development would detract from the character of a unique group of stone-built houses in the area. It is one of the last serving examples of a group of 19th Century houses which are largely untouched and in their original setting. This group of houses from 183 to 273 is a significant local amenity and of great visual charm and historic interest. These are worthy of being given conservation area status in order to protect them and their setting.
- There are concerns that the correct neighbour notification process has not been followed.
- Neighbours would be affected by construction noise and dust for a development of 10 dwellings.
- If the land is to be developed, it should be a much reduced development.
- No real thought has been given to refuse collection and as a consequence of the development, there will be lots of wheelie bins left on the footpath on Greystones Road. Because of the increased number of units being proposed, refuse vehicles will hold up traffic for even longer periods of time on Greystones Road.
- There is no affordable housing included in this development.

- The land on which the dwellings are to be built should be retained as a natural wildlife habitat and not built upon at all.
- As a minimum, an Environmental Impact Assessment and a Health Impact Assessment should be completed before the application is considered.
- The proposal will have a significant impact on views and outlooks from the windows of nearby properties.
- In addition to the local schools, the local doctors and dental surgeries are all over-stretched at present and this development will add to that problem.
- The proposed development site is not big enough to accommodate another 10 houses.
- There is already significant pressure for parking spaces on Greystones Road, this development will add to that problem.

Non-Planning Considerations

- The proposed development could have a negative impact on house prices for properties in the close vicinity.
- There has been no information as to who will reside in these newly built properties which, raises concerns for the local area and residents within it.

Amended Scheme

3 letters of objection have been received following re-notification of the amended scheme

- The fact that there are slightly fewer houses being proposed doesn't alter the fact that there will still be an extremely dangerous junction being created onto Greystones Road.
- Highway safety will still be compromised as cars, buses, vans, bin lorries, cyclists and pedestrians have to manoeuvre around vehicles and wheelie bins.
- There will still be a huge loss of trees and wildlife habitats will still be affected.

RESPONSE TO REPRESENTATIONS

The majority of the objections raised were submitted when the proposal was for 10 dwellings. The scale of the development has now been reduced and is for 6 dwellings. Furthermore, the proposed 6 new dwellings occupy an almost

identical footprint to the previously approved scheme for 4 dwellings (ref 14/00221/FUL). The flat terraced roofs have all been omitted and replaced with traditional pitched roofs. The amended site layout now pulls the new dwellings away from the rear party boundaries which help to create larger garden spaces and also reduce the overlooking and prevent loss of privacy.

A group tree preservation order has also now been placed on some of the more valuable trees around the peripherals of the site, this should ensure that the most valuable trees on the site are retained. The re-configured site layout also means that some of the important vistas into the site (from Greystones Road, between nos.257 and 271) still allow views onto trees and landscaped areas as opposed to built structures.

Some of the windows to properties that had previously been shown as overlooking neighbouring gardens are now shown as being obscure glazed with restricted openings. Obscure glazed privacy screens have also been introduced to the balconies which will prevent direct overlooking onto neighbouring balconies and/or gardens. In terms of the design of the proposed dwellings, the general design is not too dissimilar to the previously approved scheme for 4 dwellings.

The reduced scale of the development from 10 dwellings to 6 means that there will be fewer traffic movements into and out of the site. The revised layout still ensures that a wildlife habitat run (suitable for protected species) is maintained around the edge of the site. The amended plans now show that window to window separation distances between the new dwellings and surrounding properties all now meet the Council's minimum standards of 21 metres.

Affordable Housing provision only becomes a policy consideration with schemes of 15 or more dwellings.

Officers are also able to confirm that neighbours have been notified in the correct manner.

Other matters are covered elsewhere in this planning report.

PLANNING ASSESSMENT

Officers consider that the most relevant planning policies in this instance are:- UDP policies BE5 'Building Design and Siting'; GE15 'Trees and Woodland'; H14 'Conditions on Development in Housing Areas'; and H15 'Design of new Housing Developments'; and Core Strategy policies CS23, CS24 and CS26 relating to housing; CS64 relating to climate change; CS67 'Flood Risk Management' and CS31 relating to design for the South West area of the City and, CS74 'Design Principles'.

Land Use Policy

The adopted Unitary Development Plan (UDP) shows that the application site is designated as a housing policy area. UDP policy H10 says that housing is the preferred use so the broad principle of new housing is acceptable.

The site is greenfield and does not therefore constitute previously developed land. Core Strategy policy CS24 gives priority for the development of new housing on previously developed land and states that no more than 12% of dwellings should be constructed on greenfield land in the period up to 2025/26. It also states that such development should only occur on small sites within urban areas, where it can be justified on sustainability grounds. The current house completion database shows that less than 6% of new houses have been built on Greenfield sites so the proposal would still be well within the 12% threshold.

Policy CS23 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/21, the main focus will be on suitable, sustainably located, sites within, or adjoining the main urban area of Sheffield. The site is small within an existing urban area and sustainably next to a regular bus route and within walking distance of local schools and services. In this context, the development of this small Greenfield site for new housing complies with the aims of policies CS23 and CS24.

CS26 'Efficient use of Housing Land and Accessibility' specifies that housing development should make efficient use of land. For parts of the urban area such as this site (next to a High Frequency Bus Route, but not within 400m of a District Centre), the desirable density range is between 40-60 dwellings per hectare under this policy (subject to the character of the area being protected). In this case, the density is 21.4 dwellings per hectare (6 dwellings in 0.28 hectares), which is just over half the minimum desirable density, however, given the setting of the site and the ecological requirements noted later in this report, this lower density can be justified on the basis of the need to protect and maintain the character of the area.

Design & Site Layout

In addition to UDP Policy H10, officers have assessed the proposal against Policies H14 and BE5. UDP Policy H14 relates to "Conditions on Development in Housing Areas" and Policy BE5 relates to "Building Design and Siting". This application has also been assessed against the Council approved supplementary planning guidance (SPG) on "Designing House Extensions".

The above policies (along with Core Strategy Policy CS74) all echo similar principles i.e. a need for new developments to be well designed and, of a scale and character similar to neighbouring properties and/or appropriate to the area. The site should not be overdeveloped and there should be no unacceptable level of detrimental harm to neighbouring residents. The current proposal for 6 dwellings is a significant reduction from what was originally

submitted and the general layout and footprint of this development is not too dissimilar to the previously approved scheme for 4 dwellings which is a material consideration.

There are a mixture of property styles and design in the area including a 3-storey block of flats (Hornby Court) to the southwest, 2-storey semi-detached properties to the south east and on Greystones Road and the older stone-built cluster of properties immediately adjacent the site on Greystones Road (183 to 273). With the exception of plot 6 (which is 2 storey), the other properties have a 3-storey front elevation appearance and a 2-storey rear elevation appearance, the design takes into account the changing land levels of the site which slope down from west to east. This design feature is the same as those dwellings previously approved in the 2014 planning approval for 4 dwellings and is an acceptable approach.

The facing materials for the new dwellings were originally proposed as being brick with some timber cladding, officers have negotiated for the dwellings to be constructed in natural stone with natural stone heads and cills and slate effect roof tiles. Officers consider that the proposed choice of facing materials (as amended) will better relate to the immediate neighbouring properties (183 Greystones Road and the cottages at 197 to 273 Greystones Road).

The proposed layout of the development is such that the proposed new dwellings (with the exception of plot 6) generally face onto the main access drive, plot 6 is orientated slightly differently in order to prevent windows overlooking the front garden of 183 Greystones Road.

Because of the secluded and back-land nature of the development site, officers consider that the impact of the development on the character of the area will be negligible.

Appropriate planning conditions relating to hard and soft landscaping together with the existing tree preservation orders on the site should ensure that appropriate trees are retained and that there are areas of landscaping to help soften the appearance of the development.

Whilst some of the dwellings incorporate raised balconies, these are generally located on the rear elevations and incorporate privacy screens so as to minimise overlooking.

The rear gardens will feature boundary treatments, details of which will be reserved by planning condition in order to ensure that appropriate boundary treatments are incorporated into the scheme and also to ensure that there is a suitable wildlife habitat run for protected species.

Each of the new dwellings will have wheelie bin storage areas and the development includes a wheelie bin collection point where occupiers of the new dwellings will bring their bins to on collection days. The bin collection point is located within the site and should therefore minimise the need for

refuse vehicles coming fully onto the site and also it should ensure that bins aren't left on the public highway.

Highway Issues

A high proportion of representations received have objected on the basis that the new access is in a dangerous location, has poor visibility and that the development will lead to increased levels of parking congestion.

Policy H14 from the Sheffield Unitary Development Plan (UDP) requires development to provide safe access to the highway network, provide appropriate off-street parking and not endanger pedestrians. The NPPF at paragraph 32 states that development should only be refused on transport grounds where the impacts are severe.

With regard to the access drive into the site, the present arrangement involves a gateway leading to a driveway for 183 Greystones Road. This current proposal seeks to utilise the existing access driveway. The proposal does involve the driveway being widened to 4.8m with an additional 1.5 metre wide pedestrian footpath. An access drive width of 4.8 metres is considered wide enough to accommodate two-way traffic and is entirely appropriate for the proposed development. To further improve visibility, splays will be provided and part of the existing front boundary wall will be reduced in height and overgrown hedging removed. The new access drive and footpath will be used by all of the properties on the site (including 183 Greystones Road). Given the low level of vehicular flow, officers consider the access arrangements to be acceptable.

A development of this nature would be expected to generate in the order of 6 vehicle movements in the peak hour and up to between 60 and 70 vehicle movements over the course of the day. In terms of highway capacity officers are satisfied that this level of generated traffic will not have a material impact on the surrounding highway network. Indeed the number of vehicular movements indicated is likely to be less than the general daily variation in traffic flows that would normally be expected.

The site will be accessed from Greystones Road by a priority junction. In order to determine whether acceptable sight lines can be provided vehicle speed surveys were carried out. The average speed recorded was 26mph with an 85th percentile speed of 30mph. Using the Manual for Streets guidance (Department for Transport and Communities and Local Government) it can be seen that appropriate sight lines are between 36m and 40m. Drawing number 15080/GA/02 revision B shows the provision of sight lines of 2.4m x 40m and as such, this is considered acceptable.

Officers have also carried out an investigation of the number of Personal Injury Accidents which have occurred between 2005 and 2015. The section of road considered was Greystones Road between Greystones Drive and High Storrs Rise. The information reveals that in the 10 year period there had only been 1 reported injury accident.

The Banner Cross District Centre is approximately 650m from the site and provides a good range of shops and services and, there are also several schools within 1km of the site, in this regard therefore, it is considered that the site is reasonably accessible by foot. There is a bus stop within approximately 150m of the site which provides access to a relatively frequent bus service (approximately every 20 minutes), and a wider range of bus services can be accessed from Ecclesall Road.

The most recent plans show parking for 2 cars for plots 1, 2, 4 and 6; 3 cars for plot 3 and 1 car for plot 5. There are also 2 visitor parking spaces available. The Councils Parking Guidelines indicate a maximum provision of 2 spaces for a 2 – 3 bedroom property and 2 – 3 spaces for a 4 – 5 bedroom property. The proposed level of on-site car parking is considered to be acceptable and accommodates the level of parking demand likely to result from the development.

The proposal is therefore acceptable from a highways point of view.

Trees and Landscaping

UDP policy GE15 seeks to retain mature trees and where these are lost, replacements should be provided as part of development.

Core Strategy policy CS74 requires new development to take advantage of woodlands and natural features. There are several trees on the site, of which many are protected by a Tree Preservation Order (towards the Greystones Road frontage of the site and some towards the southern boundaries of the site). There are many other trees on the site that are self-seeded saplings or trees of limited visual amenity, officers consider that it would be unreasonable to withhold planning consent on the basis that some of the less valuable trees would be removed. The tree preservation orders will ensure that the most valuable of trees on the site are protected and retained. The proposal as amended still retains a strong tree cover on the site.

Impact on the Amenities of Existing Residents

Policy H14 of the Sheffield Unitary Development Plan (UDP) says that new development in housing areas should not cause harm to the amenities of existing residents.

Core Strategy policy CS74 requires new development to contribute to the creation of successful neighbourhoods.

It is important to ensure that the proposal would not result in a significant and/or unreasonable loss of privacy to neighbours nor result in a development having an overbearing nature which would be to the detriment of neighbours' amenities.

It is also noted that some of the representations received refer to overlooking and loss of privacy. Following the reduction from 10 dwellings to 6 and amendments to the layout, the separation distances from window to window meets the SPG guideline figure of 21 metres. Officers have also insisted that the windows that did have the potential for overlooking are obscure glazed and (in the case of plot 6) have limited openings. The revised layout also ensures that the separation distances between the proposed new dwellings and all existing neighbouring windows is greater than 12m which reflects the SPG guidance in terms of overbearing and overdominance.

The traffic levels from the new driveway should not cause significant nuisance for 173 or 183 Greystones Road (the closest properties). Although higher traffic levels are expected compared to the existing situation, the driveway will be located solely to the front of the neighbouring properties, thereby limiting traffic noise and disturbance. In addition, the curvature of the drive will ensure that headlights at night will largely be facing away from these properties.

Policy H14 of the Sheffield UDP also seeks to ensure that new developments provide adequate amenities for the future occupiers of the new properties. In this instance, due to the reduction in the scale of the development, each resulting dwelling will now have more generous levels of garden/amenity space. The smallest of the gardens (to plot 4) will measure approximately 80 square metres which is significantly more than the size of a garden normally required as a minimum requirement (50 square metres), as outlined in approved SPG. With the retention of many site boundary trees and a condition requiring appropriate boundary treatment to be agreed and then subsequently provided, officers are satisfied that the proposal will result in the amenity spaces being relatively private. The proposed houses will all have reasonable outlooks and should all receive a reasonable level of natural light.

Officers are satisfied that the proposed development will not lead to detrimental harm for local residents or the future residents of the new dwellings.

Impact on Wildlife/Ecology

A key principle of the National Planning Policy Statement (NPPF) is to conserve and enhance the natural environment.

UDP policy GE11 says that the natural environment will be protected and enhanced and new development should reduce potentially harmful impacts on nature.

An Ecological Survey Report has been submitted in support of the application, exploring specifically for wildlife habitats for protected species. The report talks about the likely impacts of the development and puts forward a series of recommendations. Ecology officers have assessed the report and are satisfied with its findings.

As a result of the proposed development there will be a net loss in secondary woodland and scrub. This woodland and scrub is of limited ecological interest due to the unmanaged nature of the land, however the woodland does currently support protected animal species and nesting birds and as such mitigation/compensation for loss of habitat should be considered.

To compensate for the loss of habitats, it is proposed that new hedgerows are planted around the boundary of the site. These hedges should use locally sourced native species. It is thought that this planting will adequately compensate for the loss of woodland scrub, and provide suitable long term nesting opportunities for birds as well as providing commuting routes for other animals through the site.

There is clear evidence of activity on site of protected species, and the survey includes measures to mitigate against the harm. The mitigation measures propose creating a 'badger run/corridor' around the perimeter of the site, free from human activity and outside the curtilage of the proposed properties; the report suggests that this should be at least 2.55m wide. The plans have subsequently been amended to provide a clear 3m strip, or run.

It may be necessary for additional mitigation measures to be carried out on the site to help conserve the protected species on site and to improve biodiversity. This might typically include replacement trees planting (ideally fruit trees to provide natural food sources for wildlife), bird boxes and bat boxes.

It should be noted that development on this site will remain subject to a licence from Natural England.

On this basis the proposal is acceptable in terms of policy GE11

Surface Water Run-off

Core Strategy Policy CS67 'Flood Risk Management' seeks wherever possible (for sites under 1 hectare) to reduced surface water runoff by introducing design measures. The applicant has confirmed that surface water run-off will be reduced by the use of a Sustainable Drainage System to the car parking spaces which will be surfaced using a permeable grasscrete system, each of the dwellings will have include the use of rainwater harvesting (water butts) and the development will incorporate the use of soakaways. These measures are in line with the policy recommendations. A suitably worded planning condition will ensure that these features will be incorporated into the scheme in order to ensure that the surface water runoff will not be problematic for the development site or any neighbouring sites.

Community Infrastructure Levy (CIL)

The development is CIL liable and the site falls within Zone 5 of the CIL charging schedule, where the rate of £80/sqm is payable.

Summary & Recommendation

This planning application seeks to establish the development of 6 houses on the site, with access from Greystones Road.

The principle of the works would be acceptable in terms of its layout, scale of development, and respect of the layout and form of houses in the immediate area. There would be no harm to the amenities of existing occupiers and the access/driveway is considered by officers to be acceptable.

It is considered that the proposal as amended would be acceptable and would comply with all of the policy criteria set out above in this report.

This application is, therefore, considered to be acceptable and is recommended for conditional approval.

Case Number	15/04365/CHU (Formerly PP-04671103)
Application Type	Planning Application for Change of Use
Proposal	Alterations and retention of use of a former barn as a dwellinghouse (retrospective application)
Location	White Acres Farm Spout Lane Sheffield S6 6EF
Date Received	02/12/2015
Team	West and North
Applicant/Agent	HPDA
Recommendation	Refuse with Enforcement Action

Time Limit for Commencement of Development

Approved/Refused Plan(s)

Pre-Commencement Condition(s)

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

Other Compliance Conditions

Refuse for the following reason(s):

- 1 The Local Planning Authority consider that the original building was not of substantial construction, capable of conversion for residential purposes, without significant alteration and re-building and as such the development is contrary to Unitary Development Plan Policy GE9 as well as Paragraph 90 of National Planning Policy Framework. The development has created an isolated property within open countryside which is harmful to the rural character of this Green Belt location.
- 2 The Local Planning Authority consider the use of the building as a dwellinghouse to be inappropriate development in the Green Belt under the terms of Policy GE1 and GE3 of the Unitary Development Plan, which would cause harm to the rural character of the area. In the absence of very special

circumstances to justify a departure from the provisions of the adopted plan on this occasion, the Local Planning Authority consider that the proposal is contrary to Policy GE1 and GE3 and to Government Guidance contained in the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

1. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

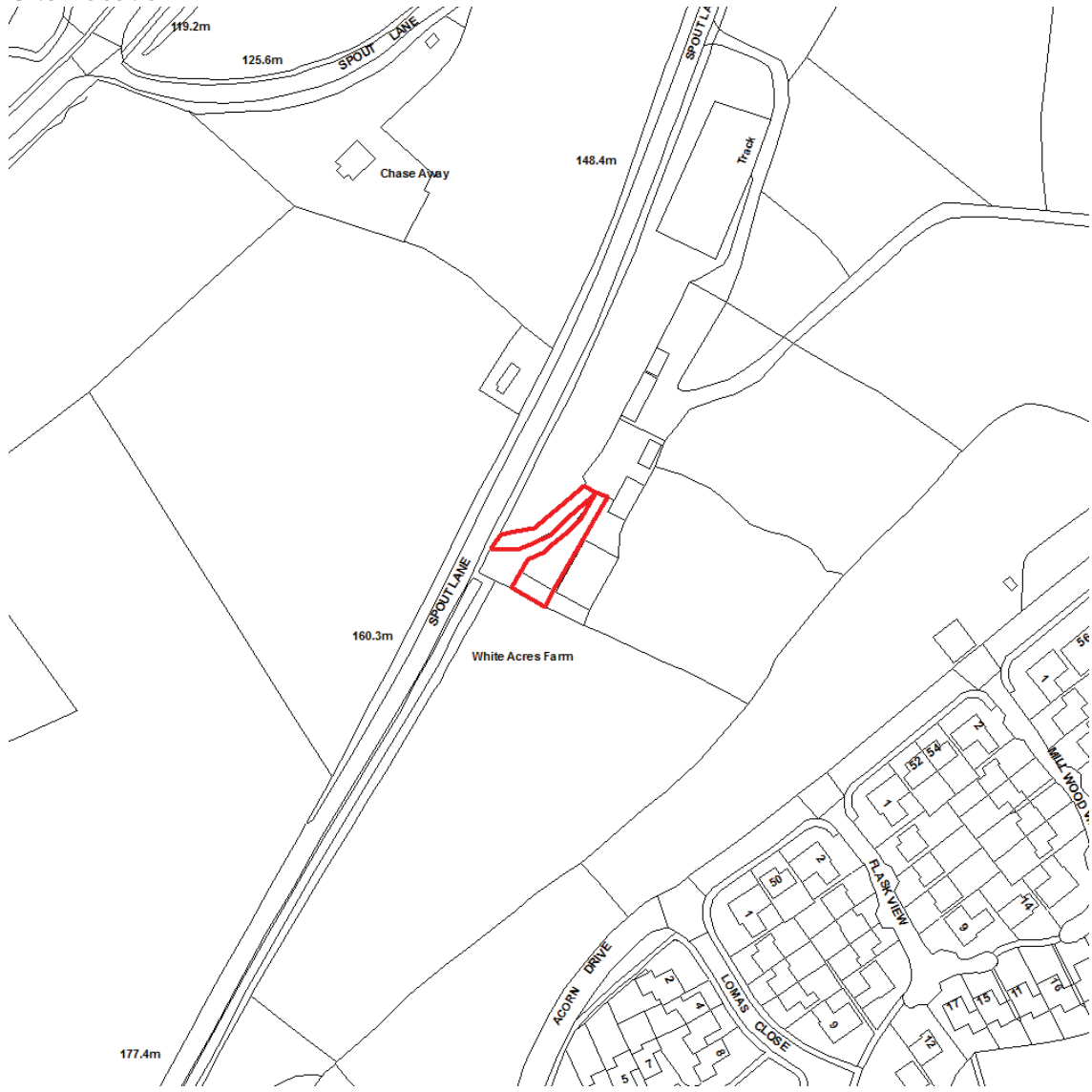
Plans and elevation, which were submitted on 4th December 2015, drawn by Rae Connell Associates

Statutory Declaration made by Ms Joanne Storey dated 28th October 2016
Statutory Declaration made by Ms Samantha Thompson dated 29th October 2016

Planning Statement which was received on 2nd December 2015, prepared by Hartley Planning and Development Associates Ltd

2. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirements(s), and, there being no perceived amendments(s) that would address these shortcomings without compromising the fundamental intention of the scheme the Local Planning Authority had no alternative but to refuse consent.

Site Location



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15/04365/CHU

**Alterations and retention of use of a former barn as a dwellinghouse
(retrospective application)**

White Acres Farm, Spout Lane, Sheffield S6 6EF

LOCATION AND PROPOSAL

The application relates to a modest single-storey building which is clad in stone with a pitched slate roof. The property is in open countryside beyond the settlement of Stannington, within a complex of barns and stables that comprise a livery business. The land slopes steeply down to the north and west and the premises are elevated above the level of Spout Lane as it passes the site.

The site is identified on the Unitary Development Plan Proposals Map as being within the Green Belt and an Area of Natural History Interest.

Planning permission is sought to retain the use the building as a single dwellinghouse. This would have two bedrooms and a bathroom to the rear and an open kitchen / lounge to the front of the building. The applicant has set out that no further external alterations are proposed, the external works having been completed more than 4 years ago, and the property is already in residential use. The residential curtilage would be largely confined to the existing yard to the front of the building which is already fenced off.

RELEVANT PLANNING HISTORY

Planning permission was granted for the erection of an agricultural building under 96/00307/FUL (96/0076P). The approval was for a flat roofed building of block work and metal sheet construction with an open front.

Planning permission was granted for the use of the agricultural unit as livery stables in 2008 by application 08/02013/CHU. Condition 9 of this consent stipulated that no residential accommodation of any kind shall be provided on the site.

Previously planning permission had been refused for alterations and extensions to a barn for the use as a livery stable under application 94/01357/FUL (formerly 94/1091P).

Planning permission was also refused for the erection of a dwellinghouse in 1993 under application 93/00982/FUL (formerly 93/0575P).

Over the years the site has been the subject of numerous enforcement investigations, with allegations that someone has been living on site. The current application has arisen from an enforcement complaint which was received in November 2015 (enforcement enquiry ref 15/00607/ENUHD).

Prior to that, the site was visited by enforcement officers in December 2012 following a complaint that someone was living in one of the barns. It was confirmed that no-one was living on site and the enforcement case was closed in January 2013.

SUMMARY OF REPRESENTATIONS

Bradfield Parish Council have objected to the proposed development, being retrospective, and have asked that the planning history be looked into.

A representation from a local resident echoes these objections and a further objection sets out that the development would result in an increase in traffic along Spout Lane and would erode the Green Belt.

Loxley Valley Protection Society have objected to the retrospective nature of the application. They question when the form of the building changed from an open fronted barn to the present stone clad building. They have also questioned what constitutes the site boundary and request that, should planning permission be granted, the use of the house remains ancillary to the livery business.

LVPS also set out that the re-use of the building does not detract from the openness of the Green Belt; however concerns remain that no plans seem to have been submitted for the external work already carried out. The whole process appears to have been carried out by stealth on a secluded and well screened site. To grant the application may set a precedent for others to do the same.

PLANNING ASSESSMENT

The site is identified on the Sheffield Unitary Development Plan (UDP) Proposals Map as being within the Green Belt.

Green Belt policy dictates that, unless very special circumstances can be demonstrated, residential development within the Green Belt is deemed to be inappropriate. However policy does allow for the conversion of existing buildings for other uses (including residential), provided they are of substantial construction and capable of conversion without the need for significant alterations or rebuilding.

As set out in the Planning History section above, planning permission was granted for the erection of an agricultural building in 1996. The building that was approved was of block work and box profile sheeting construction, with an open front and a virtually flat roof. It is not known exactly when the building changed from the open fronted barn to the building that sits on the site today. The applicant claims that the building had four walls when purchased in 2008 and is unsure when the roof was added but believes it to be over 4 years ago.

In support of her case, the applicant and one of her friends have each signed Statutory Declarations to the effect that the building has been in its present form for more than 4 years, the roof being altered as a result of leaks and the gable facing

the road (which is claimed was previously built in stone and concrete blockwork), built up following a branch falling onto the building in 2009 or 2010 at the latest.

Aerial photographs have been provided by the applicant showing that a building has been on the site since 2002, with images dated December 2002, May 2005, September 2008 and December 2009. These all seem to show a flat roofed building with the roofing material being of a light colour (assumed to be metal sheeting).

It is not disputed that the barn approved by application 96/00307/FUL (96/0076P) has been erected. However, this building would not have been considered capable of conversion for residential purposes without significant alterations / rebuilding, in conflict with UDP Policy GE9 as well as Paragraph 89 of the NPPF.

Images on 'Google Chrome', captured in July 2011, September 2011, May 2012 and August 2012 show the gable of the building facing the road to be of block work and metal sheeting construction, with a flat roof (not stone as claimed in the applicant's sworn statement and not with a pitched roof). The Local Planning Authority therefore dispute that the building works to convert the building into its current form were completed over four years ago, and call into question the accuracy of the two statutory declarations.

Despite requests for proof that the building works were carried out over 4 years ago, no other evidence (apart from the signed declarations and aerial photographs) has been forthcoming. Acceptable evidence could have been in the form of dated photographs / receipts for building materials / equipment hire / provision of services or utility bills.

The building works that have been carried out have been undertaken without planning permission and, as it cannot be proved that they were completed over 4 years ago the building in its current form is deemed to be unlawful.

What therefore needs to be assessed is whether the alterations that have been carried out and the use of the building as a dwellinghouse are complicit with both national and local Green Belt Policy, and the whether planning permission should be granted retrospectively.

National policy is contained with the National Planning Policy Framework, specifically paragraphs 87-90.

Paragraph 87 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 88 goes on to state that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 does allow for extensions or alterations of a building provided it does not result in disproportionate additions over and above the size of the original building.

Unitary Development Plan Policy GE1 – Development in the Green Belt sets out that in the Green Belt development will not be permitted, except in very special circumstances, where it would lead to unrestricted growth of the built up area or lead to encroachment of urban development into the countryside.

Policy GE3 sets out that in the Green Belt the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than agriculture, forestry, essential facilities for outdoor sport or recreation and other uses which would comply with Policy GE1.

UDP Policy GE9 – Re-use and Adaptation of Rural Buildings sets out that the re-use and adaptation of rural buildings for new uses will be permitted provided: the existing building is capable of conversion without significant alteration, extension or structural rebuilding and the new use would not harm the landscape or character of the countryside.

As already set out, it is considered that the building works that have been carried out are significant and so the development is not complicit with the NPPF or UDP Policy GE9.

In addition no very special circumstance have been put forward by the applicant to justify the need for a dwellinghouse in this location. The property is not needed to support agriculture, forestry or essential facilities for outdoor sport or recreation. It is considered that the use of the building for residential purposes would result in urban encroachment into the countryside and so would be contrary to UDP Policy GE1 and GE3.

It is accepted that the building is partially concealed from public view by the mature birch trees that surround the site and being elevated above the level of the road, set into the hillside, it is not particularly prominent; however these factors do not diminish the harm that the development is having by reason of its inappropriateness. The development does not comply with the aims of the NPPF which seeks to protect sites in the Green Belt from inappropriate development.

It is considered that the conversion of the barn, which was not of substantial construction, and the use of the resultant building as a dwellinghouse, does not comply with Green Belt Policy. In view of the above concerns it is recommended that the current application is refused and that enforcement action be authorised.

ENFORCEMENT

Authority is sought for enforcement action to be taken to return the building to its former use for storage purposes in connection with the livery yard.

Condition 9 (of planning application 08/02013/CHU), which granted permission for the livery yard to the same applicant as this current application, stipulated that no

residential accommodation of any kind shall be provided on the site. As such the applicant was well aware that the Local Planning Authority did not wish to see a residential presence on site but has gone ahead and occupied one of the buildings anyway.

The development is in breach of Condition 9 and so it is recommended that a Breach of Condition Notice be served.

As the applicant has had blatant disregard to previous planning conditions it is also recommended that; not only shall the occupation of the building as a dwellinghouse cease, but the building also be returned to its former open fronted form, to prevent calls for conversion in the future. In addition, on the rear of the building windows have been inserted and these give the building a domestic appearance. These windows need to be removed and the rear elevation returned to a blank elevation. Chimneys and other external flues which give a domestic appearance also need to be removed. In essence the building needs to be returned such that it is an open fronted barn.

In making this recommendation Officers have taken into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority to act in a manner which is incompatible with the European Convention on Human Rights. Of particular relevance here is Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of possessions, including land). In addition, Article 6 provides the applicant a right to a fair hearing which means that full consideration should be given to all representations made in support of their application.

When making its decision the Council must balance any likely private harm against the wider public good to ensure that interference with anyone's rights shall only be permitted if it is proportionate (the degree of harm to the individual balanced against the public interest). On this occasion it is the view of Officers that any interference is in accordance with the law and justified as being in the public interest and such a decision would fall within the margin of discretion afforded to the Council.

SUMMARY AND RECOMMENDATION

Planning permission is sought for the change of use of a property within the Green Belt from a barn used for storage purposes to a 2 bedrooled dwellinghouse. The application is retrospective with the conversion having already taken place and the building occupied.

The property has had a pitched roof added, been clad in stone and the front wall built up with windows and doors inserted. Windows have also been added on the rear elevation and there is a metal chimney / flue on the gable end facing the highway.

No firm evidence has been provided that the building has been altered over 4 years ago and no very special circumstances put forward to justify the development.

The works that have been carried out to the building and the resultant use as a dwellinghouse are deemed to be inappropriate development within the Green Belt, contrary to Unitary Development Plan Policy GE1, GE3 and GE9 as well as guidance contained within Paragraphs 87-90 of the National Planning Policy Framework.

It is therefore recommended that the application be refused and authority is given to the Director of Development Services or the Head of Planning to take all necessary steps, including Enforcement Action and the instigation of legal proceedings, if necessary, to secure the return of the building to its former open fronted structure; used for storage purposes in connection with the livery business.

The need for the building to be returned to its former open fronted structure is considered necessary to prevent any future calls for conversion.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: The Interim Head of Planning

Date: 22 November 2016

Subject: Enforcement Report

Author of Report: Lee Brook

Summary:

Unauthorised alterations to building to form a dwellinghouse, unauthorised use of land & buildings to store building materials & building waste, Non-compliance with conditions attached to planning permission 13/03412/FUL, unauthorised erection of an advertisement

Little Intake Farm, off Woodhead Road

Recommendations:

That the Acting Director of Development Services or Interim Head of Planning: Chief Planning Officer be authorised to take any appropriate action including if necessary, enforcement action and the institution of legal proceedings to secure (i) the removal of the unauthorised harmful alterations to the barn, (ii) cessation of the use of the land and buildings for storage of building materials and building waste, (iii) compliance with the approved plans and conditions of planning permission 13/03412/FUL and removal of the advertisement board from the field adjacent to Woodhead Road.

The Interim Head of Planning : Chief Planning Officer is designated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Background Papers:

Category of Report: OPEN

ENFORCEMENT REPORT

UNAUTHORISED ALTERATIONS TO BUILDING TO FORM A DWELLINGHOUSE, UNAUTHORISED USE OF LAND AND BUILDING FOR STORAGE OF BUILDING MATERIALS, NON COMPLIANCE WITH PLANNING PERMISSION 13/03412/FUL AND UNAUTHORISED ERECTION OF AN ADVERTISEMENT.

LAND AT INTAKE FARM, OFF WOODHEAD ROAD, GRENOSIDE

PURPOSE OF THE REPORT

The purpose of this report is to inform Committee Members about breaches of planning control and to make recommendations on any further action required.

1. BACKGROUND

- 1.1 The Council's Private Housing Standards, (PHS), received a complaint in March 2016 about the poor standard of living accommodation at a converted barn at the site referred to as Little Intake Farm. The building, or part of it had been recently leased to the complainant for ten years as living accommodation. Officers in that service advised the planning enforcement officer that the accommodation was not up to standard. The initial visit by the planning enforcement officer on 16/3/16 revealed that tenants had quit and the building was now unoccupied.
- 1.2 This visit revealed other breaches of planning control, which are all the focus of this report. These include unauthorised alterations to the barn and non-compliance with plans and conditions attached to planning permission ref 13/03412/FUL, (if implemented – discussed later in the report), which was granted conditionally at the planning committee on 13th May 2014 for 'Change of use from grazing land to caravan and campsite, conversion of redundant agricultural buildings to create a reception area, indoor play area and Shire Horse stud area.' An advance sign has also been erected on Woodhead Road without advert consent.
- 1.3 Research shows that the land was used for camping for a short period of time at least. There is a website for 'Little Intake Farm Camping' and a separate independent camping booking website, 'pitchup.com' shows 7 reviews by customers. This was around the time of the Tour de France in July 2014 but there is no evidence of activity since then and the lack of facilities at the site is not conducive to camping there.

- 1.4 This property is a 2.6 hectare site surrounding the 'Little Intake Farm' in Grenoside, wholly within the Green Belt and surrounded by woodland. The site is approximately 1.55km from the old Woodhead Road, accessed from a long track via a Forestry Commission car park and track. There are four buildings here; a modern stone barn, a modern stable block and two more modern sheds. The stone barn is 15m in length by 8.1m width and is two storeys high with a gross external area of 130.5sq metres. Adjacent to the barn is a stable block and the remains of a derelict building. The two sheds are both 23m x 12.2m and are also two storeys in height.
- 1.5 The planning permission, ref.13/03412/FUL, was to change the use from grazing land to a caravan and campsite. Permanent caravan pitches are not included. The barn is proposed for conversion to a reception and information centre at ground level with accommodation for a site manager at 1st floor level comprising a kitchen, lounge and two bedrooms within the roof space. This includes some exterior alterations to the building. One of the existing sheds is shown to be converted to an indoor play area, (shed 1) to include a climbing wall and indoor play equipment with the other shed, (shed 2), to be an amenity block. This requires the installation of new doors and windows. The stable block is shown to remain as a stable block.
- 1.6 A letter dated 20 April 2016 was sent to the owner advising that the planning permission was not valid unless all the conditions were complied with in full. It also addressed the unauthorised changes to the barn. No response has been received from the owner.

2. THE BREACHES OF CONTROL IDENTIFIED

- 2.1 The breaches of planning control identified are:
- (i) Unauthorised alterations to the barn. Glazing has replaced the old metal roller shuttered entrance on the front elevation, instead being filled in with the approved natural stone shown on the approved plan. This glazing is two stories high and comprises French doors surrounded by large panels of windows. On the rear elevation, 1st floor and 2nd floor French windows are added, in breach of approved plans under the planning permission 13/03412/FUL, which shows a solid wall. This can be viewed as a breach of this planning permission or as a standalone breach of planning control if the planning permission is deemed to be not implemented.
 - (ii) Non-compliance with eight conditions attached to planning permission 13/03412/FUL, including six pre-commencement conditions covering sewage treatment, site layout / footpath diversion, arrangements for operating the Forestry Commission track that serves as the access, hard and soft landscaping and bat roosting provision within buildings
 - (iii) Partial use of Shed 1 and outside areas for storage of building materials and scaffold parts.

- (iv) Non-compliance with approved plans for Shed 1 and Shed 2
 - (v) Deposit of waste building materials on the land.
 - (vi) Large unauthorised advertisement, off-site, on Woodhead Road
- 2.2 The report from Private Rented Standards about the barn shows it was being used as living accommodation on a long term lease in connection with stabling of horses on site. This would also have been a breach of control, condition 13, which states *'The occupation of the living accommodation in the barn shall be restricted to person(s) employed at the caravan and camp site and shall not be used as a separate dwelling'*.
- 2.3 It can be argued that the planning permission 13/03412/FUL has not been implemented at all because pre-commencement conditions have not been complied with. The implementation of the use is quite flimsy however, on the basis that very little physical change has occurred to the land and the buildings, other than the addition of a plastic outdoor water tank with primitive pot washing area, a site wheelie bin to the site of the track, a fire blanket attached to a freestanding post, (these have now been removed). The use would be acceptable in principle subject to compliance with the planning permission referenced above, which would require substantially more work. There is little evidence that camping has taken place since the initial period when the Tour De France passed through the area. Subsequent reviews posted on the internet, around that time are highly critical of the site, particularly the lack of facilities, (which have planning permission but are not provided).
- 2.4 The barn alterations and the use of a building and land for storage of building materials are unauthorised regardless of whether the permission has been implemented or not. The recommendation in this report covers both possibilities.
3. ASSESSMENT OF THE BREACHES / POLICY
- 3.1 Within the adopted Sheffield Unitary Development Plan (UDP), the application site is designated as part of the Green Belt and is also within an Area of High landscape value. The adjoining woodland to the east is designated as an Area of Natural History Interest.
- 3.2 UDP policy GE1 says that development in the Green Belt will not be permitted, except in very special circumstances, where (amongst other things), it would lead to the encroachment of urban development into the countryside.
- 3.3 UDP policy GE2 seeks to protect and improve the Green Belt landscape. Those areas with generally high landscape value will be maintained and enhanced.
- 3.4 No new buildings were proposed in 13/03412/FUL, as the scheme is limited to converting existing farm buildings. The application, as

originally submitted did propose a new building but this was removed from the proposal later.

- 3.5 UDP policy GE4 says that the scale and character of development which is permitted in the Green Belt should be in keeping with the area and conserve and enhance the natural environment.
- 3.6 UDP policy GE8 deals with Areas of High Quality Landscape (AHQL) and seeks to protect and enhance good quality landscape.
- 3.7 UDP policy GE9 deals with the re-use and adaptation of rural buildings and this is permitted particularly where this would help to diversify the rural economy provided that the existing building is capable of such conversion without significant alteration or extension, there would be no harm to the countryside, any harmful impacts of the existing building are remedied and any historic character would not be compromised.
- 3.8 Core Strategy policy GE71 seeks to protect the Green Belt and endorses both NPPF and UDP policies. All of this site is within the Green Belt and is designated an Area of High Landscape Value in the Sheffield Unitary Development Plan. This guidance is set out earlier in this report but UDP policies GE1, GE2 and GE4 and Core Strategy policy CS71 are particularly relevant.
- 3.9 Policy guidance says that exceptional circumstances need to be demonstrated to allow new development so that policy criteria might be satisfied. In this case, the essence of the planning application to change the use of the existing buildings and the surrounding land to a campsite with associated facilities, employee flat, improvements to the appearance of the buildings, improved access track, addition of a sewage facility etc was deemed to be acceptable judged against the National Planning Policy Framework and Local Plan policy.
- 3.10 The unauthorised use of the land and one of the sheds for the storage of building materials and the unauthorised alterations to the barn, highlighted during the enforcement officer visit to investigate the complaint received by Private Housing Standards area assessed separately..
- 3.11 Planning Permission 13/03412/FUL.
Change of use from grazing land to caravan and campsite, conversion of redundant agricultural buildings to create a reception area, indoor play area and Shire Horse stud area – granted conditionally May 2014.
- 3.12 The assessment in this report deals with the new matters arising, which are the barn alterations and the use for storing building materials and the advert. The planning permission 13/03412/FUL condition breaches relate to issues already considered and approved by committee.
- 3.13 BARN. Approved alterations to the barn include minimal external changes amounting to the replacement of the existing large roller shutter door with stone work to block up that large front entrance. Internal alterations included the change the use of the barn to

incorporate a ground floor information centre / reception connected with the use of the site for caravan and camping and a first floor and roof space living accommodation for the manager employed on site.

- 3.14 The photos in the appendix to this report show deviations from the approved plan on both the front and rear elevations of the barn. The entrance way has been changed into a large two storey high glass window incorporating a double opening door at the front instead of a stone wall. This is an unauthorised change, however it is not considered to be out of keeping as it is a feature often found in barn conversions in rural areas subject to the use of appropriate materials.
- 3.15 On the rear elevation of the barn two new french windows have been added, one at ground floor level and one at first floor. These are unauthorised and are considered to be unacceptable, being features that look alien to a rural barn and more akin a domestic look rather than that of a rural green belt setting. The first floor appears to be a double door opening without any safety rail such as a Juliet balcony. The initial views of the internal layout of this building, viewed from the outside through windows, appear to show that it would easily lend itself to be used as dwellinghouse as opposed to the approved reception office with flat over. A new dwellinghouse would be contrary to policy and would be unacceptable as a standalone development.
- 3.16 SHED 1 and SHED 2. The planning permission shows Shed 1, an existing building, to be a play area. At present, as shown in the photo appendix this is largely empty but it is used for storage of some miscellaneous building materials and equipment, such as ridge tiles, scaffold poles and coupling parts. Shed 2 is shown as an amenity block for the campsite. It is currently locked up, but it is clear from limited views in that it has at least two cars parked inside and is probably not an amenity block. The planning permission included improvements to the appearance of each of the sheds by removing their metal roller shutters and replacing them with stone work. Doors and windows are shown made of timber and slate roofs are indicated. None of the changes have been implemented.
- 3.17 CONDITIONS of 13/03412/FUL. Condition no.2 requires the development to be carried out in accordance with approved drawings. This has clearly not been done. The barn as discussed above differs from the approved drawings, as do both Shed 1 and Shed 2. The following details are not submitted for approval as required: Hard / soft landscaping, Sewage treatment, forestry commission gate operation, bat roosting provision within buildings. The condition that requires the living accommodation at the upper floors of the barn to be restricted to person employed at the camp site was being breached but that accommodation, although inadequate by Private Housing Standards criteria, is now vacated following their intervention by that service.
- 3.18 These conditions were approved by Members at the Committee of 13th May 2014 and are considered necessary and fundamental to the planning permission.

- 3.19 STORAGE OF BUILDING MATERIALS. On the land around the buildings there are building materials of various kinds stored on it, including stone materials, breeze blocks, red bricks. It would appear that most of these materials are unconnected to the development of the site in line with the planning permission referred to above. Shed 2 is largely empty but does have scaffold equipment stored within it and a small amount of building material. The land is general poorly maintained with deep vehicle tracks and signs of waste disposal and waste burning. Photos are attached to show these issues.
- 3.20 The use of the land around the Sheds for storing building materials is considered to be harmful urban encroachment into the green belt, which visually harms the high value landscape setting. It is considered to be contrary to this policy and causes harm to the visual amenity of the landscape. The use of the Shed1 and land around it for storing building materials is not considered to be an appropriate re-use of the building or an appropriate use of the land around it. It would also be in conflict with the planning permission for campsite use.
- 3.21 THE ADVERTISEMENT – WOODHEAD ROAD. The advert is considered to be visually harmful to the area, which is a rural and heavily wooded area north of Grenoside village. The sign is poorly designed and unsympathetic to its countryside setting. It requires express consent under the Town and Country Planning (Control of Advertisements)(England) Regulations 2007. No application has been submitted and it is unlikely that officers would recommend approval for the current display. See photo appendix.
4. REPRESENTATIONS
- 4.1 No complaints have been made. This came to officer attention during a site visit to investigate a complaint about living conditions at the barn.
5. ASSESSMENT OF ENFORCEMENT OPTIONS
- 5.1 Section 171C of the Town & Country Planning Act 1990, ('the Act') provides for the service of a Planning Contravention Notice, (PCN). It requires information about the suspected breach control and property ownership. It also gives an opportunity to meet with officers to make representations. Such a meeting can be used to encourage regularisation and/or discussions about possible remedies where harm has occurred. In this case any person/s with an interest in the land are known and regularisation of the development is not the course of action being recommended.
- 5.2 Section 172 of the Act provides for the service of an enforcement notice, (EN). In this case such a notice would require, (i) the removal of the French windows from the rear elevation of the barn and removal of the new window / door opening from the front elevation of the barn, (ii) cessation of the use of the land / buildings for storing builders materials and waste and (iii) Compliance with the approved plans and conditions of planning permission 13/03412/FUL.

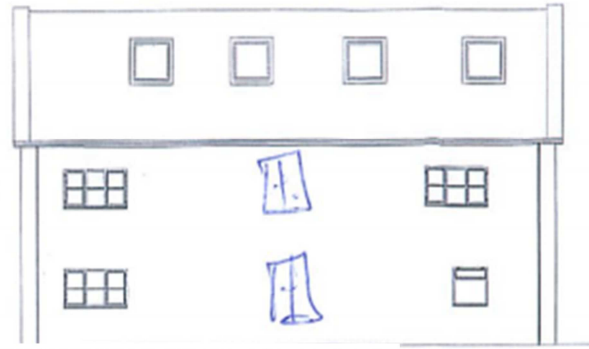
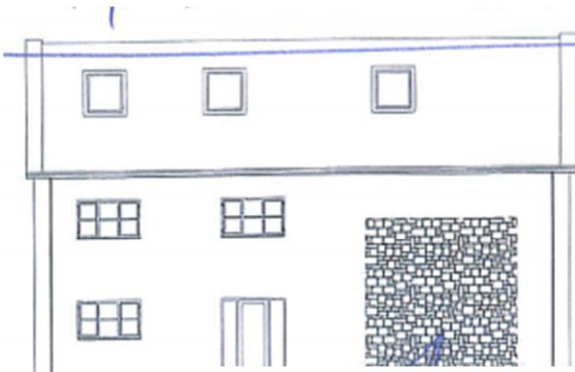
- 5.3 It is an offence to display without consent, an advert that requires express consent under the Advert Regulations. A prosecution can be brought under Section 224(3) of the Town and Country Planning Act 1990, (the Act) in such circumstances. Legal proceedings could be brought against the illegal display, on Woodhead Road, advertising the Little Intake Estate.
6. EQUAL OPPORTUNITIES
- 6.1 There are equal opportunity benefits arising from this report. In co-operation with the business owner an improved access design could be achieved if the structure is replaced, subject to planning permission.
7. FINANCIAL IMPLICATIONS
- 7.1 There are no financial implications arising from the recommendations in this report.
8. RECOMMENDATION
- 8.1 That the Acting Director of Development Services or Interim Head of Planning : Chief Planning Officer be authorised to take any appropriate action including if necessary, enforcement action and the institution of legal proceedings to secure (i) the removal of the unauthorised harmful alterations to the rear elevation of the barn and the reinstatement of the wall, (ii) cessation of the use of the land and buildings for storage of building materials and building waste and the removal of the said materials and waste, (iii) should the extent permission be required to commence, compliance with the approved plans and conditions imposed on planning permission 13/03412/FUL and (iv) removal of the advertisement board from the field adjacent to Woodhead Road.
- 8.2 The Interim Head of Planning: Chief Planning Officer is designated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

SITE PLAN



PHOTO APPENDIX





FRONT

The Inside of Shed 1





These photos show:

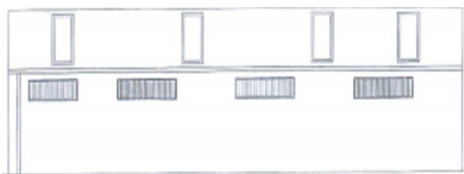
- Stored building materials in the open
- Waste material tipped
- Builders paraphernalia within Shed 1
- The illegal sign on Woodhead Road

They also show the site is not in use as a camp site in accordance with pp13/03412/FUL





APPROVED PLANS 13/03412/FUL

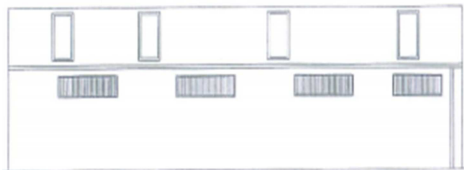


SIDE ELEVATION SHED 1



REAR ELEVATION SHED 1

doubtful that shed 2 equipped



SIDE ELEVATION SHED 1



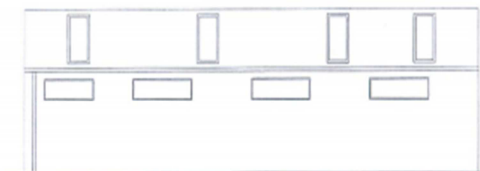
FRONT ELEVATION SHED 1



SHED 1.
CHILDREN'S
PLAY AREA

23.00m

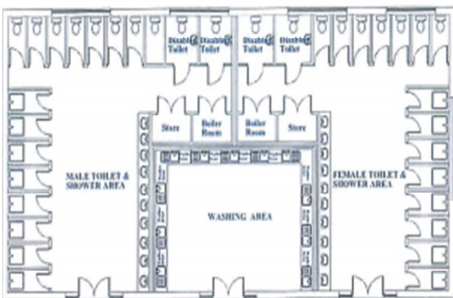
4800 x 2000 Roller
Shutter Door



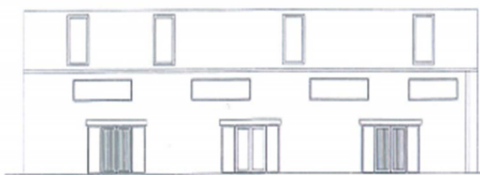
SIDE ELEVATION SHED 2



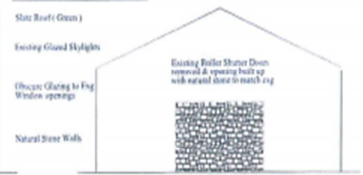
REAR ELEVATION SHED 2



SHED 2. AMENITY BLOCK



SIDE ELEVATION SHED 2



FRONT ELEVATION SHED 2

NOTE:
All new window and door openings are to be timbered.

Slate Roof (Green)

Existing Glazed Skylights

Opaque Glazing to Eng Window openings

Natural Stone Walls

Existing Roller Shutter Door removed & opening built up with natural stone to match r/g

Flo Churchill
Interim Head of Planning: Chief Planning Officer

22 November 2016

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Interim Head of Planning

Date: 22 November 2016

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Claire Woods 0114 2734219

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the laying out and construction of a means of vehicular access to dwellinghouse at 2 Mawfa Crescent Sheffield S14 1AS (Case No 16/00776/FUL)
(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a second-floor extension to dwellinghouse (Re-submission of 15/01394/FUL) at 200 Norton Lane Sheffield S8 8HB (Case No 16/01351/FUL)
(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a two-storey side/rear extension, single-storey rear extension and formation of gable end at 21 Glenorchy Road Sheffield S7 2EL (Case No 16/01695/FUL)
(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the partial demolition of existing boundary wall, erection of a new boundary wall to accommodate widening of the drive at 34 Beech Hill Road Sheffield S10 2SB (Case No 16/02686/FUL)

3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the delegated decision of the City Council to refuse advertisement consent for 1x internally illuminated free-standing sign at Unit 5A Leopold Square Sheffield S1 2JG (Case No 16/01664/ADV) has been dismissed.
Officer Comment:- The Inspector noted that the existing premises around the Square have generally focussed the installation of signage on the fabric of the buildings and by using projecting, window and internal signs. These set the established character and set the visual context. He noted that the proposed sign would

not reflect this modest signage and would be the only freestanding totem in the Square and like no other in the vicinity. He found that the decorative design would also be in marked contrast to the more contemporary signage in the Square, which would appear incongruous and at odds with the character of the locality, harming the appearance of the Conservation Area and the setting of the surrounding listed buildings.

(ii) An appeal against the delegated decision of the City Council to refuse planning consent for provision of vehicular access and hardstanding to front of dwellinghouse at 66 Psalter Lane Sheffield S11 8YQ (Case No 16/00993/FUL) has been dismissed.

Officer Comment

This relates to a property within Nether Edge Conservation Area, where the Article 4 removes permitted development rights for works to the front of properties.

The Inspector identified the main issue as the effect of the proposal on the character and appearance of both the property and the Conservation Area.

He notes the front garden present and the pedestrian access obtained by a narrow opening in the stone boundary wall, and that such features are important features of this prominent part of the Conservation Area. Indeed they and the villas themselves are referred to in the Conservation Area Appraisal.

He considered the removal of a section of the wall to allow vehicle access, and the resulting hard surfacing would represent the permanent loss of heritage assets within the Conservation Area and significantly detract from its character and appearance.

As required by the NPPF he balanced the harm against the public benefit of providing off street parking on a busy road but felt this was insufficient to outweigh the harm generated.

Referring to other similar examples drawn to his attention by the appellant, he commented that these merely serve to confirm the harm and erosion of character that has resulted.

5.0 RECOMMENDATIONS

That the report be noted

Flo Churchill
Interim Head of Planning

22 November 2016

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