

Planning and Highways Committee

Tuesday 12 March 2019 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 Dianne Hurst (Chair), Peter Rippon (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Alan Law, Robert Murphy, Zahira Naz, Peter Price, Chris Rosling-Josephs and Andrew Sangar

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 Simon Hughes on 0114 273 4014 or email simon.hughes@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
12 MARCH 2019**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 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 - 10)
Minutes of the meeting of the Committee held on 19 February 2019.
- 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. Tree Preservation Order No. 425: 529 Fulwood Road** (Pages 11 - 18)
- 8. Tree Preservation Order No. 427: Land at Bridle Stile Close, Sheffield, S20** (Pages 19 - 58)
- 9. Tree Preservation Order No. 428: 12 Woodvale Road, Sheffield**
NOTE: This item is likely to be withdrawn from consideration at the meeting.
- 10. Applications Under Various Acts/Regulations** (Pages 59 - 62)
Report of the Director of City Growth
- 10a. Site Of 68-82 Pinstone Street, 1-19 Charles Street, Laycock House - 14 Cross Burgess Street, Sheffield S1 2HP (Case No: 18/04257/RG3)** (Pages 63 - 98)
- 10b. 1 Ecclesall Road South, Sheffield, S11 9PA (Case No: 18/04104/FUL)** (Pages 99 - 132)
- 10c. Site Of 88-104 Pinstone Street, 35-49 Cambridge Street And 2-8 Charles Street, Sheffield, S1 2HP (Case No: 18/04069/RG3)** (Pages 133 - 166)
- 10d. Land Between Skye Edge Road And Skye Edge Avenue, Sheffield (Case No: 18/03851/FUL)** (Pages 167 - 200)
- 10e. Land And Buildings At Meadowhall Way, Meadowhall Drive,** (Pages 201 -

Carbrook Street And Weedon Street, Sheffield, S9 2FU (Case No: 18/03796/OUT)

258)

11. Record of Planning Appeal Submissions and Decisions

(Pages 259 - 262)

Report of the Director of City Growth

12. Date of Next Meeting

The next meeting of the Committee will be held on 2 April 2019

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 19 February 2019

PRESENT: Councillors Peter Rippon (Chair), David Baker, Jack Clarkson, Michelle Cook, Tony Damms, Roger Davison, Dianne Hurst, Alan Law, Robert Murphy, Zahira Naz, Peter Price, Chris Rosling-Josephs and Andrew Sangar

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

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 Councillors Jack Clarkson and Alan Law declared personal interests as local Ward Councillors in an application for planning permission for the erection of sheltered housing comprising 54 dwelling units and 1 caretaker's dwelling unit and provision of associated car parking accommodation at land adjacent to 14 Park Drive Way and 6 Patterson Close and at rear of 8 to 26 Patterson Close, Park Drive Way, Sheffield, S36 1JF (Case No. 18/00162/FUL). Councillors Clarkson and Law declared that they had not given an opinion on the application prior to the meeting and would therefore take part in the discussion and vote.

3.2 Councillor David Baker declared personal interests as a local Ward Councillor in the following items and declared he had not given an opinion on the applications prior to the meeting and would therefore take part in the discussion and vote:

- an application for planning permission for partial demolition of existing barn, alterations and conversion of barn to create a new dwelling at 37 Nethergate, Sheffield, S6 6DH (Case No. 18/01888/FUL).
- an application for planning permission for the erection of three/four storey building to be used as retirement living accommodation in 43 apartments, with communal facilities, landscaping and car parking at Hare and Hounds, 77 Church Street, Stanington, Sheffield, S6 6DB (Case No. 17/03904/FUL).

3.3 Councillor Michelle Cook declared a personal interest as a user of Aizlewood Mill in an application for planning permission for demolition of existing buildings and erection of a mixed use development including three interconnected blocks, two at

12 storeys and one at 7 storeys, incorporating 268 residential units and two commercial units at ground floor (A1/A2/A3/B1(a) & D1 uses), with associated car parking, landscaping, servicing and access at the site of Sheffield Testing Laboratories Ltd and 58 Nursery Street and Car Park on Johnson Lane, Sheffield, S3 8GP (Case No. 18/04146/FUL). Councillor Cook declared she would take no part in the discussion or voting thereon.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the meeting of the Planning and Highways Committee held on 29th January 2019 were approved as a correct record.

5. SITE VISIT

- 5.1 RESOLVED:- That the Chief Planning Officer, 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.

6. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

- 6.1 RESOLVED:- That 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 for this date 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.

6a. HARRISON FISHER & CO LTD, EYE WITNESS WORKS, MILTON STREET, SHEFFIELD, S3 7WJ (CASE NO. 18/04237/LBC)

- 6a.1 Having heard representations at the meeting from the Planning Agent speaking in support of the application, an application for Listed Building Consent for part demolition and extension of existing buildings and erection of a six-storey building to create a total of 97 residential units, ground floor commercial unit and associated landscape works at Harrison Fisher and Co Ltd, Eye Witness Works, Milton Street, Sheffield, S3 7WJ (Case No. 18/04237/LBC) be granted, conditionally, for the reasons detailed in the report, now submitted.

6b. HARRISON FISHER & CO LTD, EYE WITNESS WORKS, MILTON STREET, SHEFFIELD, S3 7WJ (CASE NO. 18/04236/FUL)

- 6b.1 Following consideration of a correction to the report and subject to the inclusion of

revised conditions, as outlined in a supplementary report circulated at the meeting and having heard representations at the meeting from the Planning Agent speaking in support of the of the application, an application for planning permission for part demolition and extension of existing buildings and erection of a six-storey building to create a total of 97 residential units, ground floor commercial unit and associated landscape works at Harrison Fisher and Co Ltd, Eye Witness Works, Milton Street, Sheffield, S3 7WJ (Case No. 18/04236/FUL) be granted, conditionally, for the reasons detailed in the report, now submitted.

6c. SITE OF SHEFFIELD TESTING LABORATORIES LTD, 58 NURSERY STREET, CAR PARK ON JOHNSON LANE, SHEFFIELD, S3 8GP (CASE NO. 18/04146/FUL)

6c.1 Following consideration of a correction to the report and subject to the inclusion of revised conditions, as outlined in a supplementary report circulated at the meeting and having heard representations at the meeting from two members of the public speaking against the application and the Planning Agent speaking in support of the application, an application for planning permission for demolition of existing buildings and erection of a mixed use development including three interconnected blocks, two at 12 storeys and one at 7 storeys, incorporating 268 residential units and two commercial units at ground floor (A1/A2/A3/B1(a) & D1 uses), with associated car parking, landscaping, servicing and access at the site of Sheffield Testing Laboratories Ltd and 58 Nursery Street and Car Park on Johnson Lane, Sheffield, S3 8GP (Case No. 18/041146/FUL) be granted, conditionally, for the reasons detailed in the report, now submitted.

6d. LAND BETWEEN SKYE EDGE ROAD, SKYE EDGE AVENUE, SHEFFIELD (CASE NO. 18/03851/FUL)

6d.1 Following consideration of a clarification to the report and subject to the inclusion of revised conditions, as outlined in a supplementary report circulated at the meeting and having heard representations at the meeting from a member of the public and a local Ward Councillor speaking against the application and from the Applicant speaking in support of the application and notwithstanding the Officer's recommendation, an application for planning permission for the erection of 113 dwellings including site enabling works, public open space, hard and soft landscaping, highway infrastructure, parking and the stopping up of adopted highway at Starling Mead, Partridge View and Wren Bank, at land between Skye Edge Road and Skye Edge Avenue, Sheffield (Case No. 18/03851/FUL) be deferred, pending a site visit.

6e. LAND AT REAR OF 79 DORE ROAD, SHEFFIELD, S17 3ND (CASE NO. 18/02607/FUL)

6e.1 Subject to the inclusion of a revised condition, as outlined in a supplementary report circulated at the meeting and having heard representations at the meeting from a member of the public speaking against the application and from the

Planning Agent speaking in support of the application, an application for planning permission for the erection of seven apartments in a three storey building with basement car parking and associated landscaping (amended description) at land at the rear of 79 Dore Road, Sheffield, S17 3ND be granted conditionally, for the reasons detailed in the report, now submitted.

6f. 37 NETHERGATE, SHEFFIELD, S6 6DH (CASE NO. 18/01888/FUL)

6f.1 Following consideration of an additional representation and condition and directive, as outlined in a supplementary report circulated at the meeting and having heard representations at the meeting from a member of the public speaking against the application and from the Planning Agent speaking in support of the application, an application for planning permission for partial demolition of existing barn, alterations and conversion of barn to create a new dwelling (Amended Plans received 4th February 2019) at 37 Nethergate, Sheffield, S6 6DH (Case No. 18/01888/FUL) be granted, conditionally, for the reasons detailed in the report, now submitted.

6g. LAND ADJACENT 14 PARK DRIVE WAY, 6 PATTERSON CLOSE AND AT REAR OF 8 TO 26 PATTERSON CLOSE, PARK DRIVE WAY, SHEFFIELD, S36 1JF (CASE NO. 18/00162/FUL)

6g.1 Following consideration of a correction to the report and subject to the inclusion of revised conditions, as outlined in a supplementary report circulated at the meeting, an application for planning permission for the erection of sheltered housing comprising 54 dwelling units and 1 caretaker's dwelling unit and provision of associated car parking accommodation as amended 27.4.18, 4.5.18, 1.2.19, at land adjacent to 14 Park Drive Way and 6 Patterson Close and at the rear of 8 to 26 Patterson Close, Park Drive Way, Sheffield, S36 1JF (Case No. 18/00162/FUL) be granted, conditionally, for the reasons detailed in the report, now submitted.

6h. HARE AND HOUNDS, 77 CHURCH STREET, STANNINGTON, SHEFFIELD, S6 6DB (CASE NO. 17/03904/FUL)

6h.1 Following consideration of additional information and revised conditions, as outlined in a supplementary report circulated at the meeting and having heard representations at the meeting from a member of the public speaking against the application and from the Planning Agent speaking in support of the application, an application for planning permission for the erection of a three/four storey building to be used as retirement living accommodation in 43 apartments, with communal facilities, landscaping and car parking (amended plans) (Case No. 17/03904/FUL) be granted, conditionally, for the reasons detailed in the report, now submitted.

7. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

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

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Committee would be held on Tuesday 12th March 2019, at 2.00pm, in the Town Hall.

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SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 26/02/2019

Subject: Tree Preservation Order No. 425 (529 Fulwood Road, Sheffield S10 3QB)

Author of Report: Nathan McWhinnie, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Orders No. 425

Reasons for Recommendation

To protect a tree of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 425 should be confirmed unmodified.

Background Papers:

A) Tree Preservation Order No. and map attached.
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

Category of Report: OPEN

TREE PRESERVATION ORDER NO. 425 529 FULWOOD ROAD, SHEFFIELD S10 3QB

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 425

2.0 BACKGROUND

2.1 A member of the public contacted the Council and asked that officers consider making a Tree Preservation Order to protect a mature oak tree at the rear of the property. Officers were informed there was a possibility that the tree could be removed to facilitate future development.

2.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to making the Order. The tree was found to be suitable for protection according to the assessment. It was therefore considered expedient to make a Tree Preservation Order to protect the tree.

2.3 Tree Preservation Order No.425 was made on 1st October 2018. A copy of the order with its accompanying map is attached as Appendix A.

2.4 No objections to the order have been received.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The tree forms a significant part of the landscape and skyline as part of a scattered group of large mature oaks in several neighbouring gardens. It is visually prominent from the streets behind Fulwood Road and is considered to contribute to the visual amenity value of the area.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no environmental and property implications based on the information provided.

5.2 Protection of the tree detailed in Tree Preservation Order No.425 will benefit the visual amenity of the local environment.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7.0 LEGAL IMPLICATIONS

- 7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).
- 7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.
- 7.3 The local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 7.4 A local authority may only confirm an order after considering any representations made in respect of that order. No such representations have been received in respect of Tree Preservation Order No.425.

8.0 RECOMMENDATION

- 8.1 Recommend Tree Preservation Order No.425 be confirmed.

Colin Walker, Chief Planning Officer

26th February 2019

Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order No 425 (2018)

529 Fulwood Road, Sheffield, S10 3QB

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No 425 (2018) – 529 Fulwood Road, Sheffield, S10 3QB

Interpretation

2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

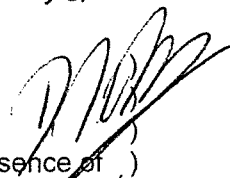
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 1st October 2018

EXECUTED AS A DEED
By Sheffield City Council
whose common seal was
hereunto affixed in the presence of


David Jellars



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SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Quercus robur (English Oak)	OS Grid Reference: SK 431086385515

Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
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Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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NOTES / REVISIONS:

The use of this data acts as agreement to the following statements:

a. Copyright Sheffield City Council, All rights reserved in Chapter IV of the Copyright, Designs and Patents Act 1988 have been generally asserted

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TREE SCHEDULE

○ Trees specified individually. (Encircled in black on the plan)

T1 Quercus species

Trees specified by reference to an area - None

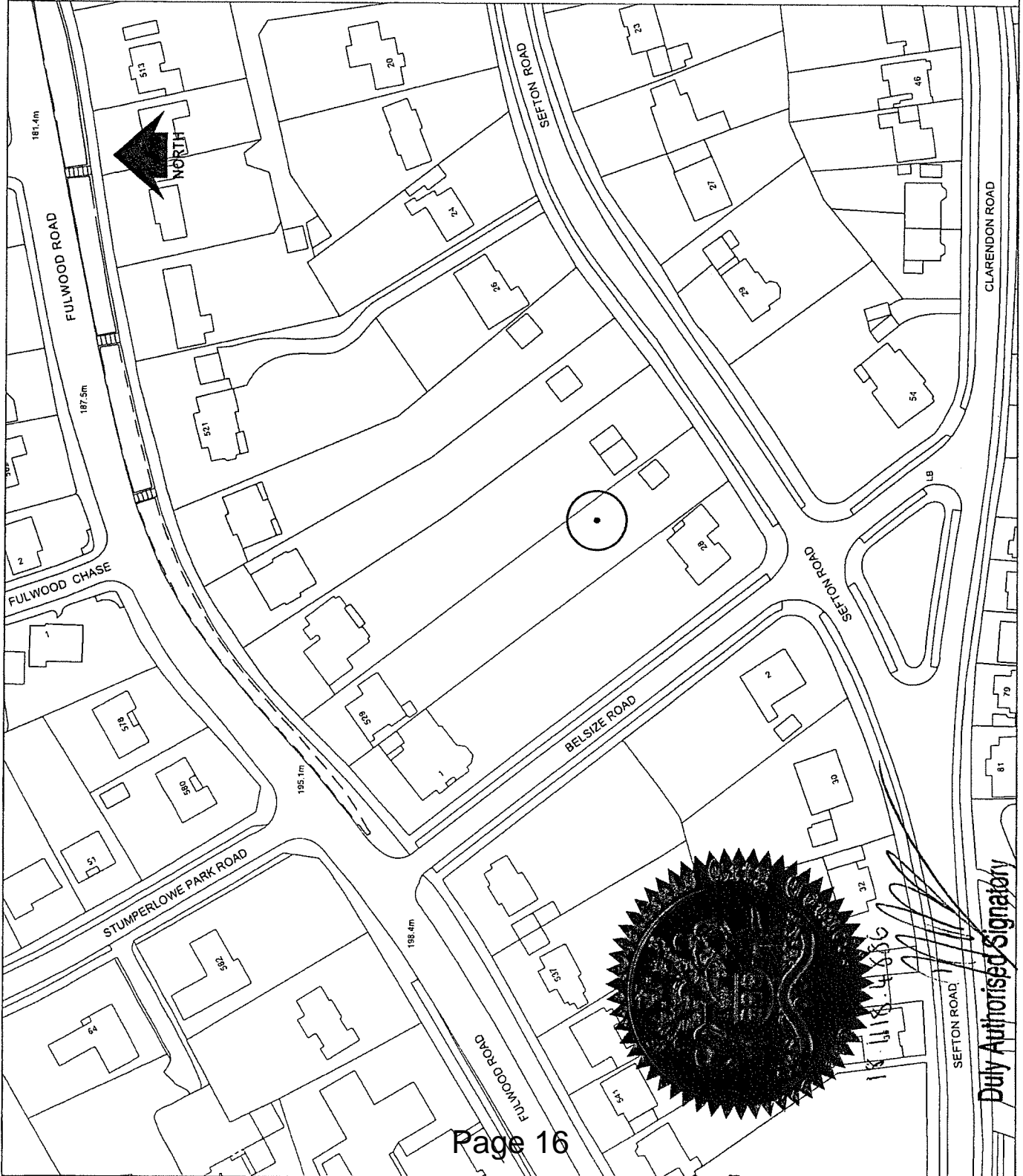
Trees specified by reference to a group - None

Trees specified by reference to a woodland - None

SK 431086 385515

(Measurements shown approximate)

SHEFFIELD CITY COUNCIL	
PLACE	
PLANNING SERVICE CITY GROWTH	
TREE PRESERVATION ORDER	
No. 425	
TITLE:	529 FULWOOD ROAD SHEFFIELD S11
SCALE:	1:1250@ A4
Drawn by: KH	Checked by: Date: 19/09/2018
Drawing No:	A4/UED/808/425



Duty Authorised Signatory

[Signature]

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: 30/8/18	Surveyor: Nathan McWhinnie
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Tree details		
TPO Ref:	Tree/Group No:	Species: Oak
Owner (if known): Mrs Lesley Thomas		
Location: 529 Fulwood Road		

Part 1: Amenity assessment

a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- | | | |
|--------------------------|-------------------------|--|
| 5) Good | Highly suitable | |
| 3) Fair | Suitable | |
| 1) Poor | Unlikely to be suitable | |
| 0) Dead/Dying? Dangerous | Unsuitable | |

Score & Notes

3 – Good vitality, but has lost a large limb at some point – 15-20 years ago? Strong callus response around cavity. Not considered a hazard. Ca. 70cm DBH

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Remaining longevity (in years) & suitability for TPO:

Refer to 'Species Guide' section in Guidance Note

- | | | |
|-----------|-----------------|--|
| 5) 100+ | Highly suitable | |
| 4) 40-100 | Very suitable | |
| 2) 20-40 | Suitable | |
| 1) 10-20 | Just suitable | |
| 0) <10 | Unsuitable | |

Score & Notes

4 – as a conservative estimate

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO:

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- | | | |
|--|-------------------------|--|
| 5) Very large trees, or large trees that are prominent landscape features | Highly suitable | |
| 4) Large trees, or medium trees clearly visible to the public | Suitable | |
| 3) Medium trees, or larger trees with limited view only | Just suitable | |
| 2) Small trees, or larger trees visible only with difficulty | Unlikely to be suitable | |
| 1) Young, v. small, or trees not visible to the public, regardless of size | Probably unsuitable | |

Score & Notes

3 – visible from Belsize Road and particularly from Sefton Road

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | | |
|--|--|--|
| 5) Principal components of arboricultural features, or veteran trees | | |
| 4) Members of groups of trees important for their cohesion | | |
| 3) Trees with identifiable historic, commemorative or habitat importance | | |
| 2) Trees of particularly good form, especially if rare or unusual | | |
| 1) Trees with none of the above additional redeeming features | | |

Score & Notes

1

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- | | | |
|--|--|--|
| 5) Known threat to tree | | |
| 3) Foreseeable threat to tree | | |
| 2) Perceived threat to tree | | |
| 1) Precautionary only | | |
| 0) Tree known to be an actionable nuisance | | |

Score & Notes

3 – new owners plan to build at this spot in the garden. Former owner believes the plan was to fell the tree, but the new owner says they don't want to remove the tree, though they do want to prune it.

Part 3: Decision guide

- | | | |
|-------|-----------------------|--|
| Any 0 | Do not apply TPO | |
| 1-6 | TPO indefensible | |
| 7-10 | Does not merit TPO | |
| 11-14 | TPO defensible | |
| 15+ | Definitely merits TPO | |

Add Scores for Total:

14

Decision:

TPO defensible

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SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 12th March 2019

Subject: Tree Preservation Order No. 427
Land at Bridle Stile Close, Sheffield S20

Author of Report: Jack Foxall, Urban and Environmental Design Team

Summary: To report objections and to seek confirmation of Tree Preservation Order Nr. 427

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order Nr. 427 should be confirmed

Background Papers: A) Tree Preservation Order Nr. 427 and map attached
B) TEMPO assessment attached
C) Objection received 26th November 2018
D) Response to objection sent 6th December 2018
E) Objection received 10th December 2018

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE 12th MARCH 2019

TREE PRESERVATION ORDER NR.427 LAND AT BRIDLE STILE CLOSE, SHEFFIELD S20

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order Nr. 427.

2.0 BACKGROUND

2.1 Tree Preservation Order Nr. 427 was made on 8th November 2018, on trees on land adjacent to Bridle Stile Close, Sheffield S20. A copy of the order with its accompanying map is attached as Appendix A.

2.2 Trees at this site are considered to be under possible threat because of potential future development works.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to serving the Order, and trees were inspected by an Arboriculturist from the Parks and Countryside Trees and Woodlands service for general condition and suitability for protection. A copy of the TEMPO assessment is attached as Appendix B. These trees were found to be in good order, of significant amenity value to the local area and consequently suitable for protection according to the TEMPO criteria. Officers therefore considered it expedient in the interests of amenity to make the Tree Preservation Order.

3.0 OBJECTIONS

3.1 An objection to the TPO dated 16th November 2018 was received by email from Mr Bill Anderson on 26th November 2018. The Council's Legal Services Officer responded to Mr Anderson's objection by email on 6th December 2018. The full text of this objection is attached as Appendix C, and the full text of the response is attached as Appendix D.

3.2 The conclusions of the objection and the Council's response are summarised in the following paragraphs:

3.3 Objection

Government guidance states that visibility alone is not sufficient to warrant an order.

Response

Visibility is one aspect of assessing visual amenity and this was included within the Council's assessment of the tree according to the TEMPO methodology, which is the recognised arboriculture industry standard. A copy of this assessment is attached.

3.4 Objection

These trees do not generate sufficient amenity value to justify TPO protection. They are poor specimens with numerous structural faults, none of which are easily remedied.

Response

The TEMPO assessment undertaken by officers was clear that the protected trees are 'fair' to 'good' specimens with few minor faults and 40-100 years life expectancy. The assessment supported the making of a TPO, which the Council considered expedient in the circumstances.

3.5 Objection

The trees are not in a prominent position, certainly not sufficiently prominent to justify overlooking their poor quality.

Response

Officers disagree with this assessment. Their view is that the trees are very prominent, being adjacent to, and the dominant feature of, the public road. The trees are also an important landscape feature from surrounding public roads. They would also assert that the trees, as a minimum, fall within the 'fair' category rather than 'poor' as defined by the TEMPO methodology and as stated within the guidance notes for the TPO process produced by the Forbes-Laird Arboricultural Consultancy.

3.6 Objection

This TPO appears to be an attempt to control a planning application, in other words a "tool of development control." This is not a proper use of the TPO system.

Response

The Council made this TPO because it considers that it is expedient in the interests of amenity. The power to do this is detailed in section 198 of the Town And Country Planning Act 1990.

When granting planning permission for any development the local planning authority has a duty to ensure that adequate provision (if appropriate) is made for the preservation or planting of trees by the imposition of conditions, and to make any TPOs deemed necessary by the Council. This duty relating to development control and TPOs is detailed in section 197 of the Town and Country Planning Act.

If a TPO had not been made under the power contained in section 198, any future grant of planning permission may have resulted in the local planning authority seeking the making of a TPO under the duty contained section 197.

3.7 Objection

If the trees do have some hidden amenity value, some historic association for example, of which we are not aware, then this should be included in the amenity valuation, which ought to be placed in the public domain.

Response

Officers inform me that they are not aware of any additional considerations other than the age and stature of the trees adding greatly to the amenity value and character of the local area.

3.8 Objection

It occurs to me that no details of this TPO or any supporting or objecting comments, are published on the Town Hall's website. This appears contrary to current preoccupations with "openness."

Response

The Council ordinarily publishes copies of its TEMPO assessments along with representations received where a TPO is referred to the Planning and Highways Committee for confirmation and can provide copies of supporting documentation upon request.

3.9 Mr Anderson responded to the email from Legal Services on 10th December 2018, raising further objections. The full text of this objection is attached as Appendix E, with the main points summarised below:

- The TEMPO method of tree assessment used by the Council as part of the process of assessing the suitability of trees for TPO protection is not a recognised industry standard and is not suitable for assessing amenity value.
- The allocation of a minimum 40 year life expectancy for Swedish Whitebeam tree T1 in the Council's TEMPO assessment is incorrect, because this tree is likely to require major work within 20 years.
- The amenity value of trees has been assessed on visibility alone, which is not sufficient to justify TPO protection. Mr Anderson queries what else is adding to their amenity value.
- These trees are not prominent because they are adjacent to a cul-de-sac.
- A TPO was not expedient because the trees were not under threat and are poor specimens unworthy of protection.
- Unworthy trees were protected by the TPO because Council Planning Officers wanted to refuse a planning application.
- Serving a TPO on trees that do not merit protection may increase the potential for pre-emptive tree felling prior to a planning application on

prospective development sites. Mr Anderson states he 'will be obliged to make potential clients aware of Sheffield's likely approach'.

4.0 RESPONSE TO FURTHER OBJECTIONS

- 4.1 In response to Mr Anderson's comments about the suitability of the TEMPO method of tree assessment (Tree Evaluation Method for Preservation Orders), it is a systematised assessment tool for TPO suitability prepared by the Forbes-Laird Arboricultural Consultancy. The TEMPO system was designed by qualified professional arboriculturists to offer a reliable system for assessing suitability in a structured and consistent way as recommended in government planning practice guidance (paragraph 8 of 'Tree Preservation Orders and trees in conservation areas'). Since its public release, TEMPO has consistently gained popularity and according to its designer was in use with over 50 local authorities as of March 2007.
- 4.2 In response to Mr Anderson's objection to the assessment of a minimum 40 year life expectancy for the Swedish Whitebeam tree T1 because major work is likely to be required within 20 years, the tree was assessed to be in good condition, with no obvious defects foreseeably requiring major work.
- 4.3 Guidance for the TEMPO method states that for the purposes of an assessment it should be assumed that trees will be maintained in accordance with good practice. A requirement for routine maintenance does not compromise the assessment of life expectancy. Said guidance also states that the possibility of work being required does not preclude a tree from being assessed as 'Fair' within the TEMPO process and as such a tree may be "*retained for the time being without disproportionate expenditure of resources or foreseeable risk of collapse*".
- 4.4 In response to Mr Anderson's objection that trees have been assessed on visibility alone, this is not the case. While it is true that public visibility is a significant component of the amenity value of these trees, it was not the only factor which officers took into account when undertaking their assessment.
- 4.5 In accordance with the TEMPO method and as recommended by its accompanying guidance, additional factors have been considered in the assessment of amenity. As well as tree condition, retention span and visibility, other factors were taken into account such as the importance of tree group cohesion and relationship to the wider landscape, cultural or historic value, and particularly good form or rarity.
- 4.6 Trees protected by TPO 427 were assessed as being in good or fair condition, with a retention span of between 40 to 100 years. Tree T1 was assessed as being of particularly good form. Trees T3 and T4 were considered to be members of a group forming an important local landscape feature.
- 4.7 Taking into account public visibility and other factors contributing to amenity value, officers concluded that removal of these trees would have a significant negative impact on the local environment and its enjoyment by the public.

- 4.8 Mr Anderson states that the trees are not prominent because of their position adjacent to a cul-de-sac. Bridle Stile Close is a public road, with the trees being visually prominent to highway users and neighbouring residents. The trees are also visible from public roads and housing in the surrounding neighbourhood, an area of new housing with new public roads under construction on an adjacent site, and the neighbouring Mosborough Primary School.
- 4.9 In response to Mr Anderson's objection that a TPO was not expedient because trees are poor specimens, officers refer to their own contrary assessment which, as explained above, supports a TPO.
- 4.10 In response to Mr Anderson's objection that a TPO was not expedient because the trees were not under threat, enquiries had been received by the Planning Service proposing removal of the trees to enable development.
- 4.11 In response to Mr Anderson's objection that the TPO was served because officers wanted to refuse a planning application, the TPO was made to prevent trees being removed because it was expedient to do so taking into account the combination of their amenity value and the foreseeable threat.
- 4.12 Where a planning application is submitted for this site, the amenity value of the trees would be a material consideration. The Council is under a legal duty to make a TPO where it appears necessary that trees should be protected when granting planning permission. The protection of trees may be a factor in rendering a proposal acceptable such that permission may be granted. In the event that a planning application which necessitated the removal of trees was approved, this would take precedence and would enable the lawful removal of trees even if they benefitted from the protection of a TPO.
- 5.0 EQUAL OPPORTUNITIES IMPLICATIONS
- 5.1 There are no equal opportunities implications.
- 6.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS
- 6.1 There are no property implications.
- 6.2 Protection of the trees detailed in Tree Preservation Order Nr. 427 will benefit the visual amenity of the local environment.
- 7.0 FINANCIAL IMPLICATIONS
- 7.1 There are no financial implications.
- 8.0 LEGAL IMPLICATIONS
- 8.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area. In addition, where it

appears to the local authority to be necessary in connection with granting planning permission, it shall be its duty to make a TPO to either give effect to those conditions or otherwise (sections 197 and 198, Town and Country Planning Act 1990).

- 8.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.
- 8.3 A local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 8.4 A local authority may only confirm an order after considering any representations made in respect of that order. The representations received in respect of Tree Preservation Order No.427 are detailed in this report, alongside an officer response to the points raised.
- 9.0 RECOMMENDATION
- 9.1 Recommend Tree Preservation Order Nr. 427 be confirmed.

Colin Walker
Chief Planning Officer

12th March 2019

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SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Sorbus intermedia (Swedish Whitebeam)	OS Grid Reference: SK423 810
T2	Beech (Fagus sylvatica)	
T3	Beech (Fagus sylvatica)	
T4	Beech (Fagus sylvatica)	

Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
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Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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TREE SCHEDULE



TREES SPECIFIED INDIVIDUALLY
(Encircled in black on the map)

- T1 Sorbus intermedia (Swedish Whitebeam)
- T2 Beech (Fagus sylvatica)
- T3 Beech (Fagus sylvatica)
- T4 Beech (Fagus sylvatica)

TREES SPECIFIED BY REFERENCE TO A GROUP:
None

TREES SPECIFIED BY REFERENCE TO AN AREA:
None

TREES SPECIFIED BY REFERENCE TO WOODLAND:
None



TREES EXCLUDED FROM ORDER
(Shown with a cross on the map)

OS Grid Reference SK 423 810



Page 29

SHEFFIELD CITY COUNCIL				
DEVELOPMENT SERVICES				
SCHEME:				
TREE PRESERVATION ORDER				
No. 808/427				
TITLE:				
BRIDLE STILE CLOSE				
PORTFOLIO				
PLACE				
SCALE:				
1:250@A3				
DR	TR	CND	DATE:	FIGNO:
JF			Nov 2018	
DRAWING No:				
A3/UED/808/427				
CAD FILE NAME:				

Duly Authorised Signatory



18-1149-5054

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TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 5/11/18 Surveyor: JF/JP

Tree details
 TPO Ref (if applicable): _____ Tree/Group No: T1 Species: Swedish Whitebeam
 Owner (if known): _____ Location: _____

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes
Low branches removed historically

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes
Large tree adjacent to roads and housing

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes
Very good specimen

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
Enquiries regarding tree removal and development on similar adjacent plot to planning.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
17

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 5/11/18 Surveyor: JF/JP

Tree details
 TPO Ref (if applicable): _____ Tree/Group No: T2 Species: Beech
 Owner (if known): _____ Location: _____

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- ③) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes Minor signs of Beech bark disease. Tight union, but minor issue. Possible recent excavations close to tree associated with adjacent sub-stations.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- ④) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes Reasonable condition

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- ⑤) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes Prominent from adjacent roads, more distant local area and adjacent housing.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- ①) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- ②) Perceived threat to tree
- 1) Precautionary only

Score & Notes Planning enquiries regarding tree removal and development on adjacent smaller plot.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- ①2-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
15

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: S/11/18 Surveyor: JF/JP

Tree details
 TPO Ref (if applicable): _____ Tree/Group No: T3 Species: Beech
 Owner (if known): _____ Location: _____

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes Good form and condition. Tight union, but not problematic.

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes Large tree prominent from adjacent roads and having and visible from local area.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes Part of beech group - prominent landscape feature.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes Planning enquiry regarding development and removal of tree.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
19

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: <u>5/11/18</u>	Surveyor: <u>JF/JP</u>
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Tree details TPO Ref (if applicable): Owner (if known):	Tree/Group No: <u>T4</u> Location:	Species: <u>Beech</u>
--	---------------------------------------	-----------------------

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| ③) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes Good condition, but one-sided crown due to suppression by neighbour in group.

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| ④) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| ⑤) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes Prominent from adjacent road and housing, and visible from wider local area.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | |
|--|---|
| 5) Principal components of arboricultural features, or veteran trees | Score & Notes <u>Part of beech group forming a prominent landscape feature.</u> |
| ④) Tree groups, or members of groups important for their cohesion | |
| 3) Trees with identifiable historic, commemorative or habitat importance | |
| 2) Trees of particularly good form, especially if rare or unusual | |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) | |

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | | |
|-------------------------------|--|
| 5) Immediate threat to tree | Score & Notes <u>Planning enquiry regarding development and removal of tree.</u> |
| ③) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

19

Decision:

TPO

██████████
██████████
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Sheffield City Council,
Legal Services Department,
Legal and Governance,
Town Hall, Pinstone Street,
Sheffield, S1 2HH.
Attention; Richard Cannon.

November 16th 2018.

Dear Sirs,

Objection to Tree Preservation Order (TPO).

Please accept this letter as an objection to TPO no 427 (2018) Land at Bridle Stile Close, Sheffield S20.

Your reference; **LS/RC/85478.**

My clients in this matter are ██████████, who have received pre planning advice ██████████ about this site. I have seen ██████████ e-mail correspondence in respect of the site, dated November 9th.

Background.

I was asked to look at this site in March of this year to advise on how the trees might be considered in respect of a subsequent planning application. My report is appended. The site previously belonged to the Fire Service and advice was given in the sales particulars as to the quality of the trees within the site. The possibility of a TPO being served was implicit although there was no indication that any Council Arboriculturist had ever considered the trees.

The National Planning Policy Framework (neither the original or the recent revision) has very little to say on the subject of trees. For that we have to turn to the Government's TPO guidance which can be found on line: <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas> The following comments will refer to this guidance, which has the same "weight" as the National Planning Policy Framework (NPPF).

Reasons for objection.

The Government guidance tells us that trees can be protected in the interests of amenity. It doesn't define "amenity" but it does fairly clearly state that visibility alone is not sufficient to warrant an order (at paragraph 8). I note that your correspondence in respect of this TPO consistently refers to "visual amenity," as does Sarah Hull's correspondence. I presume you and she are aware of the Government guidance?



In the same paragraph the guidance advises authorities to develop ways of assessing amenity value in a structured and consistent way. It therefore seems reasonable to ask if we can see this “amenity valuation.”

It would also be an idea if the Council’s system of amenity valuation could be published, which is also the advice of the NPPF.

At paragraph 7 the advice is that trees should only be protected if their removal would have a “significant negative impact on the local environment and its enjoyment by the public.” As these trees are at the end of a cul-de-sac then realistically there can only be very few passers-by, so the public appreciation of these trees is likely to be low. Also I suspect the people who live nearest to the trees; T2, T3 & T4 at least, regard them with some wariness, so “enjoyment” is unlikely.

My report of earlier this year pointed out various faults with trees 3 & 4, (trees 1 & 2 in my report) and Sarah Hull’s declaration that the Council’s Arborist “found them in good condition” really requires some clarification. Trees 3 & 4 both have poor form brought about by their proximity to nearby trees. Either would have been better specimens if the other had been removed. That would have given them more space to develop better structure. I discussed this topic at some length in my report. Incidentally T2 is infested with Felted Beech Coccus, (a precursor to Beech Bark Disease) which hardly suggests a long future life and must reduce any amenity valuation. And that tree is also very close to a neighbouring house.

It has always been my understanding that TPOs should not be used as “a tool of development control.” That is Councils are not supposed to serve TPOs and then use the TPO to impede a planning application. Use of TPOs in this manner is likely to be counter-productive as it might discourage people from growing in trees.

I realise that some Officers may be of the opinion that all trees require protection, but this is not the intention of the TPO system. Had it been TPOs would never have been necessary; a single Act protecting all trees, in the same manner as woodlands are protected by the Forestry Act, would have been all that was needed. It follows that most Councils would have needed to employ several teams of Tree Officers just to deal with applications for routine tree work.


Conclusions.

1. These trees do not generate sufficient amenity value to justify TPO protection. They are poor specimens with numerous structural faults, none of which are easily remedied.
2. The trees are not in a prominent position, certainly not sufficiently prominent to justify overlooking their poor quality.
3. This TPO appears to be an attempt to control a planning application, in other words a “tool of development control.” This is not a proper use of the TPO system.
4. If the trees do have some hidden amenity value, some historic association for example, of which we are not aware, then this should be included in the amenity valuation, which ought to be placed in the public domain.

5. It occurs to me that no details of this TPO or any supporting or objecting comments, are published on the Town Hall's website. This appears contrary to current preoccupations with "openness."

I trust you will find this acceptable and look forward to hearing from you. I would be grateful for an acknowledgement of this letter.

Yours faithfully,



W L Anderson. Dip.Arb(RFS). M Arbor A.

Enclosure; Tree survey of March 2018.



ANDERSON

TREE CARE

Arboricultural Contractors and Consultants

[REDACTED]

Tree Survey: Potential building plot;
Bridle Stile Close,
Mosborough, Sheffield, S20 5BS.

Client: [REDACTED]
[REDACTED]

Date of Survey: **March 21st 2018.**

Weather at time of Survey: **Fine and bright**

File reference: **Bridle Stile Close 02**

- Appendices: 1. Tree location plan.
2.

Report author: W L Anderson. Dip Arb.(RFS) M.Arbor.A.

Checked by: Gary McCarthy BSc (Hons) Dip LM

Introduction.

This site is a vacant plot, currently used as an informal car park. It is at the end of a cul-de-sac and largely free of trees. However, adjacent to the plot is an open space that contains some large trees, and more trees grow in adjacent properties.

Tree Preservation Orders.

I have not found any Tree Preservation Orders on Bridle Stile Close and it is not in a Conservation Area. I have seen part of a document that I presume was advice from the Council's Planning Department, given to accompany the sale of the plot. Trees are mentioned therein although the comments seem to be based on wishful thinking rather than any proper arboricultural appraisal.

British Standard 5837 2012 Trees in relation to design demolition and construction – Recommendations.

I have taken the above document as the basis for this report. The Standard was revised in 2012 and the 2005 version withdrawn. The Local Planning Authority should consider this Standard in its deliberations about this site. The Standard states its objectives of achieving “a harmonious and sustainable relationship between trees and structures.”

The preoccupation of this standard is the categorisation method and the Root Protection Area (RPA). The logic for this is that resources should not be wasted attempting to retain trees that do not justify retention, nor should a project set out to retain a tree only to ensure its rapid demise by failing to take account of its growing conditions.

While the Standard covers much more than these matters, at this stage in this project these are the major concerns. This survey is intended to supply the information necessary to ascertain which trees are suitable for inclusion in the project and how their retention will affect the manner in which the site is developed. BS5837 anticipates that an Arboricultural Impact Assessment (AIA) will be undertaken once the layout is finalised and that the planning application will be accompanied by a Tree Protection Plan (TPP).

The TPP is a drawing that shows which trees are to be retained and where the protection measures are to be installed. This should be accompanied by a “Method Statement” detailing the measures to protect the trees and when they can be removed. The AIA will contain details of tree work to be undertaken to facilitate the development and a summary of any tree planting.

BS5837; Tree Categorisation Method.

The categorisation method is summarised in BS5837 at section 4.5 where it emphasises the need for it to be undertaken by an Arboriculturist. Elsewhere the Standard tells us that an Arboriculturist should be a “person who has, through relevant education, training and experience, gained expertise in the field of trees in relation to construction.”

There are 4 retention categories; U, A, B & C. The criteria for inclusion in each category and subcategory are summarised in Table 1 “Cascade chart for tree quality assessment,” an interpretation of which follows:

Trees unsuitable for retention.			
Category and definition			
Category U: Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.	Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees. Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality. <i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve.</i>		
Trees to be considered for retention.			
Category and definition	Subcategories		
	1. Mainly arboricultural qualities	2. Mainly landscape qualities	3. Mainly cultural qualities
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years.	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal Arboricultural features (e.g. the dominant or principal trees within an avenue).	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture).
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation.	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality.	Trees with material conservation or other cultural value.
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm.	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits.	Trees with no material conservation or other cultural value.

NB. This is an interpretation of table 1, not a copy, although much of the text is verbatim.

BS5837 contains details about what colours should be used to indicate their categories on any drawings; these are U = dark red, A = light green, B = mid blue, and C = grey.

BS5837 goes into greater detail (at 4.5.10) about the appraisal of small trees; those of less than 150mm diameter, as these are easily replaced with similar sized new trees. It notes that they might even be transplanted.

It includes further detail (at 4.5.11) about the importance of veteran trees and the measures that are likely to be needed to avoid damaging them and to ensure they are not an imposition upon a development.

BS 5837; Root Protection Area.

The Root Protection Area (RPA) is defined as a circular area of radius 12 times the trunk (stem) diameter (TD). BS5837 contains details as to where and how it should be measured, and also as to how to treat trees with more than one stem; an equivalent diameter is calculated. I use a diameter tape to measure this and use common sense to adjust this measurement where Ivy or other factors affect the measurement. Despite the Standard's attempts to standardise the measurement conventions there will be times when there is little choice but to estimate the measurement.

While the RPA is defined as a circle the Standard accepts the impracticality of erecting circular fences and it implies that other shapes are acceptable as long as the impact of the alteration is properly appraised. As a general rule, the 12 times the TD sum can be interpreted as a "tree to building distance" that is easy to calculate. It would usually be acceptable to plot the RPA on any drawing as a square with sides of twice the tree to building distance, notwithstanding the fact that this would have a greater area than the circular area.

The two previous versions of BS 5837 have contained advice about offsetting the RPA. The 2012 version does not but allows (at 4.6.2) deviation based upon "a soundly based Arboricultural assessment of likely root distribution."

The 12 times the TD rule is often seen as a mathematical method of calculating where a tree might have grown roots, plainly it is not. It might be helpful to consider it as a system of calculating the size of pot that might be needed were it possible to transplant a mature tree into a pot. The calculation is actually for a volume of soil, although as the pot is predetermined to be 600mm deep (most tree root action is in the upper 600mm of a soil profile), it is only necessary to calculate an area.

Clearly if a tree has grown on very shallow soils it might be necessary to have a larger RPA. I anticipate that a tree grown in such conditions would be of relatively poor quality, although making firm predictions about such things should be avoided.

At Annex D, BS5837 contains a table of RPA areas for single stem diameters, and at Annex C the measuring conventions are illustrated. Annex D rounds the TD to multiples of 25mm and the RPA to the nearest whole square metre.

While damage to tree roots is paramount, other factors need to be taken into consideration; factors such as shade from nearby trees, future growth and even access for machinery in order to undertake future tree management. These factors may affect the categorisation.

The Survey Schedule.

While BS5837 suggests numerous factors that should be recorded on the schedule the information presented in this survey is as follows:

- 1. Tree no & species.** I hope this is self-explanatory. I routinely use common names but will use scientific names to clarify the identification where necessary. Some trees are dealt with as groups. Hedges are dealt with similarly.
- 2. Height.** (Ht) measured in metres. This is estimated from ground level. I use a clinometer and laser range finder to assist. While these are reasonably accurate, actually seeing the top of a tree from ground level can be difficult so the height should always be regarded as an estimate.
- 3. Trunk Diameter.** (TD) measured in millimetres using a tape. This is rounded up to the nearest 10, greater accuracy is unnecessary. Where I have been forced to estimate the measurement due to basal growths or some-such, the figure is appended with an "E."
- 4. Age class.** BS 5837 uses the term "life stage." I consider this to mean the same as age class. The categories are Young (Y), Middle-aged (EM for early-mature), Mature (M), Over-mature (OM) and Veteran (V). BS5837 uses the class "semi-mature" but this appears too similar to early-mature for me to make a meaningful distinction. A veteran tree is one that has probably exceeded its 'normal' life span and has developed attributes such as wildlife habitat, biodiversity benefits, historic association or such-like. To quote from the Standard: It is a tree that *by recognised criteria, shows features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.*
- 5. Category.** The retention category as detailed above.
- 6. Comments.** This column is simply to impart additional information and may cover reasons for the trees' categorisation or anything else that I feel is worthy of mention. Peculiar crown formation might be mentioned, or an unusual branch configuration. BS5837 recommends we measure the "*radius of branch spread at the four cardinal points.*" This section will contain that information if I feel it necessary to measure unusual crown formation. Otherwise the presumption is that the trees are fairly typical for the species. The Standard also suggests that we record the height of crown-clearance; that is how far from the ground the branches grow. I shall not mention this unless it is unusual or particularly relevant. I shall broadly confine my assessment of the trees physiological condition to poor, fair, good, or dead and mention it here. All trees are assumed to be in good condition unless mentioned otherwise. The Standard asks us to include the "*estimated remaining contribution in years.*" This is rather a "how long is a piece of string" question. I shall include a rough assessment of remaining life where I deem it necessary. By and large this will have been included as part of the 'category' assessment. If necessary I shall comment here.
- 7. Root Protection Area.** As detailed above. Taken from Annex D. (NB. The RPA is 'capped' at 707m², i.e. a circle with 15m radius or a square with 26m sides.)

BS5837 contains a suggestion of information that might be gathered for a tree survey. This includes information such as the height of a tree's first branch, and the

crown spread to the four cardinal points. I note that the Blue Book (that is “Tree Preservation Orders; a guide to the law and good practice” DETR 2000 (since 2014 replaced by internet guidance that says much the same thing)) contains the very useful advice that local planning authorities should not ask for any more information than is necessary to decide an application (to work on a protected tree). This is a sensible approach and one that I apply to all matters related to planning and trees. I note that the recent National Planning Policy Framework (NPPF) contains similar advice (at paragraph 193).

If something is particularly notable about a tree, say the crown spread is particularly broad or lop-sided, I shall mention it and expand upon the characteristic and its relevance in the discussion section of the report.

The previous version of BS5837 contained the instructions for preparing a “Tree Constraints Plan.” While this was a sensible idea it was probably over complicated. It was intended to be a tool to inform the designer of a site layout more than an essential component of a planning application. It was meant to show the various retention categories of each tree or group, the tree positions and the heights and accurate spreads of each tree. It was also supposed to show the areas likely to be affected by shade. Shade would clearly differ from June to December and on slopes of different orientations, so this would be a complicated drawing. In fact I think it would be likely to be so convoluted as to be unusable.

Experienced designers are fully capable of working with different levels, neighbouring buildings, slopes of differing orientation, and interpreting where shade might be a problem, so the tree constraints plan could be seen as unnecessary. It is our intention that the tree schedule should provide sufficient information for a suitably experienced and skilled designer to prepare some sort of Tree Constraints Plan should he or she consider it necessary.

“An iterative process.”

BS5837’s Figure 1 is a flow chart illustrating the processes in developing a site. It emphasises that a development project should be an “iterative” process, meaning that advice from the Arboriculturist should be ongoing. This might mean that a sketch of a proposal should be discussed with the Arboriculturist, and the impact on trees appraised before preparing more detailed plans.

On large spacious sites it might be feasible to simply position structures and services outside of the RPAs, but on more typical sites it might be necessary to sacrifice a poor quality tree in order to give a better quality tree more space.

If these matters are addressed before a planning application is submitted it ought to speed up the decision-making process for the local planning authority. Figure 1 anticipates that the planning application will be accompanied by a Tree Protection Plan, which shows the positions of RPA protection fencing, and an Impact Assessment. This should be a summary of tree work that the project will require. This will include trees that are to be removed as well as those that might need pruning. It will also include an appraisal of the benefits of any tree planting and the likelihood of improved tree management upon the project’s completion. By definition the impact assessment will take into account the surrounding area’s tree population and the condition and management (or lack of) currently in operation.

The Trees.

A tree location plan is appended to the rear of this report.

Tree No.	Species.	Ht	TD	Age class	Category	Comments.	RPA
1.	Beech	16	680	M	C1	Poor form due to growing in competition with adjacent trees. Some poor branch unions.	222
2.	Beech	16	610	M	C1	Poor form due to competition; very one sided.	177
3.	Cherry	8	460	M	C1	Extremely one-sided crown due to suppression from trees 1 & 2. Massive surface roots with typical damage. Very poor specimen	102
4.	Hawthorn group	6	300E	M	C2	Possibly the remnants of a hedge, some Elderberry tangled with the Hawthorn.	41
5.	Cherry group	5	150E	M	C2	Only two stems, almost certainly suckers (see discussion) from tree 6. More stems off-site to the north, also suckers.	10
6.	Cherry	10	450E	M	C1	Off-site. One-sided crown due to poor pruning over the neighbouring property. Poor specimen.	92
7.	Beech	15	500E	M	C1	Off-site in neighbouring garden. Poor form and close to gable.	113
8.	Beech	15	500E	M	C1	As tree 7.	113

Discussion.

The reason this report has been commissioned is that the planning advice is “to ensure development doesn’t impact on existing trees.....” Elsewhere the advice refers to “numerous mature trees with high amenity value....” “Amenity value” is a term much-used in planning matters but it is not actually defined. When it comes to TPO legislation, Councils can only serve TPOs in the interests of amenity and the Government’s guidance states that Councils should devise methods of appraising the amenity value of trees and woodlands in order to aid their decisions about serving TPOs. The TPO guidance acknowledges that “amenity” is not defined and proffers the advice that visibility alone is insufficient justification for TPO protection.

Below I shall discuss the trees and then their amenity value.



Photograph 1.

Photograph 1 is a view of the largest trees on this end of the cul-de-sac, which are the ones the Planning Officer (who wrote the planning advice) is mainly concerned about. (I think.) This photograph is an attempt to show the poor crown form of all the trees. Tree 1 is strangely upright (for a Beech) and tree 2 has hardly any branches at the right-hand-side. Tree 7, which is in front of tree 8, is rather tall and slender, which is not typical for mature Beech trees. I note at this point that trees 7 & 8 are extremely close to the neighbouring house, less than 4 metres from the gable.



Photograph 2.

Photograph 2 shows the crown of tree 3, which is entirely one-sided. It has grown this way because of suppression from trees 1 & 2. This Cherry, probably the Japanese ornamental cultivar called Kanzan, (with lurid pink flowers) is renowned for growing with poor form, and this gets worse when the trees are suppressed.

Cherry trees are also renowned for their problem roots, which routinely push up pavements and disturb lawns.

Photograph 3 shows the base of tree 3 with roots that could reasonably be described as monstrous. Fortunately in this position they don't cause much inconvenience other than to people cutting the grass. It seems here that problem's been solved by spraying a herbicide instead of mowing.



Photograph 3.

Spraying herbicides around the bases of trees is commonplace. Although the herbicides are fairly benign, it's not doing the biodiversity associated with trees much good. That appraisal of course depends on precisely what the herbicides are killing. If it's invasive weeds that are being replaced with bare soil then it's possibly a good thing, but a herb-layer of some sort would be better than bare soil.



Photograph 4 shows trees 5 & 6. Tree 5 is barely discernible, partly because there are even more Cherry suckers in the vacant plot beyond.

Tree 6 is at the right and although it's somewhat one-sided, this is due to the pruning of over the neighbouring drive.

Photograph 4.

Suckers from Cherry roots are another common problem, or possibly not a problem. "Cherry Bank Road" or "Cherry Tree Road" is a fairly common street name and probably comes about as a result of woodlands being dominated by Cherry trees that arose from suckers. Although tree 6 is an ornamental cultivar it's probably grafted onto a (native) Wild Cherry rootstock. Hence the suckers are different to the parent tree. Grafting is probably the cause of the peculiar root growth.

Photograph 5 is a view of tree 4 which is actually at least two individual Hawthorns with some Elderberry growing through. This is more a big shrub than a tree but has lots of biodiversity benefit.



Photograph 5.

It should be noted that the NPPF seems far more concerned with biodiversity than trees per se, and in fact barely mentions trees except in relation to biodiversity.



Photograph 6.

Photograph 6 shows the row of sapling trees on the western boundary between the site and the primary school. These are Pussy Willow, with some Holly beneath. The area is covered with Blackberry Bramble. The planning guidance seems to reason that it will be removed. It only refers to it and tree 4 as “vegetation.” If any of these trees are to be retained, the site layout will need to ensure access for future tree management is maintained.



Photograph 7 is a view of the trunk of tree 1. Branch unions like this are known as “compression forks” and widely interpreted as a weakness. Basically the tight, close branch union leads to the tree being unable to form wood in the joint. Bark is included and it might even be that as the trunks above the joint grows, the two trunks are actually forming a crack and driving it apart. Although Beech are known for growing in this manner it gets worse when trees are grown in close proximity to one another.

At the moment I do not think there is much danger of this tree failing but the tree cannot be regarded as having a long future life.

Photograph 7.

Photograph 8 is an attempt to show the relatively confined space in which trees 1 to 3 grow. It would have been sensible to remove at least one of them well before now. In fact it would have been sensible for the management of these trees to have considered not only these trees but the trees in the neighbouring garden as well.



Photograph 8.

Tree management in urban areas frequently fails to focus on nurturing individual trees; in this case I think it is plain that this small area of grass is not large enough to allow several large trees to mature. In fact it is barely large enough to contain a single mature Beech tree, something should have been done a long time ago. Unfortunately the only option now would appear to be either remove all of them and start again or prune all the trees in an effort to make them smaller. Pruning would leave the trees with extremely poor form and it is debatable whether this could be achieved while following best practice. (*British Standard 3998 (2010) Tree Work - Recommendations.*) Best practice implies that trees should never be pruned by more than 15 to 20% of their height and spread, and in this case removing 20% of the height and spread of the Beech trees would make so little difference as to be not barely worth the effort.

The long and the short of all this is that I consider it disingenuous to regard these trees as having “high amenity value.” I accept they are highly visible and lend much to the neighbourhood’s landscape, but without some fairly serious (and expensive) pruning they will completely outgrow their positions and therefore have only a short future life. And as individual specimens they are all poor. Furthermore their value to biodiversity is low. The Hawthorn (4) is of much greater biodiversity value as it provides food for birds and excellent cover for their nesting and roosting. The Pussy Willows along the western boundary should also be regarded as having good biodiversity value.

It needs to be understood that trees are not fixtures; they are growing and dying all the time. the objective of managing any population of trees should be to ensure that there is a good age and species range to ensure they do not all mature at the same time, and that there is no monoculture. (Monocultures are a bad thing in tree populations as a single disease might denude the landscape as Dutch Elm Disease showed.)

I must also point out that trees 1 & 2 clearly have RPAs that extend well into the site, as does tree 7. Precisely how much sustenance the trees gather from beneath the

rubble surface of the car park is debatable but even if we disregard the RPA the shade cast by the trees is likely to be a significant constraint on the site.

I think that any development of the site would require some pruning works to the trees, and that this pruning would require repeating every 10 years or so. Considering the expense of such work it is worth contemplating whether a better outcome might not be achieved by removing the trees and planting new ones. New trees might be paid more attention and nurtured better than the existing trees. I accept that in the short term this might appear a little drastic, but in the medium-term the replacement of these trees is inevitable. A project of this type is a valuable opportunity to instigate proactive tree management.

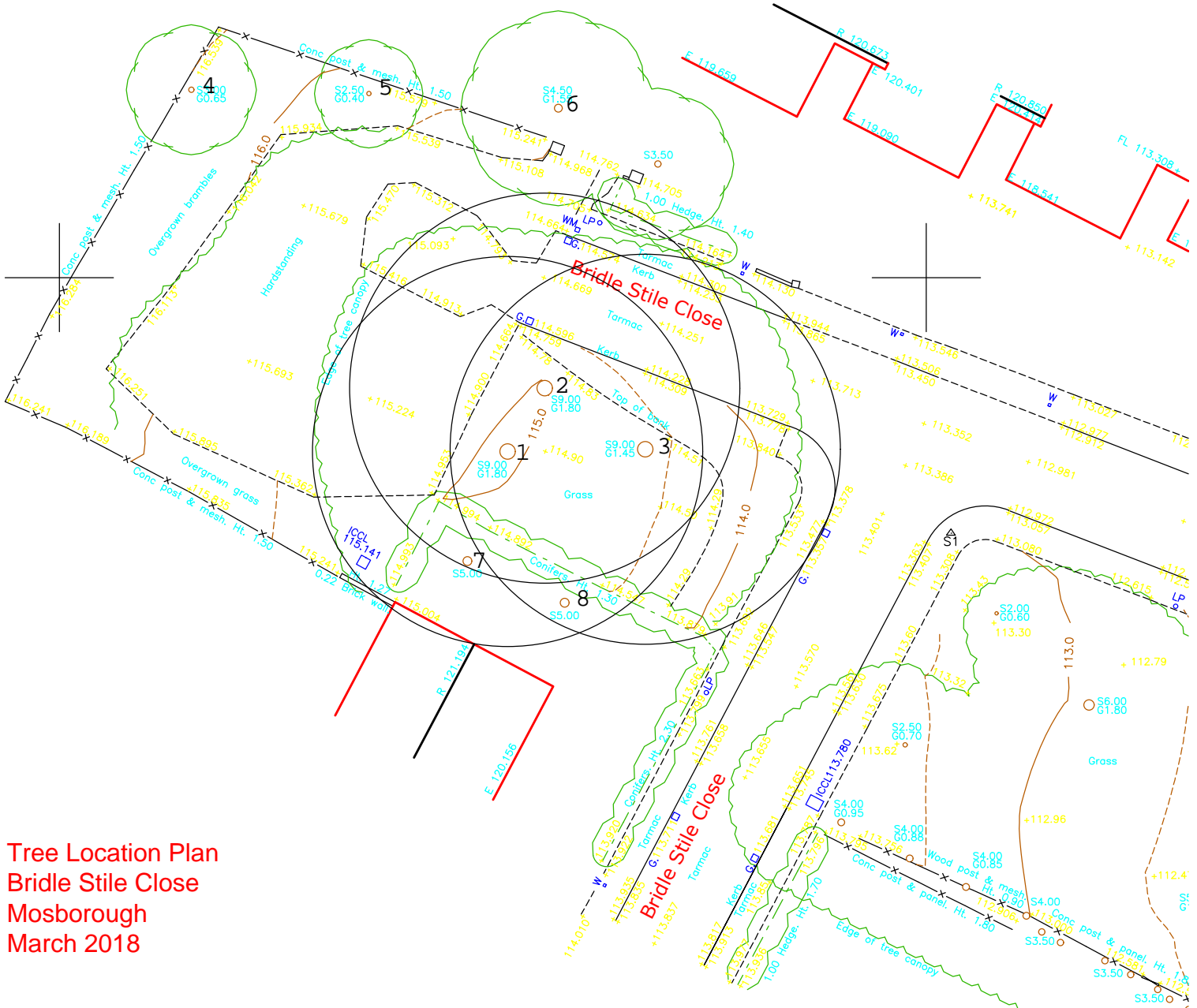
This concludes my appraisal of the trees around the site.

Conclusion.

1. The trees surrounding this site are generally poor specimens.
2. Trees 1 & 2, and 7 & 8 have, in my opinion outgrown their positions and are overdue for some sort of management work. Therefore their amenity value is low.
3. My preferred course of action for the site is to remove the trees and replant. An alternative approach might be to prune the trees while planting a couple of new ones, then removing the larger ones once the new trees are established.
4. Some negotiation with the owners of the neighbouring trees would be advisable before progressing any further with this project.

W. L. Anderson. Dip.Arb. (RFS) M.Arbor.A.
ANDERSON TREE CARE LIMITED.

March 2018.



Tree Location Plan
Bridle Stile Close
Mosborough
March 2018

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From: Cannon Richard (CEX) [<mailto:Richard.Cannon@sheffield.gov.uk>]
Sent: 06 December 2018 09:49
To: 'Bill Anderson'
Subject: RE: Tree preservation order (TPO) objection.

Dear Mr Anderson,

I have liaised with officers within the Council's Environmental Planning team, including the officers who undertook the assessment of the trees relevant to TPO 427, and I am now able to provide the following response to the various points raised within your objection.

Government guidance says visibility is not sufficient alone to warrant an order.

Visibility is one aspect of assessing visual amenity and this was included within the Council's assessment of the tree according to the TEMPO methodology, which is the recognised arboriculture industry standard. A copy of this assessment is attached.

1. These trees do not generate sufficient amenity value to justify TPO protection. They are poor specimens with numerous structural faults, none of which are easily remedied.

The TEMPO assessment undertaken by officers was clear that the protected trees are 'fair' to 'good' specimens with few minor faults and 40-100 years life expectancy. The assessment supported the making of a TPO, which the Council considered expedient in the circumstances.

2. The trees are not in a prominent position, certainly not sufficiently prominent to justify overlooking their poor quality.

Officers disagree with this assessment. Their view is that the trees are very prominent, being adjacent to, and the dominant feature of, the public road. The trees are also an important landscape feature from surrounding public roads. They would also assert that the trees, as a minimum, fall within the 'fair' category rather than 'poor' as defined by the TEMPO methodology and as stated within the guidance notes for the TPO process produced by the Forbes-Laird Arboricultural Consultancy.

3. This TPO appears to be an attempt to control a planning application, in other words a "tool of development control." This is not a proper use of the TPO system.

The Council made this TPO because it considers that it is expedient in the interests of amenity. The power to do this is detailed in section 198 of the Town And Country Planning Act 1990.

When granting planning permission for any development the local planning authority has a duty to ensure that adequate provision (if appropriate) is made for the preservation or planting of trees by the imposition of conditions, and to make any TPOs deemed necessary by the Council. This duty relating to development control and TPOs is detailed in section 197 of the Town and Country Planning Act.

If a TPO had not been made under the power contained in section 198, any future grant of planning permission may have resulted in the local planning authority seeking the making of a TPO under the duty contained section 197.

4. If the trees do have some hidden amenity value, some historic association for example, of which we are not aware, then this should be included in the amenity valuation, which ought to be placed in the public domain.

Officers inform me that they are not aware of any additional considerations other than the age and stature of the trees adding greatly to the amenity value and character of the local area.

5. It occurs to me that no details of this TPO or any supporting or objecting comments, are published on the Town Hall's website. This appears contrary to current preoccupations with "openness."

The Council ordinarily publishes copies of its TEMPO assessments along with representations received where a TPO is referred to the Planning and Highways Committee for confirmation and can provide copies of supporting documentation upon request.

Kind regards,

Richard Cannon

Professional Officer

Legal Services

Sheffield City Council, Moorfoot Building

Sheffield, S1 4PL

T: 0114 27 34034

richard.cannon@sheffield.gov.uk / www.sheffield.gov.uk

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From: Bill Anderson [REDACTED]

Sent: 26 November 2018 16:50

To: Cannon Richard (CEX)

Subject: Tree preservation order (TPO) objection.

Dear Mr Cannon,

Please find attached an objection to TPO no 427. Please note also that as of this afternoon, there is no sign of the TPO documentation on the Town Hall website, despite the site notice saying it can be seen there.

I would be grateful for an acknowledgement of this e-mail.

Yours sincerely,

Bill Anderson

Anderson Tree Care Ltd.

[REDACTED]

[REDACTED]



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From: Bill Anderson [REDACTED]
Sent: 10 December 2018 17:56
To: Cannon Richard (CEX)
Cc: [REDACTED]
Subject: RE: Tree preservation order (TPO) objection.

Dear Mr Cannon,

Thank you for your e-mail which I'm afraid raises more questions than it answers, but firstly I must ask precisely when TEMPO became a "recognised industry standard?" I have not seen any mention of it in the Government guidance and I am aware that the Planning Inspectorate's non-salaried arboriculturists all regard the system with some disdain. This is because it is far too easy to misuse. For example the Officer's appraisal of the Swedish Whitebeam states that it has a 40 year minimum life expectancy. This is completely wrong; TEMPO's intention with this aspect is that this should mean without any major maintenance work. This tree has already had some pruning work and the likelihood of it not requiring fairly major work inside 20 years is low. Also if this tree is in "good condition" how would you describe a young, recently-established tree that is growing vigorously? I don't think it's appropriate to describe them both as "good." The TEMPO guidance notes do mention "retained for the time being without disproportionate expenditure of resources."

The TEMPO system is not and doesn't claim to be a system of amenity valuation. When it was first designed it was for the purpose of reviewing an LPA's stock of TPOs, not for the serving of new ones. One of the authors was also part of the review group for BS5837 2005, and some of the TEMPO principles are adapted for its "tree categorisation method," but neither are a system of amenity valuation.

I accept that "visibility is one aspect of assessing visual amenity;" it can't be anything else, but as visibility alone is insufficient justification, precisely what else is adding to these trees' amenity value? Although they're at the side of a road this is a cul-de-sac; not a road with much passing traffic. These trees cannot be regarded as prominent in the same way as a tree at the side of a major thoroughfare.

Although I accept that the Whitebeam is a decent specimen tree and reasonably well suited to its location the Beech are certainly not suited to the locations in which they find themselves. Neither tree 3 nor tree 4 can be regarded as good examples of their species (I haven't studied Tree 1 closely beyond noting its infestation with Felted Beech Coccus), nor can they be regarded as so untypical that they have developed greater than average amenity value. In fact it seems to me that as the Officers have not evidenced any other notable factors, then the only thing to be said about them is that a few people can see them. As we have already established that visibility alone is insufficient reason for a TPO I must ask again why these trees have been protected.

Turning to your statement that this TPO is expedient, I would like to point out that when I inspected these trees over 6 months ago I did not suggest that the client removed them. This was on the understanding that the trees are poor specimens that would not generate sufficient amenity value to be protected by a TPO. This has been something of a mantra to me over the years: I do not recommend that clients remove trees before submitting a planning application. I am well aware that there are many hurdles in the planning system and I am also aware that although a tree might have low amenity value, it is never likely to be zero (unless it's a hazard tree of course). It is probably better to retain trees for a short while than to remove them just in case someone ever wants to submit a planning application. If Sheffield's Tree Officers are going to start protecting unworthy trees just because they want to refuse a planning application, then I will still not recommend pre-emptive felling, but I will be obliged to make potential clients aware of Sheffield's likely approach. I would not be at all surprised if subsequently some clients ignored my advice and removed trees just-in-case. (In the early days of my life in tree work, some 35 years ago, I had one client who flatly refused to keep any trees in his garden, because he had plans to build houses. The plans were 10 years away and I would have preferred him to have retained them. His paranoia about TPOs

To reiterate I do not think these trees were under threat, so the TPO was not really expedient. I do not think turning these trees from "trees" to "protected trees" was necessary, and in serving the TPO it might very well be that other potential applicants feel they have no choice but to undertake pre-emptive tree felling. I consider this a retrograde step, and the Council persisting in this course of action might very well lead to unintended consequences.

I remain of the opinion that this TPO was unnecessary, and would be grateful if my thoughts could be relayed to the Planning Committee (or sub-committee) before this TPO is confirmed. In the meantime I look forward to hearing from you.

Sincerely,

Bill Anderson.



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 12/03/2019

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond, Chris Heeley and Bob Turner 2039183

Summary:

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

Recommendations:

Background Papers:

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.

Category of Report: OPEN

Application No.	Location	Page No.
18/04257/RG3 (Formerly PP-07321072)	Site Of 68-82 Pinstone Street, 1-19 Charles Street, Laycock House - 14 Cross Burgess Street Sheffield S1 2HP	
18/04104/FUL (Formerly PP-07362007)	1 Ecclesall Road South Sheffield S11 9PA	
18/04069/RG3 (Formerly PP-07321082)	Site Of 88-104 Pinstone Street, 35-49 Cambridge Street And 2-8 Charles Street Sheffield S1 2HP	
18/03851/FUL (Formerly PP-07319519)	Land Between Skye Edge Road And Skye Edge Avenue Sheffield	
18/03796/OUT (Formerly PP-07306045)	Land And Buildings At Meadowhall Way, Meadowhall Drive, Carbrook Street And Weedon Street Sheffield S9 2FU	

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Case Number	18/04257/RG3 (Formerly PP-07321072)
Application Type	Application Submitted by the Council
Proposal	Alterations to Laycock House to provide 5x retail units to ground floor (Use Class A1) and 4x apartments above (C3), demolition of remaining buildings and erection of 8 storey building comprising retail/cafe/bar space (A1, A3, A4 and A5) at ground floor, offices (B1) and 52x apartments (C3) above and associated works
Location	Site Of 68-82 Pinstone Street, 1-19 Charles Street, Laycock House - 14 Cross Burgess Street Sheffield S1 2HP
Date Received	09/11/2018
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:

SITE LOCATION PLAN HOB - LDA - XX - 00 - DR - A - 0800
PROPOSED LOWER GROUND FLOOR HOB - LDA - XX - ZZ - DR - A - 0861
PROPOSED UPPER GROUND FLOOR PLAN HOB - LDA - XX - 05 - DR - A - 0862
PROPOSED FIRST FLOOR PLAN HOB - LDA - XX - 10 - DR - A - 0863
PROPOSED SECOND FLOOR PLAN HOB - LDA - XX - 20 - DR - A - 0864
PROPOSED THIRD FLOOR PLAN HOB - LDA - XX - 30 - DR - A - 0865
PROPOSED FOURTH FLOOR PLAN HOB - LDA - XX - 30 - DR - A - 0866
PROPOSED FIFTH FLOOR PLAN HOB - LDA - XX - 50 - DR - A - 0867
PROPOSED SIXTH FLOOR PLAN HOB - LDA - XX - 60 - DR - A - 0868
PROPOSED SEVENTH FLOOR PLAN HOB - LDA - XX - 70 - DR - A - 0869
PROPOSED ROOF PLAN HOB - LDA - XX - 80 - DR - A - 0870
PROPOSED BASEMENT HOB - LDA - XX - B1 - DR - A - 0860

PROPOSED ELEVATION - CHARLES STREET HOB - LDA - XX - ZZ - DR - A - 0880 P04
PROPOSED ELEVATION - CROSS BURGESS STREET HOB - LDA - XX - ZZ - DR - A - 0881
PROPOSED ELEVATION - PINSTONE STREET HOB - LDA - XX - ZZ - DR - A - 0882 P04
PROPOSED ELEVATION - GIVE WAYS JUNCTION HOB - LDA - XX - ZZ - DR - A - 0883 P03
PROPOSED ELEVATION - COURTYARD HOB - LDA - XX - ZZ - DR - A - 0884

DEMOLITION PLAN HOB - LDA - XX - ZZ - DR - A - 0820
DEMOLITION ELEVATION - CHARLES STREET / CROSS BURGESS HOB - LDA - XX - ZZ - DR - A - 0821
DEMOLITION ELEVATION - PINSTONE / FIVE WAYS HOB - LDA - XX - ZZ - DR - A - 0822

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No demolition, site preparation, restoration or 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 all site 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 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 demolition, construction and associated activities audible at or beyond the site boundary shall be confined to 0730 to 1830 hours on Mondays to Fridays, 0800 to 1700 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.

4. 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.

5. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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 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 have been approved in writing by the Local Planning Authority before it is installed.

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

7. 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, which shall include the recording of standing buildings, 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 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. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

10. Any remediation works recommended in the approved Heart of the City: Preliminary Geoenvironmental Risk Assessment Block B and C (ref: HOM-ARUP-XX-XX-RP-CG-0002, P02, dated 10/10/18) 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.

11. 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 will have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvement Works:

- Charles Street, between Cross Burgess Street and Pinstone Street (closure to motor vehicles and associated public realm works).
- Pinstone Street site frontage between Cross Burgess Street and Charles Street (public realm works).
- Pinstone Street and Cross Burgess Street (provision of on-street servicing/loading).
- Displacement of on-street parking from Cross Burgess Street to allow for loading/service vehicle egress.
- Promotion of a Traffic Regulation Order in relation to servicing/loading (waiting and loading restrictions) and the prohibition of motorised traffic in the vicinity of the development site, all subject to usual procedures, including provision of associated signing and lining.
- Provision for the movement of cyclists, pedestrians and motorised traffic along Pinstone Street and Union Street, and on streets linking these, between and including their junctions with Charles Street, Furnival Gate and Moor Head (including the provision of direction signing), with the aim of providing interventions that deliver safe cycle routes in the vicinity of the development coupled with revised pedestrian crossings.
- Any accommodation works to traffic signs, road markings, repositioning street lighting columns, highway drainage and general street furniture deemed necessary as a consequence of the development.

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 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.

12. Prior to the improvement works indicated in the preceding condition being carried out, full details of these 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.

13. No construction of buildings or other structures shall take place 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.

14. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

15. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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

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

8. Prior to the commencement of development, Approval In Principle (AIP) for the basement's walls and floor, which will be permanently supporting the adjacent public

highway, shall have been submitted to and approved in writing by the Local Planning Authority. As a minimum, the AIP submission shall cover:

- Proof of structural integrity of the basement's walls and floor, with structural calculations and drawings, demonstrating that the adjacent public highway will be adequately supported.
- Confirmation and agreement of the proposed ongoing structural inspection strategy, including protocol for submitting inspection reports to the Local Planning Authority.
- Servicing arrangements for inspection personnel needing to gain access to the structure.
- The method of temporary support of the public highway during construction of the basement, including proof of structural integrity, calculations and drawings.

Construction of the basement shall not commence until the AIP has been approved by the Local Planning Authority.

Reason: In the interests of highway safety.

9. Prior to commencement of development, Approval In Principal (AIP) for the smoke outlet vents, which are structures within the highway, shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the AIP submission shall cover:

- Proof of the structural integrity of the smoke outlet vents, with structural calculations and drawings.
- Confirmation and agreement of the proposed ongoing structural inspection strategy, including the protocol for submitting inspection reports to the Local Planning Authority.
- Servicing arrangements for inspection personnel needing to gain access to the structure.
- The specification of the pedestrian friendly covers/grates over the smoke outlet vents, which might have to withstand the loading of maintenance vehicles.

Construction of the smoke outlet vents shall not commence until the AIP has been approved by the Local Planning Authority.

Reason: In the interests of highway safety.

16. 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.

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 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.

19. No construction in the relevant areas of the site shall commence until the means of protecting the water and sewerage infrastructure laid within the site boundary has been implemented in full accordance with details that have previously been submitted to and approved by the Local Planning Authority. No trees shall be planted within 5 metres of any water or sewerage infrastructure that cross the site. If the required protective measures are to be achieved via diversion or closure of the sewerage or water mains, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

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

20. 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.

21. 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:

Shop fronts

Typical window details, including reveals and aluminium panels

Brickwork detailing

Roofscape to office block

Oriel/projecting windows

Typical cladding details

Balconies

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

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

22. Before any above ground works commence, or within 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.

23. 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 approved HRS noise survey Ref: 131367 - AC - 2v1 (20/12/2018).

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.

24. 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 approved HRS noise survey Ref: 131367 - AC - 1v1 (20/12/2018).

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.

25. 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 of an approved noise survey of the application site, including an approved method statement for the noise survey OR approved 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.

Reason: In the interests of the amenities of the locality and of the residential 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 it is essential for these works to have been carried out before the use commences.

27. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

28. 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.

29. Notwithstanding the approved plans, the development shall not be used unless the internal cycle parking accommodation has been provided in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority (with consideration given to the installation of a two-tier rack system). Thereafter, the approved cycle parking accommodation shall be retained.

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

30. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated

changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The 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 it is essential for these works to have been carried out before the use commences.

31. The development shall not be used until servicing arrangements for both the retail and office uses have been submitted to and approved in writing by the Local Planning Authority. The arrangements shall seek to avoid any servicing or loading in connection with the development during the busy peak periods and to avoid simultaneous multiple arrivals of loading or service vehicles. Thereafter, servicing and loading shall take place in accordance with the approved details.

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

32. 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 systems 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.

33. 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.

34. 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 plant enclosure.

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

Other Compliance Conditions

35. The development shall be operated in accordance with the submitted Heart of the City 2 Block B Travel Plan dated November 2018 and prepared by ARUP.

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

36. Commercial units within use Classes A3, A4 and A5 shall only be used by customers between 0730 hours and 0030 hours on any day.

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

37. No more than 50% of ground floor uses shall be used for non-A1 purposes.

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

38. No doors (other than substation doors) or windows shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. 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.
2. The applicant is advised that, on the Statutory Sewer Map, there are 225 and 300 mm diameter public combined sewers recorded to cross the site (in the proposed public realm areas). It is essential that the presence of this infrastructure is taken into account in the design of the scheme. Additionally, the pipes may require protection during the construction phase of the development.

A proposal by the developer to alter/divert a public sewer will be subject to YW requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.

For further information regarding the sewers, the developer should contact our Developer Services Team: telephone 0345 120 84 82 (option 1) or email technical.sewerage@yorkshirewater.co.uk

3. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

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

S1 2SH

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

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

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

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

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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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. 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 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.
7. 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.
8. 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.

9. The Construction Environmental Management Plan (CEMP), required 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 demolition and 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 Contractors 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 demolition and 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.
10. The applicant is advised that the site lies in close proximity to a National Grid high voltage transmission underground cable and to low or medium pressure (below 2 bar) gas pipes and associated equipment.
11. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

12. As the proposed smoke outlet vents will be located within the public highway and the proposed basement will be supporting the public highway, you are required to contact:

Richard Bulloss, Assistant Head Highway Maintenance
Tel. 0114 205 7484
richard.bulloss@sheffield.gov.uk

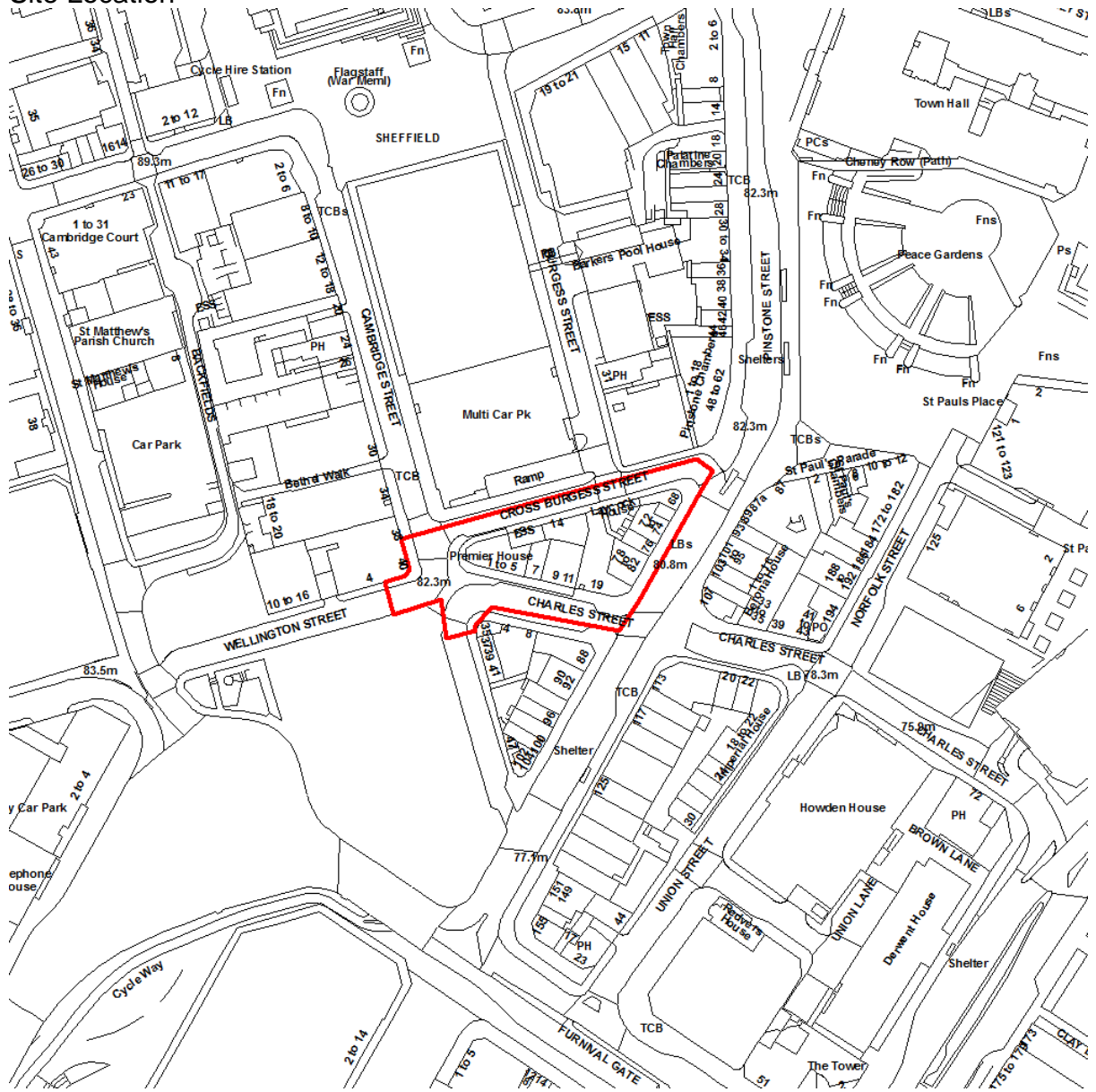
in order to secure the relevant licence.

13. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination
Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

Site Location



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INTRODUCTION

Members will recall that planning permission was granted for the first standalone phase of the Heart of the City II project (previously known as Sheffield Retail Quarter) in November 2016 when an application for a six storey office and retail block (16/02228/RG3) was approved at committee. The construction of this building, now known as Grosvenor House, is nearing completion with the office tenants expected to move in during the summer months.

This application, along with the application for the neighbouring site which is also under consideration (18/04069/RG3), comprises the next phase in this project. It occupies block B as described in the wider masterplan proposals.

LOCATION AND PROPOSAL

The application site comprises of the triangle of land bound by Pinstone Street, Charles Street and Cross Burgess Street. It is occupied by Laycock House at numbers 68 to 76 Pinstone Street, a striking red brick building comprising of two storey retail units with apartments over whose vertical proportions are exaggerated by a row of prominent chimney stacks, 78 to 82 Pinstone Street, 19 Charles Street, originally known as the Athol Hotel but most recently used as student accommodation, and Premier House, a vacant five story office building with retail units at ground floor level thought to date from the 1960s.

The site lies at the southern end of the City Centre Conservation Area, within the Heart of the City Quarter as defined in the Sheffield City Centre Urban Design Compendium (2004), and forms part of the Victorian frontage that characterises much of Pinstone Street.

The block on the eastern side of Pinstone Street comprises of attractive 19th century buildings including the grade II listed Prudential Assurance Building.

On the opposite side of Cross Burgess Street is the grade II listed Citadel and the John Lewis car park, while the 19th century range to the west comprises of the grade II listed former Bethel Chapel Sunday School at 32 Cambridge Street and 36-38 Cambridge Street (formerly Henry's Café).

To the south is the triangular shaped city block (block C in the masterplan) occupied by numbers 4-8 Charles Street, 35-41 Cambridge Street and 94-104 Pinstone Street, which are all three storey buildings, some with accommodation in the roof, constructed from red brick with ashlar dressings.

Planning permission is sought for alterations to Laycock House to provide 5 retail units at ground floor level (use Class A1) with 4 apartments over, the demolition of all remaining buildings and the erection of a 4 and 8 storey building comprising of retail space at ground floor level (use classes A1, A3, A4 and A5), with offices and 52 apartments over.

RELEVANT PLANNING HISTORY

There is no relevant site specific planning history.

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 & 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 & 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

11 representations were received in relation to the proposed development, 10 objections and 1 raising concerns. Of the 10, 3 were from built environment/heritage organisations (Sheffield Civic Trust, SAVE Britain's Heritage and Joined Up Heritage Sheffield) and the remaining from residents of Sheffield and beyond.

Almost all commentators expressed support for the revised approach to the redevelopment of the city centre, including the decision to retain the historic street pattern and key buildings. The treatment of the new corner to Five Ways was also praised. However, the following objections were raised:

- The Athol buildings and Laycock House are integral to the significance of the Conservation Area as a result of their intactness, group value and contribution

to the continuous 19th century façade along Pinstone Street; their materials, scale and decorative features; and their original intended purposes which combined shops with a public house and hotel.

- The Athol buildings have historical significance. Though built in a time of depression, the Athol Hotel was immediately successful and became a hub for the town's sporting, political and social life. Sheffield Football Association held celebratory dinners and meetings there from 1884, the Sheffield Cricket Association was formed there in July 1884, and the Sheffield & District Football League (one of the earliest leagues) was formed there in July 1889.
- 78-92 Pinstone Street and the former Athol Hotel are important non-designated heritage assets proposed for demolition. Whilst altered, these Victorian buildings make a distinct contribution to the scale and character of Pinstone Street yet no coherent justification is offered, and no solutions are considered that retain them.
- The demolition of the Athol buildings will remove all evidence of the first building created on the new line of Pinstone Street and the gap created will isolate the important buildings at 88-92 and 94-104 Pinstone Street, breaking their connection with the group and destroying the streetscape's surviving continuity
- The proposals do not have sufficient regard to the desirability of preserving or enhancing heritage assets as expressed by the Planning (Listed Buildings and Conservation Areas) Act 1990 sections 66(1) and 72(1).
- The submission suggests that in determining the level of harm, heritage benefits must be used to offset that harm, using a fictional construct it calls 'residual harm'. There is no concept of 'residual harm' in law or planning policy. In planning decisions the term always refers to harm after changes to a proposal that avoid harm (so it is not harm) or mitigate it (so there is less harm).
- The proposals will deliver public benefits, but these have been exaggerated, and in most cases could be achieved by alternative proposals which do more to preserve and enhance heritage assets.
- Neglect and disrepair are insufficient justification for demolition.
- Removing the cladding to reveal the original late 19th century elevations could be an enhancement to the Conservation Area and its feasibility should be urgently investigated.
- It is unclear why simple adaptations to the interiors cannot be made that would allow continued retail use.
- The scale of the proposed new retail and residential block is entirely out of character with the Conservation Area. The massing and overbearing bulk adds to the cumulative impact of all the Pinstone Street developments causing substantial harm to the character of the Conservation Area.
- The proposed design is a monolithic, balconied, contemporary block, which fails to relate or respond positively to the existing Victorian buildings. The articulation, in design and materials, between it and Laycock House is poorly handled.
- Individuality is character and if we continue in our current fashion, there will be no difference between Sheffield and any other city.
- The proposals fail to understand the importance of Laycock House as a pioneering example of inner city housing connected to workshop and retail spaces.

- Aside from their aesthetically-unpleasant appearance, the proposed buildings are the same as countless others already built in any spare corner of the city, cheaply, quickly and for a quick profit: featureless hotel-type boxes with no thought given to the fostering of any type of community.
- As there is no provision of new communal space in the residential building, it is not likely to attract residents committed to the long term.
- The apartments themselves are depressingly ordinary, and there is insufficient mix of types, the only variant being the number of bedrooms.
- Staircases are completely enclosed and unsuitable for day to day use, so vertical circulation is by lift only - arrangements which are not conducive to spontaneous social interaction and should not be allowed to become a new norm.
- The proposed balconies are an unwelcome and ugly feature which have been tacked on to make up for the lack of communal amenity space.
- The design of the proposed office accommodation is weak and lacks the articulation of its neighbours. The angled chamfer between the facade and the roof is awkward and unbuildable.
- The exterior ironwork in the courtyard of Laycock House should be restored and retained, and where new ironwork is required it should be in keeping.
- The combining of residential units 1 and 2 into a single larger unit creates an imbalance between the houses that sits uneasily with their historic context as a range of equal homes.
- Access to the retained homes in Laycock House is compromised, both visually and practically.

Following a design review by Trust members in January 2019, Sheffield Civic Trust have not raised any objections and described their support for many aspects of the scheme including retention of the existing street pattern, high-quality public space that continues the approach taken throughout the city centre, the proposed historic façade retention and the focus on a mix of uses that the current market is not supporting i.e. 2 bedroom apartments with quality external space rather than student housing.

However, they did raise a number of concerns including:

- The glazing proportions proposed within the new buildings do not relate well to the order and hierarchy of the existing street facades.
- Materials and detailing with solidity would be a more appropriate response rather than the proposed cladding
- The 'folding' façade is particularly awkward. As this is a prominent corner, a more sensitive design solution should be considered.
- The Trust have concerns about the quality of flats proposed in this application - conventional single aspect apartments, accessed along a corridor, that can be found anywhere. They fail to meet national space standards, and don't include enough storage space to lend themselves to long-term residences.
- The introduction of dual-aspect spaces which open up to a courtyard or light well with a central stair would greatly improve these generic flats and reflect the form of the Laycock House.
- The retention of historic facades will reinforce diversity and local identity but the emerging similarity in the building designs to date raises concerns. A

more diverse range of designers should be employed to tie the scheme better to its context and the Trust would welcome a commitment from SCC to promote variation and design quality by promoting design competitions or a diverse mix of designers/architects.

Joined Up Heritage submitted a further objection following a submission by the agent expressing an opinion on some of the initial objections. The comments raised relate to the degree of harm caused by the demolition of buildings, the concept of 'net harm', the requirement to consider alternative ways of achieving similar outcomes, and the weighing harm against public benefit.

Neither the agent's commentary nor the additional objections of Joined Up Heritage are referenced in full. Rather, this report seeks to fairly assess the level of harm to heritage assets that would result from the proposed development bearing in mind that the judgment on whether harm is substantial or less than substantial is the decision makers.

Historic England

In their consultation response, Historic England (HE) welcome the fact that the current Heart of the City proposals retain the existing street pattern and slightly more historic fabric than the most recent New Retail Quarter scheme. However, they say that good place-making and sustainable development means respecting what makes Sheffield special and ensuring that new layers of development are of a quality which will be valued both now and in the future, and they do not currently consider the proposals for block B achieve this ambition.

HE note that the Athol Hotel and 78-82 Pinstone Street contribute to the significance and character of the City Centre Conservation Area, being one of the first buildings built following the widening of Pinstone Street and other street improvements from 1875 onwards. Whilst affected by later alterations, they consider their footprint, scale and relationship with the corner to make positive contributions to the conservation area and that the demolition of the buildings would cause harm to the conservation area. They advised the authority to consider whether it really is not possible to repair and adapt the existing buildings and whether a 'clear and convincing' justification for the harm which would be caused by their loss exists.

Where the authority considers such a justification does exist and is minded to accept the demolition of the buildings, Historic England recommended that the ground floor of the corner building be amended to incorporate a plinth-like arrangement similar to other buildings within the conservation area as they consider that bringing the brick finish down to the ground creates a weak base which is at odds with the prevailing character of the historic buildings in the area.

Historic England have no objection to the demolition of Premier House, but advise that its replacement should respect the character of the conservation area, adjacent historic buildings and buildings along Cambridge Street. They do not consider the current proposals achieve this because the relationship between the proposed new-build element and the retained buildings along Pinstone Street is uncomfortable and the overall height and bulk of the block does not preserve or enhance the character

and appearance of the conservation area.

They suggest that removing the sections of the sixth and seventh floors which are shown clad in aluminium would significantly reduce the impact on the conservation area in views along Pinstone Street and west along Charles Street. They also recommend that the balconies are omitted or the design reconsidered.

HE remind us that the National Planning Policy Framework indicates that *any* harm to designated heritage assets should have a “clear and convincing justification” and requires local planning authorities to “avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal” (paragraphs 194 and 190).

These requirements mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a “clear and convincing justification”.

This is particularly important given the statutory duty of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area in determining the planning application.

Historic England considers the harm the proposals for block B would cause could be reduced through the following measures (as a minimum):

- Retention of the Athol Hotel and 78-82 Pinstone Street;
- Amendments to the ground floor of the proposed block at the corner of Pinstone Street and Charles Street;
- Reduction in the height of the 8-storey block through removal of the metal-clad sections of the top two floors; and
- Omission of the balconies on the Charles Street elevation (or significant revision of their design).

They advise that, unless these amendments are secured, or it is categorically demonstrated that they are not possible, we do not consider the harm the proposals would cause is justified and the application would be considered contrary to paragraphs 190 and 193 of the NPPF.

Conservation Advisory Group (CAG)

The Conservation Advisory Group (CAG) considered the proposals at their meeting in January 2019.

The Group considered that the treatment of the Laycock Building was acceptable-as it conserved the building, subject to appropriate detailing of the shopfronts.

The Group felt that-maintaining the existing massing of the corner of Charles Street was important and that the height of the new residential block should be reduced.

PLANNING ASSESSMENT

Principle of Development – Policy and Land Use

The National Planning Policy Framework (NPPF)

The revised National Planning Policy Framework (NPPF), updated in February 2019, reinforces the general presumption in favour of sustainable development as well as the Government's objective to significantly boost the supply of housing. The presumption in favour of development will apply where the local planning authority cannot identify a 5-year supply of deliverable housing sites (with an appropriate buffer), or where the delivery of housing over the last 3 years has been below 75% of the housing requirement. The development will contribute positively towards the Council's need for a 5 year housing land supply.

Chapter 6 (Building a strong, competitive economy) expects local planning authorities to create the conditions in which businesses can invest, expand and adapt and advises that significant weight should be placed on the need to support economic growth, taking into account local business needs and recognising the specific locational requirements of different sectors.

Chapter 7 (Ensuring the vitality of town centres) expects planning policies and decisions to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Sheffield Local Plan

The statutory development plan for Sheffield currently comprises of the Core Strategy (March 2009) and saved policies from the Unitary Development Plan (1998).

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) 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.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Policy CS23 (Locations for new housing) identifies that new housing development will be concentrated where it would support urban regeneration and make efficient

use of land and infrastructure, while policy CS27 of the Core Strategy (Housing in the City Centre) states that further expansion of City Centre living, with a mix of tenures and sizes of unit, including affordable housing, will form part of a mix of uses in the New Retail Quarter and around the Peace Gardens.

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) and housing (C3) as preferred uses and offices (B1) as acceptable.

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.

The proposed mix of uses, which includes a range of retail uses at ground floor level, is considered to accord with the requirements of the Core Strategy and the UDP.

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 finished in 2018. The Plan is produced by the Council to promote the city centre as a great place to live, work and visit. It has not been prepared by the Local Planning Authority nor approved by the Planning and Highways Committee, and so it has no material weight in its own right but the context and evidence presented are considered to contribute to the decision making process.

The new Plan recognises that Sheffield city centre's retail offer remains uniquely unbalanced in comparison with local and regional demand and that the Heart of the City II Project offers an unparalleled opportunity to provide a fuller, higher quality retail offer as well as prestige office accommodation, residential accommodation and great public spaces.

The Plan notes that city centre housing is critical to the economic vitality, environmental sustainability and life of the city and its ability to attract and retain skilled people and investment. Moreover, compact cities with dense centres have lower carbon footprints, generate fewer car journeys and are significantly more energy efficient. They also help to reduce pressure for development on greenfield sites.

Over the past twenty years the city centre population has increased from less than 3,000 to well over 20,000. Housing development has mainly occurred in the former industrial areas and much of it has been targeted at students and young professionals. While vibrant city centres often attract a younger and more fluid population, the Plan states that they should only form part of a sustainable urban community and that the over-riding objective remains a city centre with a wide range of housing types and tenures ensuring a relatively balanced population in terms of age range, household makeup, length of stay and income.

The proposed development includes 1,196m² of retail space, 679m² of office floorspace and 52 apartments, a range of uses that are supported by both the Core Strategy and the Unitary Development Plan.

The proposals maximise the amount of retail floorspace achievable at street level and so will help to address the current inadequacy of Sheffield's retail offer. The proposed retail space will accommodate a range of uses (use classes A1, A3, A4 and A5) designed to ensure that the letting strategy can respond to market demand, which is considered to be acceptable, subject to the predominance of A1 uses. The proposed retail and office accommodation will bring socio-economic benefits to the city centre, including a range of job opportunities, and the proposed residential accommodation will provide 52 high quality apartments – a mix of studio, 1 bed, 2 bed and 3 bed units – in the Heart of the City. The proposed development therefore raises no land use concerns.

The applicant has confirmed that they are prepared to work with the Local Authority to ensure that local people benefit from the job creation and this requirement is reserved by condition.

Design and Heritage Issues

Because this scheme raises some complex heritage queries, for the purposes of this report design and heritage matters are discussed separately.

Design and Architectural Response

In relation to design, chapter 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development, which creates better places in which to live and work.

It advises that planning policies and decisions should, amongst other things, ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character, including the surrounding built environment, while not preventing appropriate innovation or change; maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

Policy BE5 of the UDP (Building Design and Siting) advises that good design and the use of good quality materials will be expected in all new developments, while policy CS74 of the Core Strategy (Design Principles) advises that high-quality development is expected which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

The application site occupies a very prominent position within the city centre and the Heart of the City II masterplan. The site frontage forms part of one of the city's most significant commercial streets – Pinstone Street – a generally good quality 19th century streetscape facing onto the Peace Gardens, and the site sits entirely within the City Centre Conservation Area.

It is proposed to retain Laycock House, which is important in terms of the character and the integrity of the street, and this is strongly supported. Laycock House is an attractive building and a good example of mixed use development with the ground floor shops to Pinstone Street complemented by elevated town houses, accessed from the rear. Its retention will help to maintain a strong sense of place.

The former Athol Hotel building to the corner of Pinstone Street and Charles Street is to be replaced with a discrete, contemporary office building with a retail frontage at ground floor level. While the western side of Pinstone Street generally exhibits a good level of architectural quality, there are exceptions and the former Athol Hotel is considered to be one such example. There has been much comment on the significance of this property, and while it no doubt has historical interest, it has been subject to successive phases of alteration. These alterations have been implemented to a questionable standard, leaving a building that is no longer considered to make a positive contribution to its surroundings. Given the level of alteration to the former Athol Hotel, there is no objection to its replacement with a good quality building that enhances the character and appearance of the townscape.

The new office block is the same scale as the 19th century buildings it will replace but it is modern in appearance, an 'interpretation' of the existing street-scape which is intended to create a link between Laycock House and the proposed residential development to the rear. Red brick is used to tie it in with its Victorian neighbours and the block's fenestration reflects the vertical proportions of Laycock House, arguably to a greater extent than the existing buildings. A row of first floor bay windows along the Pinstone Street frontage echo the bay windows of Laycock House while a four storey façade gives additional prominence to the corner, which then 'folds' to tie the roofscape into the mansard roof of Laycock House. The resulting block breaks the 19th century façade to Pinstone Street but is considered to do so in an appropriate and pleasing contemporary manner.

To the rear of the office building is a substantial new residential block which forms new frontages to Cross Burgess Street and Charles Street. For reasons of viability the new building is higher than the 1960s commercial building that presently occupies the site, and which detracts from the character of the townscape and, like block B, it forms a transition between the relatively modest scale along Pinstone Street and the larger scale and massing of Grosvenor House, John Lewis and the remainder of the Heart of the City II masterplan area.

Sheffield City Council does not have any adopted space standards, and the local planning authority cannot insist on compliance with other regional or national standards. Nevertheless, the proposed residential block creates 52 good sized apartments comprising of a range of studios and 1, 2 and 3 bedroom units. Alternative layouts were considered but the site's triangular shape, along with the desire to retain the Pinstone Street frontage, severely limited the available options.

Historic England consider that the height and bulk of the block does not preserve or enhance the character and appearance of the conservation area and they suggest that removing those sections of the sixth and seventh floors which are clad in aluminium would significantly reduce the impact on the conservation area in views along Pinstone Street and west along Charles Street. However, a stepped form was tested during the pre-application process and was considered to be unsuccessful, fussy and unduly apologetic. Instead, the eastern façade of the residential block was set slightly further back and angled, to prevent a uniform wall of development to the rear of the 19th century frontage, and a contrasting material was introduced to allow the brick façade to Charles Street to step up the street to reflect the topography; to break down the overall mass of the building; and to add variety and visual interest to the façades and roofscape.

The treatment of the metal cladding – which features randomly arranged vertical fins – is repeated in the bullnose corner which terminates the block at its western end and also in the treatment of the balconies. The intention for the metal cladding to create a motif that is repeated within other elements of the façade to develop a distinctive and coherent architectural language is supported.

The division of the main elevations into bays and the use of brick as the principal facing material reflect the appearance of the traditional properties in this corner of the conservation area. Balconies would not ordinarily be encouraged on a city centre street in this location, but they are a legitimate architectural device to add interest and inject activity into the streetscape and, on Charles Street, they are considered to be successful. To avoid becoming too repetitive double width versions have been introduced and low level balconies at the western end of the façade have been omitted to reflect the topography of the street.

On Cross Burgess Street the massing of the residential block is again broken down through the introduction of cladding, and clearly defined ground floor frontages will bring some welcome activity to the street. The enlarged courtyard to the rear of the retained Laycock House provides some breathing space between it and the new residential block, as well as some communal amenity space, an attractive approach to the residential and office entrances and spill out space for the proposed café unit.

Following submission, greater definition has been incorporated into the shop fronts, particularly on the simpler office accommodation as advised by Historic England, though the introduction of a stone plinth was considered to be at odds with the block's contemporary appearance.

In design terms the proposals are generally supported. As with block B the broad urban design approach is a welcome advance on the nature of development previously advocated in this part of the city centre, while the need for height and

density has been handled in a manner which is considered to be acceptable in the context of adjoining streets and buildings, including John Lewis, and the emerging masterplan area. In addition, it is felt that efforts to capture some of the qualities of the retained buildings in the materiality and the rhythm of openings in the facades of the new buildings will mitigate the change in scale and help to preserve the sense of place.

Built Heritage Assessment

The application site is situated at the southern end of the City Centre Conservation Area, a designated heritage asset. Laycock House is a non-designated heritage asset. So too are the Athol Hotel and 78 to 82 Pinstone Street, but to a lesser extent. Within the vicinity of the application there are also a number of listed buildings including the grade II* listed Leah's Yard at 22 Cambridge Street, the grade II listed former Bethel Chapel Sunday School at 32 Cambridge Street, the grade II listed Citadel on the northern side of Cross Burgess Street and the grade II listed Prudential Assurance Building on the eastern side of Pinstone Street. Further north, at the junction of Pinstone Street and Surrey Street, is the grade I listed Town Hall.

Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies relating to the historic environment. It states that '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),' taking this into account when considering the impact of a proposal on a heritage asset in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The NPPF advises 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 (and the more important the asset, the greater the weight should be). .. irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

It goes on to say that any harm to the significance of a heritage asset requires 'clear and convincing justification'. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities are advised to refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

'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' (para. 196).

In relation to the effect of an application on the significance of a non-designated heritage asset, the NPPF advises that 'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

It also advises local planning authorities to look for opportunities 'to enhance or better reveal' the significance of Conservation Areas when dealing with applications

for development within their boundaries, treating favourably those proposals that 'preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance)' (para. 200).

In considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Similarly, section 72 of the Act describes the 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.'

UDP policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) expects buildings and areas of special architectural or historic interest, which are an important part of Sheffield's heritage, to be preserved or enhanced and advises that development which is considered to harm the character or appearance of listed buildings or conservation areas will not be permitted.

Policy BE16 of the UDP (Development in Conservation Areas) states that permission will only be given to schemes which preserve or enhance the character or appearance of the Conservation Area while Policy BE19 (Development Affecting Listed Buildings) requires developments which affect the setting of a listed building to preserve the character and appearance of the building and its setting.

The fundamental issues with regard to heritage policy are that special regard must be given to the desirability of preserving the heritage asset or its setting (as required by sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990), that any harm to or loss of heritage assets requires clear and convincing justification and that substantial harm or total loss should not be allowed unless substantial public benefits outweigh that harm or loss.

Moreover, the requirement to 'avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal' mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a 'clear and convincing justification'.

In this instance, the designated heritage asset most affected by the proposed development is the City Centre Conservation Area, which was created in 1996 following the amalgamation of the Cathedral Conservation Area and the Town Hall Conservation Area. It incorporates a high concentration of listed buildings 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 western portion of the conservation area reflects the rapid late eighteenth and nineteenth century expansion of Sheffield.

The Council produced a Statement of Special Interest for the conservation area in 1996. It makes clear that the asset's significance varies topographically, but

identifies 'the late Victorian Pinstone Street' as important in townscape terms. Thus the site's contribution to the character, appearance and length of the retained Victorian frontage to the western side of Pinstone Street is considered to be a key element of the asset's significance.

Laycock House has architectural value and clearly makes a substantial contribution to the Victorian streetscape on the western side of Pinstone Street and thus the significance of the conservation area. It is considered that the retention and enhancement of the exterior of Laycock House will do much to preserve the character of the conservation area.

Commentators have suggested that Laycock House and the Athol buildings are integral to the significance of the conservation area as a result of their intactness and group value as well as their materials, scale and decorative features. Whilst they may make a contribution as a group, it is considered that the contribution to the significance of the conservation area made by the relatively basic exterior to 78 to 82 Pinstone Street is less important and that the Athol Hotel contributes even less as a result of the many alterations to its façade which have eroded its character and appearance.

While conservation area designation does not extend planning controls to building interiors, an internal inspection of both properties has been carried out and it should be noted that very little of the original interior remains intact, particularly in the case of the Athol Hotel. Moreover the layout of the Athol Hotel is complex and features many modern alterations and subdivisions which complicate, though do not preclude its re-use.

It is therefore considered that the replacement of these elements of the townscape, which are of little architectural value, with a good quality, well-proportioned building which is sympathetic and makes reference to local character can result in no more than less than substantial harm to the significance of the City Centre Conservation Area.

It has also been suggested that the demolition of the Athol buildings will be harmful to the conservation area because they have historical significance as a result of their original intended purposes and because they became a hub for the town's sporting, political and social life.

It is accepted that these buildings do have some historical value but, unlike Sheffield's metal trades buildings for example, their value as a group which combined shops with a public house and hotel, is felt to be limited. Moreover, as described above, their significance comes from their role in the retained 19th century façade to Pinstone Street and, even this is diminished by their architectural value.

In considering whether the proposals will harm the setting of nearby listed buildings, weight must be given to the retention of Laycock House and the replacement of the Athol buildings with a suitable alternative, which it is considered will result in no more than less than substantial harm to the significance of the City Centre Conservation Area. It follows that a similar argument applies in relation to the setting of listed buildings, including the Town Hall, the Citadel and the Prudential Assurance

Building, all of which benefit from efforts to preserve and enhance the Victorian frontage to the western side of Pinstone Street.

It is considered that the impact of the proposals on the setting of Leah's Yard and the Bethel Sunday School on Cambridge Street will be negligible as it is already fragmented and dominated by the 1960s John Lewis store on the eastern side of Cambridge Street, which does not relate to the listed buildings in scale, form or appearance.

The NPPF advises that local planning authorities should seek to 'avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal', taken to mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a 'clear and convincing justification.'

As previously discussed, it is considered that harm to the significance of this part of the conservation area is mitigated by retaining Laycock House and replacing buildings of little architectural value with good quality buildings that will enhance the quality and character of the townscape. But, it has been suggested that the scale of the proposed new residential block is out of character with the conservation area and that its mass and bulk adds to the cumulative impact of all the Pinstone Street developments, thereby causing substantial harm to the character of the conservation area.

The scale of the new build block is driven by many factors, including viability and the need to provide a building of sufficient quality; by the scale of existing buildings on sites to the north and south with which the new block has a direct relationship; and by the desire to increase housing densities in order to provide an adequate supply of housing and support the economic regeneration of the city centre. It is considered that the resulting block is an appropriate city scale which is similar to other developments within the Heart of the City. While it differs from the retained 19th century buildings on Pinstone Street, and this relationship could be considered harmful given the significance of the Victorian frontage, that frontage is retained and or appropriately replaced thereby protecting the significance of the heritage asset.

Furthermore the design of the new building, whilst modern, seeks to minimise conflict through the use of sympathetic materials, including a change in materials which allows the brick façades to reflect local topography and which break down the overall mass of the building. The introduction of vertical proportions and new shop fronts, as well as improvements to the public realm, also mitigate the impact of the new buildings. Indeed it is considered that the latter – high quality shopfronts and public realm – will greatly enhance the conservation area. On balance, therefore, the nature of the harm caused by the new build proposals is considered to be less than substantial in the context of the conservation area as a whole.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the NPPF advises that this harm should be weighed against the public benefits of the proposal.

The proposed development includes retail and office space as well as 52 new apartments, a range of uses that are supported by both the Core Strategy and the Unitary Development Plan. The amount of retail floorspace is maximised, which will help to address the current inadequacy of Sheffield's retail offer, and the proposed office accommodation will support the growth in office based employment and bring socio-economic benefits to the city centre. Furthermore the apartments, which are located in a highly desirable location, will help to provide an adequate supply of housing and contribute towards creating a sustainable urban community which will again support the economic regeneration of the city centre.

The focus of the Heart of the City II project on individual buildings, blocks and the retention and re-use of the street pattern will help to maintain a strong sense of place and, while the demolition and replacement of 78 to 82 Pinstone Street and the Athol Hotel will be harmful to the character and appearance of the City Centre Conservation Area, the retention of Laycock House preserves the significance of this part of the conservation area and the setting of listed buildings.

It is concluded that the harm to and loss of heritage assets is unfortunate but that opportunities to minimise that harm have been sought wherever possible, however that the long term benefits to the City outweigh the injury to its heritage and adequately meet the requirements of the NPPF.

Residential Amenity Considerations

Policy S10 of the UDP (Conditions on Development in Shopping Areas) states that development should not cause residents to suffer from unacceptable living conditions, including noise or other nuisance or risk to health or safety.

The site is located in a mixed commercial area of the city centre with relatively high background levels. The predominant noise source is road traffic on Pinstone Street and Cross Burgess Street, though there is also the potential for noise from nearby commercial operations, which might include amplified sound, deliveries, servicing, external plant and equipment and general footfall.

However, there are a number of residential developments in the vicinity and it is considered that an acceptable living environment can be provided for future residents subject to the installation of a suitable scheme of sound attenuation, details of which are reserved by condition. The proposals raise no privacy issues and amenity space is provided in the form of balconies and a communal courtyard.

Sustainability

Policy CS63 of the Core Strategy (Responses to Climate Change) gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings and conversions of existing 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, with 10% of predicted energy needs provided from decentralised and renewable or low carbon energy.

The application site is located in the heart of the city centre, is highly accessible and very well served by a full range of public transport options.

The submitted Sustainability Statement indicates that the proposed development will have a high performing thermal envelope and, where required, it is proposed to deliver heating through efficient, low energy systems and make effective use of low carbon technologies. Primary heating for the new-build office and retail areas will be taken either from the Sheffield district heating network (Veolia) or a high efficiency air-source heat pump (supplemented by a small provision of electric resistance heating), both of which offer reduced emissions when compared with equivalent grid electricity and natural gas installations, and heating to the new-build residential apartments will be provided by electric resistance heating.

Other energy efficient measures include the use of low-energy LED lighting throughout, heat recovery ventilation and the installation of a Building (Energy) Management System, which is known to achieve significant operational energy savings.

The requirement to provide 10% of the development's predicted energy needs from decentralised and renewable or low carbon energy is likely to be achieved by installing photovoltaic panels to the roof of the new build apartment block. Along with the connection to the Sheffield District Heating Network or use of Air Source Heat Pump, this strategy should provide 10.7% of the total building energy demand, comfortably complying with the requirements of policy CS65.

Landscape Proposals

The Heart of the City II project, which began with Grosvenor House, provides an opportunity to create a new series of high quality public spaces which, together with the building plots, will form a strong retail connection with existing shopping areas on Fargate and The Moor. Phase 1 included a terraced garden in Charter Square inspired by one of Sheffield's most characteristic features, its topography, and while the design of the public realm around block C will continue the language already established, it also incorporates a degree of individuality.

The public realm around blocks B and C, which will be delivered at the same time, must work with the urban fabric as the small blocks and historic streets are retained, creating a relatively intimate townscape which frames views and is likely to be dominated by pedestrians. Therefore, significant interventions were considered to be inappropriate and a relatively restrained approach is proposed, though it still seeks to generate visual interest, respond to adjacent buildings and provide opportunities to stop rest and socialise.

On Charles Street, a main route into the Heart of the City II, the design response is to create a number of planted areas which will appear to rise out of the paving in a series of steps. They will be faced in natural sandstone and echo the treatment of

the terraced garden in Charter Square, with references to the Pennine landscape. The areas of planting will both soften the streetscape and act as rain gardens, terminating in a larger planting bed that will continue the green cascade around the corner onto Cambridge Street. This larger bed, which marks a convergence of routes referred to as 'Five Ways', will provide a place to rest and a means of addressing the challenging gradients.

The designs build on the Pennine themes, using coarse textured sandstone blockwork and wild planting, and a range of natural, high-quality stone will be used for surfacing across the site.

The proposed landscape scheme is considered to be well designed, of a very high quality, place specific, and legible. It will provide an attractive 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.

Highways

As previously described the existing street pattern is to be retained, though Charles Street and Cambridge Street will be pedestrianised and vehicular access will be prohibited. It is therefore intended that block B be serviced from Pinstone Street and Cross Burgess Street (avoiding the peak periods).

The pedestrianisation of Charles Street and Cambridge Street, coupled with the need to allow on-street loading and servicing from Pinstone Street and Cross Burgess Street, has triggered the requirement for a change in the way pedestrians and cyclists negotiate the Moor Head junction on route to other destinations. The developer has agreed to fund the necessary off-site highway works, which includes extending the cycle lane to the southern end of Union Street, the details of which are secured by condition.

Like many other city centre buildings, the proposed development will remain car-free. The site is highly accessible by many modes of travel and for those who need to drive; there are approximately 9,000 off-street car parking spaces across the city centre. A controlled parking zone is operated in the city centre and residents of the new apartments will not qualify for parking permits. However, the submitted Travel Plan seeks to promote sustainable travel and minimise the impact of the development on the local and strategic highway networks. The Plan will be aimed at staff, shoppers and residents, it will encourage them to think about their travel behaviour and make sustainable travel choices. Cycling will be encouraged and cycle parking for residents is provided in the basement of the building, accessed reasonably directly from Cross Burgess Street via the courtyard and a service lift.

Ecology

Bat surveys undertaken in the summer of 2018 confirmed the presence of a single common pipistrelle day roost in one of the buildings proposed for demolition. The bat roost must be dealt with by applying for a Natural England European

Protected Species Licence (EPSL), a requirement of which will be the installation of bat roosting features within the building.

Archaeology

Whilst the potential for below ground archaeology of any significance is considered to be limited, the submission of a desktop assessment that sets out a strategy for archaeological investigation will be secured by condition. This will include the recording of standing buildings proposed for demolition.

Ground conditions

The application site falls within a Coal Mining Referral Area. The submitted Coal Mining Risk Assessment acknowledges that whilst the Silkstone Coal has been worked beneath the site, the risk of void migration to ground level is considered to be low and no remedial measures are necessary in this regard.

The development will incorporate a foundation design which will in part involve bored piles extending through an area of suspected bell pits associated with ironstone mining activity and through the Silkstone Rider Coal found in rock beneath the worked Silkstone Coal. The Coal Authority have raised no objection to the proposals, but expect the pile designer to fully consider the potential effect of the shallow workings on pile performance and obtain the necessary permit to enter the Coal Authority's property.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Full details will be secured by condition.

Community Infrastructure Levy (CIL)

The proposed development lies in residential zone 4 and does attract a CIL charge of £50 per square metre.

Affordable Housing

The site lies within an area of the city centre with no affordable housing requirement.

SUMMARY AND RECOMMENDATION

The proposed development forms part of the second phase of the Heart of the City project. It is consistent with the local development plan and national policy; is considered to remain in the spirit of the endorsed SRQ masterplan and will help bolster the long term vitality and viability of the city centre.

The proposed development will provide much needed and high quality retail and office accommodation as well as 52 apartments in a scheme which seeks to preserve the significance of heritage assets, most critically the City Centre

Conservation Area, and provide enhancements to the conservation area wherever possible. It is considered that the proposed development will cause some harm to the City Centre Conservation Area as a result of the demolition of the Athol Hotel and 78 to 82 Pinstone Street as well as the scale of the new build residential block, but that this harm will be less than substantial. Moreover the harm has been minimised and, in any case, is outweighed by the public benefits of the proposal. It is considered that there will be no harm to the setting of nearby listed buildings.

The proposed public realm 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.

In addition, the proposed development is sustainable, accessible to all modes of transport and will bring about substantial economic and social gains.

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

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Case Number	18/04104/FUL (Formerly PP-07362007)
Application Type	Full Planning Application
Proposal	Alterations to car showroom and workshop (Use Class Sui Generis) to allow use as two commercial units (A1/A3), gym (D2) and offices (B1), erection of 8 dwellings (C3), provision of associated parking for all uses, landscaping and access works (AS PER AMENDED DRAWINGS)
Location	1 Ecclesall Road South Sheffield S11 9PA
Date Received	30/10/2018
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:
 - Location Plan / 823-CPA-ZZ-ZZ-DR-A-0001 Revision B
 - Site Layout Site Plan As Proposed / 823-CPA-ZZ-ZZ-DR-A-0011 Revision C (As received on 13/2/19)
 - SHOWROOM- First Floor Plan & Roof Plan As Proposed / 823-CPA-ZA-ZZ-DR-A-0201 Revision -
 - SHOWROOM- Ground Floor Plan As Proposed / 823-CPA-ZA-GF-DR-A-0200 Revision -
 - SHOWROOM- Elevations as Proposed / 831-CPA-ZA-ZZ-DR-A-0600 Revision -
 - WORKSHOP- Lower & Upper Ground Floor Plans as Proposed / 823-CPA-ZB-ZZ-DR-A-0202 Revision B (As received on 13/2/19)

- WORKSHOP- Mezzanine and First Floor Plans as Proposed / 831-CPA-ZB-ZZ-DR-A-0203 Revision A (As received on 29/1/19)
- WORKSHOP- Second Floor Plan as Proposed / 823-CPA-ZB-RF-DR-A-0204 Revision B (As received on 13/2/19)
- WORKSHOP- Elevations as Proposed / 823-CPA-ZB-ZZ-DR-A-0601 Revision C (As received on 13/2/19)

- Ecclesall Townhouses- Townhouse Ground Floor As Proposed / 823-CPA-ZC-GF-DR-A-0210 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Townhouse First Floor As Proposed / 823-CPA-ZC-01-DR-A-0211 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Townhouse Second Floor As Proposed / 823-CPA-ZC-02-DR-A-0212 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Townhouse Third Floor As Proposed / 823-CPA-ZC-03-DR-A-0213 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Roof Level As Proposed / 823-CPA-ZC-04-DR-A-0214 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Front Elevation As Proposed / 823-CPA-ZC-ZZ-DR-A-0610 Revision -
- Ecclesall Townhouses- Rear Elevation Courtyard Section / 823-CPA-ZC-ZZ-DR-A-0612 Revision -
- Ecclesall Townhouses- Rear Elevations / 823-CPA-ZC-ZZ-DR-A-0611 Revision -
- Ecclesall Townhouses- End Terrace Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0613 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- End Terrace Courtyard Section / 823-CPA-ZC-ZZ-DR-A-0614 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Section AA Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0710 Revision -
- Ecclesall Townhouses- Section BB Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0711 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Section CC Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0712 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Section DD Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0713 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Town House- Proposed Visitor Parking / 823-CPA-ZZ-ZZ-DR-A-0016 Revision A (As received on 13/2/19)

- Ecclesall Townhouses- Site Section Existing/Proposed / 823-CPA-ZZ-ZZ-DR-A-0700 Revision A (As received on 29/1/19)
- Ecclesall Townhouses- Site Sections Sh2 / 823-CPA-ZZ-ZZ-DR-A-0714 Revision B (as received on 31/1/19)
- Ecclesall Townhouses- Street Elevation Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0605 Revision -
- Ecclesall Townhouses- Street elevation with Context Ecclesall Townhouse / 823-CPA-ZC-ZZ-DR-A-0606 Revision A (As received on 29/1/19)

- Tree Impact Appraisal and Tree impact appraisal: revised list of tree work / dated January 31st 2019

Reason: In order to define the permission.

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

3. 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. No development shall commence until details of a Site Environmental Management Plan have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall identify measures to evaluate and manage dust emissions during the construction phase. The agreed measures shall be implemented throughout the course of construction works relating to the approval hereby granted.

Reason: To ensure that construction works have an acceptable impact upon local air quality.

5. 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.

6. 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 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 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

8. No development shall commence until full details of measures to protect the existing trees adjacent to the site, 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 the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (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.

9. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

10. 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.

11. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of

construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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)

12. 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.

13. Large scale details, including materials and finishes, at a minimum of 1:20 scale 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
Doors
External wall construction
Brickwork detailing

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

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

14. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations 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 T1, T7, CS51 and CS66.

15. Prior to the occupation of Plot 1 of the Townhouses hereby approved, details of solid screening along the side perimeter of the Terrace area at Level Two shall be submitted to and approved in writing by the Local Planning Authority. The approved screen details shall be implemented prior to the occupation of Plot 1 and be permanently retained as such thereafter.

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

16. 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 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 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.

17. 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.

18. Before the commercial uses hereby permitted commence, 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 buildings 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 an 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.

No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.

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

19. 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 systems required cleaning and maintenance schedule.

The approved equipment shall then 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.

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

21. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

22. 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.

23. 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.

24. 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.

25. The proposed green wall shall be provided on the wall in accordance with locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to works to the workshop building commencing on site. The green wall shall be provided prior to the use of the building commencing. 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.

26. Prior to occupation of the development hereby approved, details of five bat boxes to be erected/installed on the buildings within the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of bio-diversity.

27. Use of the A1/A3 units hereby approved shall not commence until a Service Management Plan has been submitted to and approved in writing by the Local Planning Authority. The servicing of the A1/A3 units shall permanently operate in accordance with the approved Service Management Plan.

Reason: In the interests of traffic safety.

28. The A1 or A3, D2 and B1 accommodation hereby approved 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 it is essential for these works to have been carried out before the use commences.

29. No above ground works shall commence 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.

30. The uses and residential accommodation hereby approved 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.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

31. The A1 or A3, D2, B1 and C3 accommodation hereby approved 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 it is essential for these works to have been carried out before the use commences.

32. 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 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 Compliance Conditions

33. The non-residential components of 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.

34. No customer shall be permitted to be on the premises outside the following times: 0730 hours and 2300 hours.

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

35. The A1/A3, D2 and B1 uses hereby approved shall not be occupied until the parking spaces reserved for low-emission vehicles as shown on the drawings hereby approved have been provided. Such car parking shall only be used by low emission vehicles, and thereafter such car parking accommodation shall be retained for the sole use of such vehicles.

Reason: In the interests of local air quality.

36. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0730 to 2000 on Mondays to Saturdays and between the hours of 0900 to 2000 on Sundays and Public Holidays.

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

37. Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, Commercial Unit 03 as identified on the drawings hereby approved shall be used solely for the use hereby permitted and shall not be used for any other purpose within Class D2.

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

38. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 0730 to 2100 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.

39. The WC windows at Level One and Level Two in the south facing elevations of Plot 1 of the approved Townhouses shall be fully glazed with obscure glass to a minimum privacy standard of Level 4 Obscurity and no part of the window shall at any time be glazed with clear glass.

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

40. 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.

41. The south facing windows to the approved office space shall be glazed with obscure glass to a minimum privacy standard of Level 4 obscurity up to a height of 1.8metres above internal floor level and no part of the windows shall at any time be glazed with clear glass or glass of a lesser obscurity level.

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

42. The parts of the north facing windows to the approved office space as shown on the approved elevation drawings shall be glazed with obscure glass to a minimum privacy standard of Level 4 obscurity and no part of these areas of obscure glazing shall at any time be glazed with clear glass or glass of a lesser obscurity level.

Reason: In the interests of the amenities of occupiers of adjoining property

43. 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.

44. 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.

45. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 19 litres per second.

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

46. Works to the trees covered by the adjoining Tree Preservation Order shall be in accordance with the Tree Impact Appraisal / dated January 31st 2019.

Reason: In the interests of protecting the trees covered by Tree Preservation Order adjacent to the site.

47. The A1/A3 uses hereby approved shall only operate as per the approved floor layout/s, and at no time shall the units be either joined together or one enlarged into the other.

Reason: In the interests of local highway safety.

48. Deliveries within the site shall be restricted to vehicles of a size not in excess of 8.01m in length.

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

49. No deliveries of goods shall be accepted by the A1/A3 and D2 units hereby approved (either through the service area or public entrance) from any vehicle which has unloaded whilst parked on the public highway.

Reason: In the interests of traffic 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. 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. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

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 formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

Site Location



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LOCATION AND PROPOSAL

The application site is located to the east of Ecclesall Road South, immediately to the south of the junction with Psalter Lane. It is allocated as being within a Housing Area, under the provisions of the adopted Unitary Development Plan (UDP).

The site was previously premises for the Gilders car dealership. It currently includes the vacant showroom and workshop buildings. The showroom building is two storeys in height and fronts onto Ecclesall Road. The workshop building is in the centre of the site, and includes three levels including a roof-top car park. An external, ground level car park exists at the upper portion of the site.

The immediate surroundings on the eastern side of Ecclesall Road South have a strong residential character. Banner Cross District Shopping Centre is on the opposite side of Ecclesall Road South, running northwards along Ecclesall Road.

There is a group Tree Preservation Order (TPO) to the east and north of the site, all within land falling under the applicant's ownership.

The application seeks permission for conversion of the ex-showroom buildings to provide two A1/A3 units, and a D2 Gym. The workshop building would include car parking at the ground level, a B1 office space at the 1st floor level and the continuation of use of the roof top car park. These uses would be accessed from the current, Banner Cross Drive access point. The area currently occupied by the upper, external car park would accommodate 8No x 4 bedroomed townhouses. These would be accessed via an extension of Talmont Road, from the south of the site.

RELEVANT PLANNING HISTORY

08/04852/FUL; Demolition of existing buildings and erection of mixed use development comprising food retail unit (outline planning permission) and 16 no. dwellinghouses
Refused – 12.8.09

The retail unit was proposed in outline form to be approximately 1,300sqm. The application was refused on the basis of:

- Over-intensification of Talmont Road/Brincliffe Edge Road access, and detrimental impacts on safety and traffic flow,
- Insufficient car-parking for retail unit,
- Delays caused by proposed highways reconfiguration,
- Insufficient information regarding affordable housing, &
- Lack of evidence that a high standard of energy efficiency and decentralised energy would be achieved.

10/01942/FUL; Mixed use development comprising alterations and extensions to existing disused car showroom and workshop buildings to form retail accommodation, bar/restaurant and 7 apartments, and erection of 7 dwellinghouses
Approved – 9.9.11

SUMMARY OF REPRESENTATIONS

34 neighbour representations have been received, including 1 from Banner Cross Neighbourhood Group. The comments are summarised as:

Design

- Over-development of site.
- Townhouses are inconsistent with local dwellings (one or two storeys), and don't allow for a transition to current bungalows. Will be viewed from Ecclesall Road / Psalter Lane. They exceed the height and proximity to existing Talmont Road dwellings of the previously approved scheme.
- Brownfield sites should be developed instead.
- Structural queries and questions of sustainability value of townhouse design.

Living Conditions

- Roof terraces lead to overlooking and invasion of privacy (to No 16 Talmont Road and Quarry Lane dwellings). Screening of roof terraces will increase loss of light (and could be removed).
- Building conversion/s lead to loss of privacy (to No 16 Talmont Road, No 3 Banner Cross Drive and Psalter Lane houses).
- Loss of light and overshadowing to majority of surrounding gardens.
- Dominant impact of houses. Will be overbearing from rear of Psalter Lane houses and adjacent Talmont Road dwellings.
- Retention of turning head in current location would ease impacts on No 16
- Roof terraces will lead to noise impacts.
- Noise pollution.
- Gym will operate on a 24 hour basis, would disturb adjoining neighbours.
- Rooftop parking will cause disturbances, and will lead to overlooking. Previous use of this space was minimal.
- Any screening to safeguard privacy could affect water table and cause structural damage. Would also need maintenance and cause shading.

Highways

- Crossing Psalter Lane (with small pedestrian island) and other nearby roads is currently dangerous.
- Excessive traffic currently. Surrounding junctions are congested at peak hours.
- Vehicles are prohibited from turning right into Banner Cross Drive, and those exiting Banner Cross Drive are required to turn left. Some vehicles use Brincliffe Edge Road for U-turns, causing only small numbers of accidents but many near-misses etc. Scheme would increase these manoeuvres, increasing danger.
- Additional movements will cause queuing on Ecclesall Road South and on Banner Cross Drive. This will affect safety and residents.

- Current parking situation is difficult, i.e. on Psalter Lane and Banner Cross Drive. Any overflow from development will make this worse. Situation not helped by poor enforcement of restrictions.
- Proposed turning head at end of Talmont Road will cause movements that will be a nuisance to new residents.
- Delivery vehicles will prove a hazard, as did car transporters previously.
- Concerns vehicles will cut through between commercial and residential parts of the site.
- Gilders previously generated very little traffic movement/s.
- Traffic levels have increased since 2010 and bus services have decreased (2010 seems to be a base year for the studies).
- Projected traffic movements are based upon guess-work.
- Full traffic assessment not provided (as requested at the pre-application stage), and the supplied transport statement is not to the same level of scrutiny.
- Absence of trees at front of plot 8 is only to allow successful tracking analysis.
- Inconsistencies within the Transport Assessment

Air Quality

- Currently poor, and will be made worse
- Air pollution report doesn't consider car engines idling, whilst waiting at junction.

Landscaping Issues

- Damage to adjacent woodland and loss of its ecological value.
- Proximity of houses to woodland will lead to pressure for trees to be cut down.
- Excessive rain and proximity of houses to embankment will lead to drainage issues, and potentially cause land slippage.
- Concern about woodland becoming a communal garden.
- Tree removal would lead to structural issues relating to the steep embankment.

Retail Issues

- Impact on local, independent businesses.

Other Issues

- Residents should be consulted about hazards and nuisance during the construction phase, with conditions applied to minimise impacts.
- Query how long construction process will take.
- Not all neighbours have received written notification. Inadequate consultation with neighbourhood.
- Notices are either very low-key or have been removed.
- Submission includes many complex documents. Difficulties in commenting on-line.
- Proposal drawings include land registered to a neighbour, and proposed works to a wall owned by neighbour.
- Drawings show insufficient context.

- Design and Access Statement suggests a pedestrian route from Psalter Lane to Talmont Road. This does not exist.
- No 16 Talmont Road would most likely serve a notice in respect of right to light, preventing completion of the build.
- Proximity of townhouses to No16's open fire chimney.
- Land Registry deeds appear to allow Talmont Road to be extended for the construction of similar dwellings. Also restrict businesses which are noisy, noxious or offensive, and precludes sale of beer, wine or spirits which could apply to the 24 hour gym, and cafes/restaurants.
- Implications of internal works at site connected to noise, debris, parking and damage to a neighbour's wall.
- Any path / thoroughfare would lessen security of neighbouring houses.

Comments of Support

- Rejuvenation impacts, by bringing new people, and will bring activity to a 'dead site'.

A representation has been submitted on behalf of Sheffield Green Party, which is summarised as follows:

- Proposal includes land and details incorrectly, and excludes other required information (i.e. construction vehicle access, and integration of woodland into site).
- Harm to woodland, and potential undermining of embankment. Woodland management details required.
- Green roof/s should be incorporated.
- Proposal will lead to increased peak hours vehicle movements, causing peaks in pollution.
- Insufficient parking is proposed. There is no transport plan provided.
- Accident data shows clear pattern of accidents at Psalter Lane junction, Banner Cross Drive entrance, and Brincliffe Edge Road entrance.
- Pedestrian access across Psalter Lane is poor. Traffic lights should be considered here.
- Townhouses; cause invasion of privacy. Screening will result in overshadowing. Out of keeping with Talmont Road housing.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

The following assessment will have due regard to these overarching principles.

Land Use

The site is located entirely within a Housing Area as defined by the adopted Sheffield Unitary Development Plan (UDP). As such, policy H10 identifies the proposed housing use as preferred. The proposed A1, A3, B1 and D2 uses are identified as acceptable. The proposals are required to be assessed against the provisions of UDP policy H14. In regards to the B1 office provision, policy CS3 of the Core Strategy promotes the City Centre as the priority location, requiring 65% of total office development in the city to be located there. The proposal also identifies other suitable locations, including high- frequency public transport routes. Therefore, the proposed offices are acceptable under this policy.

Housing Policy

The NPPF promotes sustainable development and the delivery of housing. It requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer. Latest calculations demonstrate that Sheffield currently has a 5 year supply of housing.

The NPPF and Core Strategy Policy CS24 seeks to maximise the use of previously developed land for housing and the provision 8 new housing units on previously developed land represents a small but welcome contribution to housing supply in compliance with the aims of this policy.

Policy CS26 (Efficient Use of Housing Land and Accessibility) within the CS requires appropriate housing densities to ensure the efficient use of land. The recommended density for a scheme in such in this location, within 400metres of the Banner Cross District Shopping Centre, is between 50-80 dwellings per hectare, as set out in Policy CS26. The proposed townhouses achieve a density of approximately 60 dwellings per hectare, taking the footprint of the houses and their surrounding curtilages. This falls within the required density range and therefore accords with the above policy.

In considering these Core Strategy policies it should be noted that they reflect a significantly lower housing requirement than currently, are therefore out of date and have significantly reduced weight.

Retail Issues

The National Planning Policy Framework (NPPF) in paragraph 85, seeks to support the viability and vitality of existing centres, and allow them to grow and diversify. It states (in paragraph 86) that main town centre uses, such as those currently proposed, should be the subject of a sequential test when not located in existing centres. It adds that these main town centre uses, should be located in town centres, and then edge of centre location before considering alternative locations.

The purpose of a sequential test is to establish whether there are any town centre sites which are capable of accommodating the proposed development.

A sequential test has been submitted, and uses the Banner Cross Centre as its search area. Given the local catchment of the proposed uses, this restricted search is considered appropriate. The Napoleons Casino building is the only premises in Banner Cross Centre capable of accommodating the proposed uses. However, this venue is no longer available as terms have been agreed with its vendor. As a result, the proposal is considered to be acceptable in sequential terms. Its edge of centre location will lead to linked trips to the existing shops in the Banner Cross centre.

The proposal is therefore considered to avoid a detrimental impact upon the adjacent shopping centre, and to meet the relevant NPPF provisions in this respect.

Sustainability

Policy CS63 (Responses to Climate Change) within the CS sets out the overarching approach to reduce the city's impact on climate change. These actions include:

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

In relation to CS63's requirements, the site is sustainably located in regards to local amenities and public transport.

Also, the site is previously developed and the development will reduce surface water discharge by 30%.

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) would require the commercial elements of the scheme to reach a BREEAM 'Very Good' rating.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions, and would require the development to provide 10% of its predicted energy needs from decentralised and renewable, low carbon energy or a fabric first approach.

The applicant is aware of these requirements, and is agreeable to conditions being imposed to secure their provision.

The scheme also includes further sustainability features, including the provision of extensive cycle parking, the provision of 6 low-emission vehicle only parking bays and a green wall.

Overall, it is considered that the proposal satisfies local sustainability policy.

Design

The NPPF states that development should ensure schemes are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Policy BE1 (Townscape Design) within the UDP states that a high quality townscape will be promoted with a positive approach to conservation and a high standard of new design.

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new buildings should be in scale and character with neighbouring buildings.

Policy CS31 (Housing in the South West) within the CS states that, in South-West Sheffield priority will be given to safeguarding and enhancing its areas of character. As such, the scale of new development will be largely defined by what can be accommodated at an appropriate density through infilling, windfall sites and development in district centres and other locations well served by public transport.

Policy CS74 (Design Principles) within the CS states 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.

- Contemporary Approach

It is considered that the principle of contemporary architecture, which includes flat roofed buildings, is both long established and acceptable. Indeed, such architecture, if of an appropriate quality, is accepted on more sensitive sites, including within Sheffield's conservation areas.

While the quality of the architecture is considered further below, it would be unreasonable and inconsistent to resist the principle of flat roofed contemporary buildings on this site.

The proposed conversion of the existing car showroom and workshop range into other uses follows a contemporary design approach. The proposed changes to the existing facades complement the existing character and are considered to be acceptable.

The proposed townhouses would extend Talmont Road within the site, which in itself is supported. The L-shaped housing enclosing parking to the front, is considered to represent a distinct response to the location against the backdrop of the tree covered ridge-line. The approach is considered to be acceptable and is strongly supported.

- Scale/Height

The townhouses are principally 3 storeys in height, with the 4th storey being a stair core, and would sit below the tree line. This is considered to be acceptable, and to enable long-distance views of the woodland.

The proposed townhouses would be separated by 5.1 metres (approx.) from No16 Talmont Road. The proposed townhouses frontages' are staggered with the portion closest to No16 being setback and lining through with the front of No16. No16 is a bungalow, and along with the other existing properties on Talmont Road, is elevated above the street level. As a result, only the proposed 3rd floor stair core and parapet walling would exceed the height of No16's ridge by approximately 3.0 metres. This tallest section is 10.50 metres (approx.) away from No 16. It is therefore not considered that the proposed houses would have a dominant impact upon the existing bungalows.

- Detailing and Materials

The main material to the showroom is indicated as being aluminium cladding. This will give the modified building a clean and modernised external face, which is important given the prominent location. The amended workshop building will receive cladding and hit and miss sections of brickwork in place of existing openings. The alterations would be considered to enhance the workshop's current appearance.

The proposed typology of pairs of L-shaped houses enclosing parking to the front, includes a good level of modelling and articulation to the elevations. The proposed palette of materials are of a suitably high quality and include a cream/cream multi-stock brick (utilised in different forms to give further animation), brass / anodised aluminium windows and brass / aluminium cladding. Similarly, the proposed indicated detailing at this stage is also considered to be high quality.

Full and large scale details, including samples of all materials and detailing can be secured by condition.

Highways

Paragraph 109 of the NPPF states "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

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

Part d) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should provide safe access to the highway network, appropriate off-street parking and not endanger pedestrians.

- Traffic Movements / Generation

The submitted Transport Assessment gives details of the vehicle movements arising from the proposal in comparison to the authorised use of the site as a Car Dealership. These details show there to be modest increases over and above the

previous use in cars arriving at the site during the weekday PM peak hour and Saturday peak hour (+8 and +4 movements respectively). The other movements during these time periods would be expected to decrease.

These projections utilise the TRICS database, a nationally accepted collection of highway data from actual developments. It is therefore considered that the proposed scheme would not lead to increased movements into the local highway network which would undermine local highway safety circumstances.

Consequently, Banner Cross Drive and its junction to Ecclesall Road South would not become subject to significant increases in traffic movements or queuing.

As a result, it is considered that the proposal would not generate increases in vehicle movements that would undermine highway safety.

- Parking

The revised drawings show a total of 70 parking spaces for use by the commercial parts of the proposal. This includes 30 spaces at ground floor level of the converted workshop building, for use by the proposed A1/A3 and D2 uses, and 36 spaces at roof level for use by users of the office.

There are 4 spaces reserved for staff to the rear of the converted showroom building.

The Council's parking guidelines would require a maximum 16 spaces for the A1, A3 and D2 uses. The guidelines would require 15 spaces in relation to the B1 office use. Clearly the parking provisions within the proposal would exceed these levels.

Additional details have been provided covering projected available capacity in the car parks. These state that on a typical week day the ground floor level car park would operate with 15 spaces free and on a Saturday with 24 available spaces. They also state that the office car park would function with 2 available spaces on a typical weekday. An over-provision of car parking is normally avoided, as this encourages car use, ahead of more sustainable transport modes. However, in this case the over provision utilises an existing provision on the site. Additionally, given local concerns around parking and the site's proximity to a busy junction a limitation on parking here is not considered to be appropriate.

Overall, it is considered that the parking arrangements would accommodate the demands generated by the proposed uses. It is therefore considered that on-street parking within the vicinity of the site would be avoided. As such, the proposed commercial elements of the scheme would not cause a highway safety implication due to over-spill parking.

To ensure efficient operation of the car parking areas, signage is proposed to direct A1/A3 and gym users to the ground floor level and office users to the upper level. Combined with the space capacity within the car parks the scheme will not lead to unnecessary movements within the car park area.

The proposed townhouses, which each have 4 bedrooms, include 2 'in-curtilage' spaces each. Due to the highly sustainable nature of the location, adjacent to a high frequency bus route, this provision would be considered acceptable preventing additional parking on the carriageway at the properties' frontage. Despite this some additional visitor parking is available.

It is therefore considered that the proposal would provide satisfactory parking provision, which would be suitably managed, avoiding any overspill parking or unnecessary movements within the site or its vicinity.

- Servicing

Servicing of the commercial elements of the development would take place via the existing Banner Cross Drive access. This would be via a 7.5T box van, measuring 8m in length. Detailed swept-path drawings evidence that this vehicle type would be able to turn within the site. Deliveries to the proposed commercial units by larger vehicles would be prevented by condition, as they would not be able to satisfactorily turn within the site. Additionally, a further condition preventing the carrying out of deliveries from the highway is also recommended. To ensure deliveries take place appropriately a Service Management Plan would be required by condition, should Members be minded to approve the scheme.

The proposed Townhouses are served by a carriageway across their frontages. Shortly before the proposed carriageway's termination a turning head is proposed. This would be used by delivery vehicles and refuse lorries attending the proposed houses. Existing residents have historically made use of an area within the site, immediately adjacent to the end Talmont Road for turning purposes. These existing residents, and delivery vehicles attending their properties, will be free to use the proposed turning head at the proposed carriageway's end. The current turning ability could be removed at any point by restricting site access. The proposed situation represents an improvement on the current situation by permanently enabling turning.

The proposed servicing measures are considered to be acceptable and to avoid detrimental impacts upon highway safety. Therefore, the proposal would be considered to have acceptable impacts in this respect.

Air Quality

Para 170 (e) of the NPPF states that new development should be prevented from contributing to unacceptable levels of air pollution and developments should wherever possible help to improve air quality.

Policy CS51 (Transport Priorities) of the CS states that one of the strategic priorities for transport is to improve air quality.

Policy CS66 (Air Quality) within the CS states that action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

The application was submitted with an Air Quality Assessment (AQA), and covers baseline conditions, implications of the construction and operational phases, and mitigation measures. The AQA has been considered by the Council's Air Quality Officer and is viewed as being sound.

The AQA states that the application site, along with the rest of the city, is located in the Air Quality Management Area. It concludes that the proposed residential elements of the development would not be subject to elevated NO₂ and PM₁₀ concentrations, and that no mitigation would be required in order to make the air quality environment appropriate for its residents.

Regarding the development's impacts upon the surrounding locality, predictions of the existing and projected NO₂ and PM₁₀ concentrations at 50 receptor points within the surrounding area are made.

For the 14 receptor points in near vicinity to the site, the AQA predicts that none of these currently experience NO₂ levels above the annual mean Air Quality Objective (AQOs), and also that the scheme would not cause any exceedances at these 14 points. At 13 of these the scheme would be predicted as having negligible impacts, with a slight impact at 1.

At these same 14 points current levels of PM₁₀ are predicted as being below the AQO. No exceedances are projected as a result of the scheme. At all of these receptor points the development is predicted as having negligible impacts.

The AQA shows that the situation is much the same at the remaining points more remotely located from the site.

Overall, the AQA states that the impacts of the development's operational phase would not be significant. The development's impacts would not exceed any national targets and its effects on local air quality would not be significant. As a result, the scheme would be acceptable in regards to air quality implications and meet the requirements of relevant national and local policy.

In addition to this conclusion, Members will be aware that Sheffield was named generally in the National Air Quality Plan in July 2017, as an area in exceedance for Nitrogen Dioxide. In response, the Council has proposed a Clear Air Zone by 2021, and as a result are working with stakeholders to ensure impacts are neutral or minimised.

Whilst this development's impacts are low, they would be minimised via the following measures:

- allocation of around 10% of parking spaces for low emission vehicles
- requirement for a Site Environmental Management Plan to limit implications during construction,
- requirement for a Green Travel Plan to limit individual's reliance of the private car, to promote public transport, and use of low-emission delivery vehicles.

These measures will ensure that the development's effects will be minimised, and that it positively acknowledges the Council's response to the National Air Quality Plan.

- Construction Phase

As mentioned above, the AQA acknowledges potential impacts of the construction of the proposed development within the site's vicinity. As a result, a series of measures to secure dust mitigation are proposed. Providing that a Management Plan dealing with these issues is agreed it is considered that the development would avoid harmful impacts. A condition requiring this will be included as part of any approval.

Amenity of Surrounding Residents

NPPF para 127 f) requires a high standard of amenity for existing and future users.

Section c) of Policy H14 (Conditions on Development in Housing Areas) within the UDP states that new development should not deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

When approving new development an assessment needs to be made as to the impact on surrounding uses in relation to matters such as over shadowing, over dominating and privacy infringements.

- Talmont Road Properties

The proposed townhouses would be accessed via Talmont Road. The townhouses would be expected to generate very limited vehicular movements, and as such would not be expected to cause unacceptable levels of noise and disturbance to existing Talmont Road occupiers.

The proposed townhouses would be separated by approximately 5.1metres from No16 Talmont Road. No16 Talmont Road includes a ground floor, kitchen window in its side elevation facing north towards the 1st proposed townhouse. Whilst this window is the kitchen's sole window, it takes amenity from the application site. The townhouses would lie to the north of No16, so would not cause a loss of direct sunlight. No16's kitchen window would look out directly towards the 1st floor level of the proposed townhouse, which is limited to 4.6metres in width. The height of this 1st floor portion would exceed No 16's eaves by approximately 1.2metres. Screening to the 2nd and 3rd floor level roof terraces would be required to maintain privacy, and this would add an additional 0.7metres. The narrow width and limited height excess would be considered to prevent harmful overbearing impacts to No 16. The 2nd floor level is set a total of 10.3metres away, so would have a reduced presence and avoid a significant overbearing impact.

Given the changes in land levels, separation distances and proposed layout, it is considered that the scheme would not have an unacceptable impact on the amenity of Talmont Road occupiers/properties.

- Banner Cross Drive Properties

The Banner Cross Drive properties are located to the south of the current Workshop building, with the ramp to the upper deck immediately adjoining the boundary with their properties.

Vehicular manoeuvres associated to the proposal would include deliveries to the commercial units, as well as car parking associated to the commercial units and office. To ensure deliveries to the commercial units would not cause disturbance, it is necessary to restrict them to between 0730 and 2000 hrs on Mondays to Saturdays and 0900 to 2000hrs on Sundays and Public Holidays.

The A1 and A3 units opening hours will be restricted to 0730 to 2300 hrs, so will not attract customer vehicle movements beyond these periods. The Gym will operate on a 24/7 basis, so some vehicle movements will occur during night-time / early morning periods, however, these will be limited in number and will use the ground floor level car park meaning noise disturbance will be minimised.

The glazing to the office space's south facing windows is currently partly obscured. To prevent overlooking and privacy impacts upon Banner Cross Drive properties, it will be necessary to ensure that appropriate parts of the glazing continues to be obscurely glazed. This will be achieved by condition on any approval. On this basis the proposal would safeguard privacy for occupiers of Banner Cross Drive properties.

Based upon the inclusion of conditions on any approval covering delivery and trading times, obscured glazing and the limited level of vehicular traffic associated to the gym, it is considered that the proposal would not have unacceptable impacts upon Banner Cross Drive properties.

- Psalter Lane Properties

The existing Psalter Lane properties are separated from the proposed townhouses by a minimum of 30 metres. Whilst the proposed townhouses are set on ground significantly above the level of the Psalter Lane properties, the substantial separation distances would ensure that the townhouses do not cause detrimental overbearing or privacy impacts.

The north elevation windows serving the proposed office space would be replaced to contain obscured glazing up to 1.5metres over the internal floor level. This would prevent outward views onto the gardens of the Psalter Lane dwellings by office users standing within the windows' vicinity. Views to the dwellings would be from oblique angles. From elsewhere in the office space, views would be largely restricted to those towards and over the rooftops of the Psalter Lane houses. This proposal is an improvement on the existing situation where the windows are clearly glazed in their entirety. Providing Members are minded to approve the application, a condition ensuring these glazing amendments are made should be included in an approval.

Regarding living conditions of all surrounding occupiers, to prevent the commercial uses causing a noise and disturbance impact to existing residents a number of conditions are recommended. These would include a limit of opening hours of the A1/A3 units, limits on delivery times and a requirement for sound attenuation works to restrict noise breakout to acceptable levels.

Overall, it would not be reasonable to refuse the scheme due to impacts on the living conditions of surrounding occupiers.

Amenity of Proposed Residents

In addition to NPPF para 127 and UDP policy H14 section c), Policy H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

The 8no Townhouses provide internal accommodation over 3 floors. The habitable room accommodation would be served by large windows, providing good outlook and ventilation opportunities.

Five of the dwellings face directly towards the east facing elevation of the current workshop building. They would be separated by approximately 8.0metres. The houses would not include habitable rooms in their front portion/s at ground floor level, and the workshop's east elevation is to be made into a green wall. As a result, this relationship would be considered to be acceptable.

The external space comprises roof terraces at the 2nd and 3rd floor levels, totalling approximately 50sqm in area. The townhouses include 4no bedrooms, and these external space provisions would be appropriate.

Based on the above, the proposal is considered to offer an acceptable level of amenity for future residential occupiers.

Landscaping/Trees

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodlands will be encouraged and protected. This is to be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

The woodland immediately to the north and east of the application site is known as Brincliffe Plantation, and is subject to a group Tree Preservation Order (TPO). Toward the east, these trees are on a steep embankment rising above the level of the current car-park. To allow the construction and occupation of the houses, some works to the trees are proposed. Some points to note are:

- coppicing of two groups of sycamores; and
- pruning to shorten branches to clear site.

The site has been visited by the Council's tree officer, and the proposed measures are considered to be acceptable. The trees proposed for coppicing are not considered to be valuable within the overall TPO. Also the extent of the pruning is not considered to be significant. They would allow the construction of the houses and give clear space to ensure the trees avoid an excessive presence when viewed from within the proposed houses.

Based on these circumstances, the proposals are considered to be acceptable from a landscape perspective.

Contamination Issues

The site's former uses have been potentially contaminative impacting the ground. As a result there is a potential risk to human health and/or the environment. As a result the standard suite of conditions dealing with potential land contamination are recommended should Members be minded to approve the application.

Flood Risk and Drainage

The site is allocated as being within Zone 1 in flood risk terms, and therefore categorised as 'Low Risk'. Therefore, the site is not considered to be at significant risk of flooding.

Surface water is proposed to be disposed of via the public combined sewer. Drainage rates will be attenuated to achieve a 30% reduction below current rates. Yorkshire Water and Council drainage officers are satisfied with this approach. Accordingly, should Members be minded to approve the application, this should be subject to appropriate conditions.

Ecology

A Preliminary Ecological Appraisal (PEA) and a Bat Activity Report have been provided with the application. The PEA confirms that the site comprises mainly hardstanding with scattered patches of vegetation and small areas of isolated shrubs, being of low ecological value for flora.

The Bat Report found no bats were using the site or any structures for roosting. A low level of bat foraging and commuting was found. It concluded that the proposed works would result in no impacts on bats.

Overall, it is considered there are no ecological constraints on the proposed development. To ensure that the scheme achieves ecological enhancement and therefore complies with NPPF paragraph 170, conditions requiring agreement of appropriate planting schemes and the addition of 5 bat-boxes on buildings are recommended to be included within any approval.

Community Infrastructure Levy (CIL)

The site is located within two CIL charging zones with a levy of £30 and £80 per square metre.

The funds generated through CIL will be used in connection with strategic infrastructure needs.

RESPONSE TO REPRESENTATIONS

A number of the points raised within the representations received in respect of this application have been addressed in the above assessment. The outstanding points are responded to as follows.

- Loss of privacy to Quarry Lane properties

The proposed townhouses are separated by approximately 45metres from the nearest dwelling at Quarry Lane. The townhouses 3rd floor roof terrace would be at a level approximately equivalent to land level at the end of the Quarry Lane gardens. On this basis, and notwithstanding the presence of Brincliffe Plantation, given the separation distance the proposal would be considered to avoid any detrimental impacts on the privacy of the Quarry Lane properties.

- Retention of turning head in current location would ease impacts on No 16

The turning-head is proposed at the end of the extension to Talmont Road to maximise its benefit to delivery and refuse vehicles servicing the proposed townhouses. It will be able to be used by existing Talmont Road dwellings, but the limited frequency of this use would avoid any disturbance.

- Roof terraces will lead to noise impacts

Any noise generated at the terrace would be of a domestic level and would not be considered sufficient to warrant the refusal of the scheme.

- Current parking situation is difficult, and situation is not helped by poor enforcement.

The scheme is concluded to not lead to any overspill car parking. The enforcement of parking restrictions is not a planning matter.

- Concerns vehicles will cut through between commercial and residential parts of the site.

There is no scope within the scheme for vehicles to move between the commercial and residential parts of the site.

- Traffic levels have increased since 2010 and bus services have decreased (2010 seems to be a base year for the studies).

The Transport Assessment considers the proposal's net impacts. However, for context it also gives the movements stated as arising from the 2010 scheme and

provides some comparison of the current scheme against the movements associated with the 2010 approval and the car garage.

- Excessive rain and proximity of houses to embankment will lead to drainage issues, and potentially cause land slippage.

Any run-off from the wooded embankment will be collected and/or managed and won't cause any issues at the housing. Whilst some coppicing of trees is proposed, this would not undermine the embankment.

- Residents should be consulted about hazards and nuisance during the construction phase, with conditions applied to minimise impacts.

Conditions restricting timings of construction works hours and requiring agreement of delivery/construction traffic are recommended.

- Query how long construction process will take.

There is no power within the planning process to control the length of the construction process.

- Not all neighbours have received written notification. Inadequate consultation with neighbourhood.

Direct neighbour notification to 50 separate addresses has been full in accordance with the Statement of Community Involvement.

- Notices are either very low-key or have been removed.

Standard site notices were erected. Also further notices were erected in connection with the amended drawings.

- Proposal drawings include land registered to a neighbour, and proposed works to a wall owned by neighbour.

This issue has been satisfactorily clarified via amended / additional drawings.

- Drawings show insufficient context.

A street scene drawing showing the proposed townhouses and No 16 Talmont Road was provided with the application.

- Design and Access Statement suggests a pedestrian route from Psalter Lane to Talmont Road. This does not exist.

Whilst there is access into the woodland from Psalter Lane, no route through to Talmont Road exists.

- Proximity of townhouses to No16's open fire chimney.

The townhouses proximity to the open fire chimney would not represent a planning consideration.

- Land Registry deeds appear to allow Talmont Road to be extended for the construction of similar dwellings.

Restrictive covenants are not material planning issues.

- Any path / thoroughfare would lessen security of neighbouring houses.

The scheme doesn't include any proposal to form a connection from the townhouses to Psalter Lane, via the woodland.

SUMMARY AND RECOMMENDATION

The planning application is for the change of use of the showroom and workshop buildings previously associated to a car dealership, to provide two commercial units (A1/A3), a gym (D2), and office space (B1). 8 townhouses are also proposed.

The land uses proposed are either preferred or acceptable in UDP policy terms and following assessment of alternative, available locations for the main town centre uses, comply with the aims of the NPPF.

The scheme makes a small but welcome contribution towards housing supply in the city and complies with the aims of policy CS24, and the NPPF of prioritising development of previously developed land.

The proposed alterations to the existing buildings are considered to be acceptable. The townhouses are considered to be well designed, and to represent a distinct response to the location against the backdrop of the tree covered ridge-line. The contemporary approach is considered to be acceptable.

It has been demonstrated that the impact on the local highway network regarding highway safety, capacity and car parking could not be regarded as severe, which is the defined test of acceptability within the National Planning Policy Framework.

Given separation distances and the proposed screening and obscuring of openings, the proposals would have an acceptable impact on the amenities of neighbouring occupiers with regards to privacy, dominance and shadowing. With noise attenuation measures, car park management, and controls over opening/delivery times the proposal would not lead to detrimental impacts upon neighbouring occupiers.

The proposed alterations and new buildings would achieve 10% of energy from renewable sources, or by a fabric first approach. Certain parking spaces are reserved for low emission vehicles.

Future occupiers will be provided with acceptable living conditions, and the surrounding trees and landscaping would not be undermined.

Overall, the proposals are considered to be acceptable and the scheme is recommended for conditional approval.

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Case Number	18/04069/RG3 (Formerly PP-07321082)
Application Type	Application Submitted by the Council
Proposal	Retention of Pinstone Street and part of Charles Street and Cambridge Street facade, demolition of buildings behind and erection of a seven-storey building for mixed use - retail/cafe/bar space (Use Class A1, A3, A4 and A5) at ground floor with offices (Use Class B1) above and associated works (Block C) (Application under Regulation 3 - 1992)
Location	Site Of 88-104 Pinstone Street, 35-49 Cambridge Street And 2-8 Charles Street Sheffield S1 2HP
Date Received	26/10/2018
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:

0800 - Site Location Plan
0820 - Demo Plan
0830 - Demolition Elevations - Pinstone / Cambridge and Charles Street
0850 - Proposed Site Plan
0860 P1 - Proposed Basement Plan
0861 P1 - Proposed Plan Ground Floor
0862 P1 - Proposed Plan First Floor
0863 P1 - Proposed Plan Second Floor
0864 P1 - Proposed Plan Third Floor
0865 P1 - Proposed Plan Fourth to Sixth Floor

0868 P1 - Proposed Plan Seventh Floor
0869 - Proposed Roof Plan
0880 P04 - Proposed Pinstone Street Elevation
0881 P05 - Proposed Cambridge Street Elevation
0882 P05 - Proposed Charles Street Elevation
0883 P05 - Proposed Five-Ways Elevation

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No demolition, site preparation, restoration or 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 all site 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 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 demolition, construction and associated activities audible at or beyond the site boundary shall be confined to 0730 to 1830 hours on Mondays to Fridays, 0800 to 1700 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.

4. 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.

5. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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 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 have been approved in writing by the Local Planning Authority before it is installed.

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

7. 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, which shall include the recording of standing buildings, 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 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. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

8. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential

that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

9. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site boundary. The development shall thereafter be carried out in accordance with the approved details.

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

10. Any remediation works recommended in the approved Heart of the City: Preliminary Geoenvironmental Risk Assessment Block B and C (ref: HOM-ARUP-XX-XX-RP-CG-0002, P02, dated 10/10/18) 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.

11. 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 will have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highway Improvement Works:

- Cambridge Street, between Pinstone Street and Charles 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).
- Pinstone Street site frontage between Cambridge Street and Charles Street (public realm works).
- Pinstone Street (provision of on-street servicing/loading).
- Displacement of on-street parking from Cross Burgess Street to allow for loading/service vehicle egress.

- Promotion of a Traffic Regulation Order in relation to servicing/loading (waiting and loading restrictions) and the prohibition of motorised traffic in the vicinity of the development site, all subject to usual procedures, including provision of associated signing and lining.
- Provision for the movement of cyclists, pedestrians and motorised traffic along Pinstone Street and Union Street, and on streets linking these, between and including their junctions with Charles Street, Furnival Gate and Moor Head (including the provision of direction signing), with the aim of providing interventions that deliver safe cycle routes in the vicinity of the development coupled with revised pedestrian crossings.
- Any accommodation works to traffic signs, road markings, repositioning street lighting columns, highway drainage and general street furniture deemed necessary as a consequence of the development.

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 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.

12. Prior to the improvement works indicated in the preceding condition being carried out, full details of these 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.

13. No construction of buildings or other structures shall take place 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.

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

14. 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.

15. 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.

16. 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.

17. No construction in the relevant areas of the site shall commence until the means of protecting the water and sewerage infrastructure laid within the site boundary has been implemented in full accordance with details that have previously been submitted to and approved by the Local Planning Authority. No trees shall be planted within 5 metres of any water or sewerage infrastructure that cross the site. If the required protective measures are to be achieved via diversion or closure of the sewerage or water mains, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

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

18. No construction of buildings or other structures shall take place until Approval In Principle (AIP) for the basement's walls and floor, which will be permanently supporting the adjacent public highway, has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the AIP submission shall cover:

- Proof of structural integrity of the basement's walls and floor, with structural calculations and drawings, demonstrating that the adjacent public highway will be adequately supported.
- Confirmation and agreement of the proposed ongoing structural inspection strategy, including protocol for submitting inspection reports to the Local Planning Authority.
- Servicing arrangements for inspection personnel needing to gain access to the structure.
- The method of temporary support of the public highway during construction of the basement, including proof of structural integrity, calculations and drawings.

Construction of the basement shall not commence until the AIP has been approved by the Local Planning Authority.

Reason: In the interests of highway safety.

19. No construction of buildings or other structures shall take place until Approval In Principal (AIP) for the smoke outlet vents, which are structures within the highway, has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the AIP submission shall cover:

- Proof of the structural integrity of the smoke outlet vents, with structural calculations and drawings.
- Confirmation and agreement of the proposed ongoing structural inspection strategy, including the protocol for submitting inspection reports to the Local Planning Authority.
- Servicing arrangements for inspection personnel needing to gain access to the structure.
- The specification of the pedestrian friendly covers/grates over the smoke outlet vents, which might have to withstand the loading of maintenance vehicles.

Construction of the smoke outlet vents shall not commence until the AIP has been approved by the Local Planning Authority.

Reason: In the interests of highway safety.

20. 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.

21. 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:

Shop fronts

Typical window details, including reveals and aluminium panels

Brickwork detailing

Aluminium plant screen

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

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

22. Before any above ground works commence, or within 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.

23. 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 approved HRS noise survey Ref: 131367 - AC - 2v1 (20/12/2018).
 - 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.

24. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

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

25. 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.

26. Notwithstanding the approved plans, the development shall not be used unless the internal cycle parking accommodation has been provided in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority (with consideration given to the installation of a two-tier rack system). Thereafter, the approved cycle parking accommodation shall be retained.

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

27. 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 approved HRS noise survey Ref: 131367 - AC - 2v1 (20/12/2018).
- 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.

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

28. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The 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 it is essential for these works to have been carried out before the use commences.

29. The development shall not be used until servicing arrangements for both the retail and office uses have been submitted to and approved in writing by the Local Planning Authority. The arrangements shall seek to avoid any servicing or loading in connection with the development during the busy peak periods and to avoid simultaneous multiple arrivals of loading or service vehicles. Thereafter, servicing and loading shall take place in accordance with the approved details.

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

30. 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 systems 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.

31. 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.

32. 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 plant enclosure.

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

Other Compliance Conditions

33. The development shall be operated in accordance with the submitted Heart of the City 2 Block C Travel Plan dated October 2018 and prepared by ARUP.

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

34. Commercial units within use Classes A3, A4 and A5 shall only be used by customers between 0730 hours and 0030 hours on any day.

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

35. No more than 50% of the ground floor of the office and retail block shall be used for non-A1 purposes.

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

36. No doors or windows shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. On the Statutory Sewer Map, there are 375 and 300 mm diameter public combined sewers recorded to cross the site (in the proposed public realm areas). It is essential that the presence of this infrastructure is taken into account in the design of the scheme. Whilst it would appear that the public sewers are unlikely to be affected by building-over proposals, the landscaping proposals may not be acceptable. Additionally, the pipes may require protection during the construction phase of the development.

A proposal by the developer to alter/divert a public sewer will be subject to YW requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.

For further information regarding the sewers, the developer should contact our Developer Services Team: telephone 0345 120 84 82 (option 1) or email technical.sewerage@yorkshirewater.co.uk

2. The applicant is advised that Yorkshire Water has no objection in principle to:
- a) The proposed separate systems of drainage on site and combined off-site
 - b) The proposed amount of domestic foul water to be discharged to the public combined sewer network
 - c) The proposed amount of curtilage surface water to be discharged to the public combined sewer network at a restricted rate of 5.39 (five point three nine) litres/second

d) The proposed points of discharge of foul and surface water to the public combined sewer network submitted on drawing HOC-ARP-BC-XX-DR-D-14004 (revision P02) dated 11/10/2018 prepared by ARUP.

The development should be constructed in full accordance with drawing HOC-ARP-BC-XX-DR-D-14004 (revision P02) dated 11/10/2018

The developer should also note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

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

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

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

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 on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. 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. 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 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.
6. 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.

7. 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.
8. The Construction Environmental Management Plan (CEMP), required 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 demolition and 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 Contractors 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 demolition and 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.
9. The applicant is advised that the site lies in close proximity to a National Grid high voltage transmission underground cable and to low or medium pressure (below 2 bar) gas pipes and associated equipment.
10. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

11. The applicant is advised that there are live and abandoned water mains and associated fittings in the public realm areas of the site. Diversions of the pipes would be at the developer's cost. Trial holes to precisely locate the pipe can be arranged with YW (again at the developers costs) to determine the depths of the main and fittings. Whilst it would appear that the water mains are unlikely to be affected by building-over proposals, the landscaping proposals may not be acceptable. Additionally, the pipes may require protection during the construction phase of the development. If the pipes are left in situ, protective measures are likely to be required during construction of the development.

For further information regarding the water mains , the developer should contact:
tech_support.engineer_south@yorkshirewater.co.uk

12. As the proposed smoke outlet vents will be located within the public highway and the proposed basement will be supporting the public highway, you are required to contact:

Richard Bulloss, Assistant Head Highway Maintenance
Tel. 0114 205 7484
richard.bulloss@sheffield.gov.uk

in order to secure the relevant licence.

13. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

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

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

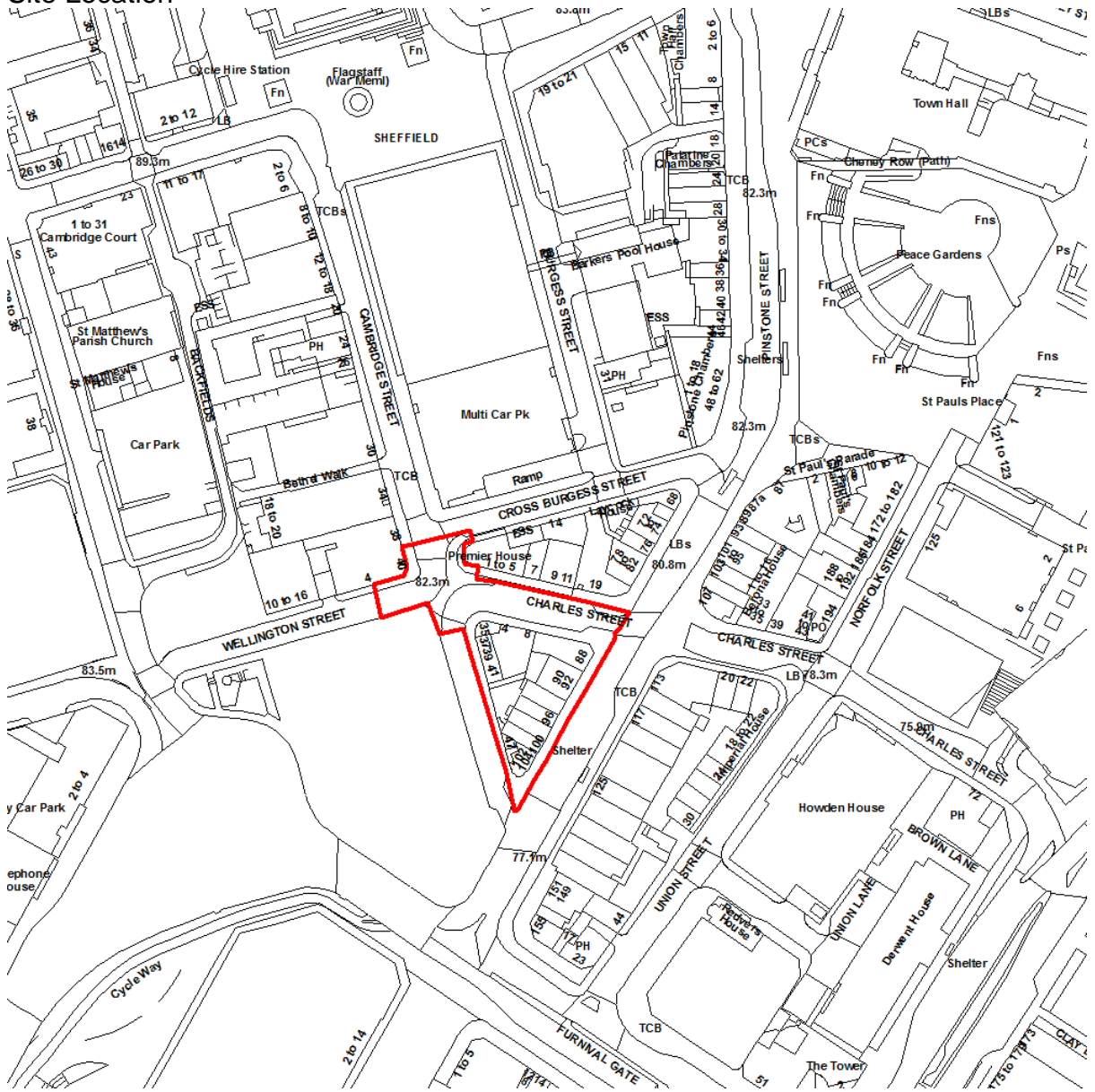
14. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

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

Site Location



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INTRODUCTION

Members will recall that planning permission was granted for the first standalone phase of the Heart of the City II project (previously known as Sheffield Retail Quarter) in November 2016 when an application for a six storey office and retail block (16/02228/RG3) was approved at committee. The construction of this building, now known as Grosvenor House, is nearing completion with the office tenants expected to move in during the summer months.

This application, along with the application for the neighbouring site which is also under consideration (18/04257/RG3), comprises the next phase in this project. It occupies block C as described in the wider masterplan proposals.

LOCATION AND PROPOSAL

The application site consists of a triangular shaped city block bound by Pinstone Street to the east, Cambridge Street to the west and Charles Street to the north. It is occupied by numbers 4-8 Charles Street, 35-41 Cambridge Street and 94-104 Pinstone Street (known as the Pepperpot building), three storey buildings, some with accommodation in the roof, constructed from red brick with ashlar dressings. The Pepperpot building, which occupies the prominent corner at the junction of Pinstone Street and Cambridge Street, has an ornate roofscape featuring a distinctive turret and Dutch gabled dormers. The site lies at the southern end of the City Centre Conservation Area, within the Heart of the City Quarter as defined in the Sheffield City Centre Urban Design Compendium (2004) and forms part of the Victorian frontage that characterises much of Pinstone Street.

The city block on the opposite side of Pinstone Street is occupied by three and four storey buildings dating from the late twentieth century which contribute little to the character of the area and consequently lie outside the conservation area. Outline planning permission was recently granted for the demolition of the existing buildings at the southern end of this block and the erection of a mixed use development incorporating a main tower with a maximum AOD (Above Ordnance Datum) of 182 metres – approximately 32 storeys.

The triangular shaped block on the northern side of Charles Street (block B in the masterplan) comprises of three and four storey Victorian buildings at its eastern end, fronting Pinstone Street, while a five storey former office block thought to date from the 1960s occupies the remainder of the block.

To the west of the application site, on the opposite side of Cambridge Street, is the new six storey office and retail block known as Grosvenor House. The City Centre Conservation Area skirts around the site of Grosvenor House.

Planning permission is sought for the retention of the Pinstone Street and part of the Charles Street and Cambridge Street facades, the demolition of buildings to the rear and the erection of a seven storey building with retail/cafe/bar units at ground floor level (use Class A1, A3, A4 and A5) and offices over (use Class B1).

RELEVANT PLANNING HISTORY

There is no relevant site specific planning history.

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 & Applications for works to stabilise and repair Leah's Yard
15/02942/LBC (20-22 Cambridge Street), a grade II* listed building.
- 15/02939/FUL & Applications for the demolition of part of the former
15/02940/LBC 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

Representations were received from 7 sources, including 3 built environment/heritage organisations (Sheffield Civic Trust, SAVE Britain's Heritage and Joined Up Heritage Sheffield) and residents of Sheffield and Chesterfield.

Almost all commentators expressed support for the revised approach to the redevelopment of the city centre, including the decision to retain the historic street pattern and key buildings. However, 6 of the representations raised the objections to the proposals, including the following:

- The significance of affected heritage assets – in particular their group value – is not adequately described, there are a number of inaccuracies within the submission and there is no assessment of building interiors.
- The location of the existing residential staircases in 94-104 Pinstone Street is described as a reason for not seeking to re-use the building but the market for the units either in their current form or reconfigured is not explored.
- The proposed demolitions, including the loss of interiors, will cause irrevocable loss of significance to heritage assets.
- The development will have a harmful impact the continuous 19th century façade along Pinstone Street, a key contributor to the significance of the city centre conservation area and on nearby listed buildings, including the grade I listed Town Hall.
- The demolition of half of the Charles Street facade of 88-92 Pinstone Street results in the loss of the original architect's planned symmetry and creation of a strong corner.
- At 7 storeys the scale of the new build element will have an overbearing impact on retained 19th century buildings, resulting in harm to the character of the area. This impact is compounded by the proposal to retain only the façade of the Victorian frontage and the proximity of the new build to the retained facade. The new building should be set back to allow the retention of the original roofscape rather than having to replace some.
- The impact of seeking to create large blocks with single uses on the upper floors reduces heritage to a decorative role.
- The design of the new build element is bland and box-like, failing to respond positively to existing Victorian styles. The red brick finish creates a backdrop too similar to the historic buildings in front, so they are not highlighted but overwhelmed.
- The collective impact of the proposals on the Conservation Area and the setting of listed buildings amounts to substantial harm. Very little is said about the necessity for the harm, and what there is does not amount to a justification.
- The public benefits are not sufficient justification.
- Sheffield needs Grade A office space but also needs homes, especially high quality character homes with easy access to city centre life. Similar public benefit could be achieved through residential space rather than office space.
- Public realm improvements on Charles Street are an important public benefit and will enhance the setting of surviving heritage assets but are not dependent on the aspects of the proposal that do harm to heritage assets, so cannot justify that harm.
- Achieving the optimal use for heritage assets is a public benefit. This should not be the most profitable use but the one that best conserves the heritage asset.
- Public benefit will be maximised by preserving the full historical significance of place.
- The Design and Access Statement notes that 94-104 Pinstone Street originally had a dramatic spire. There is an opportunity to restore this, creating an imposing gateway feature.

Following a design review by Trust members in January 2019, Sheffield Civic Trust have not raised any objections and described their support for many aspects of the scheme including retention of the existing street pattern, high-quality public space that continues the approach taken throughout the city centre, the proposed historic façade retention and the horizontal mix of use i.e. retail at street level with apartments and offices at the upper levels.

However, they did raise a number of concerns including:

- The architectural treatment of corner onto the new '5 ways' is a great opportunity for the designers but it is felt that the opportunity to mark this significant meeting of streets has been missed in the current design.
- The servicing of retail units from pedestrianised roads rather than a dedicated service yard is welcomed but will require careful management.
- The retention of historic facades will reinforce diversity and local identity but the emerging similarity in the building designs to date raises concerns. A more diverse range of designers should be employed to tie the scheme better to its context and the Trust would welcome a commitment from SCC to promote variation and design quality by promoting design competitions or a diverse mix of designers/architects.

Joined Up Heritage submitted a further objection following a submission by the agent expressing an opinion on some of the initial objections. The comments raised relate to the degree of harm caused by the demolition of buildings, the concept of 'net harm', the requirement to consider alternative ways of achieving similar outcomes, and the weighing harm against public benefit.

Neither the agent's commentary nor the additional objections of Joined Up Heritage are referenced in full. Rather, this report seeks to fairly assess the level of harm to heritage assets that would result from the proposed development bearing in mind that the judgment on whether harm is substantial or less than substantial is the decision makers.

Historic England

In their consultation response, Historic England (HE) welcome the fact that the current Heart of the City proposals retain the existing street pattern and slightly more historic fabric than the most recent New Retail Quarter scheme. However, they say that good place-making and sustainable development means respecting what makes Sheffield special and ensuring that new layers of development are of a quality which will be valued both now and in the future, and they do not currently consider the proposals for block C achieve this ambition.

HE state that the height of the proposed new build element of block C is recognised as an issue as the Design and Access Statement outlines steps which have been taken to mitigate the impact, including "vertical proportions developed so that building's perceived height is reduced." However, they consider the mitigation impact of these interventions to be largely imperceptible, advising that the new build element still appears uncomfortably large behind the retained Pinstone Street elevation as well as from Charles Street and Cambridge Street.

The roofscape in this part of the city centre is varied as a result of the differing heights of buildings in combination with gables, chimneys and turrets and HE consider that the height and scale of the HSBC building, block B and block C would create a uniform height in this area which is clearly at odds with the character of the area.

They suggest that reducing the height of the proposed new build block by a storey would achieve improvements in the relationship with the retained building elements and create a more varied roofscape in this area, preventing the appearance of a vast single roofline when viewed from elevated positions and around the city centre.

Historic England understand the choice of brick in terms of its suitability within the conservation area but this, they say, has the effect of reducing the prominence of the turrets and chimneys of the retained elements along Pinstone Street. They suggest that an alternative material, coupled with the reduction in height of the new build, could considerably reduce the impact on the surrounding historic environment. They also confirm that they are comfortable with a contemporary architectural approach to the treatment of the elevations.

Overall Historic England consider that the proposals for block C do not preserve or enhance the character and appearance of the conservation area. Instead they would cause harm through the loss of historic buildings and construction of a block which is completely out of scale in terms of its height and massing. The cumulative impact with the proposed demolitions and new-build of block B of the Heart of the City will increase the overall level of harm to the conservation area.

HE remind us that the National Planning Policy Framework indicates that *any* harm to designated heritage assets should have a “clear and convincing justification” and requires local planning authorities to “avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal” (paragraphs 194 and 190).

These requirements mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a “clear and convincing justification”.

This is particularly important given the statutory duty of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area in determining the planning application.

Historic England considers the harm the proposals for block C would cause could be reduced through the following measures (as a minimum):

- Reduction in the height of the proposed new-build by at least a storey;
- Consideration of alternative materials; and
- Retention of a greater proportion of the building on the corner of Pinstone Street and Charles Street such that the new-build block sits further back from

the principal elevation.

They advise that, unless these amendments are secured, or it is categorically demonstrated that they are not possible, they do not consider the harm the proposals would cause is justified and the application would be considered contrary to paragraphs 190 and 194 of the NPPF.

Conservation Advisory Group

The Conservation Advisory Group (CAG) considered the proposals at their meeting in January 2019.

The Group had a number of concerns, particularly regarding the loss of fabric, the façade retention approach and the volume and height of the new buildings. The Group felt that the proposals did not preserve and enhance the conservation area. The setting in relation to the Town Hall is important in terms of the urban grain, building massing and streetscape along Pinstone Street and the Group is concerned at the negative effect of the scheme on the distinctive character of the conservation area.

In relation to block C, the Group observed that the proposed treatment of the Pepperpot Building facade as a facade retention was poor. They felt that there was an argument for preserving the entire triangle of buildings within the application. The Group observed that Historic England had not supported the scheme, on the grounds that it would cause harm to the conservation area. They considered that the new building was characterless and over-scaled and that there needed to be a balance between retention and demolition, which did not exist at present.

PLANNING ASSESSMENT

Principle of Development – Policy and Land Use

The National Planning Policy Framework (NPPF)

The revised National Planning Policy Framework (NPPF), updated in February 2019, reinforces the general presumption in favour of sustainable development.

Chapter 6 (Building a strong, competitive economy) expects local planning authorities to create the conditions in which businesses can invest, expand and adapt and advises that significant weight should be placed on the need to support economic growth, taking into account local business needs and recognising the specific locational requirements of different sectors.

Chapter 7 (Ensuring the vitality of town centres) expects planning policies and decisions to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

The Local 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).
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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 finished in 2018. The Plan is produced by the Council to promote the city centre as a great place to live, work and visit. It has not been prepared by the Local Planning Authority nor approved by the Planning and Highways Committee, and so it has no material weight in its own right but the context and evidence presented are considered to contribute to the decision making process.

The new Plan recognises that Sheffield city centre's retail offer remains uniquely unbalanced in comparison with local and regional demand and that the Heart of the City II project offers an unparalleled opportunity to provide a fuller, higher quality retail offer as well as prestige office accommodation, residential accommodation and great public spaces.

The Plan notes that Sheffield currently has the lowest job density of all the Core Cities, even so almost 30% of retail spend in the city centre comes from those who work here. This suggests that the city can create more job opportunities by facilitating and promoting opportunities for high quality office space, and that this, along with a strong leisure and food and drink offer, will support the consolidated shopping area and wider city centre. The Heart of the City II project is predicted to increase retail spending in the City Centre by up to 14%.

The proposed development includes 1,393m² of retail space and 4,518m² of office floorspace, a range of uses that are supported by both the Core Strategy and the Unitary Development Plan.

The proposals maximise the amount of retail floorspace achievable at street level and so will help to address the current inadequacy of Sheffield's retail offer. The proposed retail space will accommodate a range of uses (use classes A1, A3, A4 and A5) designed to ensure that the letting strategy can respond to market demand, which is considered to be acceptable, subject to the predominance of A1 uses.

The proposed office accommodation will bring wide-ranging socio-economic benefits to the city centre including a range of job opportunities. The applicant has confirmed that they are prepared to work with the Local Authority to ensure that local people benefit from the job creation and this requirement is reserved by condition.

In land use terms, the proposed development is considered to be consistent with the local development plan and national policy, and it remains in the spirit of the endorsed SRQ masterplan.

Design and Heritage Issues

Because this scheme raises some complex heritage issues, for the purposes of this report design and heritage matters are discussed separately.

Design and Architectural Response

In relation to design, chapter 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development, which creates better places in which to live and work.

It advises that planning policies and decisions should, amongst other things, ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character, including the surrounding built environment, while not preventing appropriate innovation or change; maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

Policy BE5 of the UDP (Building Design and Siting) advises that good design and the use of good quality materials will be expected in all new developments, while policy CS74 of the Core Strategy (Design Principles) advises that high-quality development is expected which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods.

This is the second block within the Heart of the City II project to come forward. Like the neighbouring office building, Grosvenor House, it provides an important transition between the established cityscape and the masterplan area. Unlike its neighbour, however, the Block C site falls entirely within the City Centre Conservation Area and contains characterful buildings. Some of these provide a frontage to one of the city's most significant commercial streets – Pinstone Street.

The decision to approach the Heart of the City II as a series of urban blocks is a marked departure from the post-war approach to city centre retail-led redevelopment and the more recent history of this part of Sheffield, including the historic approval for the Sevenstone development. The current focus on individual buildings, blocks and the retention and re-use of the street pattern and elements of the built form will help to maintain a strong sense of place and is strongly supported.

The Heart of the City II concept involves capitalising upon the success of the concentration of high quality offices, and associated ground floor commercial activities, that has been developed around the Peace Gardens and expanding this to the southwest towards Charter Row and the Devonshire Quarter. This requires meeting the demands of commercial office occupants with their requirements for large, open floorplates and a particular quantum of accommodation, within the relatively fine grain character of this corner of the city centre conservation area that provides the link between the Heart of the City, the Moor and the main body of Heart of the City II.

The approach proposed is to retain the scale of the nineteenth century Pinstone Street frontage and to develop a larger new building to the rear. Rather than step the building's form in an attempt to mask its scale, the new block responds to Grosvenor House and the John Lewis Department Store in adopting a simple, crisp form that is an unapologetic expression of its use.

The new building, although different in form from the more modest properties that have previously lined the street, does attempt to capture some of their qualities in terms of materiality, building line, and through the establishment of a similar rhythm of openings. It is considered that the resulting facades, with their vertical proportions, generous reveals, brick detailing and human scale shop fronts, are attractive in their own right as well as being sympathetic to local character.

Historic England are concerned that, while the roofscape in this part of the city centre is varied, the height and scale of block C is too similar in height to Grosvenor House, neighbouring block B and the John Lewis building and will create a uniform height at odds with the character of the area. They suggest that reducing the height of the proposed new build block by one storey would achieve improvements in the relationship with the retained building elements and create a more varied roofscape in the area.

It is agreed that the underlying topography helps to shape the city's skyline and similar concerns were expressed at an early stage by your officers. However, the scale of the new build element of block C, which is not dissimilar to office buildings within the Heart of the City (St Paul's Place), is considered to be acceptable in the context of adjoining buildings, creating a comfortable height to width ratio on adjoining streets. Localised similarities in height will become less apparent as more blocks within the Heart of the City II Project come forward and, in any case, they are not so obvious from street level or in long views when you allow for perspective and the differences in plan form.

In addition, care and attention has been paid to the top floor of block C in order that it makes a positive contribution to the skyline – particularly to Cambridge Street and Charles Street where colourful anodised aluminium slats will add some welcome colour to the facades.

The blocks on the western side of Pinstone Street are characterised by the extensive use of red brick. This stands out, in part, because of the contrast with the larger twentieth century buildings which surround, and the prevalence of Portland Stone on the Moor. The proposed use of brickwork to provide a basic structure, partnered with large glazed openings, is strongly supported. Limited use of anodised aluminium will, as with the roofscape, provide additional flourishes of visual interest.

As submitted, the detailed treatment of the ground floor shop fronts was unresolved and unresponsive to the site's context. The scheme has been amended to introduce stepping of the shop fronts on Cambridge Street in a traditional manner, which creates a better relationship with the retained building, and a different treatment to the shop fronts in the Pepperpot building – which are now in timber. These changes are a small but positive reinforcement of the site's characteristics and the quality of the scheme at street level.

An increase in the number of randomly distributed anodised panels within the window openings of the new-build portion has added a degree of lightness to the masonry block and a positive disruption to the strong grid which may otherwise be overly dominant.

Concerns have been raised that the Pinstone Street elevation of the new build element provides insufficient contrast to enable the interesting skyline of the retained frontage to stand out. However, it is considered that, if properly executed, the roofscape of the frontage building will read clearly against its newer neighbour, given the degree of setback and the level of glazing employed and that the wholesale use of an alternative material would be too great a contrast, not only to the retained building but also this part of the conservation area.

The need for a particular form of building to supply the office market and the rationale for focussing such activity in this part of the city centre as part of a planned process of regeneration is acknowledged. The existing building to the junction of Charles Street and Cambridge Street has its positive attributes but is not of any particular architectural merit. By contrast, the buildings currently forming the frontage to Pinstone Street are, and their retention is welcomed.

The preferred solution would be to retain the frontage buildings in totality, refurbished and integrated into the new scheme. It is understood that this unduly compromises the new build as it results in staggered floor plates which limits accessibility. It is also understood that the existing floors are only designed for residential loads and cannot accommodate the more intense loading requirements of office accommodation.

The proposed approach of façade retention is therefore considered to be the only one that can be made to work and efforts have been made to maximise the extent of the buildings to be retained to ensure that they read as viable entities which form a genuine street front, rather than an ephemeral surface dressing. Your officers are also satisfied that the frontage can be retained safely in its entirety, with minimal risk of collapse.

In design terms, therefore, the proposals are supported. It is acknowledged that compromises have been required to meet the ambitious goal of extending the Heart of the City area; however within these challenging development parameters, much has been done to work with the distinctive character of the site and its setting and the broad design approach is a marked advance on the nature of development previously advocated in this part of the city centre.

Built Heritage Assessment

The application site is situated at the southern end of the City Centre Conservation Area and the buildings within it are non-designated heritage assets. Within the vicinity of the application there are also a number of listed buildings including the grade II* listed Leah's Yard at 22 Cambridge Street, the grade II listed former Bethel Chapel Sunday School at 32 Cambridge Street, the grade II listed Citadel on Cross Burgess Street and the grade II listed Prudential Assurance Building on the eastern side of Pinstone Street. Further north, at the junction of Pinstone Street and Surrey Street, is the grade I listed Town Hall.

Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies relating to the historic environment. It states that '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),’ taking this into account when considering the impact of a proposal on a heritage asset in order to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

The NPPF advises 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 (and the more important the asset, the greater the weight should be). ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

It goes on to say that any harm to the significance of a heritage asset requires ‘clear and convincing justification’. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities are advised to refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

‘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’ (para. 196).

In relation to the effect of an application on the significance of a non-designated heritage asset, the NPPF advises that ‘a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

It also advises local planning authorities to look for opportunities ‘to enhance or better reveal’ the significance of Conservation Areas when dealing with applications for development within their boundaries, treating favourably those proposals that ‘preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance)’ (para. 200).

In considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have ‘special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’

Similarly, section 72 of the Act describes the 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.’

UDP policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) expects buildings and areas of special architectural or historic interest, which are an important part of Sheffield’s heritage, to be preserved or enhanced and advises that development which is considered to harm the character or appearance of listed buildings or conservation areas will not be permitted.

Policy BE16 of the UDP (Development in Conservation Areas) states that permission will only be given to schemes which preserve or enhance the character or

appearance of the Conservation Area while Policy BE19 (Development Affecting Listed Buildings) requires developments which affect the setting of a listed building to preserve the character and appearance of the building and its setting.

The fundamental issues with regard to heritage policy are that special regard must be given to the desirability of preserving the heritage asset or its setting (as required by sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990), that any harm to or loss of heritage assets requires clear and convincing justification and that substantial harm or total loss should not be allowed unless substantial public benefits outweigh that harm or loss.

Moreover, the requirement to 'avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal' mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a 'clear and convincing justification'.

In this instance, the designated heritage asset most affected by the proposed development is the City Centre Conservation Area, which was created in 1996 following the amalgamation of the Cathedral Conservation Area and the Town Hall Conservation Area. It incorporates a high concentration of listed buildings 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 western portion of the conservation area reflects the rapid late eighteenth and nineteenth century expansion of Sheffield.

The Council produced a Statement of Special Interest for the conservation area in 1996. It makes clear that the assets significance varies topographically, but identifies 'the late Victorian Pinstone Street' as important in townscape terms. Thus the site's contribution to the character, appearance and length of the retained Victorian frontage to the western side of Pinstone Street is considered to be a key element of the assets significance and efforts were therefore made to retain as much of this frontage as possible.

Commentators suggest that existing buildings within the footprint of block C all contribute to the significance of the Conservation Area and to the setting of the nearby listed buildings; that much of the site's importance stems from its intactness and that the loss of or damage to any building harms the entire group, because its intactness, which they say includes the building interiors, is lost. They also suggest that partially retained façades and reconstructed roofscapes will preserve only part of that contribution, and will not enhance it, which is harmful to the significance of the Conservation Area.

Your officers agree that the blocks intactness does make a positive contribution to the character and appearance and therefore the significance of the City Centre Conservation Area, but that the particular significance in this case is the contribution that the block makes to the Victorian frontage to Pinstone Street, rather than to Charles Street and Cambridge Street. Therefore, the contribution made by 4-8 Charles Street and 35-41 Cambridge Street to the significance of the conservation area is arguably less than that made by 94-104 Pinstone Street (the Pepperpot

building). Moreover, it is considered that the heritage value of the group is diminished by the impact that neighbouring buildings such as Premier House, the John Lewis building and Grosvenor House have on the setting of this peripheral part of the conservation area. By retaining the Pinstone Street frontage, including its distinctive roofscape, and reasonable returns to Charles Street and Cambridge Street, it is considered that the loss of 4-8 Charles Street and 35-41 Cambridge Street is localised and can result in no more than less than substantial harm to the significance of the City Centre Conservation Area.

An internal inspection of the properties has been carried out and it is acknowledged that the interior of the Pepperpot building, in particular, is of a good standard with numerous historic features. However, it must also be acknowledged that conservation area designation does not extend planning controls to building interiors.

Moreover, the needs of modern retailers are relevant to decision making. We all recognise that Sheffield city centre needs high quality retail space and, in the current, challenging retail environment, that means providing attractive, flexible (in terms of size) easily accessible units that will appeal to those retailers who do not yet have a presence in Sheffield

It has been suggested that the collective impact of the proposals will harm the setting of nearby listed buildings, in particular the setting of the grade I listed Town Hall located on the northern side of the Peace Gardens. However, as already discussed, it is considered that the retention of the Pinstone Street frontage preserves the significance of this part of the conservation area and, therefore, the setting of the Town Hall.

The block's contribution to the setting of other listed buildings is less evident. The setting of Leah's Yard and the Bethel Sunday School on Cambridge Street is fragmented and dominated by the 1960s John Lewis store on the eastern side of Cambridge Street, which does not relate to the listed buildings in scale, form or appearance. Neighbouring buildings on the western side of Cambridge Street are considered to make the most significant contribution to their setting, and while buildings within the application site have a relationship with buildings of the upper side of Cambridge Street, their contribution is limited.

Block C has little or no impact on the setting of the grade II listed Citadel as they are separated both physically and visually by the city block between, while its contribution made to the setting of the Prudential Assurance Building on the eastern side of Pinstone Street stems from its role within the retained Victorian frontage to the western side of Pinstone Street, which is to be preserved.

In relation to the impact of the development on undesignated heritage assets, numbers 4-8 Charles Street and 35-41 Cambridge Street appear as one building with a unified design in red brick with ashlar dressings. However their heritage value is considered to be low and, while they have aesthetic value as part of the townscape and contribute positively to the City Centre Conservation Area, they are relatively plain buildings of little architectural note. In itself, their loss is not considered to cause significant harm.

The NPPF advises that local planning authorities should seek to ‘avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal’, taken to mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a ‘clear and convincing justification.’

As discussed, harm to the significance of this part of the conservation area is mitigated by retaining the Pinstone Street façade, including the decorative roofscape and meaningful returns onto Charles Street and Cambridge Street. The harm caused is therefore considered to be less than substantial.

Harm has also been minimised through the design of the new build element, which objectors claim will, at 7 storeys, have an overbearing impact on retained 19th century buildings, again resulting in harm to the character of the conservation area.

The scale of the new build element comes from the need to provide sufficient grade A office floorspace to attract the right tenants and support the continued regeneration of the city centre. The growth sectors in the global economy are increasingly dominated by high skilled, office based employment and those forecast for the highest growth in the Sheffield City Region are business, professional/financial services and the creative and digital industries. These sectors are concentrated in the city centre and so the availability of a range of good quality office space is vital.

The scale of the new build is relatively modest in terms of its city scale and is similar in height to the newly constructed Grosvenor House to the immediate west and the proposed new build element on adjoining block B. It is therefore considered to be acceptable in the context of neighbouring buildings as well the height to width ratio of adjoining streets. It is accepted that the scale differs from the retained 19th century buildings on Pinstone Street and that this relationship could be considered harmful given the significance of the Victorian frontage, but the frontage is retained and the design of the new build seeks to minimise conflict with these and therefore the conservation area through the use of sympathetic materials, the regular, vertically proportioned fenestration and the reintroduction of new traditional style shop fronts as well as improvements to the public realm. Indeed it is considered that the latter – high quality shopfronts and public realm – will significantly enhance the conservation area at street level. On balance, therefore, the nature of the harm caused by the new build proposals is considered to be less than substantial.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the NPPF advises that this harm should be weighed against the public benefits of the proposal.

The proposed development includes 1,393m² of retail space and 4,518m² of office floorspace, a range of uses that are supported by both the Core Strategy and the Unitary Development Plan. The amount of retail floorspace is maximised, which will help to address the current inadequacy of Sheffield’s retail offer, and the proposed office accommodation will support the growth in office based employment and bring wide-ranging socio-economic benefits to the city centre.

The focus of the Heart of the City II project on individual buildings, blocks and the retention and re-use of the street pattern will help to maintain a strong sense of place and, while the demolition of numbers 4-8 Charles Street and 35-41 Cambridge Street will be harmful to the character and appearance of the City Centre Conservation Area, the retention of the Pinstone Street frontage preserves the significance of this part of the conservation area and the setting of listed buildings.

It is concluded that the harm to and loss of heritage assets is unfortunate, and that opportunities to minimise that harm have been sought wherever possible, but that the long term benefits to the City outweigh the injury to its heritage and adequately meet the requirements of the NPPF.

Sustainability

Policy CS63 of the Core Strategy (Responses to Climate Change) gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions, and that generate renewable energy.

Similarly policy CS64 (Climate Change, Resources and Sustainable Design of Developments) requires all new buildings and conversions of existing 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, with 10% of predicted energy needs provided from decentralised and renewable or low carbon energy.

The application site is located in the heart of the city centre, is highly accessible and very well served by a full range of public transport options.

The submitted Sustainability Statement indicates that the proposed development will have a high performing thermal envelope, with target U-values for the walls and glazing set significantly above current building regulations requirements and, where required, it is proposed to deliver heating through efficient, low energy systems and make effective use of low carbon technologies. For example, primary heating for the new-build office and retail areas will be taken either from the Sheffield district heating network (Veolia) or a high efficiency air-source heat pump (supplemented by a small provision of electric resistance heating), both of which offer reduced emissions when compared with equivalent grid electricity and natural gas installations.

Other energy efficient measures include the use of low-energy LED lighting throughout, heat recovery ventilation and the installation of a Building (Energy) Management System, which is known to achieve significant operational energy savings.

It is estimated that connection to the Sheffield District Heating Network or a low energy air source heat pump will provide 39.5% of the total building energy demand, comfortably complying with the requirements of policy CS65.

Landscape Proposals

The Heart of the City II project, which began with Grosvenor House, provides an opportunity to create a new series of high quality public spaces which, together with the building plots, will form a strong retail connection with existing shopping areas on Fargate and The Moor. Phase 1 included a terraced garden in Charter Square inspired by one of Sheffield's most characteristic features, its topography, and while the design of the public realm around block C will continue the language already established, it also incorporates a degree of individuality.

The public realm around blocks B and C, which will be delivered at the same time, must work with the urban fabric as the small blocks and historic streets are retained, creating a relatively intimate townscape which frames views and is likely to be dominated by pedestrians. Therefore, significant interventions were considered to be inappropriate and a relatively restrained approach is proposed, though it still seeks to generate visual interest, respond to adjacent buildings and provide opportunities to stop, rest and socialise.

On Charles Street, a main route into the Heart of the City II, the design response is to create a number of planted areas which will appear to rise out of the paving in a series of steps. They will be faced in natural sandstone and echo the treatment of the terraced garden in Charter Square, with references to the Pennine landscape. The areas of planting will both soften the streetscape and act as rain gardens, terminating in a larger planting bed that will continue the green cascade around the corner onto Cambridge Street. This larger bed, which marks a convergence of routes referred to as 'Five Ways', will provide a place to rest and a means of addressing the challenging gradients.

The designs build on the Pennine themes, using coarse textured sandstone blockwork and wild planting, and a range of natural, high-quality stone will be used for surfacing across the site.

The proposed landscape scheme is considered to be well designed, of a very high quality, place specific, and legible. It will provide an attractive 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.

Highways

As previously described the existing street pattern is to be retained, though Charles Street and Cambridge Street will be pedestrianised and vehicular access will be prohibited. It is therefore intended that block C be serviced from Pinstone Street (avoiding the peak periods).

The pedestrianisation of Charles Street and Cambridge Street, coupled with the need to allow on-street loading and servicing from Pinstone Street, has triggered the requirement for a change in the way pedestrians and cyclists negotiate the Moor Head junction on route to other destinations. The developer has agreed to fund the necessary off-site highway works, which includes extending the cycle lane to the southern end of Union Street, the details of which are secured by condition.

Like Grosvenor House to the west and many other city centre buildings, the proposed development will remain car-free. The site is highly accessible by many modes of travel and for those who need to drive, there are 9,000 off-street car parking spaces across the city centre – the closest multi-storey car parks are the NCP car park attached to the Vita student accommodation block (formerly Telephone House), the Moor car park on Eyre Street and the Q Park on Charles Street.

However, the submitted Travel Plan seeks to promote sustainable travel and minimise the impact of the development on the local and strategic highway networks. The Plan will be aimed at staff and shoppers and will encourage staff to think about and change their travel behaviour, increase staff and shopper's awareness of the environmental and health implications of different travel choices, encourage sustainable travel choices, and maximise accessibility for walking and cycling. Cycle parking with changing facilities, including showers, will be provided in the basement of the building, accessed reasonably directly from Pinstone Street and a service lift.

Ecology

The application site was subject to a Preliminary Ecological Appraisal which found one roosting bat and a number of bird nests, and it was concluded that the site has high bat roost suitability overall. As noted in the recommendations of the Appraisal, the bat roost must be dealt with by applying for a Natural England European Protected Species Licence (EPSL), a requirement of which will be the installation of bat roosting features within the building.

Archaeology

The standing buildings date from the 19th century and most of these have basements. Whilst the potential for below ground archaeology of any significance is therefore limited, the submission of a desktop assessment that sets out a strategy for archaeological investigation will be secured by condition. This will include the recording of standing buildings proposed for demolition.

Ground conditions

The application site falls within a Coal Mining Referral Area. The submitted Coal Mining Risk Assessment acknowledges that whilst the Silkstone Coal has been worked beneath the site, the risk of void migration to ground level is considered to be low and no remedial measures are necessary in this regard.

The development will incorporate a foundation design which will in part involve bored piles extending through an area of suspected bell pits associated with ironstone mining activity and through the Silkstone Rider Coal found in rock beneath the worked Silkstone Coal. The Coal Authority have raised no objection to the proposals, but expect the pile designer to fully consider the potential effect of the shallow workings on pile performance and obtain the necessary permit to enter the Coal Authority's property.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. Full details will be secured by condition.

Community Infrastructure Levy (CIL)

The CIL Charging Schedule adopts a matrix approach, setting out differing CIL rates for new housing, retail, hotels and student accommodation.

As per the Schedule, only Major Retail Schemes with a minimum floorspace of 3,000m² are CIL liable.

SUMMARY AND RECOMMENDATION

The proposed development forms part of the second phase of the Heart of the City project. It is consistent with the local development plan and national policy, is considered to remain in the spirit of the endorsed SRQ masterplan and will help to bolster the long term vitality and viability of the city centre.

The proposed development will provide much needed high quality retail and office accommodation in a scheme which seeks to preserve the significance of heritage assets, most critically the City Centre Conservation Area, and provide enhancements to the conservation area wherever possible. It is considered that the proposed development will cause some harm to the City Centre Conservation Area as a result of the demolition of by 4-8 Charles Street and 35-41 Cambridge Street as well as the scale of the new build residential block, but that this harm will be less than substantial.

Moreover the harm has been minimised and, in any case, is outweighed by the public benefits of the proposal. It is considered that there will be no harm to the setting of nearby listed buildings.

The proposed public realm will provide a quality setting for the new development help to establish a strong sense of place and an attractive and comfortable place to live, work and visit.

In addition, the proposed development is sustainable, accessible to all modes of transport and will bring about substantial economic and social gains.

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

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Case Number	18/03851/FUL (Formerly PP-07319519)
Application Type	Full Planning Application
Proposal	Erection of 113 dwellings including site enabling works, public open space, hard and soft landscaping, highway infrastructure, parking and the stopping up of adopted highway at Starling Mead, Partridge View and Wren Bank
Location	Land Between Skye Edge Road And Skye Edge Avenue Sheffield
Date Received	12/10/2018
Team	City Centre and East
Applicant/Agent	Mr James Litherland
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:

Planning Layout 18042-01 rev K

Site Sections 18042-04

Bin/Cycle stores 18042-06 rev B

Highways Stopping Up Plan YK5616-104 Rev A and as amended by email dated 30.01.2019

Level Access Route rationale 18042-08 rev B

Type A - Grey Facing Brick	A3	1:100	18042_HT_01
Type A - Red Facing Brick	A3	1:100	18042_HT_02
Type C1 - Grey Facing Brick	A3	1:100	18042_HT_03
Type C1 - Red Facing Brick	A3	1:100	18042_HT_04
Type C2 - Grey Facing Brick	A3	1:100	18042_HT_05

Type C2 - Red Facing Brick	A3	1:100	18042_HT_06
Type E - Grey Facing Brick	A3	1:100	18042_HT_07
Type E - Red Facing Brick	A3	1:100	18042_HT_08
Type F - Grey Facing Brick	A3	1:100	18042_HT_09
Type F - Red Facing Brick	A3	1:100	18042_HT_10
Type G - Grey Facing Brick	A3	1:100	18042_HT_11
Type H1 - Grey Facing Brick	A3	1:100	18042_HT_12
Type H1 - Red Facing Brick	A3	1:100	18042_HT_13
Type H2 - Grey Facing Brick	A3	1:100	18042_HT_14
Type H2 - Red Facing Brick	A3	1:100	18042_HT_15
House Type F - Front Elevation (showing rain water pipes)	A3	1:50	18042 F-(05)-01
House Type G - Front Elevation (showing rain water pipes)	A3	1:50	18042 G-(05)-01
Window Reveal Detail	A3	1:5	10842-sk01

Biodiversity Management Plan

Revised Highways Drainage Layout

Geo-environmental Appraisal: Land at Skye Edge, Sheffield, ref: 2845/1, dated October 2017 (Lithos)

Specification for the stabilisation of shallow mine workings and associated mine entries rev 4 (Sirius)

Reason: In order to define the permission.

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

3. 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 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.

4. No development shall commence until full details of measures to protect the existing trees and shrubs 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, 2005 (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. Prior to commencement of development, including any works of demolition, details shall be submitted to and approved by the Local Planning Authority specifying measures to monitor and control the emission of dust during construction works. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

6. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

7. 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.

8. No development shall commence unless the intrusive site investigation works described in the coal mining risk assessment, produced by Sirius, or an updated coal mining risk assessment to be first agreed in writing by the Coal Authority, have been carried out as recommended, as well as the recommendations of the Geo-Environmental Site Investigation prepared by Lithos (Oct 2017) and a report of the findings arising from the intrusive site investigations is submitted to and approved in writing by the Local Planning Authority. Where the investigations indicate that remedial works are required, a validation report setting out the remedial works undertaken on site, in respect of coal mining legacy issues, once completed, shall be submitted to and approved in writing by the Local Planning Authority before the occupation of the dwellings.

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

9. 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.

10. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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)

11. Prior to the commencement of any foundation works, full details of public access into and through the site at key access points shall be submitted to and approved in writing by the Local Planning Authority, and such approved access shall be provided and retained for the lifetime of the development. At no time shall these access points be restricted.

Reason: In order to ensure public access remains through the site and to the adjoining public open space.

12. No dwelling shall be occupied unless its associated cycle parking accommodation as shown on the approved plans 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 it is essential for these works to have been carried out before the use commences.

13. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a revised Travel Plan which consolidates the information provided in the supporting submission 'Skye Edge - consolidated parking Note 07.01.19' 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 the Core Strategy.

14. No dwelling shall be occupied unless its associated car parking accommodation as shown on the approved plans has been provided in accordance with the approved 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 it is essential for these works to have been carried out before the use commences.

15. Prior to their installation, full details of the artist designed bollards shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure inclusive access around the site.

16. Before any above ground works commence, or within 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.

17. Details of the location, specification and appearance of all new services to the dwellings (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.

18. Notwithstanding the details submitted no above ground works shall commence until an amended Landscape and Ecological Management Plan, which includes short,

medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

Reason: In the interests of protecting the biodiversity of the site.

19. Notwithstanding the details submitted a comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority. The details shall also include full details of the play equipment/trim trail and furniture to be provided within the open space areas. The open space areas, including any equipment or furniture provided, shown on the plans shall be provided, retained and maintained for the lifetime of the development.

Reason: In the interests of the visual amenities of the locality and the provision of open space for the benefit of existing and future occupiers within the immediate area.

20. 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.

21. 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.

22. 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.

23. 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:

Doors

Windows

Brickwork Detailing

Capping/Roof parapet details

Eaves, verges and ridges

Dormer Windows

Balustrading to roof terraces

Gates

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.

24. 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 before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

25. Notwithstanding the details on the submitted plans details of all boundary treatments, including gates, shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority 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 boundary treatments shall be retained.

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

26. 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.

27. Prior the commencement of the foundations for the dwellings, final details of the land levels (inc. finished floor levels) for the new dwellings, shown in the context of existing dwellings shall be submitted to and approved in writing by the local planning authority.

Reason: In order to define the permission.

28. Surface water run-off from hard standing (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 49 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and protect the public sewer network.

29. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to the means of restricting the discharge to public sewer to a maximum of 11 litres up to and including 1 in 100 year storm events.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

30. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access within the development site, shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be occupied unless such inclusive access has been provided in accordance with the approved plans. Thereafter such inclusive access shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

31. Before the commencement of any foundation works, a detailed Employment and Training Strategy, designed to maximise local opportunities for employment from the construction of the development shall have been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a detailed implementation plan, with arrangements to review and report back on progress achieved to the Local Planning Authority. Thereafter the Strategy shall be implemented in accordance with the approved details.

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

32. 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 approved noise survey ref 12356.01.v4 dated 1018).
 - 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.

Other Compliance Conditions

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

Reason: To ensure satisfactory drainage arrangements.

34. 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.

35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the elevations of the properties hereby permitted without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property and the visual amenity of the properties and streetscene.

36. 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 (variable) 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 size of the curtilage.

Attention is Drawn to the Following Directives:

1. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

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

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

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

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

Mr S Turner
Highway Adoptions
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield

S1 2SH

Tel: (0114) 273 4383

Email: stephen.turner@sheffield.gov.uk

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

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

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

Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

4. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

5. 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.
6. 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, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
7. 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.

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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INTRODUCTION

Members will recall that at the 19 February Planning and Highways Committee, this application was deferred for a site visit, due to concerns regarding parking provision and public access through the site.

To aid in the consideration of these issues additional information is provided below.

As part of the application a parking assessment was undertaken, which considers the use of the four existing parking courts together with the parking on the immediately adjacent highway, Skye Edge Avenue.

The parking courts and highway were monitored for the purposes of a parking assessment on Thursday 20 March 2018 (11:00-20:00, Wednesday 21 March 2018 (17:00-20:00 hours), Thursday 22 March 2018 (17:00-20:00) and Saturday 24 March 2018 (11:00-14:00).

Parking Courts

The survey results can be seen in the table below, extracted from the Transport Statement. The table shows the maximum number of vehicles parked at the survey times and also includes in each case the parking accumulation on the access road leading to the parking court.

Table 3.4 – Parking court survey results				
Date and Time	Parking Court			
	1	2	3	4
	Maximum no. of vehicles parked*			
Tuesday 20 th March 11:00 – 14:00	4	4 (4)	4	1
Tuesday 20 th March 17:00 – 20:00	9 (3)	4 (4)	3	0
Wednesday 21 st March 17:00 – 20:00	5 (2)	3 (3)	3	1
Thursday 22 nd March 17:00 – 20:00	5 (2)	5 (4)	3	2
Saturday 24 th March 11:00 – 14:00	7 (2)	4 (4)	2	0

*Figures in brackets represent the number of vehicles parked along the short links between Skye Edge Avenue and the parking courts (included in the total maximum figure stated)

The table clearly shows that parking courts 1 (Starling Mead) and 2 (Partridge View) were the most well used parking courts, but that a significant proportion of these cars were parked on the access roads leading to the courts rather than in the courts themselves. Whilst there will be a partial stopping up of the area of adopted highway adjacent to the parking court, where the gates will restrict access, the access roads to them will remain as adopted highway. Whilst parking on the access roads is not

encouraged, this would remain as an opportunity for existing residents, subject to no parking restrictions being implemented in the future. Nevertheless, the survey figures indicate there will be sufficient opportunities for existing residents to park on Skye Edge Avenue to mean that this is not necessary.

Skye Edge Avenue

For the purposes of the parking assessment the highway was divided into 6 zones (labelled A-F and noted on Figure 8 of the Transport Assessment) and allowed for parking to both sides of the highway. Your officers recognise however that it is not feasible for parking to occur to both sides of the highway, as this would result in a highway obstruction. In assessing the availability of on street parking, zones B, D and F in the assessment have been discounted.

The data in respect of the availability of on-street parking (and shown in Table 3.5 of the Transport Statement) shows that even at peak times for parking within the parking courts, there was more than sufficient on street parking available to be able to absorb the cars that would typically be displaced from the parking courts (and indeed the access roads to them).

For example, on Tuesday 20 March at 18:30 when there were 16 spaces occupied across the 4 parking courts, there were 31 spaces available on Skye Edge Avenue within zones A, C and E. This pattern is replicated on the other survey days, with 32 available spaces versus a demand of 10 spaces on Wednesday 21 March at 18:00hrs; 31 available spaces versus a demand of 10 spaces on Thursday 22 March at 18:30 hours; and 29 available spaces versus a demand for 13 spaces at 12:00 hours on Saturday 24 March.

The information submitted clearly shows that there is sufficient accommodation on Skye Edge Avenue to accommodate any displaced parking provision, when compared against the existing usage of the parking courts and access roads for parking.

Your officers reiterate therefore that the proposal is considered to be acceptable in terms of parking provision and the impact upon the local highway network.

Retention of Access through the Site

Whilst the application proposes some stopping up of adopted highway, there will remain public access into the site via the new highway and pedestrian routes proposed, and there will still remain some adopted highway at the Southern end of the site serving plots 75 to 97. This will also facilitate access to the play area adjacent to this highway.

In order to secure the future access of the site, an additional condition has been recommended and agreed with the applicant.

LOCATION AND PROPOSAL

The application relates to a previously developed parcel of land, approximately 2.5ha in size. The land is located to the south of Skye Edge Avenue, which is to the east of Sheffield city centre.

The site was formerly occupied by housing, demolished in 2006, and has subsequently been used as informal open space. The land is now grassed and there are a number of trees on site. There also remains evidence of the former use for housing in the form of parking courts, retaining walls and access paths.

The site is designated within the Sheffield Unitary Development partly as a Housing area and partly as an area of Open Space.

The immediate context to the site is housing on Skye Edge Avenue, comprising both bungalows and two storey terraced and semi-detached properties, and beyond this to the North/North East of Skye Edge Avenue is further housing. The south/south western boundary of the site comprises open space, which is predominantly mature trees and shrubs and here the land drops away significantly leading to more residential properties to Skye Edge Road and a trading estate to City Road. To the west of the site boundary is more open space, adjacent to Manor Laith Road, where there are also a number of allotment plots. To the south eastern boundary is a medical practice and associated parking area.

There is pedestrian access to the site via Manor Laith Road, in the form of stepped access and through existing access points from Skye Edge Avenue including through the parking courts.

This application seeks consent for the erection of 113 dwelling-houses and associated works which includes site enabling works such as drilling and grouting, to allow development to proceed. A number of works associated with the new residential development are also proposed including open space, hard and soft landscaping and new highway infrastructure and parking. As part of this application consent is also sought for the stopping up of adopted highway at Starling Mead, Partridge View and Wren Bank.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SUMMARY OF REPRESENTATIONS

There have been letters of representation from 6 properties regarding this application.

The following comments have been made:

- There is insufficient parking provision already, and the proposed development will result in new householders parking in the parking courts where residents currently park and which are also used by people with disabilities.
- The development will result in the loss of a green area and wildlife.

- The building works will result in disturbance for residents including babies.
- The development will result in increased traffic from workmen and increased pressure for parking.
- The development process will result in dust and debris.
- The development will result in a loss of privacy with the new builds facing over the garden areas and into bedrooms.
- Putting up a fence will result in a loss of light to the garden.
- The development is selfish and does not take into account the impact upon existing residents.
- The proposal will result in the devaluation of property.
- The proposal will result in a loss of view.
- There is a lot of wildlife in the Green Belt that will have nowhere to go as a result of the development.
- The visual impact of the proposed development is unacceptable.
- The noise pollution is unacceptable.
- The green space is currently used by children and families to play, learn to ride bikes and socialise - so the destruction of this green zone is unacceptable.
- The development will affect residential amenity of neighbours by noise, disturbance, overlooking, loss of privacy and overshadowing.
- The proposal is of an unacceptably high density and results in the overdevelopment of the site. It also results in the loss of garden land and the open aspect. It is garden grabbing.
- The development will affect the character of the neighbourhood.
- The development is over bearing, out of scale and out of character in terms of its appearance compared with existing development in the vicinity.
- The development will adversely affect highway safety and the convenience of other road users.
- A disabled resident is concerned about the availability of parking, as currently the rear car park is used, as there are parking problems to the front of the bungalows on Skye Edge Avenue. It is queried what the provision will be for elderly residents who reside in Starling Mead and who drive?

- The majority of residents facing these new houses are elderly and don't want this disruption in their lives.
- The previous flats (now demolished) resulted in a loss of sunlight and antisocial behaviour.
- The open space is a peaceful place for residents and there must be better places for houses to be built.
- Existing residents who have electric cars need to charge their car and it is parked directly in front of their house – will there be allocated parking spaces available, and will there be enough for everyone?
- There is support for the development and the hope that increased presence will deter fly tippers and that tenants will be managed well.
- Skye Edge is an asset and the Council should use this development opportunity to improve the wider area if they can do so by working with the developer.
- The comments made by the developer at the public consultation do not match what is stated in the documents in respect of parking provision, for example.
- The area is not convenient for shops and it is necessary to travel to Manor or town for a supermarket. Whilst some journeys will be made on foot or bus, it is likely that residents will need at least one car to get about.
- Skye Edge is already a chicane for buses due to second car ownership by existing residents and it is likely that second car ownership from new residents will add to the problem.
- At the public consultation event the developers referred to improving the local environment outside the development plot. Can the Council pin them down on this, as there is no specific mention online.
- It is understood that the land purchase agreement with the Council allows buyback with no penalty if development does not go ahead and if the Committee feels that the application is not right other developers would be interested in this prime opportunity.
- The proposed plans will overpopulate the area and create extra traffic on a road that is already potentially dangerous.
- The proposed houses are not in keeping and resemble 'crammed cardboard boxes' which would blight the view.
- The council has suggested that the site is suitable for 85 dwellings but 113 dwellings exceeds that amount and with 1.6metre screen fencing and lockable

gates to parking areas it would feel like a separate community that it's kept away from locals.

- The development will result in the loss of the only safe green space for children to play in an area affected by violent crime and add extra pressure on already stretched local services which will face problems given other recent new builds, such as at Seaton Crescent.
- A query is made as to whether it is worth submitting comments as there are workmen digging holes who said that it is for the new houses but as there has been no decision it is not understood why this work is being carried out.

A representation has been made by Sheffield Wildlife Trust who have commented that:

Whilst not objecting to this development in principle, robust precautions must be put in place to ensure that the adjacent Skye Edge Local Wildlife Site is robustly protected from any pollutants or excess surface water run-off during the construction phase. In particular:

- It is requested that further consideration be given to SuDS
- It is also requested that a buffer zone for the LWS is put in place with appropriate protection measures.
- It is requested that an area of natural green corridor is retained within the development layout to allow continued movement of wildlife and for a funded management plan to be established for the site, potentially through CIL funding, section 106 and/or an annual levy from householders.
- The developer should provide significant investment for high quality ecological enhancements that will deliver biodiversity net gain for the site.
- The wildlife trust agree with the ecology report's recommendations for habitat creation to the north west and south west boundaries of Skye Edge LWS, including native wildflower species and for a natural hedgerow to provide a natural buffer but make some suggestions for further amendments.
- Further surveys are also suggested as the survey period was carried out in a sub-optimal period, and any vegetation clearance should take place outside of the breeding bird season.
- The provision of bird and bat boxes as suggested in the ecology report is also supported.

PLANNING ASSESSMENT

Principle of Development and Housing Supply

The National Planning Policy Framework (2018) sets out the Government's aims and objectives for the planning system with the purpose of the planning system being to contribute to the achievement of sustainable development.

The principle of developing the area of land which is designated as Housing land in the Unitary Development Plan for residential development is acceptable and is in accordance with the aims of Policy H10 of the Unitary Development Plan, which sets out that housing is the preferred use in Housing Areas.

NPPF paragraph 73 requires local authorities to identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement with an additional 5% buffer. The development will contribute positively towards the Council's need for a 5 year housing land supply.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets until 2026 and identifies that a 5 year supply of deliverable sites will be maintained. However, the NPPF now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method. Using this method, the latest monitoring shows that the city has a 5.04 year supply of deliverable housing sites.

Principle of Development and Loss of Open Space

Part of the site is also located on land designated as Open Space in the adopted Unitary Development Plan.

Policy CS45 of the adopted Core Strategy requires that the safeguarding and improvement of open space takes priority over the creation of new areas, whilst Policy CS47 sets out in what circumstances development of open space will not be permitted where, including where it would result in a quantitative shortage; the open space is high quality; it would deny local people access to open space; and it would cause a break in the Green Network.

Policy CS47 goes on to states that the loss of open space will only be permitted where replacement open space would be provided in the local area; or the site is identified as surplus for its current open space function

The proposed development will result in a loss of 2 hectares of open space. An open space assessment has been undertaken which shows that even with the loss of 2ha of open space, there would be sufficient informal open space within the local area at 4.75ha per 1000 population within the local area, which compares well against the target provision of 2.70ha per 1000 population. The 2017 Open Space study notes that the open space in question is of poor quality. It is acknowledged that there is a shortage of outdoor sports provision within the local area. This location is however not identified as suitable for new outdoor sports provision.

It is noted from the representations received that the proposal will result in the loss of a well-used area. However, the principle of development on the open space is long established - indeed the site was formerly occupied by housing and has for many years been earmarked for new housing development. Opportunities for play and outdoor activity have been included, with naturalistic play equipment and ground mounding for informal play and seating. Overall, this is considered of be a benefit of the development and will help ensure that the revised area of amenity greenspace proposed as part of the new development is well used.

The site is adjacent to a wildlife site and areas of green space will remain, it is not therefore considered that the proposal will result in an unacceptable break in the green network

Having regard to the above, it is concluded that the principle of development on this parcel of land is acceptable and in compliance with the aims of adopted open space policy.

Housing Density

Policy CS26 requires housing developments to make efficient use of land, but that the density of new development should be in keeping with the character of the area and support the development of sustainable, balanced communities. Development near to Supertram stops and high frequency bus routes in the urban areas - which is the location of the subject site - is expected to achieve a density of 40 to 60 dwellings per hectare. The 113 units in the current proposal represents a density of 46 dwellings per hectare, which is in line with this policy.

Mixed Communities

Policy CS41 seeks to promote mixed communities through the encouragement of the development of housing to meet a range of housing needs including a mix of prices, sizes, types and tenures and the requirement of a greater mix of housing in other locations, including homes for larger households, especially families. No more than half of new homes in large developments should consist of a single house type.

The proposed housing mix for the Skye Edge site will see the provision of 113 dwellings, comprising 69 x 3 bedroom dwellings and 44 x 4 bed dwellings. There will be six house types - 3 per dwelling size - including townhouses and back to back properties. These are spread across the site.

The mix is considered to be appropriate in terms of creating a mixed community and consistent with the expectations of Policy CS41.

Affordable Housing

Policy CS40 states that developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and viable.

The Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) guidance GAH1 advises that a contribution to affordable housing will be sought on all new housing developments with capacity for 15 or more dwellings.

The site is located within the Manor/Arbourthorne/Gleadless Housing Market Area where the contribution towards affordable housing is nil. No affordable housing is required as part of this application.

Design, Layout and Accessibility

The NPPF recognises the value of good design and this is set out in paragraphs 91, 124 and 127. Paragraph 127 in particular states that new development should function well and add to the overall quality of the area, maintaining a strong sense of place.

The aims of the NPPF in respect of design and accessibility are also supported by policy CS74 'Design Principles' of the Core Strategy which sets out 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 and should also contribute to place-making, be of a high quality, that contributes to a healthy, safe and sustainable environment, that promotes the city's transformation.

Unitary Development Plan policy H15 also requires good design of new housing developments including easy access for all; adequate amenity space and good daylighting and outlook; uniform boundary features; and the provision of pedestrian access to adjacent countryside where it would link with existing public open space or a footpath.

Policy BE5 of the UDP also states that good design and the use of high quality materials will be expected in all new and refurbished buildings and that proposed development should complement the existing built form, human scale and architecture.

Layout

The linear nature of the subject site means that the format of development has been relatively constrained. The prominent skyline location of the site also means that the design of the development and its impact upon long range views from across the City has been a key design consideration. Also key to the site's development has been the provision of sufficient off street parking, the provision of routes through from Skye Edge Avenue in order to maintain connectivity through the site and the provision of ancillary open space and landscaping for the benefit of both existing and future residents of the site.

To the west of site will be two blocks of back to back houses, with mews houses along the crest of the ridge leading to a further block of back to back properties at the eastern end of the site. This arrangement of properties is considered to be acceptable in principle. The layout results in outward facing blocks which take

advantage of the expansive views from the site, screen the existing parking courts and maximise the opportunities for rear gardens which back onto one another. This layout also creates an openness that is intended to engage with the open space and this will, in part, be achieved through the creation of a promenade element, which will be occupied by Mews housing. The promenade is a strong design concept and has been included to help develop the overall identity and cohesion of the site. Indeed, it is hoped that this will be a well-used and overlooked open space which will become a safer and more desirable area.

The back to back housing is also proposed to create a setting and focal point for development at the corner of the site, but it is acknowledged that this has the potential to create a relatively car dominated environment. Whilst this is not desirable in principle, this concern has had to be balanced against the competing highway demands of needing to provide sufficient parking. The provision of trees and landscaping has been utilised to try and minimise the impact of the car parking which is welcomed, but it is not considered that the further loss of parking to landscaping could be reasonably justified. Ultimately, given the need to balance issues, the impact of the car parking and layout to this area of the site is considered to be acceptable in design terms.

House Type Design

The prominent position of the site on the skyline means that through the design process there has been a concern that the use of a continuous ridgeline would appear as overly stark and oppressive, particularly when contrasted with the undulating profile of the vegetation. The outcome of the design development is a now a scheme which introduces sufficient variation in rooflines through the introduction of gables and flat roofs to sufficiently break up the form of the terraces. Roof terraces overlooking the public open space will also be utilised to a number of the properties which will break up the elevations further. The back to back dwellings will combine 2 and 3 storey elements to create further variation.

All the properties will be constructed in brick, with decorative brickwork features to break up the elevations. The openings are well proportioned for the elevations with suitably deep reveals. The overall elevations are relatively simplistic, which is considered to be a positive design feature. The proposed new dwellings are considered to be appropriate to the local context.

In order to ensure the appropriate quality of development, it is however, necessary that the detailing that is proposed and the quality of materials is high. This is secured by conditions.

Site Wide Infrastructure

A variety of boundary treatments are proposed across the site, and are to be utilised to define public and private space – particularly where this abuts with open space and the promenade. Similarly parking courts and access paths will also be gated in order to provide security for the site. It is considered that there are some further revisions to this which are required in order to fully balance the need for boundaries

against the design quality of the development. These details are secured by condition.

The South Yorkshire Police Architectural liaison officer has also commented on the scheme from a security perspective and has advised that the proposal is acceptable in principle.

In terms of the accessibility through the site, there are some existing topographical constraints to achieving full level access throughout the site. The nature of the parking courts mean that there will need to be a short walk to access the properties and similarly bin storage facilities - particularly those that are located on the promenade. There will be three plots (51, 52 and 53) which will not have level access and will be served by existing steps. There are also some points where there are steps to the access and parking courts and it is simply not feasible to design all of these out. There are also areas of shared surfaces across the site, where segregated pedestrian access will not be provided. The overall accessibility of the environment, in consideration of the existing topographical and development constraints of the scheme, is considered to be acceptable in principle however subject to the final details being secured by condition.

In light of the above, the overall design and layout of the development is concluded to meet the aims of paragraphs 94, 124 and 127 of the NPPF, Policy CS74 of the Core Strategy and H15 of the UDP.

Residential Amenity - Existing and Future Occupiers

The proposed dwellings will back onto a mix of bungalows and two storey dwellings. Therefore, there exists the potential for overbearing, particularly as the proposed new dwellings will be set at a higher level than the existing properties.

Overbearing Issues

The Council's guidance recommends that a distance of at least 21 metres should be achieved between the main window facing elevations of two storey properties in order to ensure that no unreasonable overbearing occurs. The submitted plans indicate that in some areas of the site there will be existing bungalows facing new 3 and 2.5 storey properties, in locations where there will be a level difference between existing and proposed properties. Following assessment and the submission of cross-sections to demonstrate the relationship, it is considered to be acceptable because the proposed separation distance will be approximately 29 metres.

In terms of the relationship between the existing two storey dwellings and the proposed new dwellings, the proposed separation distances vary. For example, there is a distance of approximately 17.5 metres between No.9 Skye Edge Avenue and Plot 91, and 33 metres between No.61 Skye Edge Avenue and plot 65. Whilst there are clearly some variances in the separation distance which are in some cases below the recommended 21 metres, in taking into account the cross sections supplied, the character of the site and the wider area and its previously developed nature, together with the wider benefits of this development, it is not considered that the slightly adverse impact for some existing residents that is created by the

development would be such that the refusal of planning permission could be reasonably justified on this basis.

Overlooking Issues

In terms of the potential for loss of privacy, it is accepted that a distance of around 21 metres is desirable to reduce the potential for loss of privacy. There are some plots where this is not achievable. Instead the designs of the house types seek to minimise the impact in order to provide an acceptable relationship.

For example, the rear elevation of House Type A, which is the dwelling type positioned at a reduced distance facing these existing properties, has been designed with only two windows to the rear elevation comprising of french doors /windows to the ground floor kitchen/dining area and a window serving the 3rd bedroom at first floor level. Furthermore, the ground floor windows will be screened by boundary treatments. The upper floor bedroom window will have a view to the properties beyond but this is not an unusual relationship and it is considered that the impact on privacy is not so severe as justify a refusal on this basis.

In terms of those proposed properties which do not directly face existing properties, it is considered that the relationship between the existing dwellings is acceptable because they are positioned a sufficient distance away to not result in any direct impact.

Amenity Provision

The amenity offer of the proposed dwellings for future occupiers is considered to be acceptable. The main habitable rooms have sources of natural light and outlook, with well-proportioned openings.

Positively, all the properties will have external amenity space and the sizes vary. The back to back properties have the smallest spaces and these consist of yard areas to the front of the dwellings. Whilst this design of a back to back property with yard area is not typical for Sheffield, it is also recognised that there are many people who do not wish to maintain a garden, and that this provides a different residential offer whilst not resulting in any identifiable harm to amenity.

Officers are also mindful that there are viability issues associated with the site and that there is a necessity to provide the number of units to make the development viable on what is a previously developed site. It is not therefore considered reasonable to require the removal of the back to back units simply on the grounds of lack of amenity space when there is no identifiable harm to existing residents and the benefits / dis-benefits of the limited space on offer will be a choice for future residents. It is also noted that this is just one House Type proposed and that there are other dwellings with varying curtilage sizes provided elsewhere within this development.

In light of the above, it is concluded that the amenity implications of the development for both existing and future occupiers of the site are acceptable and compliant with the aims and expectations of Policy H14.

Highways, Parking and Cycling

Paragraph 108 of the Framework states that in assessing development applications sustainable transport modes should be promoted and it should be ensured that safe and suitable access to the site can be achieved for all users. Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree.

Paragraph 109 of the NPPF also states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The application is supported by a Transport Statement and Travel Plan and further information has been submitted during the course of the application which deals with the impact of the proposed development on the surrounding highway network, assesses the proposed access and vehicle movements through the site and the mechanisms in place, through the operation and management of the site, to encourage sustainable modes of travel.

Core Strategy policy CS53: Management of Demand for Travel sets out that increasing demand for travel will be managed through a number of measures.

The maximum parking standards for this type of development (C3) are set out in Information Sheet 3: Car Parking Guidelines which states that for dwellings of 2-3 bedrooms, 2 car parking spaces should be provided per dwelling and for 4-5 bedroom dwellings, 2-3 spaces per dwelling should be provided. Visitor parking would expect to be 1 space per 4 units.

Policy BE9 of the Unitary Development Plan requires that new developments should provide a safe, efficient and environmentally acceptable layout for all vehicles (including cycles) and pedestrians and Policy BE10 sets out a number of aims for the design and environmental improvement of streets and pedestrian routes. Policy T22 requires developers to make provision for sufficient off-street parking to meet the needs of their development.

The development proposes 5 points of access, which includes existing access points to Starling Mead, Partridge View and Wren Bank, a widened junction and a new junction to link with the internal loop road. These accesses are considered to be acceptable in principle.

An assessment has been made of car ownership data within the area, based on census data. This sets out that it is anticipated that potential parking demand would equate to 136 spaces - but it is accepted that the output area was predominantly 1 and 2 bedroom dwellings and therefore, accounting for an uplift based on the current application being for 3 and 4 bedroom properties, 188 spaces are proposed.

It is acknowledged that based on council parking standards, the parking provision could be up to 299 spaces, but this does not reflect the assessment based on census data.

The 188 parking spaces proposed equates to the 44 x 4 bedroom dwellings having two allocated parking spaces per dwelling and the 69 x 3 bedroom dwellings having one allocated parking space per dwelling. In addition there will be a managed pool of 23 spaces which could be let to either three bedroom properties, or if unallocated, used for additional vehicle parking. 8 visitor parking spaces are also proposed. The parking spaces will be provided either in gated parking courts or within curtilage.

In order to minimise the on-site parking demand for residents the following package of measures is proposed – a Place First reservation Agreement, the imposition of a travel plan and a monitor and manage approach to parking post completion. The intention of the reservation agreement is that all residents agree and sign a reservation agreement prior to moving in and signing a formal tenancy agreement. It is intended that at Skye Edge the reservation agreement would outline exactly what on-site parking would be available to residents. Potential occupiers of four bedroom dwellings will be advised that they have two allocated spaces whilst potential three bedroom property occupiers will be advised that they have only one space and that if they have a requirement for an additional space they can secure a further space by an additional fee until the pool allocation of 23 spaces is exhausted. Place First have also submitted draft wording within the reservation agreement which will advise that residents should avoid parking on Skye Edge Avenue and surrounding roads and that regular monitoring of parking will be undertaken by Place First and if on street parking is identified then measures will be put in place to restrict this.

It is noted that a number of representations refer to the loss of the parking courts and the existing parking problems on Skye Edge Avenue. Having considered the parking provision on site as part of the proposed development scheme, the car ownership levels within the area and the generally sustainable location of the site it is considered that the parking provision proposed as part of the development is appropriate and that there will still be sufficient on street parking for existing residents on Skye Edge Avenue.

Officers have taken an 'on balance' view and concluded that parking provision based upon census data is a reasonable approach and that when combined with other measures proposed to mitigate parking, as detailed above, that the proposed parking provision on site is considered to be acceptable in this location.

The site is located within walking distance of a bus stop and is relatively close to city centre facilities and the Supertram and railway network.

Paragraph 110 of the Framework provides that applications should give priority first to pedestrian and cycle movements and second facilitate access to high quality public transport services and facilities that encourage public transport use.

The layout of the site responds to the aims of the NPPF with a number of pedestrian routes through the site from Skye Edge Avenue to encourage both journeys on foot and interaction between the site and the surrounding area. The 'promenade' to the

front of the site will also be pedestrian access only for a short stretch of this, which will also serve to improve the quality of this space. Parking provision within the site has also been designed to be a suitable mix of communal parking areas, which will be gated and in curtilage parking in order to minimise the potential for pedestrian and vehicle conflicts.

Ultimately, the highways impact of the development combined with the level of parking provision is considered to be acceptable in light of the aims and guidance contained within national policy as the implications are not considered to be so severe as to justify the refusal of planning permission. The proposal is also considered to accord with the aims of the Core Strategy and Unitary Development Plan.

Land Enabling Works – including Coal Authority comments

The NPPF paragraph 170 sets out that planning decisions should contribute to and enhance the natural environment by preventing new development from being put at risk from land instability and remediating unstable land, where appropriate.

The proposed development site is located within a defined Development High Risk Area and there are coal mining features and hazards on site which require consideration in relation to this application.

There are two mine entries (shafts) within the site and a mine entry (adit) just outside the site boundary which runs through the site. The site is also within an area of recorded and likely unrecorded coal mine workings at shallow depth.

A report has been submitted which is suitably informed and sets out the details of the remedial works proposed for the site in respect of the shallow mine workings and the mine entries - which includes drilling and grouting works. The layout of the development has also been informed by the presence of mine entries (and their zones of influence) on the site. It is therefore considered that, subject to the completion of the works specified in the supporting submissions and the submission of a validation report following the completion of the remedial works (to be required by condition) there is no objection to the proposed development by the Coal Authority.

As part of the application, a Geo-Environmental Appraisal has been submitted. This report identifies that there are no remedial works required to protect human health, but the report allows for the possibility of importing topsoil where necessary and it is recommended that suitable conditions are applied to ensure this.

Accordingly, it is considered that the proposed development meets the aims of the NPPF.

Noise

The NPPF paragraph 170 sets out that planning decisions should prevent new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels noise.

The proposed development is located within an established residential area and a noise report has been submitted as part of the application. It is not considered that future occupiers will suffer from unacceptable amenity by reason of noise subject to the imposition of a suitably worded condition requiring the installation of a scheme of sound insulation. Therefore, there are no policy concerns in relation to noise.

Drainage and Flood Risk

Paragraph 157 of the NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

Policy CS67 of the Core Strategy sets out the measures by which the extent and impact of flooding will be reduced.

The site is located in Flood Zone 1 on the Environment Agency's Flood Map and is therefore not considered to be at risk of flooding.

Yorkshire Water have commented that they have no objection to the proposal subject to the imposition of appropriate conditions which secure appropriate drainage solutions.

In terms of the drainage arrangements for the site, whilst an initial proposal has been put forward including utilising a drainage basin, there are some concerns with this approach and therefore it is considered to be appropriate that a condition be applied requiring further details of drainage, including sustainable drainage methods where appropriate.

Subject to the recommended conditions being applied, it is concluded that the proposal is compliant with the NPPF and Policy CS 67.

Sustainability

Policy CS64: Climate Change, Resources and Sustainable Design of Development requires all new buildings to be designed to reduce greenhouse gas emissions and function in a changing climate.

Policy CS65: Renewable Energy and Carbon Reduction requires all significant developments, unless it can be shown not to be feasible and viable to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

These policies are supported by the Climate Change and Design Supplementary Planning Document (SPD) and Practice Guide (adopted 2011)

In terms of sustainability, the statement accompanying the application sets out various measures that the scheme will incorporate in order to meet CS64. These

include exceeding the current Building Regulations standards for energy efficiency and achieving a high standard of water efficiency, in excess of the current Building Regulations requirement. However, the scheme is not proposing 10% renewable energy on viability grounds. The fabric first efficiency measures will only reduce the site's energy requirement by 4.99%. The applicants have referenced the submission of a claim for CIL Exceptional Relief as proof of the viability issues associated with this development scheme. Officers are aware that there are a number of abnormal costs associated with the development of the site and this has resulted in the site remaining undeveloped for several years. It is therefore considered that, on balance, the proposal, as submitted, is acceptable in sustainability terms.

Ecology

Paragraph 175 of the NPPF sets out that local planning authorities' should look for opportunities to incorporate biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity.

Policy GE11'Nature Conservation and Development' of the UDP sets out that the natural environment will be protected and enhanced and that siting, design and landscaping should respect and promote nature conservation.

The site is located adjacent to a Local Wildlife Site and in accordance with both national and local policy it is therefore relevant to consider the impact of the development upon the biodiversity of the site.

The proposed development site is not considered to have such ecological value as to preclude the development of the site for housing and is also not considered to have an unacceptable impact upon the adjacent local wildlife site.

As part of this application a biodiversity management plan and a landscape and planting plan have been submitted. The proposal includes the creation of a number of features such as wildflower rich grassland, bat boxes, swift bricks, sparrow terraces, log pile refugia and hedgehog holes. Subject to the imposition of appropriate conditions securing the biodiversity mitigation measures, the proposal is considered to be in line with the aims of paragraph 175 of the NPPF and GE11 of the Unitary Development Plan.

Landscape and Trees

Paragraph 127 of the NPPF sets out that developments' should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Policy BE6 'Landscape Design' sets out that good quality landscape design will be expected in new developments.

Policy GE15: Trees and Woodland also sets out that the protection of trees and woodlands will be encouraged and protected.

The development proposal will necessitate the removal of a number of existing trees on site as earmarked on the submitted plans. The trees to be removed have been

assessed for their quality and none are considered to be of such value that their retention can be reasonably required. Where existing trees are to be retained, conditions requiring appropriate tree protection measures to be implemented are recommended. It is also noted that there will be some replacement tree planting across the site as part of the overall landscape strategy.

The wider landscape strategy for the site includes both existing and proposed open space for the benefit of both existing and future residents. Informal open space is proposed which will include wildflower planting, seating and natural play equipment and there are proposals for an attenuation basin (subject to the approval of details) which will add further landscape interest.

The overall impact of this development proposal, in terms of both landscape design, and the loss of trees is considered to be acceptable in principle, meeting the aims of para 127 and policies BE6 and GE15 subject to the imposition of conditions to secure the works.

Public Art

Policy BE12 of the Unitary Development Plan states that the provision of works of public art in places which can be readily seen by the public will be encouraged as an integral part of the design of major developments.

The proposal incorporates a strategy that includes detailed house numbers alongside street furniture and landscape features which are intended to create a sense of place for residents and acknowledge the special location and views that can be enjoyed by a wider audience.

The principle of this is considered to be acceptable and in order to fulfil the policy expectations it is recommended that the public art be secured by condition.

Air Quality

The application site is not located within an area where the threshold for an Air Quality Assessment has been met.

Community Infrastructure Levy

The site is within CIL Charging Zone 3 where the charge is levied at £30 per square metre. The applicant has submitted an application for Exceptional Relief on viability grounds but this is subject to process separate to the determination of this planning application and can have no bearing on its outcome.

Employment and Training

In order to build upon the outcomes of the development, the applicant has committed to developing an employment and training strategy, the submission of which will be secured by condition.

Archaeology

South Yorkshire Archaeology Service have advised that there is likely to be little archaeological merit to the site and therefore no further consideration or conditions relating to this are required.

Legal Agreement

The applicant has submitted a draft unilateral undertaking in order to secure the land stabilisation works. Your officers do not consider that the undertaking is necessary as conditions are recommended which require the works to be undertaken, together with a post-validation report. The legal agreement does not place any obligations on the Council and as such there is no objection to the submission of this agreement alongside the application. For the avoidance of doubt the submission of this legal agreement is not a material consideration in the determination of this application and should be given no weight.

RESPONSE TO REPRESENTATIONS

It is noted that the majority of representations relate to concerns about parking provision and the highway impact of the development. The merits of the application in relation to parking and highways have been addressed within the highways section of this report. Existing residents of Skye Edge Avenue will need to park on Skye Edge Avenue. It is not possible to provide allocated parking spaces for existing residents with electric cars.

The principle of developing the area of open space and the impact upon ecology is also discussed within the report. The site is not within the Green Belt.

In relation to disturbance a condition will be applied restricting construction hours. Whilst this will result in some disturbance during the day, this is considered to be reasonable and unavoidable on any construction site but the impact is short-lived.

In relation to the impact of dust and debris, a condition requiring details of how the impact of this shall be minimised is recommended. It is acknowledged that local residents do not wish to see the disruption of building works however, the construction works will be temporary and whilst we can apply conditions to minimise disturbance it is not possible to block development for this reason.

Matters relating to amenity including loss of privacy, overbearing, design, density of development have been discussed within this report.

The design merits of the proposed development have been discussed within the main report and are considered to be appropriate to the local context.

The devaluation of property and the loss of view are not material planning considerations. It is also not considered that the impact of the previous developments on site (now demolished) are a material consideration.

The consultation event carried out before the application was submitted was an event held by the applicant and the local planning authority can only consider the

details submitted as part of the planning application. It is not possible to consider matters outside the red line boundary.

In respect of work being undertaken, it is understood that this was undertaken to inform site investigation works and does not imply that planning permission will be approved.

In respect of the comments made by Sheffield Wildlife Trust, the ecological impact and assessment of the scheme are considered earlier in this report.

SUMMARY AND RECOMMENDATION

The proposed residential development on this predominantly previously developed site is considered to be acceptable in principle. Whilst there will be some loss of Open Space, the majority of the site is within a designated Housing Area and the loss of open space is considered to be acceptable in this case given that there is sufficient alternative provision within the area.

The highways arrangements including the stopping up of existing highway, reuse of parking courts, the overall provision of parking and the impact upon the existing highway are all considered to be acceptable.

The design and layout of the development proposal is considered to be acceptable and will result in a quality development which creates a new character on a prominent site, whilst also being respectful of the local context. The amenity implications of the development on existing residents and the living conditions for future occupiers are also deemed to be acceptable.

The development proposes to satisfactorily address matters in relation to landscape, drainage and ecology.

In conclusion, the development proposal is considered to meet the aims of the NPPF, Core Strategy and Unitary Development Plan policies.

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

STOPPING UP

This development will require the Stopping Up (i.e. permanent closure) of the pieces of Adopted Public Highway shown on the plan attached with reference YK5616-104 Rev A and as amended by email dated 30.01.2019

Accordingly, if Members are minded to approve this application, they are also requested to confirm that:

- a. No objections are raised to the proposed Stopping Up of the areas of highway shown on the plan YK5616-104 rev A and as amended by email dated 30.01.2019, subject to satisfactory arrangements being made with Statutory

Undertakers with regards to such of their mains and services that may be affected.

- b. Legal Services are authorised to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town & Country Planning Act 1990.

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Case Number	18/03796/OUT (Formerly PP-07306045)
Application Type	Outline Planning Application
Proposal	Outline application (all matters reserved) for site redevelopment including remediation, demolition of existing buildings and erection of up to 100,000m ² of employment development (Use Classes B1, B2 and B8), car showroom (Use Class Sui Generis), hotel (Use Class C1), retail (Use Class A1), food and beverage (Use Classes A3, A4 and A5), leisure (Use Class D2 excluding cinema and bowling alley) and provision of associated car parking, highway works, vehicular and pedestrian access and egress, servicing and landscaping works (Town and Country Planning (EIA) Regulations 2017 Schedule 2 proposal)
Location	Land And Buildings At Meadowhall Way, Meadowhall Drive, Carbrook Street And Weedon Street Sheffield S9 2FU
Date Received	05/10/2018
Team	City Centre and East
Applicant/Agent	Quod (Leeds)
Recommendation	Grant Conditionally Subject to Legal Agreement

Time Limit for Commencement of Development

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

layout;
scale;
appearance;
access; and,
landscaping.

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

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

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

2. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3. Application for approval in respect of any matter reserved by this permission must be made not later than the expiration of 5 years from the date of this decision.

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

4. Subject to conditions 7 to 19 the following actions may take place prior to the submission of applications for reserved matters approvals.

Demolition, archaeological investigations, ground conditions investigations, intrusive site surveys and other enabling works; site clearance, soil storage and remedial work in respect of any contamination or other adverse ground conditions; diversion and laying of services; erection of any temporary means of enclosure; the temporary display of site notices or advertisements; erection of construction accommodation; and construction of temporary access and service roads.

Reason: In order to define the permission

5. Permission is hereby granted for the following uses (and maximum floorspaces for each use) as set out in the description of development:

- (a) Retail (Use Class A1, A3, A4 and A5) (up to 2,496m² GIA);
- (b) Car showroom (Use Class Sui Generis) (up to 9,139m² GIA);
- (c) Business and employment uses within Class B1, B2, B8 (up to 100,000m² GIA);
- (d) Hotel use within Class C1 (up to 7,500m² GIA);
- (e) Uses within Class D2 (excluding cinema and bowling alley) (up to 7,500m² GIA);
- (f) Car Parking (Including Multi-storey car parking);
- (g) Other miscellaneous uses including public bicycle interchange/storage facilities, substations, transformers, waste storage and recycling facilities.

The total floorspace of the development hereby approved not to exceed 100,000m² (GIA)

Reason: In order to define the permission.

Approved/Refused Plan(s)

6. The development must be carried out in complete compliance with the following approved Parameters plans and Regulatory Text which includes the following Parameter Plans:

Plan RDD _T_001031 - Planning Application Boundary and Ownership Plan.

Plan RDD _T_001032 - Existing Site Level
Plan RDD _T_001033 - Buildings to be Demolished
Plan RDD _T_001041 - Development Plots and Maximum Development Area
Plan RDD _T_001042 - Maximum Building Height Level
Plan RDD _T_001043 - Potential Access and Movement

or any variation to them that is agreed with the Local Planning Authority that does not result in new or different environmental effects from those reported in the environmental statement.

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

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

7. No development shall commence until an overarching drainage strategy has been submitted to and approved by the Local Planning Authority. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided and shall be in accordance with the surface water and Suds section of the River Don Flood Risk Assessment as amended on 13.11.18.

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.

8. No development on Plots 1, 1a or 2 shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar based on the area of the development. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site.

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 development on Plot 3 shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise greenfield rates (QBar) will apply.

An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the

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

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

10. Prior to the construction of each phase of development commencing a Construction Environment Management Plan, which shall be substantially in accordance with the approved outline Construction Environment Management Plan, shall be submitted to and approved by the Local Planning Authority including details of the following:

- A risk assessment of the potentially damaging construction activities in relation to wildlife and habitat;
- A method statement for the protection of terrestrial flora and fauna that may be encountered on site; and
- Measures to protect the non-statutory sites of the (Lower River Don Local Wildlife Site and the Don Valley Disused Railway LNS).

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

Reason: In order to minimise the impact on the ecological interest of the site in accordance with the National Planning Policy Framework

11. Unless an alternative scheme has been approved by the Local Planning Authority, in respect of Plots 2 and 3, no development in respect of each Reserved Matters approval shall be undertaken until the applicant, or its agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation in respect of each Reserved Matters approval which has been submitted by the applicant and approved by the Local Planning Authority and then implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure that any archaeological remains present, whether standing or buried, are preserved - either by being left in situ or by being recorded and removed in accordance with an agreed method before they are damaged or destroyed, in accordance with the National Planning Policy Framework (July 2018).

12. Unless an alternative scheme has been approved by the Local Planning Authority, in respect of Plots 2 and 3, no intrusive enabling works shall be undertaken until the applicant, or its agents or successors in title, has secured the implementation an appropriate scheme of archaeological work for those areas where intrusive enabling work are being undertaken in accordance with a written scheme for the archaeological work which has been submitted by the applicant and approved by the Local Planning Authority and then implemented to the satisfaction of the Local Planning Authority.

Intrusive enabling works is defined as ground conditions investigations and intrusive site surveys, ground works, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services.

Reason: To ensure that any archaeological remains present, whether standing or buried, are preserved by being recorded and removed in accordance with an agreed method, before they are damaged or destroyed in accordance with the revised National Planning Policy Framework (July 2018).

13. Unless an alternative scheme has been approved by the Local Planning Authority, in respect of Plot 1 and Plot 1a, no Reserved Matters applications shall be submitted and no development undertaken, including any intrusive enabling works [as defined in condition number 4] within Plot 1 and Plot 1a, until the applicant, or its agents or successors in title, has secured the implementation a programme of archaeological evaluation for Plot 1 and Plot 1a in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority and then implemented to the satisfaction of the Local Planning Authority."

Reason: To ensure that any archaeological remains present, whether standing or buried, are preserved - either by being left in situ or by being recorded and removed in accordance with an agreed method before they are damaged or destroyed, in accordance with the National Planning Policy Framework (July 2018).

14. Unless an alternative scheme has been approved by the Local Planning Authority, in respect of Plot 1 and Plot 1a, no development or intrusive enabling works, [as defined in condition number 4] shall take place within a part of the site where mitigation is identified as being necessary in the earlier evaluation until the applicant, or its agents or successors in title, has secured the implementation a programme of archaeological mitigation, in accordance with the results of the earlier evaluation, and a written scheme of investigation for any necessary mitigation recording has been submitted by the applicant and approved by the Local Planning Authority and then implemented to the satisfaction of the Local Planning Authority."

Reason: To ensure that any archaeological remains present, whether standing or buried, are preserved - either by being left in situ or by being recorded and removed in accordance with an agreed method before they are damaged or destroyed, in accordance with the National Planning Policy Framework (July 2018).

15. In respect of each part of the development the subject of a separate reserved matters approval, that part of the development hereby approved shall not commence until sub-conditions (1) to (3) have been complied with for that part of the development.

1. Site Characterisation

An intrusive site investigation and risk assessment as recommended in report: Appendix 13.1: Synopsis Report on Ground Conditions (ref: 43616/3501-GEO R002 (Synopsis) Rev 01) and approved letter dated 6/11/18, ref: 43616/3501 GEO/RP/CC, 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. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004). woodland and service lines and pipes; adjoining land; groundwater and surface water (including controlled waters) and ecological systems;

2. Submission of Remediation Scheme

Any remediation works recommended in the approved Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved 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.

3. Implementation of Approved Remediation Scheme

All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease 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 the interests of protecting the health and safety of adjoining occupiers and future occupiers of the site and preventing contamination of controlled waters.

16. Prior to the commencement of each phase of development a Local Employment and Training Strategy designed to maximise local opportunities for employment for that phase shall be submitted to and approved by the Local Planning Authority.

The Local Employment and Training Strategy should include details as to how the developer will use Reasonable Endeavours to achieve the following commitments:

- a) Advertising employment vacancies locally through a range of sources including, but not limited to; local press, recruitment support services, relevant local employment partners and stakeholders
- b) Maximise the opportunities for local residents to access employment created during construction, aiming for a target of 20% local employment (defined as being resident of the Sheffield City Council area)
- c) Maximise training opportunities, both through apprenticeships and NVQ's within construction related courses

Prior to the first occupation of the development an end user Employment and Training Strategy shall be submitted to and approved by the Local Planning Authority. This shall include measures to encourage occupiers to consider undertaking the following:

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

The occupation of the development shall be carried out in accordance with the Local Employment Training Strategies.

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

17. No development of the relevant phase of development shall commence until the measures to protect the water supply infrastructure that is laid within the relevant phase of development have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. If the required stand -off distance is to be achieved via diversion or closure of any water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and in order to allow sufficient access for maintenance and repair work at all times to the public water supply network.

18. No development shall commence within the Coal Mining High Risk area until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on the site and a report explaining the findings has been submitted to and approved in writing by the Local Planning Authority. In the event that site investigations confirm the need for remedial works to treat areas of shallow mine workings details of the remedial works shall also be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details before development commences within the relevant area.

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

19. As part of the first reserved matters application a survey of the position and line of the Carbrook culvert shall be submitted.

Reason: To confirm the culvert location and ensure that adequate access is maintained for maintenance.

20. No development shall commence until the highway 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 of arrangements which have been entered into which will secure that such improvement works will be carried out before any of the units and buildings on plots 1 and 2 are brought into use, have been submitted to and approved in writing by the Local Planning Authority (in which case no unit on plot 1 or 2 shall be brought into use until the highway improvements listed below have been carried out).

Highway Improvements:

Five Weirs Walk additional lighting between Weedon Street and Meadowhall Way - as on PBA drawing 33909-5520-002, submitted to LPA on 4th November 2016 as part of application 16/04169/FUL.

Reason: To ensure that sustainable travel is encouraged to the site in accordance with Core Strategy Policy CS53 and the NPPF and as these works are outside of the

application site it is essential that this condition is complied with before any works on site commence.

21. Before development on any relevant phase commences a Construction Logistics Plan (CLP) and Delivery and Servicing Plan (DSP) for that phase shall be submitted to and approved by the Local Planning Authority in accordance with the outline CLP and DSP. Thereafter the development of that phase shall be carried out in accordance with the approved plans.

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

22. As part of the first reserved matters application an outline Delivery and Servicing Plan and an outline Construction and Logistics Plan shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests minimising the impact of the on highway network and amenities of adjoining occupiers

23. On or before the first reserved matters application is submitted pursuant to this planning permission, an updated traffic model and traffic model report for the development must be submitted to the Local Planning Authority for agreement in consultation with Highways England.

The agreed traffic model must then be used to carry out testing, in order to establish the following:

(a) the anticipated traffic impacts of the development as a whole on the operation of M1 Junction 34(S) in order to determine whether these will reach a level sufficient to require the mitigation works shown on PBA drawing [TBC] (the 'Mitigation Works') to be delivered; and

(b) if it is established that the anticipated traffic impacts will reach such a level, the number of trips through M1 Junction 34(S) generated by the development hereby permitted which will trigger the need for and therefore determine the point at which the Mitigation Works must be delivered (the 'J34(S) Trip Threshold').

The results of the testing must be submitted to the Local Planning Authority for agreement in consultation with Highways England.

If pursuant to submission of the results of the testing the Local Planning Authority (in consultation with Highways England) agrees that the Mitigation Works will not be required nothing further will be required in relation to any traffic impacts arising from the development under this planning permission.

Alternatively, if pursuant to submission of the results of the testing, the Local Planning Authority (in consultation with Highways England) agrees that the Mitigation Works will be required, a transport statement must be submitted to the Local Planning Authority for agreement (in consultation with Highways England) prior to commencement of the development the subject of each reserved matters approval granted by the Local Planning Authority pursuant to this planning permission, in order to establish when the Mitigation Works must be delivered. Each transport statement must:

- (a) identify the projected number of trips it is anticipated will be generated by the development the subject of the relevant reserved matters approval; and
- (b) confirm whether the number of trips generated it is anticipated will be generated by the development the subject of the relevant reserved matters approval, together with the number of trips it is anticipated will be generated by or (as applicable) are being generated by development that is the subject of previous or earlier reserved matters applications submitted to and/or approved by the Local Planning Authority, will cumulatively exceed the J34(S) Trip Threshold.

Unless otherwise agreed by the Local Planning Authority, when pursuant to an agreed transport statement it is confirmed that the J34(S) Trip Threshold is exceeded, the Mitigation Works must be carried out before occupation of the development the subject of the reserved matters approval in connection with which the transport statement was submitted.

If the Mitigation Works are carried out (including pursuant to a planning permission other than this planning permission) prior to it either being confirmed pursuant to this condition that they are required and/or when they must be delivered (by submission of one or more transport statements), nothing further will be required to be provided or submitted under this condition.

Reason: In order to ensure the highways can accommodate the traffic generated by the development and in the interests of traffic safety and protecting the free and safe flow of traffic on the public highway.

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

24. Prior to the approval of the first reserved matters application, a Design Code shall be submitted to and approved by the Local Planning Authority. The Design Code shall be prepared in accordance with the approved Parameter Plans (listed under condition 6) and High Level Design Guidance. The Design Code shall include a strategic framework for the whole site as well as specific details and treatments on:
- a) Building plots
 - b) Siting of land uses
 - c) Street hierarchy and circulation
 - d) Heights and massing
 - e) Landscape framework of open spaces and green routes
 - f) Boundary treatments and site edges
 - g) Building frontages
 - h) Building design
 - i) Roofscape
 - j) Material palette
 - k) Accessibility including inclusive access
 - l) Parking
 - m) Servicing and waste strategy
 - n) Public art
 - o) Sustainable urban drainage
 - p) Green / brown roofs
 - q) Relationship of buildings to the street and open space
 - r) Streetscape - composition of street and street furniture strategy
 - s) Sustainable building design

No development apart from enabling works shall commence until such time as the Design Code for the entire site, has been approved in writing by the Local Planning Authority. All Reserved Matters submitted shall be in accordance with the Design Code approved, unless minor variations are agreed by the Local Planning Authority.

Reason: In the interests of interests of good design and creating high quality places in accordance with the National Planning Policy Framework Practice Guidance.

25. No more than 20,000m² of Class B1(a) floorspace shall be constructed until evidence is submitted to, and approved in writing by, the Local Planning Authority, that demonstrates that any additional office floorspace developed will maintain an appropriate balance between City Centre and edge of centre office development (as defined in the Development Plan and Government Planning Guidance) and office development outside this area, in accordance with the objectives of the Development Plan of ensuring that the City Centre is and remains the focus for office development in Sheffield City Council Local Authority Area.

An office compliance statement covering developments in Sheffield Local Authority Area will be submitted to the Local Planning Authority for its approval in writing in association with any reserved matters application for any phase of offices beyond 20,000m². The statement will identify:

- (i) the amount of B1(a) office floorspace approved (but unimplemented) in the City Centre and on edge of city centre sites, ('city centre' and 'edge of city centre' as defined in the Development Plan and Government guidance);
- (ii) the amount of approved office floorspace for which reserved matters approval has been granted and that remains to be built at the River Don District, plus (in respect of office development that has not been implemented) other B1(a) office permissions, (as defined in the methodology for implementation of office policies as set out in the Development Plan) outside the city centre and edge of centre area;
- (iii) the amount of office floorspace constructed in the City Centre and at edge of centre sites over the previous five years up to the date of the office compliance statement and the amount of office floorspace constructed outside the City Centre and edge of centre area; and on this basis
- (iv) the balance between office space constructed and with planning permission, (as defined in the methodology for implementation of office policy as set out in the Development Plan), and under construction will be identified

This will form the basis of the assessment by the Local Planning Authority of whether there is an appropriate balance between City Centre office development, and development outside the City Centre.

Reason: In order that the City Centre remains the focus for office development in accordance with the NPPF and Core Strategy policy CS3.

26. At all times that construction works are being carried out equipment shall be provided to the satisfaction of the Local Planning Authority 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 but before each phase of the development is commenced full details of such equipment shall have been submitted to and approved by the Local Planning Authority. When the above-mentioned equipment has been provided thereafter such equipment shall be used for the sole purpose intended in all instances and be properly maintained.

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

27. The development of each reserved matters phase shall not be begun until details have been submitted to and approved by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site frontage 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 the interests of pedestrian safety.

28. No development of any Phase shall commence until a plan showing the location of that Phase has been submitted to and approved in writing by the Local Planning Authority, which may be varied with the prior written approved of the Local Planning Authority.

Reason: In order to define the permission.

29. Unless and alternative scheme has been agreed by the Local Planning Authority the development as a whole shall provide a minimum of 25 rapid electric charging points and as part of each reserved matters application the number of electric charging points shall be reviewed and the number to be provide as part of that phase shall be in line with the local standards prevailing at the time the application is made and details of the number and location of the chargers, and the associated signage shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to the site and mitigating the air quality impact of the development

30. The maximum number of car parking spaces to be provided within the application site in respect of the Development hereby permitted shall not exceed 1,686 spaces, inclusive of electrical car charging points and excluding disabled parking.

The number of car parking spaces for the following permitted uses shall not exceed the following maximum levels:

- a) B1 Office: 2 space per 60m² gross floor area;
- b) B2 General Industrial / B8 Storage or Distribution - 1 space per 75m² gross floor area;
- c) A1/A3-A5 Flexible Retail - 1 space per 35m² gross floor area;
- d) A1 Retail (foodstore) - 1 space per 15m² gross floor area;
- e) C1 Hotel - 1 space per room;
- f) D2 Leisure - 1 space per 50m².

Details of the proportion of the maximum car parking provision to be provided as part of each reserved matter application shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase/development plot. The parking provision shall thereafter be implemented as approved before the relevant buildings are occupied and retained as such for the lifetime of the development.

Reason: To ensure that parking provision, the level of traffic generation and highways impacts are limited to that assessed as part of the transport assessment.

31. For each phase of development 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 or any part of the relevant phase shall not be brought in to use until the Validation Report for that phase 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 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.

32. No buildings shall be occupied or brought into use until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority and the approved foul drainage works have been implemented in accordance with the approved phasing details.

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

33. Unless an alternative scheme has been agreed by the Local Planning Authority green/brown roofs shall be provided on 50% of the roof areas of new buildings across the development as a whole. Prior to each phase of the development commencing details of the design and location of green/brown roofs forming part of that phase, including a description of the habitat types to be created and how they will function and be maintained, shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the buildings on which the green/brown roofs are to be provided are occupied.

Unless an alternative scheme has been agreed by the Local Planning Authority and subject to future changes in green and brown roof technology the design the design of the green and brown roofs shall be as follows;

Brown roof(s), (roofs where wildlife habitat is the principle design purpose), shall be designed with a growing medium of 150mm average depth and containing between 15 to 25% compost or other organic material shall be provided in order to provide suitable growing conditions and in particular adequate water retaining capacity for Sheffield climatic conditions. Additional habitat provision such as bird perching and nesting sites shall be provided.

Green roof(s) (roofs where wildlife habitat is not the principle design purpose), shall be designed with a growing medium of 80mm minimum depth and containing between 15 to 25% compost or other organic material shall be provided in order to provide suitable growing conditions and in particular adequate water retaining capacity for Sheffield climatic conditions.

Reason: In order to compensate for the impact of the development on the biodiversity value of the site and in accordance with policies CS63 and CS64 Climate Change and Design Supplementary Planning Document and Practice Guide.

34. Each reserved matters application for landscaping that includes areas of public realm shall be accompanied by proposals for the long term management and maintenance of these spaces which shall be submitted to and approved by the Local Planning

Authority before any development of the phase commences. Thereafter the approved details shall be implemented.

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

35. As part of each reserved matters application seeking approval for Access arrangements a detailed dilapidation survey of all the highways abutting or passing through the reserved matters application site including any structural surveys deemed necessary shall be submitted to and approved by 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.

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

36. Prior to the occupation of any phase of the development, (which includes B1/B2/B8 buildings in excess of 2,500m² or other buildings in excess of 1,000m²) a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with the approved Framework Travel Plan.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the local planning authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation of each phase, the approved Travel Plan(s) for that phase shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Core Strategy Policies CS51 and CS53.

37. The A3/A5 uses and the A4 use (where it includes a commercial food kitchen) shall not be occupied unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted and approved by the Local Planning Authority. These details shall be in accordance with the 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 systems required cleaning and maintenance schedule.

Thereafter the approved details shall be implemented before the use commences and retained

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

38. The hotel bedroom accommodation shall not be brought into use unless a scheme of sound insulation works, which are in accordance with BS 8233:2014, has been submitted to and approved by the Local Planning Authority and thereafter the approved details have been implemented. Such works shall:

- a) Be based on the findings of an approved noise survey.
- b) Where the noise criteria of BS 8233:2014 cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

After the sound insulation works have been implemented they shall be retained.

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

39. As part of each reserved matters application full details of the proposed surface water drainage design, which shall be in accordance with the approved overarching drainage strategy, including calculations and appropriate model results, shall have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development and details of how surface water run-off will be managed to prevent pollution of the aquatic environment and protect the public sewer network. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development, to prevent pollution of the aquatic environment and protect the public sewer network, 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.

40. Where development commences more than two years from the date of the original protected species surveys, additional/updating surveys should be carried out to ensure that approved mitigation and construction methods are appropriate for the current situation.

Reason: To ensure the ecological interests of the site are maintained in accordance with NPPF and that no offence is committed in respect of protected species legislation.

41. Applications for approval of Reserved Matters shall be accompanied by an illustrative plan showing:

- (a) how the location and use(s) of the buildings in respect of which:
 - (i) approval already exists;
 - (ii) construction has already begun or has been completed; and

(iii) approval is being sought are in conformity with the Parameters Plans, Regulatory Text and Design Code, as approved or as subsequently amended; and

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

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

42. As part of each reserved matters application which adjoins the Carbrook Culvert details shall be submitted to demonstrate that there will be no loading from the development that may cause damage to the culvert structure.

Reason: To prevent damage to the culvert.

43. An off-street two way cycle link a maximum of 4.5m wide shall be provided on Weedon Street between the western corner of Plot 2 and the south eastern corner of Plot 3. As part of each reserved matters application on Plots 2 and 3 which have a frontage to Weedon Street details of the siting, layout and design of the cycle route along with a programme for implementing the works shall be submitted to and approved by the Local Planning Authority. Thereafter the cycle link shall be implemented in accordance with the approved programme.

Reason: To ensure that sustainable travel is encouraged to the site in accordance with Core Strategy Policy CS53 and the NPPF.

44. As part of each reserved matters application for access a detailed Car Park Management Plan in accordance with the Draft Car Park Management Plan shall be submitted to and approved by the Local Planning Authority. Thereafter each part of the development shall be carried out in accordance with the approved detailed car park management plan.

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

45. As part of the first reserved matters application a Landscape and Ecological Management Plan shall be submitted to and approved by the Local Planning Authority. Thereafter the habitats created as part of each phase of development shall be managed in accordance with the approved Landscape and Ecological Management Plan.

Reason: In the interests of mitigating the ecological impact of the development and ensuring that the biodiversity value of site is maintained and enhanced.

46. Each reserved matters application for a building of 500m² or above shall be accompanied by a report identifying how a minimum of 10% of the predicted energy needs of the of the completed development will be obtained from decentralised and renewable or low carbon energy.

No development shall commence on the relevant building until the report has been approved in writing by the Local Planning Authority. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the relevant building is occupied and a

post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. 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 complies with policy CS65 and 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 Compliance Conditions

47. No building shall be positioned within a minimum distance of 3 metres from the structure of the culverted watercourse.

Reason: To ensure that access is available for maintenance

48. Unless agreed alternative finished floor levels are agreed by the Local Planning Authority, following the submission of more up to date flood modelling, the finished floor levels shall be a minimum of 35.3m AOD and the ground floor levels shall be a minimum of 150mm above the surrounding ground level.

Reason: In order to minimise the risk of flooding.

49. No building or other obstruction including landscape features shall be located over or within:

- a) 6.5 metres either side of the centre line of the 1500mm diameter, 1372mm diameter and 1324mm diameter public combined sewers i.e. protected strip widths of 13 metres per sewer; and
- b) 5 metres either side of the centre line of the 900x600mm ovoid public combined sewer public sewer i.e. a protected strip width of 10 metres ; and
- c) 4 metres either side of the centre line of the of the 600mm diameter public combined sewer i.e. a protected strip width of 8 metres; and
- d) 3 metres either side of the centre line of the of the 375mm diameter and 300mm diameter public combined sewers i.e. protected strip widths of 6 metres per sewer; and
- e) within 10 meters of any manhole laid along the length of the 5100mm and 2134 public combined sewers that cross the site.

If the required stand-off distances are 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 and that prior to construction in the affected area, the approved works have been undertaken. Furthermore, any building over the lines of the 5100mm diameter and 2134mm public combined sewers shall only commence once full details of the methodology for constructing the foundations of any structure located over or close to the aforementioned sewers have been submitted to and approved by the Local Planning Authority and the required protection measures have been implemented.

Reason: In the interest of public health and in order to allow sufficient access for maintenance and repair work at all times to the public sewerage.

50. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

51. As part of any reserved matters application seeking permission for access a detailed highway layout plan/plans for that specific phase shall have been submitted to and approved in writing by the Local Planning Authority. The drawing shall give details of:-

1. All areas of public highway to be closed.
2. Any new areas of public highway to be created.
3. Vehicle servicing proposals.
4. Construction access points

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

Reason: In order to ensure that adequate access and egress arrangements are provided in the interests of traffic safety.

52. There shall be no development within the safeguarding zone for the potential innovation corridor road link on Plot 3 as identified on plan reference 43616/5505/009 within 3 years of this permission unless the Council have provided formal notification that they are not to take forward a scheme for the construction of an innovation corridor road link affecting the road alignment shown on the above plan.

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

53. No more than 1000m² (GIA) of retail floorspace shall be used for comparison goods retail purposes and no more than 1500m² (GIA) shall be used for convenience goods retail purposes and any retail unit used for comparison goods retail purposes shall not exceed 500m² (GIA) and any retail unit used for convenience goods retail purposes shall not exceed 1000m².

Reason: In the interests of minimising the impact on existing town centres in accordance with the para 86 of the NPPF.

54. The retail floorspace shall not be used for the sale or display of any of the following goods save where ancillary to the main range of goods sold:
- Clothing including children's clothing and sportswear
 - Footwear
 - Jewellery
 - Toys.

Reason: In the interests of ensuring that retail space is used for retail purposes for which a site specific need has been established and in order to support established shopping centres in accordance with the sequential approach.

55. No more than 1500m² of floorspace for the purposes of uses within classes A1-A5 and D2 shall be occupied unless construction is commenced on no less than 25,000m² of floorspace for the purposes within classes B1, B2, B8 floorspace and no more than 2500m² of floorspace for the purposes of uses within classes A1-A5 and D2 shall be occupied unless construction is commenced on no less than 40,000² of floorspace for the purposes of uses within classes B1, B2, B8 floorspace.

Reason: In order to ensure the development of the site is consistent with the sequential test and the NPPF as site specific need has been identified for the main town centre uses to serve the employment uses on site.

56. Following the construction of the first 2500m² of B1(a) business floor space hereby approved, no further class B1(a) business floor space shall be constructed until an equivalent amount of class B1(b), (c), B2 or B8 floor space has been constructed.

Reason: To ensure that the site is developed with a balance of office and manufacturing/warehousing uses in accordance with Core Strategy policy CS5.

57. The maximum gross floorspace size for any of the class B1(a) Business units on the site shall be 2500m².

Reason: In order to ensure the site is not developed with the larger scale City Centre type offices in the interests of the regeneration of the city centre and in accordance with NPPF in terms of directing main town centre uses to existing centres.

58. The number of disabled parking spaces for the following permitted uses shall meet the following minimum standards:

- a) Retail/recreation/leisure: minimum of 3 accessible spaces or 6% of the overall capacity for accessible spaces whichever is greater; and a minimum of 4% of the overall capacity for enlarged standard spaces
- b) Hotels: minimum of 3 accessible spaces, or 1 accessible space for each accessible bedroom, or 6% of the overall capacity for accessible spaces whichever is greater; and a minimum of 4% of the overall capacity for enlarged standard spaces
- c) Workplaces: minimum of 1 accessible space for each employee who is a disabled motorist plus 2 accessible spaces, or 5% of the overall capacity, whichever is greater; and a minimum of 5% of the overall capacity for enlarged standard spaces.
- d) Staff car parks at other use categories: minimum of 1 accessible space for each employee who is a disabled motorist.

Disabled parking shall be provided as near to the building entrance which it is intended to serve as is feasible.

Reason: In the interests facilitating inclusive access to the site.

59. The number of cycle parking spaces for the following permitted uses shall meet the following minimum standards:

- a) Food and retail warehouses: 1 space per 1,000m² short stay; and 1 space per 40 staff long stay;
- b) Small shops - 1 space short stay; and 1 space 1 long stay;

- c) Other D2 uses (not cinemas/bingo hall) - operational only;
- d) B1 including officers - 1 space per 1,000m² short stay; 2 space per 350m² long stay; and
- e) B2 general industry / B8 warehouse - 1 space per 5,000m² short stay; 1 space per 40 staff long stay.

Long stay spaces shall be covered.

Reason: In the interests of encouraging sustainable access to the site and mitigating the air quality impact of the development.

60. Prior to each phase of the development being brought into use any redundant accesses serving that phase shall have been permanently closed and reinstated to footpath, and the means of vehicular access shall be restricted solely to those access points indicated on the approved plans.

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

61. The highway improvements defined in Part 1 below shall be implemented before any unit in the first phase of development is occupied. The highway improvements defined in Part 2 below shall be implemented before any unit on Plots 1 and 2 are occupied.

Highway Improvements

- 1. Improved pedestrian and cycling facilities at the Meadowhall Road/Jenkin Road junction with enhanced crossing facilities, signage and markings as shown on drawing 43616/5505/006.
- 2. Weedon Street Ped/Cycle Crossing - as shown on PBA drawing 33909-5520-001, submitted to LPA on 4th November 2016 as part of application 16/04169/FUL.

Reason: To ensure that sustainable travel is encouraged to the site in accordance with Core Strategy Policy CS53 and the NPPF

62. Any buildings for B1(a) use of 500m² or above shall be constructed to achieve a minimum rating of BREEAM 'excellent' and any other buildings of 500m² or above (excluding the multi storey car parks) shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the relevant building is occupied (or within an alternative timescale to be agreed) the relevant certification, demonstrating that BREEAM 'very good'/'excellent' 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.

Attention is Drawn to the Following Directives:

1. The Environment Agency has provided the following advice.

A flood risk activity permit may be required, under the Environmental Permitting Regulations 2016 from the Environment Agency for any proposed works or structures in, under, over or within eight metres of a 'main river' (i.e. the River Don and Car

Brook). A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

excavated materials that are recovered via a treatment operation can be re-used onsite providing they are treated to a standard such that - they fit for purpose and unlikely to cause pollution

- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. The Environment Agency recommends that developers should refer to:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- Website at www.environment-agency.gov.uk for further guidance.

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at www.environmentagency.gov.uk for more information.

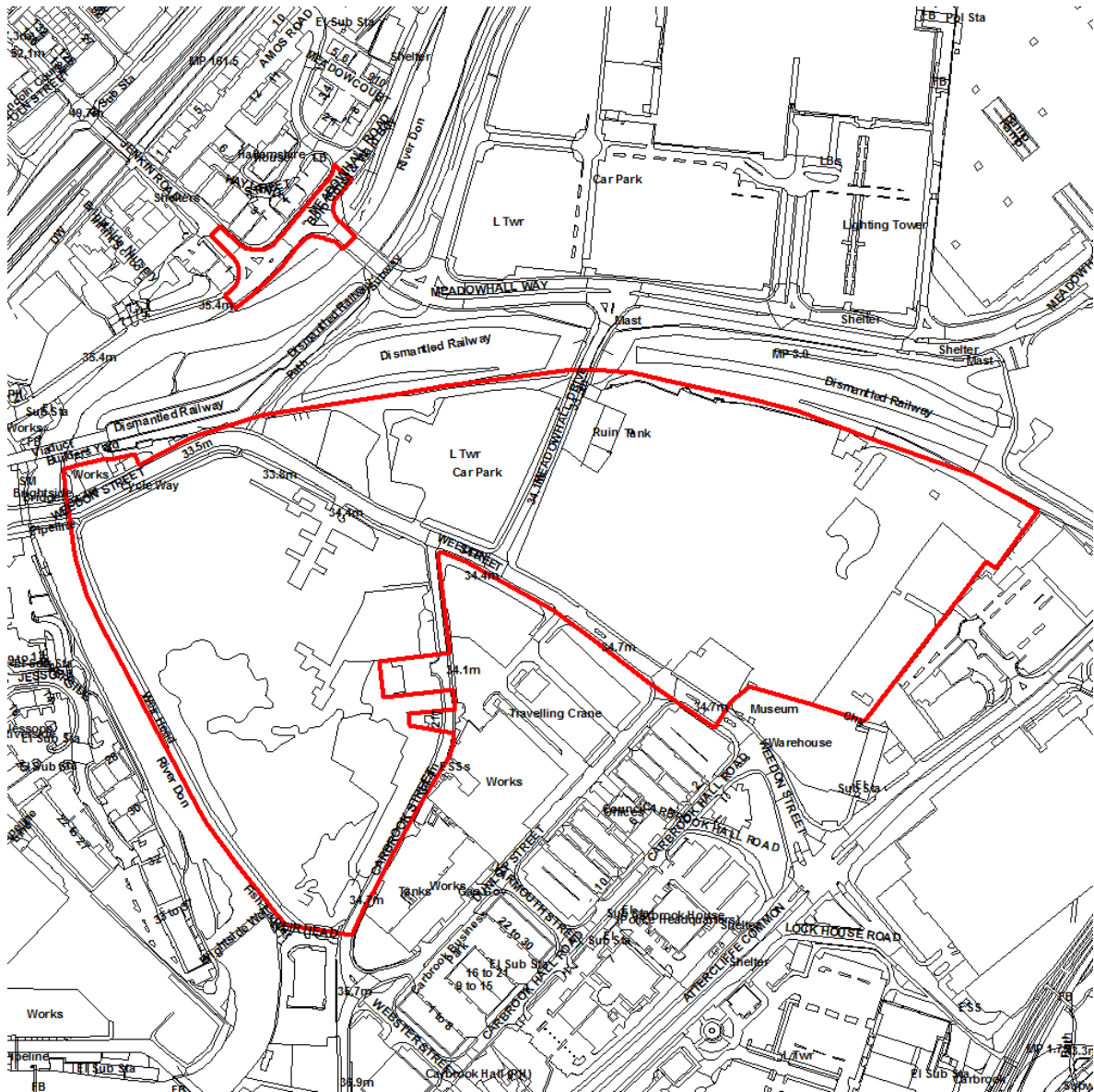
2. For the avoidance of doubt the Council is of the view B1a offices which are ancillary to the primary B1b, Bc, B2 and B8 use are not covered by the limits on office floor space referred to in condition 5.
3. Birds may be nesting in trees and shrubs proposed for removal. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb nesting birds, and

vegetation removal should be timed therefore to avoid the nesting season (March to August inclusive).

Where development commences more than two years from the date of the original protected species surveys, additional/updating surveys should be carried out to ensure that approved mitigation and construction methods are appropriate for the current situation.

4. The applicant is advised prior to the demolition of Building 2 a European Protected Species Licence (EPSL) will need submitting which will need to include a mitigation method statement.
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 applicant is advised that Yorkshire Water consider the details to be submitted to protect the aquatic and public sewer network (condition 40) should include surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 49 spaces passing through an oil, petrol and grit interceptor/separator of adequate design prior to any discharge to an existing or prospectively adoptable sewer. Surface water run-off from the areas used for the delivery of fuel, areas used for and immediately adjacent to vehicle washing facilities and/or other similar areas where detergent is likely to be used shall not discharge to any public surface water sewer network. Surface water from such areas must pass through an oil, petrol and grit interceptor/separator, before discharge to the public foul or combined sewer network.
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.

Site Location



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INTRODUCTION

The Site, including an additional area of land to the east comprising of the disused railway embankment and part of the vacant land on the same plot as the Next Home and Garden store, is subject to an extant outline planning permission (LPA Ref: 08/02594/OUT). This is for an employment and residential led scheme, granted by the Council in May 2009. It allows for between 800 to 1,300 residential units (97,950m²), up to 120,000m² office space, hotel (10,000m²), retail space (2,499m²), commercial, community and leisure uses (6,600m²), and associated amenity and parking facilities (2,818 spaces). In total, a maximum floorspace of development over the site consisting of 210,140m² was approved.

In November 2016, a full planning application was submitted to the council for the expansion of the shopping centre at Meadowhall (LPA ref: 16/04169/FUL), referred to as The Leisure Hall ("TLH"). As part of this consent, a Unilateral Undertaking entered into by the Applicant restricted the scale of development in the earlier permission 08/02594/OUT to a maximum of 60,000m² office use, 800 residential units, and 2,000m² of retail floorspace.

The applicant has not commenced the 2009 permission above and would not be able to do so until the pre-commencement conditions have been discharged. The permission allowed for commencement within 10 years (rather than the usual 3 years) and consequently if a start is not made by May 2019 it will expire.

The application was aimed at accommodating the relocation of HSBC offices from the city centre and creating a new residential community. Due to changing circumstances over the intervening time period the content and intensity of the development proposals has been altered and the applicant has acknowledged that the market has changed significantly on that time. The residential element has been removed in its entirety and the employment uses are more mixed including B1 non office uses, B2 general industry and B8 warehousing. The extant permission expires in less than 2 months and whilst a live permission is a material consideration, officers consider it should be given little weight as it is unlikely to be implemented given the changed market, the lack of progress in bringing it forward and the limited time left to run.

LOCATION AND PROPOSAL

The application site is located in the Lower Don Valley to the south west of the Meadowhall Shopping Centre. The area of the site is approximately 17 hectares and it is bounded by a redundant railway embankment to the north, car showrooms and the listed former Tinsley Tram Depot to the east, industrial and office development and the River Don to the south and west.

The site is dissected by Weedon Street, Meadowhall Drive and Carbrook Street. It is previously developed land which is largely vacant and cleared. Parts of the site have been used for overspill and staff car parking for the Meadowhall Centre at peak periods in the past. It is reasonably level and has a 350m long frontage to the River Don.

The application is in outline with all matters reserved. However the scale and nature of the development is controlled by a series of parameter plans. The site is divided into 3 plots which are largely defined by the existing road network. Plot 1 is defined by the river Don, Weedon Street and Carbrook Street; Plots 2 and 3 are defined by Weedon Street and the disused railway embankment with Meadowhall Drive separating the plots. The parameter plans specify the maximum extent of the building footprint; the maximum quantum of floorspace for each use; the maximum building heights for each plot and the zones within which access will be obtained.

The application proposes a maximum of 100,000m² of B1, B2 and B8 use, of which a maximum of 40,000m² could be B1(a) offices; a maximum of 2,495m² which could be used for A1 shops, A3 restaurant and cafés, A4 drinking establishments and A5 hot food takeaways; a maximum of a 7,500m² for a hotel; a maximum of 9,130m² of car showroom and a maximum of 2,000m² D2 leisure use.

The supporting submissions include an illustrative masterplan which shows one way that the site could be developed and outlines some design objectives. The application also includes an Environmental Statement which assesses the main environmental impacts. These are: the socio-economic effects; construction and demolition impacts; human health; traffic and transport; air quality; cultural heritage; biodiversity and ground conditions. Other supporting submissions include a flood risk assessment, sustainable energy statement, an arboricultural report and noise assessment.

A statement of community involvement has also been submitted in support of the application.

The applicant has estimated that the development is expected to create an approximate monthly average of 170 full time equivalent jobs over the duration of the projected ten year construction period. The supporting submission predicts that the completed development may support between 3,090 - 4,810 new permanent jobs.

SUMMARY OF REPRESENTATIONS

The applicant has submitted a statement of community involvement which says that pre-application consultation was undertaken between 31.8.18 and 21.9.18. This consisted of the following:

- Consultation post card sent to 2242 properties
- Press release
- Consultation drop in session
- Meetings held with local and elected representatives and economic groups
- Project web site was set up
- Project email address was set up
- Freephone information line was set up

Ten people attended the consultation event. A total of 11 responses to the pre-application process were received. Feedback received has been considered by the project team. The comments received are summarised as follows:

- Decreasing the overflow parking will reduce the spaces for shoppers
- Can the river be widened?
- The current ecology value of the site should be recognised retained and enhanced
- There is a shortage of office accommodation with sufficient car parking and this should be included in the scheme
- The development should provide amenity facilities
- The Old Brightside Train station should be considered for transport
- The scheme should link with the local community by establishing a riverside right of way
- Will the development use local companies and expertise?
- How will the land be remediated and engineered?

Seven individuals responded to the questionnaire all of whom supported the development.

The applicant explains that the consultation responses were taken into account in developing the scheme.

Rotherham MBC has no objections to the proposals on the basis that the leisure use would not include a cinema and taking into account the conditions restricting the retail use and assuming that Sheffield has accepted that the retail use will serve a local need.

Planning consultants have responded on behalf of Aberdeen Standard Investments who are re-developing The Moor. They welcome the industrial elements of the scheme but have concerns about the scale of the non-employment uses, particularly given the scale of similar uses permitted in The Leisure Hall scheme. They consider the proposal needs to be judged in the light of the Council's objectives for regenerating the City Centre and that the potential regeneration opportunities in the City Centre must not be undermined by out of centre development.

They consider the quantum of office and support services raises concerns but could be controlled satisfactorily by conditions. They consider the extant consent should be given limited weight given the changed market. Given that the majority of the floor space could be non-industrial or warehousing uses they consider that more evidence is required to show how it will comply with Core Strategy Policies (CS7 and CS15) which identify the areas around Meadowhall for non-retail development and the Lower Don Valley as locations for manufacturing, warehousing and other non-business uses. The Council is pursuing a greater focus on a mix of uses in the city centre including hotels. They say further evidence is needed to justify the hotel which is a main town centre use. They question whether there is any realistic prospect of the existing RDD (River Don Development) being implemented.

They question whether the development will support the Advanced Manufacturing and Innovation District given its peripheral location. They consider further detail is needed on the implications of major office development for the city Centre office

opportunities. They question whether there is a clear justification for the scale of supportive uses proposed and that consideration should be given to a cap on these uses.

The representations received are considered in the following assessment of the proposals.

PLANNING ASSESSMENT

Policy

The application site lies within a Fringe Industry and Business Area as defined on the Unitary Development Plan (UDP) Proposals Map. Policy IB6 says that business B1, general industry B2 and warehousing B8 are the preferred uses in such areas. Small shops (class A1) less than 280sqm sales area, offices used by the public A2, food and drink outlets A3, hotels C1 and leisure and recreation facilities D2 are acceptable uses. Other shops which are not at the edge of a shopping centre are unacceptable. Other uses such as car showrooms will be considered on their individual merits.

UDP policy IB9 says that development must not lead to a concentration of uses which would prejudice the dominance of industry and business in the area or cause the loss of important industrial sites.

Policy IB10 says that in industry and business areas visitor accommodation will be permitted only where the development is located where the environment is satisfactory and relates to other leisure and tourism facilities and complies with Policy IB9.

Policy L2 says that new leisure uses will be promoted where they would be in areas with few facilities and areas of known poverty and would be small scale local facilities and would be easily accessible by public transport. For leisure developments that attract a lot of people the development must not undermine the evening economy in the city centre.

Core Strategy Policy CS2 seeks to promote business and industrial development on brownfield land and in locations where it will be accessible by public transport.

Policy CS3 seeks to promote office development in various locations including the City Centre where office development will be the key to attracting new businesses and supporting the spatial strategy. Offices are promoted around Meadowhall provided that development in the City Centre and its edge provides at least 65% of total office development in the city. The policy recognises that Meadowhall is appropriate for offices as it is well served by public transport.

Policy CS5 seeks to promote the Lower Don Valley for manufacturing, warehousing and non-office business uses.

Policy CS7 says that around the Meadowhall Centre the predominant land uses will be for employment, including office development and non-business development.

Large scale leisure uses which cannot be located in the City Centre or at its edge may be located close to the interchange. All new development around Meadowhall Centre should be integrated with the existing development.

The National Planning Policy Framework (NPPF) says that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

In terms of main town centres uses it says that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Local planning authorities should apply a sequential test to planning applications for main town centres uses which are neither in an existing centre nor in accordance with an up-to-date development plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored. Main town centre uses are retail and leisure uses, restaurants, bars and pubs, health and fitness centres, offices and hotels.

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

In this case the retail floor space proposed is up to 2495m² and the leisure floor space is 2000m². It is arguable as to whether an impact assessment is required as the individual uses are less than 2500m² but together the retail and leisure uses exceed the threshold. The applicant has submitted an impact assessment in support of the application.

The applicant says the retail and leisure uses are important to the scheme in terms of land value, place making and providing services for the new employment elements of the scheme.

Business Policy Issues

The business uses are supported by Unitary Development Plan Policy IB6 and as they are likely to occupy over 50% of the site area the scheme will not prejudice the dominance of industry and business in the area or cause the loss of important industrial sites. The business and industrial uses are consistent with Core Strategy Policy CS2 which seeks to promote business development on brownfield land and

on sites accessible by public transport. In addition the business and industrial uses are supported by Core Strategy Policies CS5 and CS7 which promote the area around Meadowhall and the Lower Don Valley for employment, office, manufacturing, warehousing and non-office business uses.

However the support for B1(a) office uses is dependent on 65% of office development taking place in the City Centre as set out in Core Strategy Policy CS3. In addition, at Meadowhall, office developments should not be large scale. Under Policy CS3 if it cannot be demonstrated that there is 65% of the available capacity within 5 years for office development within the City Centre or at the edge of the City Centre, then office development outside of these areas should be either refused or allowed with phasing conditions. The current balance is 72.8% of new office development proposed being in or at the edge of City Centre. A development of 40,000m² of offices on the site as proposed would reduce the proportion of new office development proposed in or at the edge of City Centre to 58.8%, which is clearly contrary to Policy CS3. Reducing the amount of office floorspace on the site to 20,000m² would reduce the proportion of new office development proposed in or at the edge of City Centre to 65.1%, which is marginally acceptable under Policy CS3. Therefore in accordance with Policy CS3 a condition is proposed which controls the phasing of the offices such that no more than 20,000m² can be constructed unless the 65% in-centre and 35% out-of-centre balance will be maintained. This will ensure that the office element is policy compliant.

The business and office uses are therefore compliant with policy and will help to deliver a significant number of new jobs and economic growth. The application site is seen as a site which can make a significant contribution towards providing space for advanced manufacturing uses and therefore will support the city's economy and economic regeneration. It is close to the existing clusters of these types of businesses on the former airport site and Advanced Manufacturing Park and there is an objective of providing better connections between the application site and these sites with a new innovation corridor link road. A condition is proposed which will ensure the size of the individual office buildings is limited to 2500m² so that they are less likely to attract city centre type offices. In addition a condition limits pure B1(a) office development to 2500m² unless further B1(a) office development is balanced by an equivalent amount of B1(b), (c), B2 or B8 floorspace. With these controls in place it is considered that the office development is in accordance with an up to date development plan (Policy CS3) and therefore passes the sequential test.

Car showrooms need to be considered on their merits and whilst this use is not supported by policy there is no reason to resist it given that it will occupy a relatively small proportion of this large site; there is a cluster of similar uses in the vicinity and the applicants require this use for viability reasons.

Retail, Leisure, Hotel and Food and Drink Policy Issues

Whilst Unitary Development Plan Policy IB6 allows for small shops, food and drink, leisure and hotel use in Fringe Industry and Business Areas these are all main town centre uses as defined in the National Planning Policy Framework. They therefore need to pass the sequential test as the site is not within a town centre and is not identified for these uses in an up to date development plan. The Planning Practice

Guidance recognises that certain main town centre uses have particular market and locational requirements which means that they may only be accommodated in the specific location.

The applicant has agreed to limit the leisure uses to exclude a cinema and bowling alley in order to minimise the impact on existing in-centre facilities. In this case the site has a satisfactory environment for a hotel and is close to leisure facilities and well served by public transport. It is accepted that the hotel and leisure (most likely a gym) uses pass the sequential test as there are specific market and locational requirements which mean they will serve the employment uses on site and in the wider industrial area and the hotel will also serve the leisure and sporting facilities in the lower Don Valley. The applicant considers that these uses are an integral part of a major modern business park development.

With respect to the leisure impact the applicant argues that this will not have an adverse impact because:

- The leisure offer in nearby centres is limited – 10 pin bowling at Firth Park has now closed and although it is expected that Forge Island in Rotherham will include an alley it is a use which is specifically excluded from the proposal.
- The leisure element is significantly less than The Leisure Hall development which the Council considered would not have a significant adverse impact.
- The Leisure element is significantly less than the 6,600m² of leisure permitted under the extant scheme.
- The Leisure floorspace will serve on site demand.

Given the above your officers concur that the leisure development is unlikely to have a significant impact.

With respect to food and drink uses (A3-A5) the applicant has assessed the impact on the basis of all the 2495m² of retail floorspace being occupied by these uses which is an unlikely scenario. Based on Sheffield's Joint Retail and Leisure Study most of the trade is expected to be drawn from Meadowhall and the City Centre (c. 40% and c 30% respectively which results in an impact of just 0.5% on the City Centre).

Effects of the Proposed F & B offer (2021) Centre	Impact
Crystal Peaks District Centre	-3.5%
Spital Hill District Centre	-2.8%
Hillsborough District Centre	-0.7%
Ecclesall Road District Centre	-0.6%
Sheffield City Centre	-0.5%
Rotherham Town Centre	-0.1%
Chapelton District Centre	-0.1%

The applicant argues that the impact is significantly over stated because it is not likely that all the floorspace will be occupied by food and beverage uses; the impact

will be offset by trade growth in each centre; and it does not take account of the expenditure generated by new employment on site.

With a potential large employment population there will clearly be a site specific need for cafes and restaurants. In your officers view it seems unlikely that the proposal will be a food and drink destination in its own right and draw significantly from surrounding centres. It is considered most likely to impact on food and drink facilities within Meadowhall and existing retail and leisure parks which are not protected by planning policy. It is therefore considered that the impact on surrounding centres will not be significant.

The applicant argues that there is a site specific location requirement for the retail facilities on the application site. This is to serve the employment uses on the site and for place making reasons. Whilst it is accepted in principle that there is likely to be a site specific need for some retail floor space the key question is whether the level and type of retail floor space proposed is consistent with this local need.

The applicant has justified the level of retail floorspace by referring to a Visa Europe report on UK Working Day Spend (2014), which calculated that, on average, the amount people who travel to work spend daily on small and regular purchases. It adds up to £10.59 (2014 prices) per day per person (£10.65 at 2015 price base). Over the course of a year, taking account of weekends and holidays, the total spend capacity per person is £2,343. This consumer spend accounts for small purchases of food and non-food goods, including, but not exclusively, breakfasts, lunch and snacks, and stocking up on "basket" spend retail goods that may be purchased at the end of the working day, including, for example, food goods for consumption at home. Assuming, therefore that there will be circa 5,618 employees (FTE and PTE) on the site, this would create a total local spend capacity of £13.2 million.

The applicant has agreed to conditions which will limit the comparison goods retail floorspace to no more than 1,000m² with a single unit no larger than 500m² and for sales of clothing and sportswear, footwear, jewellery and toys to be precluded. They have also accepted that convenience goods floorspace will be limited to 1500m² with any unit not exceeding 1000m². These controls are similar to those agreed for the retail uses in the extant consent for this site, 08/02594/OUT.

The applicant's submission says that 1000m² of comparison goods floorspace is likely to have a turnover of approximately £4 million and 1500m² of convenience floorspace is likely to have a turnover of approximately £10.2 million. With this scenario the total turnover of the retail space would be approximately £14.2 million which is reasonably in line with the total spend capacity of £13.2 million as estimated above. However it should be noted that this is based on the high end of the estimates of number of employees; that not all the daily employee spend will be on site; and some is likely to be in food and drink establishments rather than A1 shops. The conditions should ensure the retail floorspace being used for comparison goods sales is likely to serve a local need rather than competing with the City Centre. The limits on convenience goods sales will allow for a small supermarket and other shops such as a newsagent but should preclude a larger discount operator which could have a significant impact on the vitality and viability of Darnall District centre and

would not particularly serve the on-site need for small purchases of food and non-food goods.

With these restrictions on the retail floorspace in place it is considered that the development will serve the site specific local need generated by the employment uses to be developed on site and therefore it can be accepted that the development passes the sequential test. In addition it should not have a significant adverse impact on existing shopping centres. Therefore the proposal is not contrary to the guidance in the National Planning Policy Framework on main town centre uses.

Highways and Access Issues

Policy

The NPPF advises that development should only be refused on highway grounds where the residual cumulative impacts on the road network would be severe. It states that significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of modes of transport.

It also states that development should give first priority to pedestrian and cycle movements and second priority to facilitating public transport access; should address the needs of people with disabilities; minimise conflicts between pedestrians, cyclists and vehicles and avoid unnecessary street clutter; allow for efficient delivery of goods; and be designed to enable charging of plug-in and other ultra-low emission vehicles. All developments that generate significant amounts of movement should be supported by a travel plan.

The Core Strategy Policy CS51 sets out the Council's transport priorities which include promoting alternatives to the car, containing congestion levels and improving air quality and road safety. Policy CS53 is concerned with the management of travel demand by promoting public transport walking and cycling; implementing travel plans for new developments; and creating controlled parking zones to manage traffic levels in constrained locations including the eastern end of the Lower Don Valley.

The application is in outline and access is a reserved matter. However the parameter plans identify zones within which each plot will take access from the existing highway network. Within the individual plots there will be a new network of roads to serve the individual development sites and a number of multi-storey car parks. There will also be servicing areas and some on-site parking to serve the individual buildings. At this stage the internal road layout, parking and servicing arrangements and pedestrian and cycle arrangements within the plots are not known. These details will be the subject of separate reserved matters applications. The proposed access zones are considered to be appropriate for accessing the individual plots. Therefore the key issue to be considered is whether the highway network, public transport facilities and pedestrian and cycle

network around the site is adequate to serve the amount of the development proposed.

General

Access is a reserved matter although the parameters plans identify zones within which each plot will be accessed. The principle issue to be considered at this stage is whether the highway network can adequately accommodate the traffic generated by the development and whether the public transport, pedestrian and cycle facilities around the site are adequate to serve the development.

The arrangements for accessing individual plots, the car parking layout and pedestrian and cycle arrangements will be the subject of separate reserved matters applications. The zones for accessing individual plots as identified on the parameters plans are considered to be satisfactory and safe access can be achieved in these locations subject to detailed design.

Trip Generation

The traffic generation is based on the parameters plans and the mix of uses that would generate the most trips on the network in the peak hours, 08:00 - 09:00 and 17:00 - 18:00. The trip generation rates and distribution on the network have been agreed with highways colleagues and Highways England. The mode share calculations assume 46% are car driver trips, and the remainder to be trips made up by public transport, walking, cycling trips or any other modes. The proposed development is likely to generate a total of 1,569 person trips including 722 driving trips in the morning peak hour and 1,449 person trips including 666 driving trips in the evening peak hour.

The previously consented scheme as capped by a legal agreement attached to TLH consent was predicted to generate a total of approximately 1,032 vehicular trips in the morning peak hour and approximately 981 in the evening peak hour which is greater than the current proposal.

Assessment of Impact

In order to assess the impact of the development on the surrounding highway it is necessary to understand the likely level of traffic which the proposal will generate. As the application is outline and flexible in nature and given the existing highway conditions it is vital that the vehicular traffic generation estimates are robust. To this end the trip rates used are based solely on B1/B2 land uses which are considered to represent a worst case.

In order to carry out an assessment of the impact of the proposal on all modes of transport, traffic generation estimates have been calculated for all modes of transport and are indicated in the table below:

	AM peak (0800 – 0900)		PM peak (1700 – 1800)	
	Arrivals	Departures	Arrivals	Departures

Light Rail	184	20	20	168
Train	113	12	12	103
Bus	198	21	22	181
Taxi	5	1	1	5
Mcycle	11	1	1	10
Car (driving)	652	70	71	595
Car (passenger)	142	15	16	129
Bicycle	43	5	5	39
On foot	71	8	8	65
Other	5	1	1	4

The vehicular traffic has been distributed to the highway network using data from the 2011 Census.

In order to understand the impact of the additional vehicular traffic on the operation of the highway network modelling has been undertaken. To determine the impact on the network as a whole, the Sheffield Area Aimsun Model has been used. To determine the impact on individual junctions Linsig models have been used.

The time periods modelled are the morning and evening peak (0800 – 0900 and 1700 – 1800) for the base year (2017) and 2028. For the 2028 models two scenarios have been investigated; (i) “Do Minimum” – this includes traffic growth and agreed committed development but not the traffic generated by the proposed development and; (ii) “Do Something” which includes traffic growth, committed development and the traffic generated by the development.

AIMSUN Model:

Various network statistics have been extracted from the model and are described below:

Travel time (secs/km) - the mean travel time for vehicles to travel through the network

Delay time (secs/km) - the mean delay incurred by vehicles travelling through the network

Flow (veh/hr) - the mean number of vehicles that pass through the network

Speed (km/hr) - the mean speed of vehicles

Stop time (secs/hr) - the mean amount of time that vehicles are stationary

Density (veh/km) - the mean number of vehicles per km of road space

Mean queue (veh) - the mean number of vehicles queueing.

The table below gives the above statistics for the 2028 Do Minimum and Do Something scenarios. By comparing the statistics for each scenario it is possible to see how the operation of the network will be affected by the development.

	AM peak (0800 – 0900)		PM peak (1700 – 1800)	
	Do Minimum	Do Something	Do Minimum	Do Something
Travel Time	152	154	171	177
Delay	98	100	115	122
Flow	38240	38220	42169	42585
Speed	38	38	37	36
Stop Time	79	81	97	103
Density	22	23	27	27
Mean Queue	3496	3624	4723	4824

As would be anticipated the introduction of the development traffic does result in a slight deterioration in the operation of the network. It is however considered that the changes would not represent a severe impact on the operation and safety of the network as a whole.

Linsig Modelling

The following junctions have been individually modelled:

Meadowhall Way / Jenkin Road

The results show that the junction currently operates within capacity with the maximum degree of saturation being approximately 83% (Meadowhall Road). In 2028 the junction still operates within capacity in all scenarios for the AM peak period. During the PM peak the results show that the junction is operating close to capacity with a maximum degree of saturation of 90.3% under the Do Minimum scenario rising to 96.4% (Meadowhall Way) under the Do Something scenario (existing junction layout).

As part of the walking and cycling strategy for the development it is proposed to make alterations to the junction which will provide improved facilities for pedestrians. This proposal has also been modelled; the results of which show that, as previously, during the AM peak the junction operates within capacity and in the PM peak the maximum degree of saturation on Meadowhall Way improves to 90.4%. It is therefore considered that the enhanced junction operates equally as well with the development traffic added as is the case without the development. It should also be noted that the improved pedestrian facilities are considered to be a significant benefit.

Meadowhall Road / Weedon Street / Brightside Lane

In the base year the junction has a practical reserve capacity (prc) across all lanes of 28.4% in the AM peak and 50% in the PM peak. In 2028 under the Do Minimum conditions there is a prc of 37% in the AM peak and 27.2% in the PM peak. With the development traffic added there is a prc of 31.2% in the AM peak and 28.4% in the PM peak.

The above results indicate that the junction will operate within capacity under all scenarios and whilst there is some reduction in the prc with the development traffic included it is of very minimal impact.

Sheffield Road / Weedon Street / Lock House Road

In the base year the junction has a practical reserve capacity (prc) across all lanes of 8.6% in the AM peak and 12.5% in the PM peak. In 2028 under the Do Minimum conditions there is a prc of 6% in the AM peak and 24.3% in the PM peak. With the development traffic added there is a prc of 2.5% in the AM peak and 10.3% in the PM peak.

The results indicate that whilst the junction is operating close to capacity in the AM peak, the impact of the development traffic is only limited. During the PM peak the impact of the development traffic causes a greater reduction in the prc of the junction

Meadowhall Drive / Meadowhall Way

In 2018 PM peak the junction operates with a prc of 34.6% whilst under the Do Minimum scenario the prc is 23.1% and under the Do Something scenario 21.3%

Again, whilst there is some reduction in prc between the Do Minimum and Do Something scenarios, the impact is very minor.

In conclusion it is considered that the modelling does show that the development traffic will inevitably have some impact on the operation of the junctions but it is very limited in scale and most importantly the junctions will still be operating within capacity under all scenarios.

Based on the results of the wider network modelling and local junction modelling, it is concluded that the impact the development will have is marginal and would not be considered a severe impact.

Strategic Highway Network (M1 J34N and S)

Highways England have been fully engaged in the consideration of the impact of the development on the SRN. After significant discussion and additional modelling it has been agreed that it would be necessary for further modelling to be undertaken with the reserved matters applications to determine thresholds for the implementation of off-site mitigation.

This might involve some improvements being carried out to Junction 34S at a later stage of the development if The Leisure Hall (TLH) application does not go ahead. The potential improvement works to Junction 34S are already conditioned as part of TLH scheme and if this goes ahead first there will be no need for this development to undertake the works.

A condition has been agreed with Highways England to cover these potential improvements and with this in place the proposal will not have a significant adverse impact on congestion or traffic safety around Junction 34S.

Parking

The proposed parking is likely to be distributed across a number of surface car parks and multi-storey car parks (MSCPs). Parking provision, including disabled parking will be in accordance with the Council's parking guidelines. Conditions define the maximum number of parking spaces and the maximum parking ratios for each use.

Given the flexible nature of the application the car parking proposals have been determined as a maximum number of spaces that could be provided. This figure has been calculated based on the current available SCC parking guidelines. It has been determined that the maximum number of spaces that could be provided is 1686 spaces.

A Framework Car Parking Management Plan has been submitted as part of the development proposals. The document provides some overarching principles but will obviously require reviewing as each of the reserved matters applications is brought forward.

The car parking management plan does include the potential for the creation of a controlled parking zone. It is highly unlikely that such a zone would be implemented in the early phases of the development. It is considered that it is appropriate for monitoring to be under taken in order to determine when (or if) the requirement to implement the CPZ would come into force. This will be controlled by a legal agreement.

The application site has been used in the past for overspill parking. However, due to the introduction of Variable Message Signage; the creation of staff car parks on Alsing Road; and the Travel Plan measures, the shopping centre goes to overspill very infrequently. Given this it is concluded that the loss of the overspill car parking can be managed satisfactorily without having a significant impact on the highway network.

With conditions controlling parking standards, the submission of a parking management plan and CPZ and travel plan it is considered that parking should be adequate to serve the development, whilst encouraging sustainable travel and controlling commuter parking in surrounding streets if necessary.

Public Transport

The Meadowhall Passenger Transport Interchange (PTE) is located approximately 15 minutes' walk from the centre of the site. The Meadowhall PTI is served by Supertram, bus, bus rapid transit and national rail. The high frequency X1 and X78 bus services operate along Weedon Street and the A6109 Meadowhall Road respectively.

The tram stop at Carbrook is approximated a 9 minute walk and Meadowhall South Tinsley approximately a 15 minute walk.

The tram train service has been operational from late 2018 and tram/trains run on the national rail network from Rotherham Parkgate Retail Park via Rotherham Central Station, joining the Supertram network at Meadowhall South Tinsley before continuing to Sheffield city centre.

The City Centre and much of the east side of the city and Rotherham is accessible from the site within 30 minutes by public transport.

In conclusion, the site is highly accessible by public transport and no additional public transport improvements are considered to be necessary to serve this development

A travel plan framework has been submitted in support of the application which is intended to promote sustainable travel to the site. It is considered to be satisfactory but detailed travel plans will need to be submitted prior to the occupation of each phase of the development.

Walking and Cycling Facilities

The highways around the site have street lighting and provision for pedestrians. A segregated cycle route which forms part of the 5 Weirs Walk pedestrian cycle route runs along the riverside frontage of Plot 1 and along part of Weedon Street.

The walking and cycling strategy identifies where there are deficiencies in the walking and cycling network to serve the development. Facilities at the Meadowhall Way/Jenkin Road junction are inadequate as there are no pedestrian crossing facilities for the Jenkin Road arm of the junction. A revised junction layout has been submitted which addresses this issue and a condition requires this to be implemented before any unit in the first phase of development is occupied.

A new segregated cycle route is required to be provided by condition along the Weedon Street frontages of Plots 2 and 3 and will improve cycle access for the site along with improving connections to the IKEA and Meadowhall Retail Park site.

Other walking and cycling improvements include improved pedestrian/cycle crossing facilities of Weedon Street and providing street lighting to a section of the 5 Weirs Walk between Weedon Street and Meadowhall Way. Secure covered cycle parking, showers, changing rooms and lockers will be addressed as part of individual reserved matters applications and the detailed travel plan.

Long stay and short stay cycle parking spaces will be provided in compliance with the Council's guidelines, but enhanced in order to secure the modal split targets set out in the travel plan, this is also controlled by a condition.

With these improvements in place, and the walking and cycling measures to be promoted as part of the travel plan, the site is considered to be accessible for pedestrians and cyclists.

Innovation Corridor Link Road

An outline business case is being prepared for an innovation corridor link road to reduce congestion and improve connectivity between Sheffield and Rotherham in order to maximise the potential for growth of the Advanced Manufacturing Innovation District. If supported this will see a link road provided on the former railway embankment which forms the northern boundary of Plots 2 and 3, connecting to Weedon Street. In addition there will be a road connection between Weedon Street and Meadowhall Way across Plot 3. Whilst funding has not been secured for this link it is important that new development does not prejudice its potential delivery. The parameters plans submitted in support of this application have been designed to allow for the alignment of the link road and a condition has been agreed with the applicant which prevents development on that part of Plot 3 which is potentially needed for the road link for a period of 3 years by which time it will be clear whether the link road funding is approved.

Air Quality

The NPPF says that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

Core Strategy Policy CS66 says that action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-up area and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets. The commentary to the policy says that protection and improvement of air quality will be achieved particularly through decisions above planning applications for uses

that give rise to significant amounts of traffic, through the Air Quality Plan and through successive Local Transport Plans.

Sheffield declared an Air Quality Management Area in March 2010 across the whole of the urban area of the city for nitrogen dioxide gas and fine particulate matter dust.

Sheffield's Clean Air Strategy was approved by Cabinet in December 2017. The key actions are to consider whether a Clean Air Zone is required, improve the bus and taxi fleet, consider schemes to support people on lower incomes to change to lower emission vehicles, roll out anti idling zones in sensitive locations, support the eco stars scheme, support walking and cycling, commission a clean air champion scheme, ensure industry and businesses meet their obligations, build the ambition of clean air into our approaches to transport, economy, housing, planning and health and wellbeing.

The main pollutants of concern related to construction are dust and fine particulate matter (PM 10), and in terms of the development itself they are road traffic nitrogen dioxide (NO₂), and particulate matter PM₁₀ and PM_{2.5}.

The construction impacts of heavy duty vehicle (HDV) movements on the road network will be below the threshold of 100 movements per day inside an Air Quality Management Area (AQMA) for an assessment to be necessary according to Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) guidance.

In terms of construction dust, impacts are possible up to 350m from the boundary of the site or 50m from the route used by construction vehicles on the road, up to 500m from the site entrance. The construction dust assessment has therefore considered areas within these distances as the study area for the expected duration of the construction period.

In terms of road traffic impacts, relevant sensitive locations are places where members of the public might be expected to be regularly present over the averaging period of the objectives. For the annual mean and daily mean objectives that are the focus of this assessment, sensitive receptors will generally be residential properties, schools and nursing homes. In addition the proposed hotel is considered to be a receptor for the hourly mean NO₂ and 24 hour mean PM₁₀ objectives.

In terms of the operational development, the area assessed for air quality takes into account guidance developed by Environmental Protection UK (EPUK) and the IAQM. Existing receptors have been included in the assessment where they are adjacent to roads with an increase in traffic above the IAQM/EPUK guidance criteria below:

- A change of light -duty vehicle (LDV) flows of more than 100 annual average daily traffic movements (AADT) within or adjacent to an AQMA, or flows of more than 500 AADT elsewhere.
- A change of HDV flows of more than 25 AADT within or adjacent to an AQMA, or flows of more than 100 AADT elsewhere.

Based on the above criteria, four existing properties have been identified as sensitive receptors for the assessment. As the area surrounding the development site contains predominantly commercial buildings, only one of these is residential, with another being a school and two being hotels. Although hotels are only considered relevant locations in terms of the daily and hourly mean objectives, these have been compared against the more stringent annual mean objectives due to the lack of more sensitive receptors. One receptor location within the Site has been chosen in order to assess the suitability of the site for the Development. The sensitive receptors are as follows.

- R1 Brightside School
- R2 Meadowhall Rd Travelodge
- R3 62 Meadowhall Rd
- R4 Sheffield Rd Premier Inn
- PR1 Proposed Hotel

The baseline year for the assessment is 2017 as this is the most recent full year for which monitoring data is available for most sites. The future assessment year for road traffic impacts is 2028 as this is both the earliest year of full occupation and the data for which traffic data is available.

Construction dust impacts have been assessed qualitatively by identifying the dust emission magnitude and the sensitivity of the area. Predictions of the road traffic impact have been undertaken by modelling. Traffic emissions were calculated using the Emission Factor Toolkit (EFT) v8.0, which utilises NOx emission factors taken from the European Environment Agency COPERT 5 emission tool. In order to take account of uncertainties related to future year vehicle emissions, an assessment has been carried out utilising 2024 emission factors and background concentrations combined with traffic data from 2028. This is conservative, as emissions from vehicles are likely to fall over time and using 2024 emission factors rather than 2028 emission factors makes an allowance for vehicle emission reductions not falling as quickly as expected.

The relevant objectives for nitrogen dioxide and small particulates are listed below.

NO2 PM10 and PM2.5 Objectives		
Pollutant	Descriptor	Objective
Nitrogen Dioxide (NO2)	1 hour mean	200 ug/m3 not to be exceeded more than 18 times a year
	Annual	40 ug/m3

	mean	
Particulate Matter (PM 10)	24-hour mean	50 ug/m3 not to be exceeded more than 35 times a year
	Annual mean	40ug/m3
Particulate Matter (PM 2.5)	Annual Mean	25 ug/m3

The magnitude of dust emissions during construction is considered by the applicant to be small for demolition, large for earthworks and construction and medium in terms of track-out. The study area is considered to be of high sensitivity due to the location of a car showroom to the east and the residential dwellings and school to the north-west.

Standard mitigation measures are recommended to be included within a Construction Environmental Management Plan. These include developing and implement a dust management plan to include a long list of measures such as erecting solid screens or barriers around dusty activities, ensuring vehicles entering and leaving the site are covered to prevent escape of materials. With these measures in place the applicant considers that the construction effects will not be significant.

The effects of the completed development on air quality are predicted as follows. The table shows the effect without and with the development.

Receptor	N02		PM10		PM 2.5	
	2028 Without	2028 With	2028 Without	2028 With	2028 Without	2028 With
R1	26.2	26.4	16.0	16.1	10.1	10.2
R2	25.2	25.9	14.7	15.1	9.5	9.6
R3	24.8	25.4	16.1	16.6	10.2	10.3
R4	30.3	30.9	16.2	16.8	10.3	10.3

The table below shows the predicted change in concentrations as a result of the development and the description of the impact when assessed against the IAQM/EPUK guidance.

Receptor	N02		PM10		PM 2.5	
	Change	Descriptor	Change	Descriptor	Change	Descriptor
R1	0.24	Negligible	0.07	Negligible	0.04	Negligible
R2	0.78	Negligible	0.20	Negligible	0.11	Negligible

R3	0.58	Negligible	0.19	Negligible	0.10	Negligible
R4	0.55	Negligible	0.15	Negligible	0.08	Negligible

Predicted concentrations at the most sensitive on site receptor are 22.6 µg/m³ for NO₂, 14.1 µg/m³ for PM₁₀ and 9.0 µg/m³ for PM 2.5. The applicant concludes that all pollutants are well below the relevant objectives and air quality for future guests at the hotel will be acceptable.

The effects of development traffic on existing human health receptors are judged by the applicant to be not significant. They consider no additional mitigation is therefore required against the direct effects of the traffic.

However, to further reduce the impacts of traffic associated with the development the Travel Plan seeks to reduce the number of vehicle movements associated with the development and subsequent emissions by encouraging the use of sustainable transport methods. This includes encouraging, car sharing or public transport. A target reduction of peak- hour car driver movements from 61% of trips to 46% of trips is planned within the Travel Plan.

Mitigation measures to be employed include:

- The provision of electric vehicle charging points;
- The use of green infrastructure within the site to minimise pollutant exposure;
- Provision of cycle parking; and
- Priority parking for low emission vehicles

The Council's Air Quality Officer has considered the applicant's air quality submission and is satisfied that the assessment methodology is acceptable and complies with known but non statutory methods of assessment, such as the IAQM – EPUK Planning Guidance.

He is also satisfied with the assessed levels of predicted impacts and agrees with the proposed mitigation measures to help mitigate the likely predicted increases in air pollution. The Construction Environmental Management Plan and the rapid electric charging points are conditioned as part of the operational phase of the development, as recommended by the air quality officer.

Given the predicted impacts and mitigation measures, the Air Quality Officer has advised that the proposal will not prevent compliance with the relevant limit values or the objectives of the Air Quality Action Plan.

Although the scheme will have negligible impacts on sensitive receptors it will still increase pollution levels and the mitigation is not likely to mitigate all the

additional pollution. Redevelopment of a large vacant site is bound to increase pollution as it is not currently generating any traffic or economic activity. However the increases mean that the background pollution levels will still remain below the limit values set to protect health. The marginal increase in pollution is still a negative impact which needs to be balanced against the benefits of the proposal as a whole.

Design

The NPPF advises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Planning decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate landscaping. They should be sympathetic to local character: establish or maintain a strong sense of place and create attractive, welcoming and distinctive places to live and work. They should optimise the potential for mixed development and support local facilities and transport networks and create spaces that are inclusive and safe.

Core Strategy Policy CS 74 says that high quality development will be expected. Development should contribute to place making and help to transform environments that have become run down.

The vision for the site is to create a sustainable mixed-use employment led development that enhances the quality of the environment, and supports the aims of the Advanced Manufacturing Innovation District (AMID), thus helping innovation-based business in the area to flourish and provide wider job opportunities.

The masterplan objectives are:

- Make it green;
- Making it connected;
- Creating places and destinations;
- Innovation and success.

The key principles of the masterplan are:

- to create a local centre;
- link between the centre and green routes;
- provide routes and use design to encourage walking and cycling;
- consolidate car parking.

The maximum built footprint is set back 25m from the river to allow for a riverside landscaped corridor. The northern boundary of Plots 2 and 3 adjoins the disused railway embankment which may be redeveloped for the innovation corridor link road, although this is outside the scope of this application. Built development to the north western boundaries of Plots 1 and 2 is set back to allow Weedon Street

to be widened for a potential future innovation corridor link road to connect to Brightside Lane.

The maximum development heights for each plot would allow building up to 5 commercial stories on Plots 1 and 3 with a scaling down to 2 commercial stories to the rear of the listed tramsheds. Development on Plot 2 would allow a hotel approximately 6 storeys.

The masterplan proposes 3 character areas. The Employment Core which will house the B1/B2 and B8 uses on Plots 1 and 2. The Gateway Area which will be focused on Plot 2 and will house the retail, food and drink and leisure uses. The Riverfront Area (Plot 3) where buildings and spaces will relate to the water, with views and links through to the rest of the site, and natural surveillance of the riverside and seating areas.

The masterplan proposes two street types: a primary road and an access road.

A high level design guide document has been submitted in support of the application. It introduces a number of design guidelines which are non-mandatory instructions which will be taken into account in drawing up the detailed design code. Design codes are promoted by the NPPF practice guidance as being particularly useful for complex scenarios involving multiple parties in long-term development. A code can be a way of simplifying the processes associated with new development to give more certainty to all those involved and help to make high quality places. A condition is proposed which will require a detailed design code to be prepared before the approval of the first reserved matters application and for reserved matters applications to be in accordance with the code except for agreed minor variations.

The design guidelines which will be taken through into the design code are set out under the following headings.

- Height and Massing
- Roofscape
- Building Frontages and Plot Edges
- Landscape and Open Space
- Streets and Circulation

The overall height and massing is to be consistent across the site with variations introduced where it will assist with legibility and create interest. The height and massing will be expected to relate to key views, focal points, movement networks, key arrival points and the River Don.

The roofscape should reflect the industrial heritage, emphasise key views and landmarks, provide variation, and respond to the sustainability and biodiversity strategies.

Built frontages and plot edges will aim to ensure the public using the street are comfortable and safe. Streets and spaces will be defined by buildings and frontages of a human scale, entrances should provide direct access from the street and ground floor frontages fronting key movement routes will maximise the use of glazing.

Landscape and open space features such as watercourses and landform will be used to help create a development of distinctive character. The scheme will have a network of green spaces which connect to the wider landscape and create new habitats to increase biodiversity value. The landscaping will incorporate SuDs and integrate with the local landscape character.

Streets and circulation will be designed to provide direct connections to public transport, local facilities and services. The new streets will have a logical hierarchy and a permeable network will be provided where possible. Streets will be designed to encourage cycling and walking; and parking, materials and planting will be integrated within the street design.

The applicant has produced an illustrative masterplan which shows one option for accommodating the floorspace and uses proposed. It is not submitted for approved as the final form of the development will depend on the nature of the occupiers attracted to the site. It does illustrate some of the principles of the masterplan and good design such as creating a local centre, a riverside space and consolidating car parking. However the local centre appears dominated by parking; the links to the riverside space are not clear and officers have reservations about the positioning of the car showroom.

Despite this, the parameters plans, high level design code, design code condition and the fact that design is a reserved matter provide sufficient of a framework to be reassured that a high quality design can be delivered at the detailed reserved matters stage.

Socio Economic Issues and local financial benefits

The NPPF advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries.

The application site is located in the Darnall Ward where the resident population experiences a higher unemployment rate, a lower level of education qualifications and they are in lower skilled employment than the rest of the city. Much of the

surrounding area and the east side of the city lies within the 10% most deprived areas as defined by the Government's Indices of Multiple Deprivation (2015).

The construction stage of the Development is predicted to generate employment within the construction industry of an approximate monthly average of 170 full time employment jobs over the duration of the projected 10 year construction period. Construction employment is highly mobile and therefore is likely to benefit the regional economy most. There will also be benefits to the local supply chain due to increased demand for construction materials.

The level of floorspace proposed is estimated to support between 3090 and 4810 jobs depending to the final mix of uses. These will not all be new jobs as some are likely to be transferred within Sheffield and the wider region. These jobs will have an indirect effect on the local economy through additional spending. The spending impact of these employees could equate to between £7.2 million and £11.2 million per annum (dependent on actual final levels of employment). The employment and spending is likely to be a significant benefit to the local area.

The site is close to the Darnall area and a condition is proposed which will require the submission of a local employment strategy. This will seek to prioritise actions to encourage local employment within the deprived communities immediately surrounding the site and therefore has the potential to benefit these excluded communities. There can be no guarantees about the numbers of local people who will secure employment as such a requirement would make a planning condition unreasonable and unenforceable. It should also be noted that the applicant will only have control of the construction process as the operational employment will arise from individual businesses that are outside the applicant's control. Therefore this introduces an additional level of uncertainty about the effectiveness of the local employment strategy in respect of the operational employment and consequently it should be given limited weight in terms of the permanent operational employment.

Dependant on the number of new jobs created the applicant has predicted an increase in Gross Value Added to the region of £218m per annum and additional wages in the region of between £70m and £115m per annum. When fully developed the site could generate between £2.1m – £2.5M of business rates per annum excluding the hotel. If developed to its maximum it could also generate a Community Infrastructure Levy of around £300,000.

The economic benefits of new employment opportunities/increased spending, and the benefits these will potentially bring, should be given significant weight. The potential for the site to deliver high quality jobs in the advanced manufacturing sector should be given limited weight, as at this stage it is not known what type of occupiers may be attracted to the site.

A local finance consideration is a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown or sums that a relevant authority has received, or will or could receive, eg payment of the Community Infrastructure Levy. The National

Planning Practice Guidance advises that whether a 'local finance consideration' is material to a particular decision will be dependent on whether it could help to make the development acceptable in planning terms. It makes it clear that it would not be appropriate to make a decision based on the potential for a development to raise money for a local authority or other government body. Where a local finance consideration is considered to be material the local planning authority would clearly need to state how it has been taken into account and its connection to the development. As it is not clear how the increased business rates or the CIL contribution will be spent and therefore whether it would help to make the development acceptable in planning terms, it is concluded that these particular local financial benefits are not material to the decision.

Flood Risk and Drainage

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

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Core Strategy Policy CS 67 is concerned with flood risk. It says that the impact of flooding will be reduced by:

- requiring that all developments significantly limit surface water run-off
- requiring the use of sustainable drainage systems or sustainable drainage techniques on all sites where feasible and practicable
- encouraging the removal of existing culverting
- ensuring safe access and egress to and from an area with a low probability of flooding

Paragraph 165 of the NPPF says that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The Environment Agency (EA) Flood Zone map shows the site lies within Flood Zone 2 'Medium Probability' and partly within Flood Zone 3 'High Probability' of the River Flooding. Flood zone 3 extends on to part of Plot 2, Meadowhall Drive, part of Weedon Street and the Five Weirs Walk frontage of Plot 1.

Flood Zone 2 has a 'Medium Probability' of flooding (between 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river flooding. Flood Zone 3 has a 'High Probability' of flooding (greater than 1 in 100 (1%) annual probability of river flooding.

Flood defences along the River Don are due to be completed in the near future adjacent to the RDD as part of the Lower Don Valley Flood Defence Scheme (LDVFD). These defences will provide a standard of protection of 1 in 100 year (1%) annual probability of river flooding with an allowance for climate change up to the year 2039, and managed adaptive improvements beyond this timescale to 2069. The existing flood defences that protect the site comprise of the redundant railway embankment to the north and north-west of the site, raised footpaths and walls adjoining Brightside Bridge, a landscape bund adjoining the 5 Weirs Walk and a demountable flood barrier on Meadowhall Way.

These defences are yet to be formally designated as flood defences by the EA, however it has been confirmed that they can be relied upon to provide fluvial flood defences to the proposed development area.

The proposals mainly constitute a 'Less vulnerable' development, except for the hotel that is classified as a 'More vulnerable' land use. These types of uses are considered appropriate within Flood Zones 2 and 3.

A Sequential Test has been submitted as part of the application. This considers whether there are suitable sites available to accommodate the development in a lower flood risk zone. It is accepted that there is a site specific need for the ancillary uses and therefore the development cannot be disaggregated. Officers also agree that there are no sequentially preferable sites available for the development as a whole. Therefore it is concluded that the proposal passes the sequential test. The exception test is not required to be passed for this development as the type of development is appropriate for flood zones 2 and 3.

The flood risk mitigation strategy for the development consists of the following elements:

- The proposed ground floor levels are set at a minimum of 35.3mAOD, 300mm above the 1 in 200 year (0.5%) annual probability flood level as mitigation for residual risk;
- Continuous safe access from the site is provided to the southeast to higher ground and/or to the southeast of the railway embankment, via Weedon Street or Carbrook Street and Sheffield Road.

Sustainable Urban Drainage

The ground conditions are not suitable for infiltration. The drainage strategy will work to the discharge rates agreed for the previously consented scheme on the site. Attenuation will be provided in blue/green roofs, lined sub-base storage below permeable paving for ground level car parking and cellular storage beneath the

multi-storey car parks. Soft landscaping areas adjacent to highways and areas of hard paving along with green spaces will be used to accept run-off. The surface water will be discharged into the culverted Car Brook which discharges into the River Don, water attenuation will ensure the discharge is limited to the agreed rates. The flood risk assessment demonstrates that there is sufficient space within the site based on the indicative layout to provide the likely level of storage required. The detailed surface water design will be developed at the detailed design stage. The management of the suds system is expected to fall under the responsibility of the site management company.

The applicant has submitted a feasibility study considering the de-culverting of the Carbrook which follows the alignment of Weedon Street. This concludes that this would be disproportionately expensive as it is likely to require diversion of the highway and services and would sterilise development land whilst delivering marginal biodiversity benefits.

Summary on flooding and drainage issues

The Environment Agency has raised no objections to the proposal on flood risk grounds subject to various conditions seeking to protect the Car Brook culvert that crosses part of the site and specifying minimum floor levels.

The Lead Local Flood Authority is satisfied with the surface water and SuDs strategy as set out in the Flood Risk assessment. The design code condition requires appropriate SuDs techniques to be set out in this document prior to the first reserved matters application being submitted for approval.

The flood risk assessment demonstrates that development will be flood resilient and appropriately designed to accommodate the residual flood risk by establishing minimum floor levels which will be set at 300mm above the 1 in 100 year annual flood probability event and this is controlled by a condition.

A strategy has been put forward for the incorporation of sustainable drainage systems. A condition is proposed to ensure that this is followed through at the detailed design stage.

Conditions are proposed which define the surface water run-off rates which are based on greenfield rates for Plots 1 and 2 and a 50% reduction of brownfield rate for Plot 3. This will ensure the increased hard surfacing will not worsen flooding elsewhere and there will be some betterment in terms of reduced run-off.

The applicant has demonstrated that safe access and escape routes are available.

It is therefore concluded that sufficient controls are in place to ensure the proposal is acceptable in flood risk and drainage terms and compliant with policy.

Human Health

The NPPF says that planning decisions should aim to achieve healthy places which enable and support healthy lifestyles, especially where this would address identified

local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food and layouts that encourage walking and cycling. Decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

The NPPF Practice Guidance says decision makers should include how;

- opportunities for healthy lifestyles have been considered (eg planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces, green infrastructure and opportunities for play, sport and recreation);
- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals;

The human health section of the Environmental Statement summarises the technical chapters within the ES which have identified significant effects which could generate secondary indirect health effects. It provides a qualitative appraisal, with an emphasis on indicating whether or not adverse effects may be expected based on the findings of the technical assessments.

The development is expected to generate health effects as follows:

- Effects during construction;
- Effects of employment generation and provision of open space; and
- Environmental effects arising from changes to traffic and transport, air quality and ground conditions.

Overall, the majority of health indicators for Sheffield City Council (SCC) residents are worse than the England average but better than the regional average. The data that is available at ward level on health in Darnall ward is generally worse than the average for SCC. The Government's Indices of Multiple Deprivation (2015) for Health Deprivation and disability show the site and immediate surrounding area fall within the top 10% and 20% most deprived neighbourhoods in England. This area of deprivation is part of a wider concentration of deprivation to the east of SCC.

During the construction period the traffic, air quality and ground conditions and employment have the potential to have an impact on health. Traffic impacts can increase accidents or severance for example. The traffic and the air quality traffic impacts are assessed as having a negligible negative impact. The traffic, dust and ground contamination impacts will be mitigated as part of the Construction Logistics Plan (CLP) integrated within the Construction Environmental Management Plan. The creation of construction jobs will have a beneficial impact as access to employment is associated with improved mental and physical health.

In terms of the completed development the new permanent jobs created are described as having a major beneficial effect at the local level and moderate beneficial at the district level. The traffic impacts and air quality impacts are assessed as being not significant and the ground condition impacts as negligible to minor beneficial. The minor adverse health impacts on traffic safety can be mitigated by strategies to improve walking and cycling facilities and increase the usage of public transport which would have health benefits.

The Director of Public Health (DPH) has said that the main concern is the impact on the development on air quality and any impacts that might not be mitigated by the active travel proposals. The proposals for electric charging points and cycle parking are welcomed and a number of points of detailed implementation have been raised which have been passed on to the applicant or are covered by planning conditions. There were concerns raised about the design of the gateway space as this appears to be dominated by parking and therefore would have limited value for encouraging activity. A suggestion that an additional tram stop be conditioned is considered to be impractical and unreasonable given that the existing Carbrook Tram stop is located at the point where the tram network passes closest to the site.

Given the proposed mitigation and the health benefits that are likely to result from increased employment opportunities and the improved pedestrian/cycle facilities and green infrastructure which are likely to encourage activity, it is considered that the proposal will not have a significant harmful impact on public health.

Sustainability, Sustainable Energy/Sustainable Design

The NPPF says that the purpose of the planning system is to contribute towards the achievement of sustainable development. This has three overarching objectives, an economic objective, a social objective and an environmental objective. There is a presumption in favour of sustainable development.

The NPPF says that in determining planning applications, local planning authorities should expect new development to:

- comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Core Strategy Policy CS 63 sets out how the planning system can respond to climate change. It seeks to give priority to development in areas well served by sustainable transport and promote higher densities in such areas. It seeks to promote routes that encourage walking and the use of public transport. Development should be designed to increase energy efficiency, promote renewable energy and to eliminate unacceptable flood risk. Adapting to climate change should include adopting sustainable drainage systems, encouraging biodiversity and minimising the relative heating of urban areas.

Core Strategy Policy CS65 says where appropriate, developments will be encouraged to connect to the City Centre District Heating Scheme.

It also says that all significant developments will be required, unless this can be shown not to be feasible and viable, to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

Core Strategy Policy CS 64 is concerned with sustainable design and says that all non-residential developments over 500m² gross internal floorspace should achieve a BREEAM rating of very good.

In this case this development has strong economic credentials in that it has the potential to deliver a significant number of jobs and is viewed as an important site for promoting advanced manufacturing in the city. There is potential for the employment benefits to enhance the economic prospects of the communities around the site that experience lower levels of economic activity.

The employment benefits and the fact that the site is highly accessible by public transport should help to mitigate the health impacts of marginally worsened air quality. The green infrastructure and walking and cycling infrastructure will help to encourage physical activity and the design code will help to deliver a safe environment at the detailed application stage. The highways around the site will be able to satisfactorily accommodate the traffic generated by the development and consequently there should not be a significantly harmful impact on pedestrian and traffic safety.

The application site is previously developed land and sustainably located with the density of development reflecting the accessibility of the location. The proposal will regenerate large areas of vacant land and this along with the design code will ensure that the physical environment will be significantly enhanced. The green spaces and green roofs and landscape management plan should mitigate the biodiversity impact. The scheme will be resilient to climate change as floor levels will be above flood levels and it will incorporate sustainable drainage to reduce run-off. The green/brown roofs will help to mitigate heating of urban areas and the sustainable building design and renewable energy will help to mitigate the impact of climate change.

In accordance with the energy hierarchy, the strategy for the proposed development is to reduce energy demands and use energy efficiently by means of the scheme layout and building design and orientation before employing renewable and low carbon technologies.

The EON district heating network passes close to the site and the potential for connection will be subject to commercial and viability discussions between EON and the applicant which will be explored at Reserved Matters stage. The other renewable technologies which are considered most appropriate for this site are photovoltaic solar panels, solar water heating and air source heat pumps.

Conditions have been agreed with the applicant which will ensure that details of renewable energy are submitted as part of each reserved matters application and that buildings are designed to at least BREEAM Very Good standard with B1(a) offices to be designed to BREEAM Excellent standard, this is over and above the policy requirement.

Biodiversity and Landscape

The NPPF says that planning decisions should contribute to and enhance the natural and local environment by protecting landscapes and sites of biodiversity value, by minimising impacts on and providing net gains for biodiversity. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The south-west boundary of the site (Plot 1) adjoins the River Don which is identified as an Area of Natural History Interest in the Unitary Development Plan and the River Don is identified as being part of a Green Link. The northern boundary (Plots 2 and 3) adjoin the disused railway embankment which is identified in the Sheffield Development Framework Pre-Submission Proposals Map as an Ecological Local Nature Site.

Unitary Development Plan (UDP) Policy GE13 says that development that would damage areas of Natural History Interest will not be permitted. Development affecting Local Nature Sites should, wherever possible, be sited and designed so as to protect and enhance the most important features of natural history interest.

UDP Policy GE10 says that Green Links will be protected from development which would detract from their mainly green and open character or which would cause serious ecological damage and enhanced by encouraging development which increases their value for wildlife and recreation.

An ecological assessment has been submitted in support of the planning application.

Plot 1 is dominated by Open Mosaic Habitats (OMH) grassland, some of which includes a scattered scrub component. Areas of dense scrub are present in the southern part of the plot. Plot 1A is dominated by building and hard standing with some buddleia scrub.

Plot 2 is dominated by sparsely vegetated bare ground and scrub. A fringe of OMH grassland is present on part of the south and east plot boundaries.

Plot 3 is dominated by sparsely vegetated bare ground hard standing and scattered scrub. An area of OMH vegetation is present on a soil mound in the centre of the Plot. Dense scrub is present on the west plot boundary.

Open Mosaic Habitat on Previously Developed Land is a habitat of principal importance/Priority Habitat type. The OMH habitats are considered to be of local importance. The ecological assessment says the loss of these habitats could be

compensated by the creation of brown roofs on a proportion of the proposed new buildings.

A bird breeding survey has been undertaken. It is recommended that site clearance takes place outside the bird breeding season and if this is not possible a qualified ecologist surveys the site prior to clearance and work is delayed if breeding birds are found. To compensate for the loss of bird breeding habitat it is recommended that new native woodland and scrub habitats are incorporated within the proposed development in order to provide replacement habitat for a range of bird species. This would be particularly appropriate where the Site borders the River Don in order to strengthen the green corridor.

There are limited structures within the site which have the potential to accommodate roosting bats. Some small buildings will be demolished and it is recommended that prior to this further assessment for evidence of bats roosting is undertaken. It is also recommended that any additional lighting required within the site is designed to reduce light spill onto the retained habitats, in particular associated with the wooded boundaries to the site and in the vicinity of the River Don where the majority of bat activity has been recorded.

There is no evidence of badger setts on the site; however it is recommended that a pre-construction badger survey is undertaken to confirm the status of this species within the Site prior to development.

It is recommended that Sustainable Urban Drainage is incorporated into the site design to reduce the risk of water quality issues prior to surface water discharging to the river. Also measures should be taken during construction to minimise potential impacts on the river. It is recommended that robust boundary fencing is erected at least 3m from the boundary of the railway embankment prior to commencement of works to minimise harm to this habitat.

The application does not propose any works to the River Don Channel and retains the Local Nature Site on the existing railway embankment. This along with the measures in the ecological assessment to protect these habitats should ensure that the development will not have a significant harmful impact on the Area of Natural History interest, Local Nature Site and Green Link.

The development will result in the loss of Open Mosaic Habitats grassland and scattered scrub. This should be compensated by for the habitats created on the green/brown roof and the native woodland and scrub habitats to be created as part of the riverside space. The City Ecologist judges that the residual effects of the loss of the open mosaic habitat would be adverse of a local minor significance. Therefore the development will be designed to minimise and mitigate the ecological impacts. Whilst there will be some limited harm to the nature conservation value of the site this is not considered to be significant and therefore is not contrary to the relevant planning policies.

The landscape value of the site is limited. The site has the appearance of vacant despoiled land and the landscape value mainly consists of fairly recent scrub/woodland planting adjacent to the River Don. As a 25m wide landscape area

will be retained adjacent to the river frontage and there will be new planting as part of each plot it is considered the in the long term the development will significantly enhance the landscape value of the site.

Cultural Heritage

The National Planning Policy Framework advises that in determining applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.

Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

There are no designated heritage assets located within the site; however, a number of non - designated heritage assets, considered to be receptors of low significance, are recorded within the site. These are:

Within Plot 1

Documentary records of a corn mill (medieval)
Documentary reference to Nether Forge (medieval onwards)
Former site of Brightside Mill grinding wheel (post-medieval)
Brightside Mill tilt forge (post - medieval)
Brightside Mill slitting mill (post - medieval)
Parts of the later Brightside Works complex (19th - 20th century; industrial).

Within Plot 3

Former site of Staybrite Works, formerly Tinsley works (19th - 20th century; industrial).

The ground works, reclamation, foundations and landscaping all have the potential to destroy below ground interest. The archaeological assessment recommends an archaeological evaluation across all plots within the site. This will help to establish the presence and/or absence of any archaeological remains across the site, the

depth of the archaeological horizon and the level of preservation of any remains present. This can be achieved through the excavation of a series of trial trenches using available cartographic evidence to target specific areas of interest, particularly where there is a potential for the earliest archaeological remains to be present. The archaeological evaluation should be used to inform detailed designs so as to mitigate any potential harm to preserved archaeological remains in situ. Should significant archaeological remains be present within the site and preservation in situ not possible, it is likely that further, more extensive, archaeological excavations will be required. A series of conditions have been agreed with the applicant and the South Yorkshire Archaeological Service which will ensure that the archaeological interest is appropriately investigated and safeguarded.

The cultural assessment considers the impact on the setting of both the Roman Ridge and Wincobank Hillfort which are located some 600m to 800m to the north-east of the site. The site is judged to be not part of the setting of either the Roman Ridge or Wincobank Hillfort and therefore will have negligible impact on the setting of these two heritage assets.

The former Tinsley Tram Depot adjoins Plot 3. Its significance is derived from its historical, evidential and aesthetic / architectural values as a surviving example of 19th century municipal structure with distinctive Victorian architecture. Its setting has been affected by commercial and retail development which has eroded the industrial context. The proposed office and industrial development on plot three is unlikely to have a significant impact on its setting provided it is not over dominated by the new development. The proposed parameters limiting the scale of development in close proximity should avoid this. The development of the vacant land adjacent to the Tramshed is likely to enhance the setting of the listed building by regenerating its derelict and run-down context. Therefore it is considered that there are sufficient safeguards in place to ensure that the proposal will preserve or enhance the setting of the listed building.

SUMMARY AND RECOMMENDATION

The proposed development will regenerate a large vacant site and has the potential to deliver a significant number of jobs which will be of benefit to Sheffield as a whole and provide economic benefits for the communities around the site. The proposed uses fit well with the Council's economic strategy of promoting advanced manufacturing in this area. The proposal is also consistent with development plan policies which seek to promote industrial and business uses on this site. The ancillary retail and leisure uses are considered to be justified to serve the employment uses on site and therefore pass the sequential test.

The transport assessment shows that in conjunction with the conditions to control parking, highway/pedestrian/cycle improvements and the travel plan; that the traffic generated by the development can be adequately accommodated without impacting significantly on congestion and safety. The site is highly accessible by public transport. The existing cycle and pedestrian network and the proposed improvements, together with the cycle and pedestrian sensitive design to be promoted by the design code will ensure that the development is accessible by cycle and on foot.

The regeneration of this derelict brownfield site will significantly improve the visual amenity and landscape quality of the area. The design code should ensure that a high quality development is achieved which contributes positively to place making. The scheme will be resilient to flooding and the proposed conditions will ensure the buildings are sustainably designed; generate renewable energy and incorporate sustainable urban drainage. The masterplan objectives of creating connected green spaces and providing walking and cycling infrastructure will encourage activity. The riverside space will enhance the amenity and recreational value of the 5 Weirs Walk.

The proposal will marginally worsen air quality and queuing at junctions and have a small residual negative impact on the ecological interest of the site. These negative impacts are considered to be significantly outweighed by the benefits of the proposal.

It is concluded that the proposal constitutes sustainable development as it accords with the provisions of the development plan and the adverse impacts of the development are significantly and demonstrably outweighed by the benefits. It is therefore recommended that planning permission be granted subject to the listed conditions and to the applicant entering into a legal agreement to secure the following heads of terms.

Heads of Terms

1. A scheme for monitoring and implementing a controlled parking zone as shown on PBA drawing 43616/5505/009 and in accordance with the notes in the Draft Car Park Management Plan.
2. Procedures for agreeing the release of land for development within the innovation corridor safeguarding zone within 3 years of the permission if appropriate.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 12 March 2019

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Marie Robinson 0114 2734218

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

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
19 FEBRUARY 2019

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 an application to approve details in relation to condition number(s): 4 (Remediation), 5 (Tree Protection), 6 (Construction Works), 7 (Dilapidation Survey), 8 (Materials, Landscaping, Illuminations and Long/Cross Sections), 9 (Surfacing - Individual and Private Drives), 11 (Footway Reconstruction), 12 (Surface Water Spillage), 13 (Travel Plan), 14 (Surface Water Drainage - Disposal), 15 (Phasing Strategy), 16 (Landscape Management Plan) & 17 (Surface Water Drainage Scheme) as imposed by planning permission 16/03083/FUL land south of Montenev Road and east of Morrall Road Sheffield S5 9AJ (16/03083/COND1)

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for erection of 2 dwellings with integral garages land between No 89 and junction with Long Lane Cockshutts Lane Sheffield S35 0FX (18/03116/OUT)

3.0 APPEALS DECISIONS – DISMISSED

4.0 APPEALS DECISIONS - ALLOWED

5.0 ENFORCEMENT APPEALS - DISMISSED

6.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

12 March 2019

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