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| Case Number | 19/01836/FUL (Formerly PP-07836217) |
| Application Type | Full Planning Application |
| Proposal | Erection of a mixed use development incorporating residential accommodation comprising 364 apartments, 764m ² of commercial floorspace (Use Class A1, A2, A3, A4, A5, or B1), with associated works, landscaping and ancillary features |
| Location | Land At Wellington Street, Trafalgar Street And Rockingham Street Sheffield S1 4HD (Known As Block 8 New Retail Quarter) |
| Date Received | 21/05/2019 |
| Team | City Centre and East |
| Applicant/Agent | DLP Planning Ltd |
| Recommendation | Grant Conditional Subject to Legal Agreement |

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:

KW01-WCA-KW-ZZ-DR-A-PL900-P01_Site Location Plan
KW01-WCA-KW-ZZ-DR-A-PL902-P01_Red and Black Demolition Plan
KW01-WCA-KW-ZZ-DR-A-PL903-P01_Proposed Site Plan
KW01-WCA-KW-00-DR-A-PL100-P01_Proposed Floor Plan - Ground Floor - Wellington Street
KW01-WCA-KW-01-DR-A-PL101-P01_Proposed Floor Plan - Ground Floor - Rockingham Street
KW01-WCA-KW-02-DR-A-PL102-P01_Proposed Floor Plan - Ground Floor - Devonshire Lane
KW01-WCA-KW-03-DR-A-PL103-P01_Proposed Floor Plan - Third Floor

KW01-WCA-KW-04-DR-A-PL104-P01_Proposed Floor Plan - Fourth Floor
 KW01-WCA-KW-05-DR-A-PL105-P01_Proposed Floor Plan - Fifth Floor
 KW01-WCA-KW-06-DR-A-PL106-P01_Proposed Floor Plan - Sixth Floor
 KW01-WCA-KW-07-DR-A-PL107-P01_Proposed Floor Plan - Seventh Floor
 KW01-WCA-KW-08-DR-A-PL108-P01_Proposed Floor Plan - Eighth Floor
 KW01-WCA-KW-09-DR-A-PL109-P01_Proposed Floor Plan - Ninth Floor
 KW01-WCA-KW-10-DR-A-PL110-P01_Proposed Floor Plan - Tenth Floor
 KW01-WCA-KW-11-DR-A-PL111-P01_Proposed Floor Plan - Eleventh Floor
 KW01-WCA-KW-12-DR-A-PL112-P01_Proposed Floor Plan - Twelfth Floor
 KW01-WCA-KW-13-DR-A-PL113-P01_Proposed Floor Plan - Thirteenth Floor
 KW01-WCA-KW-14-DR-A-PL114-P01_Proposed Floor Plan - Fourteenth Floor
 KW01-WCA-KW-RF-DR-A-PL115-P01_Proposed Floor Plan - Roof Level
 KW01-WCA-KW-XX-DR-A-PL221-P02_GA Elevations - Sheet 1 - Wellington Street
 KW01-WCA-KW-XX-DR-A-PL222-P03_GA Elevations - Sheet 2 - Rockingham Street
 KW01-WCA-KW-XX-DR-A-PL223-P03_GA Elevations - Sheet 3 - Devonshire Lane
 KW01-WCA-KW-XX-DR-A-PL224-P03_GA Elevations - Sheet 4 - Trafalgar Street
 KW01-WCA-KW-XX-DR-A-PL225-P02_GA Elevations - Sheet 5 - Courtyard View 1
 KW01-WCA-KW-XX-DR-A-PL226-P02_GA Elevations - Sheet 6 - Courtyard View 2
 KW01-WCA-KW-XX-DR-A-PL227-P02_GA Elevations - Sheet 7 - Courtyard View 3
 KW01-WCA-KW-XX-DR-A-PL228-P02_GA Elevations - Sheet 8 - Courtyard View 4
 KW01-WCA-KW-ZZ-DR-A-PL301-P01_Proposed Block Sections - Sheet 01
 KW01-WCA-KW-ZZ-DR-A-PL302-P01_Proposed Block Sections - Sheet 02
 KW01-WCA-KW-ZZ-DR-A-PL303-P01_Proposed Block Sections - Sheet 03
 KW01-WCA-KW-ZZ-DR-A-PL304-P01_Proposed Block Sections - Sheet 04
 KW01-WCA-KW-ZZ-DR-A-PL915-P01_Proposed Site Wide Fire Strategy
 KW01-WCA-KW-ZZ-DR-A-PL951-P01_Proposed Streetscape Elevation - Sheet 1 - Wellington Street
 KW01-WCA-KW-ZZ-DR-A-PL952-P01_Proposed Streetscape Elevation - Sheet 2 - Rockingham Street
 KW01-WCA-KW-ZZ-DR-A-PL953-P01_Proposed Streetscape Elevation - Sheet 3 - Trafalgar Street
 KW01-WCA-KW-ZZ-DR-A-PL954-P01_Proposed Streetscape Elevation - Sheet 4 - Devonshire Lane
 KW01-WCA-KW-ZZ-DR-A-PL955-P01_Proposed Streetscape Elevation B&W - Sheet 1 - Wellington Street
 KW01-WCA-KW-ZZ-DR-A-PL956-P01_Proposed Streetscape Elevation B&W - Sheet 2 - Rockingham Street
 KW01-WCA-KW-ZZ-DR-A-PL957-P01_Proposed Streetscape Elevation B&W - Sheet 3 - Trafalgar Street
 KW01-WCA-KW-ZZ-DR-A-PL958-P01_Proposed Streetscape Elevation B&W - Sheet 4 - Devonshire Lane

535-ALA-00-XX-DR-L-0001 S1-P03 Landscape general arrangement -
Ground level

535-ALA-00-XX-DR-L-0002 S1-P03 Landscape general arrangement - Roof
level

Reason: In order to define the permission.

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

3. No development shall take place until the applicant, or their agent or
successor in title, has completed the trial trenching programme set out by
ArchHeritage in their Kangaroo Works Written Scheme of Investigation - report
number 2019/14, dated 12/3/19, with scheduled timetable submitted 22/7/19,
and thereafter has, if required, submitted a Written Scheme of Investigation
(WSI) that sets out a strategy for archaeological mitigation 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.

4. No development shall commence until details of the site accommodation
including the means of ingress and egress of vehicles engaged in the
construction of the development and details of any site compound, contractor
car parking, welfare facilities, 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.

5. No development shall commence until further intrusive site investigations have been undertaken to establish the location of the recorded mine entries. A report explaining the findings of the intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority and shall include a remediation strategy for the mine entries, including details of any foundation designs which may be required for building over or within influencing distance of the mine entries. Thereafter, the remediation strategy shall be carried out in accordance with the approved details.

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.

6. No development shall commence until details of remedial works designed to treat areas of shallow coal mine workings have been submitted to and approved in writing by the Local Planning Authority. The remedial works shall thereafter be carried out in accordance with the approved details.

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.

7. Intrusive investigations as recommended in the approved SWECO Geo-Environmental & Geotechnical Report 120564-Desk Study-01 (Rev 4); 13/0/2019 shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with 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.

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

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

9. 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.

10. 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.

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

a) been carried out; or

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

Highway Improvements:

- Reconstruction of footways round the perimeter of the development site in accordance with the Urban Design Compendium, including the provision of pedestrian drop crossings and tactile paving to facilitate unhindered wheelchair mobility.
- Promotion of a Traffic Regulation Order (loading/waiting restrictions in the vicinity of the development site and for making Devonshire Lane one-way) and provision of associated road markings and signage, all subject to the usual formal procedures but excluding TROs required in association with Sheffield City Council's Wellington Street cycle scheme.
- Provision of short-stay bicycle parking spaces broadly as indicated on the approved plans.
- Accommodation works to street furniture, including street lighting columns, moving them to the new rear of footway and out of the way of entrances, service laybys and possibly windows.
- Provision of a service layby on the Wellington Street frontage at footway level, with a half battered (45 degrees) kerb face. This shall exclude kerb edge provision associated with the cycle scheme.
- Widening/reconstruction of Devonshire Lane and provision of a service layby and four electric car charging spaces (which might alternatively be located on Trafalgar Street if this is deemed to be more appropriate) all for public use and in conjunction with the city-wide electric car charging roll-out. The charging spaces are to be provided to the minimum standards required by the Automated and Electric Vehicles Act 2018.
- Provision of push-button controlled pedestrian crossing facilities at the junction of Wellington Street with Rockingham Street, relocate and reconfigure the signal controller to introduce a pedestrian phase, undertake factory acceptance testing, configuration, site acceptance testing/commissioning.

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

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

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

13. 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.

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

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

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

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

15. 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.

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

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

17. 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.

18. 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.

19. 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.

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

Windows and window reveals
Feature window surrounds
Feature entrance surrounds and soffits
Shop fronts
Brick feature panels
Parapets
Railings
Roadside planters

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

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

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. No building or other obstruction, including landscape features, shall be located over or within 3 metres either side of the centre line of the 225 mm diameter public combined sewer and the 300 mm diameter public combined sewers i .e. a protected strip width of 6 metres, that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker 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.

23. 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 and recommendations of approved SWECO Noise Report 120564-ACO.REP1 (v3); 13/05/2019.

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);
External Amenity Spaces: LAeq (16 hour) 55dB (0700 to 2300 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.

24. 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 commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:
 - i) as a 15 minute LAeq, and;
 - ii) at any one third octave band centre frequency as a 15 minute LZeq.
- c) Be capable of restricting noise breakout from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:
 - i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
 - ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
 - iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
 - iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

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

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

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

25. 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 and recommendations of approved SWECO Noise Report 120564-ACO.REP1 (v3); 13/05/2019.
- 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 ventilation.
[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.

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. 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 it is essential for these works to have been carried out before the use commences.

28. 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. The acoustic design of mechanical plant systems should be in accordance with the recommendations of approved SWECO Noise Report 120564-ACO.REP1 (v3); 13/05/2019.

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

29. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that, with the exception of disabled persons, future occupiers of the residential units will not be eligible for resident parking permits within the Controlled Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

Reason: In the interests of highway safety and the amenities of the locality it is essential for this scheme to be in place before the use commences.

30. Prior to occupation of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a Detailed Travel Plan based on the submitted Framework Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Detailed Travel Plan shall include:

- Clear and unambiguous objectives to influence a lifestyle that will be less dependent upon the private car.
- A package of measures to encourage and facilitate less car dependent living.
- A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
- Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
- 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 occupation of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, evidence that all the measures included within the approved Detailed 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 the Unitary Development Plan for Sheffield (and/or Core Strategy) Policies.

31. Prior to the development being occupied, a servicing management strategy shall have been submitted to and approved in writing by the Local Planning Authority. The strategy will highlight the frequency and types of delivery vehicle, the times deliveries take place, and measures to ensure no multiple/simultaneous demands to use the two laybys.

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

32. Prior to the development being occupied, bicycle parking shall have been provided in accordance with the approved plans, and shall be retained and maintained thereafter.

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

33. 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.

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

Other Compliance Conditions

34. No doors/windows shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

35. The commercial food and drink units hereby approved (Classes A3, A4 and A5) shall only be used between 0730 hours and 2330 hours Mondays to Saturday and between 0800 hours and 2300 hours on Sundays and Bank Holidays.

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

Attention is Drawn to the Following Directives:

1. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;

Reference to permitted standard hours of working;

- 0730 to 1830 Monday to Friday
- 0800 to 1700 Saturday
- No working on Sundays or Public Holidays

Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.

A communications strategy for principal sensitive parties close to the site. Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;

- Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.

- Vibration.

- Dust - including wheel-washing/highway sweeping; details of water supply arrangements.

A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.

A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.

Details of site access & egress for construction traffic and deliveries.

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

2. 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.
3. 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.

Please note: You must not start work until you have submitted and had acknowledged a CIL Form 6: Commencement Notice. Failure to do this will result in surcharges and penalties.

4. 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.
5. 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

6. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

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

7. 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

8. 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

9. 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.

10. 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:

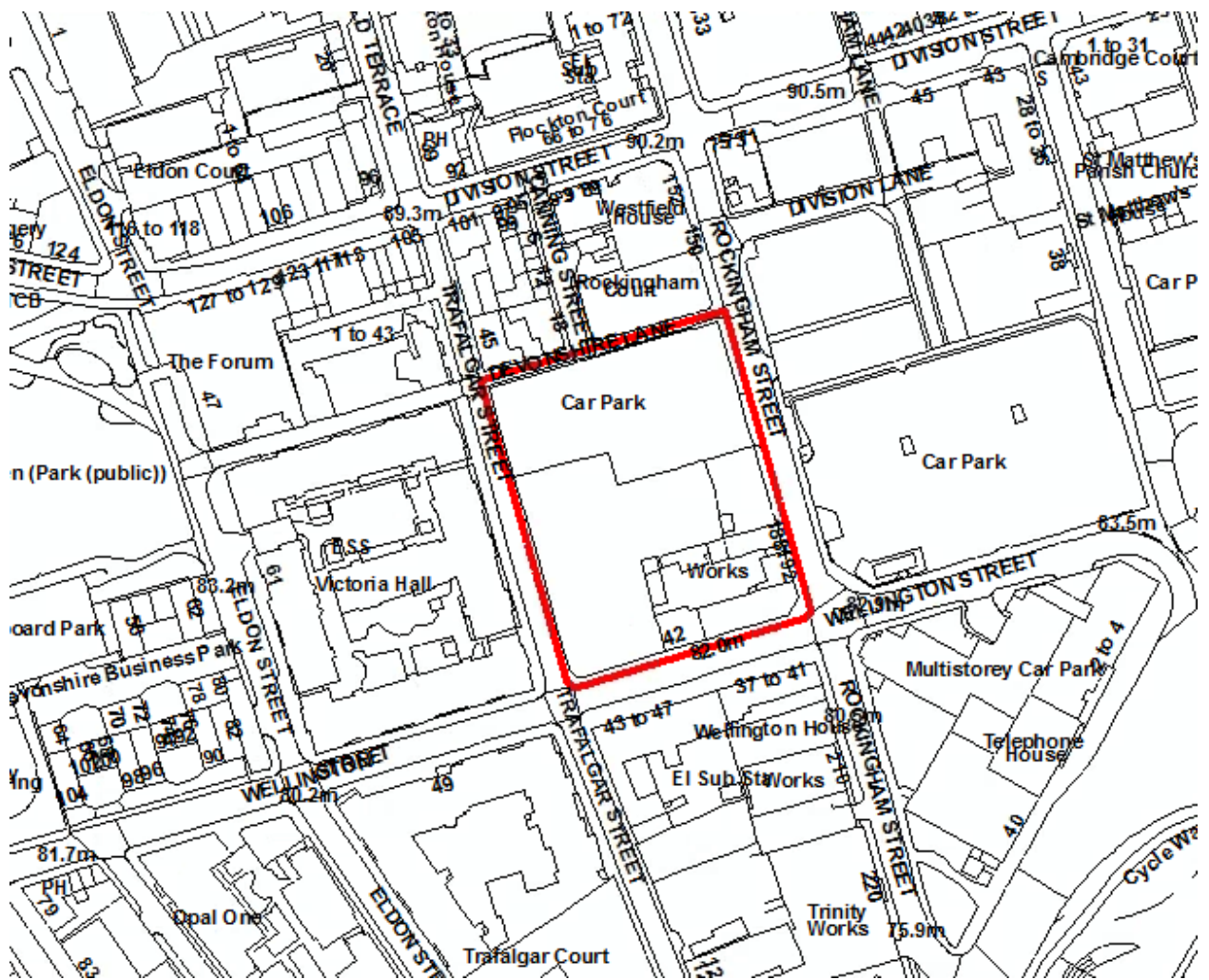
<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

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.

11. The applicant is advised that an over-sailing license will be required in the vicinity of the main entrance for which the developer should contact Mr Paul Turner as soon as possible (0114 273 6137) paul.turner@sheffield.gov.uk

Site Location



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INTRODUCTION

Members will recall that planning permission was granted for the first phase of the Heart of the City II project (previously known as Sheffield Retail Quarter) in November 2016. The six storey office and retail block (16/02228/RG3), now known as Grosvenor House, is complete and in occupation. Work on the next phase, Blocks B and C, has now begun.

This application represents the next phase in this project. It occupies block F as described in the wider masterplan proposals.

LOCATION AND PROPOSAL

The application site is a largely vacant, previously developed site which comprises of a city block bound by Rockingham Street to the east, Wellington Street to the south, Trafalgar Street to the west and Devonshire Lane to the north.

The northern third of the site currently operates as a privately-operated Pay and Display surface level car park. The remainder has largely been cleared, with the exception of 42 Wellington Street which is to be demolished shortly (19/00872/DPN). The site falls from north to south such that there is an almost 7 metre difference in ground levels across the site.

Land to the east of the application site is occupied by surface level car parks. To the south east, on the corner of Wellington Street and Rockingham Street, the 16 storey tower of Telephone House is in use as student accommodation (13/04133/ORPN) while the podium remains in use as a car park.

On the southern side of Wellington Street are two 3 storey buildings. One is in office use while the upper floors of the other have been converted into residential accommodation. The ground floor commercial unit is currently vacant.

The site on the western side of Trafalgar Street is occupied by Victoria Hall, four storey purpose built student accommodation constructed in the early 2000s.

To the north of Devonshire Lane are two small city blocks. The first is occupied by 45 Trafalgar Street, a former metal trades building now in residential use, and Aberdeen Works, a grade II listed silver and electro-plate works (c.1883) built around a narrow courtyard accessed from Division Street, part of which remains in use as a silverware manufacturer.

The neighbouring block is occupied by Rockingham Court, a five storey 1980s office building, and Westfield House, a four storey 1960s office building. In 2017 permission was granted under the prior notification procedure for use of both Rockingham Court and Westfield House as 102 apartments (17/01935/ORPN), but it is understood that Westfield House remains in office use.

The application site lies in a designated Business Area as defined in the Unitary Development Plan (UDP) and lies close to but outside the City Centre Conservation Area.

Planning permission is sought for the erection of a mixed use largely residential development comprising of 364 apartments and 764sq.m of ground floor commercial floorspace (Use Classes A1, A2, A3, A4, A5, or B1). The perimeter block arrangement ranges between 4 and 14 storeys in height and encloses a large split level courtyard.

This application was subject to extensive pre-application discussions (18/04348/PREAPP).

RELEVANT PLANNING HISTORY

19/01372/EIA Sheffield City Council provided a formal screening opinion for the proposed development in April 2019.

It was concluded that the environmental effects of the development would be of no more than local importance and that the submission of an EIA as part of the planning application was not warranted in this instance.

19/00872/DPN Also in April 2019 a prior notification application for the demolition of the small two storey red brick building at 42 Wellington Street was determined. The local planning authority were satisfied that prior approval was not required for the method of demolition or for the subsequent restoration of the site.

05/03933/OUT The site forms part of the area formerly known as the New Retail Quarter. In November 2006 outline consent was approved for a mixed use development comprising of refurbishment/change of use of existing buildings & erection of buildings for retail (use classes A1, A2, A3, A4 & A5), housing (use class C3), night club, health & fitness club, multi-storey car parking and ancillary uses including the closure and alterations of public highways, vehicular access, servicing facilities, formation of open space & associated landscaping.

SUMMARY OF REPRESENTATIONS

The proposed development was advertised by way of site and press notice and neighbour letters. No representations were received.

PLANNING ASSESSMENT

Principle of Development – Policy and Land Use

The National Planning Policy Framework (NPPF)

The revised National Planning Policy Framework (NPPF) 2019 reinforces the general presumption in favour of sustainable development.

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.

It advises that planning policies should promote the long-term vitality and viability of town centres by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.

Policies should also recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

The Local Plan

The statutory development plan for Sheffield currently comprises of:

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

The application site is located in a designated Business Area in which Policy IB7 of the UDP (Development in Business Areas) describes business uses (use class B1) as the preferred use of land with a range of other uses considered to be acceptable including small shops, food and drink uses and housing (above ground level).

Core Strategy Policy CS17 (City Centre Quarters) continues this approach to a degree, promoting the Heart of the City as a prime office and retail location.

Policy CS3 (Locations for Office Development) promotes offices in the city centre generally, while CS4 (Offices in the City Centre)(a) specifically identifies the Heart of the City area as a priority location for office development.

However, the Core Strategy policies were not reflected in the later draft City Policies and Sites document. This proposed a retail site allocation and, on the accompanying Proposals Map, identified the site as part of a Central Housing Area. Whilst not a material consideration, this does illustrate the shift in policy thinking and the scope for housing to form a part of any new development of the area.

New office development has been recently delivered at Grosvenor House (block A) and a further 4,518 sq.m of office floorspace will be delivered in block C (site of the Pepperpot building). The UDP's Business Area designation is largely superseded by the Core Strategy's support for the Heart of the City and because the site lies on the edge of the Devonshire Quarter, it is considered that the proposed residential uses can be supported. Indeed, an Informal Planning Advice Note (IPAN) produced in 2018 to accompany the marketing of the site by the Council's Property Service outlined that residential development with active ground floor uses would be acceptable in this location. The wide mix of commercial uses at ground floor is also acceptable and will add vitality to the emerging streetscape.

Core Strategy Policy CS41 (a) (Creating Mixed Communities) aims to promote the creation of mixed communities by providing for a broad range of smaller households in the City Centre. It advises that no more than half the new homes in larger developments should consist of a single house type. The proposed development comprises of 189 one bedroom apartments (52%), 153 two bed apartments (42%) and 22 three bed apartments. This mix of units is considered to be acceptable, albeit marginally outside the recommended guidelines.

Design and Impact on Heritage Assets

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, that original architecture will be encouraged but new buildings should complement the scale form and architectural style of surrounding buildings, and that measures should be taken to break down the mass of large-scale developments.

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.

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 heritage assets 'are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.'

It goes on to say 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', that 'any harm to, or loss of, the significance of a heritage asset ... should require clear and convincing justification' and that, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.'

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.'

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, 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.

As described above the proposed development comprises of a perimeter block with a large central courtyard. In the north-west corner of the site the development responds to the scale of the nearby listed buildings (including the grade II Aberdeen Works and, slightly further north, 105-125 Devonshire Street) by reaching four and five storeys in height. It then rises in height towards the south east corner where a 14 storey tower reflects the more generous scale of the Vita student accommodation tower. This change in scale across the site also reflects the transition from the Devonshire Quarter, often described as an urban village, to the civic character of the Heart of the City.

In addition to the changing height, the potentially monotonous nature of the perimeter block is broken down and given sculptural form by introducing recesses, set back, deep reveals and, on Trafalgar Street, a generous break which allows access into and views of the landscaped courtyard.

While these sculptural elements were considered to be important in order to break up and add visual interest to the singular form, it is knitted back together through the use of a very simple palette of materials – a single grey/brown brick – and a simple but strong architectural language. This development doesn't shy away from the fact that it occupies an entire city block, rather it seeks to celebrate it by creating a cohesive, coherent and responsive whole.

The use of brick is a reference to the local vernacular, including the neighbouring listed buildings, but this traditional material is given a contemporary feel in the use of an alternative to the traditional red colour. The grey/brown brick also picks up on the colours characteristic of Moorhead and the recently completed Grosvenor House office development.

It is considered that both the layout and architecture of the proposed scheme respond to local context, with 3 metre wide pavements and active uses with double height commercial facades on the busier streets of Wellington Street and Rockingham Street which will become major routes into and through the Heart of the City. The residential nature and narrow width of Trafalgar Street and Devonshire Lane are reflected in the more human scale fenestration, landscape planters and, on Devonshire Lane, a line of trees along the potentially shared surface, one-way carriageway.

The building's main residential entrance and corner commercial unit entrance at the base of the tower have been given definition in the form of a concrete, or similar, surround. This material is also used to pick out the horizontal banding which gives the tower a sense of proportion and, in a more restrained way, it is used to highlight other entrances around the perimeter of the block.

While the commercial base is defined by a strong horizontal plane which steps up Rockingham Street to reflect the local topography and which incorporates a louvred band to allow for a range of future uses, a series of vertical piers ground the upper floors and reflect the rhythm of the accommodation above.

It is considered that this is a development that will add to the overall quality of the area; that is bold and contemporary, yet appropriately proportioned and sympathetic to local character. A development which successfully fills a city block and navigates the transition between character areas, arguably enhancing the setting of nearby heritage assets and contributing to the transformational change that the Heart of the City project offers.

Landscape

There are three key elements to the landscape scheme that supports the proposed development: streetscape improvements designed to enhance the pedestrian experience; a central private courtyard; and a sunny roof terrace.

Devonshire Lane has been redesigned to create an intimate yet practical pedestrian friendly space which will enhance the setting of neighbouring heritage assets. Four electric charging or car club parking bays and a service layby run along the southern side of the lane, interspersed with street trees which mitigate the scale of development and offer an element of privacy to the façade, while raised external terraces with built-in planters provide some defensible space and opportunities for more planting and personalisation.

On Trafalgar Street, the topography of the site is utilised to create a long run of rain garden planters which will carry excess water from the development down the street to an outflow. They will also give some privacy to ground level apartments and contribute to the residential character of the street.

The large central courtyard is on two levels due to the sloping nature of the site. It is designed as a lush green space which will enhance the outlook of residents and offer some the opportunity for private patio spaces. The upper level, which will get the most sun, has a deck area with furniture for social activities and play spaces for small children.

The lower level will be more heavily planted and act as a large water attenuation bed. Paths will criss-cross the planting beds to provide access to amenity spaces, stair cores and the bin and cycle stores which are located beneath the upper terrace.

The roof terrace sits at high level at the junction of Trafalgar Street and Wellington Street. This large south facing communal terrace provides an alternative social

space for residents and is divided into a series of outdoor rooms with a focus on outdoor dining.

It is felt that these well-considered and generous landscape proposals will have a positive impact on the quality of the proposed residential accommodation as well as the character and appearance of adjoining streets.

Impact on Residential Amenities

The site is located in a designated Business Area as defined in the UDP and, though arguably outdated, the policy IB9 (Conditions on Development in Industry and Business Areas) requirement to protect the living conditions of residents from unacceptable living conditions remains relevant.

The proposed perimeter block creates a large central courtyard measuring approximately 30 metres by 45 metres, a generous sized space which exceeds the standard 21 metre privacy distances and so will protect privacy levels within the development.

Privacy distance across the adjoining highways will fall short of standard privacy distances but this is to be expected in urban settings such as this, where denser, back edge of footway development is the norm and residents do not expect the same levels of privacy across a public highway.

The site lies in the city centre, close to Division Street. The submitted Environmental Noise Survey found that noise on and around the site is generally caused by traffic on adjacent roads and neighbouring car parks and, particularly on a Friday and Saturday night, the activities generated by nearby late night uses. However, the levels of noise are such that they can be mitigated through a suitable scheme of sound attenuation.

The proposed development is expected to result in a net reduction in traffic flows on the local road network and so it will contribute little to traffic noise.

Noise from building services equipment associated with the proposed development will need to be controlled in order to protect the amenities of neighbouring residents. So too will construction noise and vibration, which will be controlled by the requirement to submit a Construction Environmental Management Plan (CEMP). The CEMP will assist in ensuring that all site activities are planned and managed so as to prevent nuisance to the occupiers and users of nearby sensitive uses.

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.

This brownfield 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 building has been designed to accommodate tenants at all stages of life and with a fabric first approach and emphasis on thermal efficiency which will minimise heating and cooling demands. It is expected that the high performing building fabric will result in only small electric panel heating being needed in apartments supplemented by a low energy mechanical ventilation and heat recovery system (MVHR).

The District Energy Network, which runs along Trafalgar Street and Wellington Street, will be used to supply domestic hot water. On average this will provide 75% of the development's predicted regulated energy needs from decentralised low carbon energy.

Further energy savings will be made through the use of low water-use fittings and LED lighting, while the landscape scheme incorporates a sustainable drainage system which will reduce the existing brownfield surface water run-off rate by 30%

The scheme also allows adequate space for recyclable waste, a large cycle store for residents (with space for 174 cycles), cycle parking for visitors and four electric charging or car club parking spaces.

Highway Issues

The site lies within a designated Business Area and policy IB9 of the UDP (Conditions on Development in Industry and Business Areas) expects new development to be adequately served by transport facilities, provide safe access to the highway network and appropriate levels of off-street car parking, while the City Council's Car Parking Guidelines, which are to be interpreted as maximum standards, states that in the city centre up to one space per dwelling is appropriate.

The Guidelines also note that the provision of car parking is important to many developments for operational and commercial reasons, but that the over provision of car parking can be wasteful of expensive land, encourage unnecessary car use and does not always look attractive.

The proposed development incorporates only four electric charging or car club parking spaces along the southern side of Devonshire Lane. The very low level of parking provision means that the development will remain car free and the applicant will be required by condition to ensure that future occupiers are aware that they will not be eligible for resident parking permits within the designated Permit Parking Zone. However, as on street parking adjacent the site is controlled by parking restrictions and pay and display parking spaces, it is considered very unlikely that any demand for parking space by residents will be displaced onto the local highway

network. Moreover, given the site's location within the Heart of the City, occupants of the proposed development will be within very easy walking distance of a wide range of facilities and public transport options. The low level of parking is therefore considered to be acceptable.

The site is currently occupied by a pay and display car park and so, while the development will generate trips such as taxis, home deliveries, servicing and refuse collections, vehicle movements to and around the site will be reduced as a result of the development and it is considered that its impact on the local highway network will be negligible

The development will result in a significant increase in the number of pedestrians needing to cross Rockingham Street to access facilities within the city centre. The applicant has agreed to provide push-button controlled pedestrian crossing facilities at the junction of Wellington Street with Rockingham Street, in addition to service laybys on Devonshire Lane and Wellington Street and the resurfacing of all adjoining footways. These works are reserved by condition.

Land Quality

The submitted Geo-Environmental and Geotechnical Report identifies that, as a result of the past uses of the site, the existing made ground is likely to contain a range of contaminants and that further assessment is required to inform the development of a remediation strategy, both of which are reserved by condition.

The site also falls within a Coal Mining Development Referral Area, an area affected by coal mining features and hazards, which in this case includes a number of recorded mine shafts as well as recorded and unrecorded underground coal mining at shallow depth.

The precise locations of the mine shafts are not known and, as The Coal Authority does not generally support development above mine entries, they originally objected to the proposed development. However, following further discussions, they note that the constraints of the site mean that building over the mine entries may be unavoidable in this instance. They also appreciate that, due to contractual arrangements, it is not possible to undertake all of the required ground investigations prior to determination of the application.

The Coal Authority have therefore agreed to withdraw their objection, instead recommending a condition requiring intrusive site investigations for locating and assessing the mine entries and a scheme of remedial works which should include foundation designs for building over or within influencing distance of the mine entries.

In relation to the areas of shallow coal mine workings, they recommend a second condition to secure remedial works to treat the affected areas.

Archaeology

The site lies in an area that was developed from the late 18th century onwards, when the current street pattern was laid out. Development was characterised by a dense mix of industrial, residential and commercial buildings, with the industrial works often related to the cutlery industry.

By the late 19th century, small to moderate sized industrial works were constructed in the western half of the site and the southeast corner, but on the east side there were a number of small courtyards surrounded by housing and small workshops.

Following slum clearances, the site was almost entirely industrial from the 1950s until the late 20th century, when the decline of the cutlery industry led to the closure of the works on the site. Most were demolished over the following years.

Former works have included the Trafalgar Engineering Works; the Trafalgar Grinding Wheel, later known as the Wells Wheel and then the Kangaroo Works; and the Select Cutlery Works, later named the Rockingham Works.

A programme of evaluation trial trenching was undertaken in 2008 which identified that, within part of the area evaluated, there was good preservation of archaeological remains and that further archaeological works would be required. In other areas the archaeological potential was considered to be low to moderate.

A Written Scheme of Investigation was submitted with the application which proposes a further 8 trial trenches, as agreed with the South Yorkshire Archaeology Service (SYAS). It was hoped that these investigations would be carried out prior to the determination of the application, however retained buildings and remediation issues have hindered progress such that the agreed investigations are now reserved by condition.

Ecology

The existing site offers little in the way of habitat for protected species. The Preliminary Ecological Appraisal submitted with the application advised that, while the few broadleaved trees scattered across the offer the potential to support nesting birds, a full internal inspection of the remaining buildings on site revealed no evidence of bat use.

The proposed development offers an opportunity to create new habitat for wildlife. Existing trees will not be retained, however tree planting is proposed on Devonshire Lane and within the courtyard while a range of native flora in the courtyard, on the roof garden and in street level planters will provide foraging habitat for birds and invertebrates.

Public Art

Policy BE12 encourages public art where it would be readily seen by the public and integral to the design of major developments. In this instance the applicant has agreed to enter into a 106 legal agreement to pay the sum of £43,680 towards a central piece of artwork within the Heart of the City II masterplan area.

Affordable Housing and the Community Infrastructure Levy (CIL)

The site lies within an area of the city centre with no affordable housing requirement but where residential development attracts a CIL charge of £50 per square metre.

SUMMARY AND RECOMMENDATION

The proposed development of 364 apartments and 764sq.m of ground floor commercial floorspace (Use Classes A1, A2, A3, A4, A5, or B1) represents the next phase of the Heart of the City II project (previously known as Sheffield Retail Quarter), occupying block F as described in the wider masterplan proposals. It ranges between 4 and 14 storeys in height and fills an entire city block, successfully navigating the transition between the Devonshire Quarter and the Heart of the City, adding to the overall quality of the area and enhancing the setting of nearby heritage assets.

It is considered that the proposed development complies with the provisions of the UDP, the Core Strategy and the NPPF and it is recommended that Members grant planning permission subject to the proposed conditions and the completion of a legal agreement with the following heads of terms.

Heads of Terms

The developer shall pay the sum of £43,680 towards a central piece of artwork within the Heart of the City II masterplan area.

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