
Case Number	18/03849/FUL (Formerly PP-06866526)
Application Type	Full Planning Application
Proposal	Demolition of existing structures and erection of a mixed-use development between 4 to 26 storeys with 372 residential apartments including 5 live work units, retail/commercial floorspace (A1 with no more than 225sqm of floorspace/A2/A3/A4/B1 Use Class) at ground floor, ancillary facilities, amenity space and associated parking (As Amended Plans).
Location	Milton Street Car Park Milton Street Sheffield S3 7UF
Date Received	12/10/2018
Team	City Centre and East
Applicant/Agent	DLP 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. Location Plan:
7704-L(00)67 - Site Edged Red Plan

Site Elevations/Sections:

7704-L(00)124D Context Elevations A & B
7704-L(00)125D Context Elevations C & D
7704-L(00)126D Context Elevations E & F
7704-L(00)127D Context Elevations G & H
7704-L(00)128C Context Section A
7704-L(00)129E Context Elevations A & B - Colour
7704-L(00)130D Context Elevations C & D - Colour

7704-L(00)131E Context Elevations E & F - Colour
7704-L(00)132D Context Elevations G & H - Colour
7704-L(00)133D Context Section AA - Colour

Building Elevations:

7704-L(00)134B Block A Elevations
7704-L(00)135B Block B Elevations
7704-L(00)136B Block C Elevations - Sheet 1
7704-L(00)137B Block C Elevations - Sheet 2
7704-L(00)138B Coloured Block A Elevations
7704-L(00)139B Coloured Block B Elevations
7704-L(00)140B Coloured Block C Elevations - Sheet 1
7704-L(00)141B Coloured Block C Elevations - Sheet 2

Site Plan Drawings:

7704-L(00)112D Proposed Roof Plan
7704-L(00)78F Coloured Basement Floor Plan
7704-L(00)79L Coloured Ground Floor Plan
7704-L(00)80L Coloured First Floor Plan
7704-L(00)114D Coloured 2nd - 3rd Floor Plan
7704-L(00)115D Coloured 4th Floor Plan
7704-L(00)116D Coloured 5th Floor Plan
7704-L(00)117D Coloured 6th Floor Plan
7704-L(00)157A Coloured 7th Floor Plan
7704-L(00)158A Coloured 8th Floor Plan
7704-L(00)119D Coloured 9th Floor Plan
7704-L(00)159A Coloured 10th Floor Plan
7704-L(00)160A Coloured 11th - 12th Floor Plan
7704-L(00)161A Coloured 13th Floor Plan
7704-L(00)162A Coloured 14th Floor Plan
7704-L(00)149B Coloured 15th - 16th Floor Plan
7704-L(00)163A Coloured 17th - 19th Floor Plan
7704-L(00)164A Coloured 20th - 22nd Floor Plan
7704-L(00)122D Coloured 23rd - 25th Floor Plan

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

3. No development (including demolition, construction, or other enabling, engineering or preparatory works) shall take place until a final phasing plan for all works associated with the development has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to define the permission and to assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in

accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

4. No development (including demolition) shall commence 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 demolition, site clearance, groundworks and construction activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual effects from construction phase noise and vibration that cannot be managed to comply with acceptable levels at source. The CEMP shall also include details relating to the permitted working hours on site, and include a fugitive dust management plan.

Working hours shall be specified such that construction and associated activities audible at or beyond the site boundary takes place from 0730 to 1800 hours on Mondays to Fridays, 0800 to 1300 hours on Saturdays, with no working on Sundays or Public Holidays. Procedures for prior consultation with the Local Authority over proposed extraordinary working hours shall be detailed. The CEMP shall also detail suitable community communications procedures to ensure that occupiers of dwellings and other sensitive uses are informed in advance of planned and extraordinary disruptive working arrangements likely to cause significant amenity impacts.

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

5. No phase of the development (including works of demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Highway Management Plan (HMP) relevant to that particular phase has been submitted to and approved by the Local Planning Authority. The HMP shall assist in ensuring that all Contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:
 - a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. 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.
 - b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and
 - c. Details of the site accommodation, including compound, contractor car parking, storage, welfare facilities, delivery/service vehicle loading/unloading areas, and material storage areas.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties and the protection of the free and safe flow of traffic on the public highway.

6. 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.

7. 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.

8. Intrusive investigations as recommended in the approved Phase 1 Geo-Environmental Appraisal ref. JS/AHB/40089-Rp001 (10/10/2017) 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.

9. 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.

10. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has complied with the Written Scheme of Investigation (WSI) Entitled 'Land at Milton Street, Sheffield' (Version 2, 2017 prepared by Archaeological Research Services Ltd 2017) that sets out a strategy for archaeological investigation.

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.

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

11. Prior to installation, full details of any proposed external lighting associated with the buildings hereby approved shall have been submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

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

12. No above ground construction works within the relevant phase of development shall commence until final details of the following measures have been submitted to and approved by the Local Planning Authority:

- A Servicing Management Strategy relating to the residential, ancillary and commercial accommodation (as appropriate);
- Final bin storage facilities relating to the residential, ancillary and commercial accommodation (as appropriate); and
- A Waste Management Strategy relating to the residential, ancillary and commercial accommodation (as appropriate).

No building within the relevant phase of development shall be brought into use until these facilities have been provided in accordance with the approved details and, thereafter, such facilities shall be retained.

Reason: To ensure that servicing, general waste and recycling facilities are provided and managed in an acceptable manner, in the interests of highway safety and amenity.

13. No construction work shall commence until a detailed Employment and Training Strategy, which is designed to maximise local opportunities for employment from the construction phase of development, has been submitted to and approved 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.

14. No construction work 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 of the completed development will be obtained from decentralised and renewable or low carbon energy; 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 development 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 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

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

- a) all hard materials, including samples when requested;
- b) tree and plant species, sizes, numbers, locations, planting methods (for trees) and soil depths including future maintenance strategy;
- c) the design of any proposed steps and ramps;
- d) the design of any proposed furniture (seating etc)
- e) the design of the proposed roof terrace (Block B) including any furniture and railing/guard features
- f) the design of any boundary treatments/gates or walls;

Thereafter, the landscaping works shall be carried out in accordance with the approved details before occupation of the building.

All proposed tree planting should be in accordance with BS 5837: 2012 (Trees in relation to Design, Demolition and Construction - Recommendations).

Reason: In the interests of the visual amenities of the locality, and to ensure the appropriate quality of development.

16. 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.

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

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

18. 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 NoiseAssess report ref. 12320.01.v3 (Aug 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);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours), not typically exceeded.

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.

The residential accommodation hereby permitted and which is influenced by low frequency noise from the adjacent electricity substation shall not be occupied unless an enhanced scheme of sound insulation works has been installed and thereafter retained. In addition to the above criteria, such scheme of works shall also be capable of mitigating noise from the substation to achieve the following:

d) All Habitable Rooms: Noise Rating Curve NR25 (at all times)

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

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

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

19. The office accommodation 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 recommendations of an approved noise report.

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.

20. The residential apartments shall not be used for the purposes hereby permitted unless a scheme of sound attenuation works based upon the recommendations of the approved NoiseAssess report ref. 12320.01.v3 (Aug 2018) has been carried out. Prior to implementation, a further Detailed Design Stage noise report detailing a scheme of sound insulation and attenuation works shall have been submitted to and approved in writing by the Local Planning Authority. The report shall consider, assess and, where necessary, make recommendations to address the mitigation of the impact of noise from the adjacent large electrical substation on habitable rooms and external amenity spaces. Any such works shall be installed as approved and thereafter retained.

Reason: In the interests of the amenities of occupiers of adjoining property it is essential for these works to have been carried out before the use commences.

21. Before the commercial use(s) 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 and transmission from the commercial use(s) and any associated plant or equipment, 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 a 15 minute 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.

22. 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.

23. 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.

24. 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 include:

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
- b) Acoustic emissions data for the system.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the systems required cleaning and maintenance schedule.
- e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

The 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.

25. 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.

26. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) 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 and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

- Milton Street (as shown in principle on Dwg 2289-01/SK101 - in the Traffic Statement)- including replacement P&D parking spaces if appropriate / alterations to Traffic Regulation Order
- Hodgson street (creation of vehicular access) including replacement P&D parking spaces if appropriate / alterations to Traffic Regulation Order

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.

27. 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 footway/highway adjoining the site including the provision of tactile paving where appropriate, before the development is brought into use. The details/materials shall be in accordance with Sheffield Urban Design Compendium, and the full specification shall have first been approved in writing by the Local Planning Authority.

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

28. Within 6 months of the development commencing, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

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

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are

committed shall have been submitted to and approved in writing by the Local Planning Authority.

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

29. The building 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.

30. No amplified sound or live music shall be played within the commercial use(s) hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be subject to written approval by the Local Planning Authority prior to installation.

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

31. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority and details of the size of cladding panels and fixing details 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.

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

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

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

- Windows, window reveals and window surrounds
- Entrance features including doors and door surrounds
- Parapets
- Ramps including hand rails and glass screens
- External boundary walls and gates

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

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

34. Prior to occupation of any part of the development, full details of the proposed bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details before the building is occupied.

Reason: In the interest of ecology.

35. No above ground construction work shall commence until full details of proposals for the inclusion of public art within the development 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.

Other Compliance Conditions

36. 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.

37. The development shall not be used unless the car parking and cycle 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, and shall not be sold or let separately to non-occupiers of the development.

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

38. The glazed facades of the commercial unit hereby approved shall not be obscured by vinyl displays or be obscured by the future occupiers' internal arrangements or shop fitting layout.

Reason: In the interests of the visual amenity in order to protect the open character of the commercial unit.

39. There shall be no internal shelving, racking systems or refrigeration units positioned in front of the glazed facades of the commercial unit windows.

Reason: In the interests of the visual amenity in order to protect the open character of the commercial unit.

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

Reason: In the interest of satisfactory and sustainable drainage.

41. The commercial units as shown on the approved plans shall not be combined at any time, and no more than 1 of the commercial units shall be in Use Class A4 (Public House).

Reason: In order to define the permission and in the interests of the amenity of existing and future residents.

42. The commercial uses hereby approved shall only be used between the hours of 0800 and 0030 hours the following day on all days.

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

43. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

44. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public 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 Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Highway Co-Ordination
Sheffield City Council
Town Hall
Sheffield
S1 2HH

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

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

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. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

5. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136
Email: dawn.jones@sheffield.gov.uk

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

7. 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

8. 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.

9. 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.
10. You may need a Premises Licence under the Licensing Act 2003. You are advised to contact Sheffield City Council's Licensing Service for advice on Tel. (0114) 2734264 or by email at licensing@sheffield.gov.uk.
11. The applicant is advised that the signage indicated on the submitted drawings is not approved as part of this permission and will require separate Advertisement Consent. To discuss arrangements for obtaining such consent, and to request application forms, the applicant should contact Development Control Section, Development Services, on Sheffield (0114) 2039183 or go to www.sheffield.gov.uk/in-your-area/planning-and-city-development

INTRODUCTION

Members will recall that this application was deferred from the Committee meeting on 6th August 2019 to allow for a second viability assessment to be conducted by an independent valuer/expert, and to allow for further comments to be obtained from Historic England (HE) on the additional information submitted by the applicant seeking to address HE concerns about views from the courtyard of the adjacent listed Beehive Works.

Your officers have commissioned Dr Andrew Golland (Andrew Golland Associates) to conduct an independent viability review of the scheme. He has also concluded that the scheme cannot deliver any contribution towards affordable housing provision. The Affordable Housing Section of this report has been updated to reflect this advice.

In respect of Historic England, the key HE officer has been on annual leave since the deferral of the application and until after publication of this updated committee report. They have been sent a copy of the committee report and the additional key views supplied by the applicant to address their remaining concerns. Historic England's further views will be sought as soon as the key officer returns from leave and any additional points that they raise will be addressed in a Supplementary Report. It should nevertheless be pointed out that your officers' view remains that the less than substantial harm caused by the scheme is justified when balanced against the overall benefits of the scheme.

LOCATION AND PROPOSAL

The application relates to a parcel of land which is approximately 0.5 hectares and is currently used as a surface car park. Formerly the site was occupied by a car dealership with two storeys of showrooms and workshops, and would have originally been the site of 19th Century Cutlery Works and workers housing.

The parcel of land is bound by the Inner Ring Road, Milton Street, Hodgson Street, and Headford Street. It is rectangular in shape with the exception of the eastern corner (on the junction of Headford Street and Hodgson Street which contains 2 warehouse style buildings at No's 88 and 80 Headford Street). The existing surface car parking is split into two sections; the main car parking area accessed from Milton Street, and a small area of car parking accessed from Hodgson Street. The smaller area off Hodgson Street is set at a lower level and is bound by tall stone and brick boundary walls. The larger car parking site has security fencing around the perimeter.

The surrounding area is characterised by a mixture of retail, commercial, industrial and residential uses. Immediately adjacent to the site is the Electrical Substation to the south, the inner ring road to the west, Pryor Marking Technology warehouse and a row of brick terraced properties, including Beehive Works and Eye Witness Works on the opposite corner of Headford Street and Milton Street, and a vacant parcel of land which has surface car parking to the east.

The Moore Street Substation is a Grade II Listed Building, Beehive Works is Grade II* and Eye Witness Works is Grade II.

Planning permission is sought for the demolition of the existing structures on the site, and to build a mixed use development comprising of 372 residential units, retail/commercial to the ground floor, car parking in the basement, and a shared private amenity space. Residential accommodation comprises of 5 live work units, 115 one-bed units, 230 two-bed units, and 22 three-bed units.

The proposal consists of 3 main blocks, Blocks A, B and C. Block A is an L shaped building which fronts onto Headford Street and Milton Street and ranges from 4 storeys up to 6 storeys, and contains 70 residential units including the 5 live work units. Block B is a T-shaped building which is located in the centre of the site, having a frontage onto Milton Street and Hodgson Street. It ranges between 5 and 9 storeys in height and contains 116 residential units. Block C is a rectangular block fronting onto the Inner Ring Road, and contains the retail/commercial element at the ground floor in a double height unit, with a 24 storey tower above towards the southern corner of the site closest to Moore Street roundabout, and 15 storey block towards the western corner of the site. 186 units are proposed within Block C.

The three blocks are connected by external shared areas, the main entrance to the development is via the Management Suite/Residential Hub from Milton Street which provides access to the lobby for Block B, with Block C accessed through the external communal shared amenity space. Block A has a direct access from Headford Street. There are further entrance points which are all gated from Hodgson Street and an entrance between Block A and B on Milton Street.

A basement level is proposed with access from Hodgson Street which provides 146 parking spaces, refuse storage, and 4 cycle stores under the main lobbies for each of the 3 blocks providing 210 secure cycle spaces.

RELEVANT PLANNING HISTORY

There are a number of temporary consents dating back to 2008 for the site to be used for short stay car parking, the most recent being Ref: 18/02124/FUL which runs until 22 June 2021.

Planning permission was granted in 2004 for a mixed use development comprising of A1, A3, B1, D2 uses, with 233 flats and 9 live/work units, including basement car parking and a 22 storey tower under Ref: 03/03677/FUL. This permission was never implemented and has since lapsed.

16/03861/DPN – John Wragg & Co Ltd building demolished.

18/00934/EIA - In March 2018 an Environmental Impact Assessment (EIA) Screening opinion was submitted for the erection of a mixed use development comprising of 372 residential units, with ancillary facilities, commercial units, car parking and amenity space. It was deemed that an Environmental Statement was not required to accompany the planning application.

SUMMARY OF REPRESENTATIONS

Historic England have commented on the proposal and have stated that should the proposal be recommended for approval, their comments should be treated as an objection. Their comments can be summarised as follows:

- Beehive Works is a Grade II* Listed Building and is classified as being 'at risk'. Proposals for new development in the area will hopefully have a positive knock-on effect for the economic sustainability of the listed buildings, but development must not harm the setting of the buildings, nor impact negatively on their future viability.
- The south side of Milton Street has been extensively cleared and the current surface car parks do not contribute to the setting of the listed buildings.
- The footprint of the proposed development is consistent with the historic development pattern, with the blocks being located at the back-of pavement creating a strong building line along Milton Street.
- The historic buildings on the site would have been 3-4 storeys in height, and this application is a departure from this historic character. There is the potential for harm to the significance on the listed buildings, views along Milton Street, and views out of the listed buildings.
- We are comfortable with the scale of proposed Block A, in relation to the setting of the listed building; however Block B will have a dominating effect. Stepping the top floor storeys back from Milton Street would better respect the domestic scale of the listed buildings opposite and reduce the harm to their setting.
- Blocks B and C are the taller elements that will intrude into the views out of the courtyard at Beehive Works, which is considerable contribution to the significance of the listed complex, illustrating the metal trades processes that were undertaken at the site.
- It is recommended that further assessment of the potential impact and amendments are sought to reduce the harm, and that visualisations are provided to enable assessment on the impact on the courtyard. These elements may only be slightly visible which would be acceptable, but they could be intrusive and dominant in views out of the listed building.

One representation has been received from an occupier of a property at Hanover Towers on the opposite side of the Inner Ring Road. Issues raised include:

Design

- There will be a loss of views of the Peak District and other features from the City Centre, and the proposal will change the views into Sheffield forever. The building is unsuited to the area, with no other buildings of this scale on this side of the ring road. This will be a complete change to what was a low rise industrial area.- The tall building will increase wind, with old people being in danger of being blown over or injured and trees being blown down on top of people or cars. The footpath is narrow, and people cannot just cross the road to avoid it.
- The proposal does not fit in locally, it is inward looking, gated, with green spaces closed off behind walls, unlike the low rise social housing in the surrounding area.

Conservation

- The scale of the building is out of keeping with several key Heritage buildings, and will ruin any future development of them. Beehive Works is Grade II* with there being only 5 buildings rated higher in Sheffield. Sheffield was built on steel to ignore our history is wrong. There are other Grade II Listed building nearby which will be negatively affected, with even the 1960's Electricity Sub Station Grade II.

Amenity

- The site is next to a busy ring road and roundabout. Even with sound proofing, it will be at the limit of regulation when people for good health need silence and not constant noise. Occupiers will not be able to open a window or use the balconies
- The building will reflect noise to occupiers of neighbouring buildings.
- There will be unacceptable noise, dust, pollution, asbestos and disturbance through the construction period on neighbouring properties.
- There will noise from the proposed retail units if late night bars/clubs are opened.
- Possibly students living in the development will create noise through shouting/singing/music etc.
- The building is very tall and long, and this means a large shadow will be created to the nearby buildings, including Pryor, Beehive and Eyewitness Works which will all lose sun particularly in the afternoon/evening whether they are industrial or residential.
- The proposed occupiers of the development will be able to look into the neighbouring high rise Hanover Towers flats, reducing existing privacy levels.
- The electricity sub-station was placed in an industrial area as it has huge magnetic fields, and transformers, that lead to various annoying low frequency noise and vibration which could cause major health problems.
- The outside amenity space will be noisy from the sub-station, will be overshadowed by the sub-station and will look directly towards the concrete façade of the sub-station.
- Pollution would be above minimum safe levels, with the test points in the report taken from site further away from the main road. The development would be bad for health especially children.

Fire Safety

- There is only one stairwell to the top of the building, the lifts seem to lack a fire fighting lobby, and there should be more fire doors.
- The fire brigade can normally only reach the 5th floor and the tower is located on the dead end road with no room to turn a fire engine.
- There are worries that the outer cladding panels and or wall insulation will be inflammable or the not have the correct fire breaks. There is no information relating to this within the application. This has been a problem on other buildings in Sheffield which had the same Alucobond as that present on Grenfell Tower.

Highways

- There will be a lack of parking on the site, with most flats needing more than one parking space.

- There will be an increase in cars in the areas, particularly at weekends and the evenings. The traffic survey only considers weekdays, and does not consider local factors. People will not use the buses as much as assumed.

Other Matters

- There has been a lack of consultation. This building would be the second tallest building in Sheffield, so widespread public consultation events are needed, along with individual letters to neighbouring properties.
- The council have a conflict of interests in the site, owning the freehold, which means they cannot make this decision objectively on the facts that it is under financial pressure.
- The site will be completely destroyed by digging down for the underground car park, will all archaeology lost.
- There are high levels of antisocial behaviour in this area, with the areas around the site not safe to walk in at night.
- There seems to be no affordable housing within the proposal
- Where will the children go to school?
- The current car park supports the Bluebell Wood Children's Hospice, is used for events including Tramlines, and children play football on the site.
- There are a number of elaborate street art works on the walls surrounding the car park and these will be destroyed.
- There are problems with nearby schemes, that have had financial problems and not fully built out, or have cheaper materials with corners cut, for example expensive sound proofing.
- The original application in 2003 was recommended by planning officers for refusal. The site did not include a now demolished works that is part of this current scheme which was/is owned by the Council.

STATEMENT OF COMMUNITY INVOLVEMENT

Following advice from officers, consultation was carried out in March 2018. This was in the form of 150 consultation letters sent to nearby properties. Two responses were received. One from the National Grid Asset Protection Team which outlines safe systems of work near substations. The second was from a local business which raised a number of issues including if there was a demand for this type of development; impacts on existing infrastructure; where the existing displaced car parking is to go; whether there is sufficient parking proposed for a development of this scale; and concerns about the amount of daylight into Beehive Works.

A response was issued by the developer outlining that these issues would be taken on board as part of the design process.

PLANNING ASSESSMENT

The National Planning Policy Framework (NPPF) sets out the Government planning priorities for England and how these are expected to be applied. The key principle of the NPPF is to ensure 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 application site is located within an area designated as Fringe Industry and Business within the adopted Sheffield Unitary Development Plan (UDP). Policy IB6 of the UDP relates to development in such areas and advises that whilst Business (B1), General Industry (B2) and Warehousing (B8) are the preferred uses, a range of other uses are considered acceptable. These including small shops (A1); food and drink (A3); leisure and recreation (D2); and housing (C3).

In recent years, the local area has seen a significant shift in land use, following the introduction of the Core Strategy. This has resulted in B2 and B8 users no longer being considered appropriate in this area as a result of Core Strategy Policy CS6 part (e) which relates to the southern part of Devonshire Quarter, and identifies this part of the City Centre as a 'Transition Area' where the expansion of manufacturing uses is to be discouraged.

Core Strategy Policy CS17 part (f) (Devonshire Quarter) now promotes a wide range of uses within the area, but specifically city living, niche shops, restaurants and bars, and a variety of business uses. Policy CS3 'Locations for Office Development' encourages office use in the City Centre, although CS4 'Offices in the City Centre' does not identify this location as specifically important within the City Centre for offices. These Core Strategy policies were reflected in the proposals in the draft City Policies and Sites that proposed both a Business Area and a Central Housing Area designation in this location where a range of uses would be acceptable. The draft City Policies and Sites recognised the importance of this site for potentially delivering both housing and employment benefits by proposing a site allocation (P00073) for office and housing uses. Whilst some office use on the site would be the ideal, the uses proposed are considered acceptable, and at this stage, the City Policies and Sites document has little weight. It is referenced to show the change in direction of policy development since the allocation of the site in the UDP as Fringe Industry and Business.

Housing Land Supply

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.

Core Strategy Policy CS22 '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.

Sheffield is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF

(2019) and associated Practice Guidance further detailed work is required. We will therefore be undertaking additional engagement with stakeholders before publishing our conclusions in a monitoring report. At this time decisions should therefore continue to be taken in light of the SHLAA Interim Position Paper (2017), which shows a 4.5 year supply of sites. The proposed 372 residential units will help significantly to contribute towards the 5 year supply.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. Core Strategy Policy CS24 'Maximising use of Previously Developed Land for New Housing' seeks to try and ensure that priority is given to developments on previously developed sites. The site is classed as previously developed (brownfield) land within the main urban area, meeting the requirements CS23, CS24, and the NPPF.

Housing Density and Mix

Policy CS26 'Efficient Use of Housing Land and Accessibility' within the Core Strategy requires appropriate housing densities to ensure the efficient use of land. It accepts that the density of new developments should be in keeping with the character of the area and support the development of sustainable, balanced communities. At this location in the city centre, a minimum density of 70 dwellings per hectare is required.

This scheme achieves a density which is well above the range set out in the policy. However, exceptions may be made to the policy where the proposal achieves good design and reflects the character of an area. This high density is considered acceptable as a result of this being a large urban development of significant scale in a location which is close to other large scale developments.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages development of housing to meet a range of housing needs. Policy CS41 part(a) is relevant to this application and states that a mix of housing types and tenures will be achieved by ensuring that no more than half the homes in larger developments should consist of a single house type. 'Larger developments' are defined as more than 60 new dwellings and a single house types is defined as one with the same number of bedrooms and of the same design or generally similar characteristics.

The property mix proposed in this development is 115 one-bed units (31%) 230 two-bed units (62%), 22 three-bed units (6%), and 5 live work units (1%). Whilst there is a majority of 62% of 2 bedroom units, it is identified that that there is a greater need for 2 bedrooms homes in this part of the City Centre, given the fact that there have been a significant number of recent approvals which have a high proportion of 1 bed and studio units. This proposal will somewhat readdress the balance in the city centre overall.

In the wider scheme of things the proposal is considered on balance to meet the requirements of Policies CS26 & CS41 of the Core Strategy.

Archaeology

UDP Policy BE22 'Archaeological Sites and Monuments' states that sites of archaeological interest will be preserved, protected and enhanced. Where disturbance is unavoidable, the development will be permitted only if (a) an adequate archaeological record of the site is made; and (b) where the site is found to be significant, the remains are preserved in their original position.

An Archaeological Desk-Based Assessment has been carried out and accompanies the planning application. It anticipates that any archaeological remains will relate to the mid-19th Century cutlery works and workers housing, and also the brick industry from the first half of the 19th Century. The application is also accompanied by a Written Scheme of Investigation for Archaeological Works which sets out the objectives and methods for the evaluation trenching, together with post-excavation analysis, reporting publication and archiving.

Ideally these works would be carried out to inform the planning application but with the existing use on the site, this has not been possible. The South Yorkshire Archaeology Service has confirmed that the developer will need to follow the recommendations of the WSI and that this may impact on the delivery timetable for the scheme. A condition is proposed to ensure that the recommendations of the WSI are followed before construction works start on site.

The proposal is considered to be compliant with relevant NPPF guidance and Policy BE22.

Design Proposals

Core Strategy Policy CS 74 'Design Principles' seeks to promote high quality development and it says that development should take advantage of and enhance the townscape and landscape character of the city's districts. UDP Policy BE5 'Building Design' says that original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings. Particularly in large scale developments the materials should be varied and the overall mass of buildings broken down

This is mirrored in Core Strategy Policy IB9 'Conditions for Development in Industry and Business Areas' which says the new development will be permitted that is well designed and of a scale and nature appropriate to the site.

Chapter 12 of the NPPF reinforces these principles, and requires good design, where paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively for making places better for people. Paragraph 130 requires that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Paragraph 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally so long as they fit in with the overall form and layout of their surroundings.

Layout

The site is within the Devonshire Quarter as identified in Sheffield City Centre Urban Design Compendium. The quarter has a gridded street pattern with buildings positioned tight to the back of the footway and a relatively consistent use of red brick, all of which contribute to the distinctive character of this part of the city centre. Despite having undergone considerable change, a number of prominent heritage assets have been retained, including the listed Beehive and Eyewitness Works to the northeast of the site, and the modernist electric substation to the southeast.

At its core, the Devonshire Quarter is dominated by the tight historical grain detailed above. However, the southern and eastern edges are defined by civic highways infrastructure, the inner ring road and Charter Row respectively. These have a very different scale and character, marking the edges of the retail core and the start of the Ecclesall Road corridor. As a consequence, the site needs to accommodate a transition in townscape character.

The basic principle of establishing a housing-led development in the area, using a form that responds to variations in the local context, is welcome. The development has the potential to make a positive contribution to both the built form of the city centre and to the emergence of the Devonshire Quarter as a vibrant urban neighbourhood.

The proposed layout and arrangement reinforces the back edge of the pavement character that is predominant within the area, with vehicle access is to be taken from Hodgson Street. Pedestrian access is taken primarily from Milton Street, but also from the corner of Headford Street, and along Hodgson Street. Live/work units are proposed along Milton Street which will provide an active frontage, with commercial units along the frontage with the Inner Ring Road.

Two courtyards are proposed, one between Block A and Block B, and one between Block B and Block C. This allows for sufficient space between the buildings, and for a landscape area to be created. This area will face towards the south, so will receive natural sun light. It is intended to utilise shuttered concrete in these courtyards to mirror that of the existing listed substation. The finer details of the landscaping can be controlled through condition.

The Urban Design Compendium established specifications for the quality of paving materials and street furniture to be adopted throughout the city centre. This will establish a good standard of design that is consistent with proposals being promoted elsewhere in the city centre. The specification for the works will need to be the subject of a detailed highway design project.

Overall, it is considered that the layout of the proposal is acceptable, and will reinforce the street pattern in the area.

Scale and Massing

Policy CS75 'Improvements to Gateway Routes into and through the City' lists the Inner Ring Road as a gateway route with priority for improvements. Policy CS76 'Tall

Buildings in the City Centre' accepts that elegantly designed and appropriately sited tall buildings creating landmark structures can help to define gateways into the city. This is mirrored in the Sheffield Urban Design Compendium which states that Tall Buildings can play a positive role in the design of the City Centre and act as focal points of activity such as major gateways into the City Centre. The Moore Street junction is identified within this document as being a suitable site for tall buildings. In respect of the immediate street scene, there are a number of tall buildings visible in the surrounding area, including New Era Square and Velocity Tower which are 20+ storeys in height and there is a recent permission for a 17 storeys building at the former Stokes Tiles close by, which is currently under construction. On the opposite site of the Inner Ring Road is Hanover House which rises to 17 storeys. This is a gateway route into the City Centre, which has a temporary surface car park use on it and is considered to be a prime location for redevelopment. The principle of a large scale development, including an element of tall buildings is considered acceptable in this location.

Block A,

Block A is an L shaped building which fronts onto Headford Street and Milton Street and ranges from 4 storeys up to 6 storeys. The scheme presents 4 storeys fronting directly onto Milton Street opposite the listed terrace, and as the block moves away along Headford Street, it rises to 5, then up to 6 storeys. This respects the scale and massing of the adjacent buildings, complementing the terrace on the opposite side of Milton Street.

Planning permission has been granted for a scheme on the opposite side of Headford Street which is 6 storeys high along this boundary. The elevation to Milton Street has been amended to have greater emphasis and scale to the ground floor live/work units through lifting the horizontal banding and increasing the brickwork above the units. This mirrors the fenestration hierarchy on the existing terrace opposite and makes it clearly distinguishable from the upper floors, and appearing less squat. Each of the live/work units has a separate entrance taken directly from Milton Street. The entrance to this block has greater expression though the inclusion of a frame surrounding the glazing to allow it to have a stronger presence onto the street. Flat roofs have been incorporated in the design along the Headford Street elevation, with the removal of the pitched roof elements which was considered not to be a contextual response. This results in a more crisp design approach. The south east elevation which is a blank gable end has incorporated projected brickwork details to help to break up and provide interest to this element.

Block B

Block B is a T-shaped building which is located in the centre of the site, having a frontage onto Milton Street and Hodgson Street. It is seen as the transition block which ranges between 5 and 9 storeys in height. The taller block at 9 storeys is predominantly within the site, and towards Hodgson Street, but does have a section that faces onto Milton Street. There has been a break in the massing of this block, which was originally considered to be too uniform in nature. This has been created by incorporating a feature metal panel spanning the whole break. The refuse platform lift and main entrance to the larger shared courtyard area facing onto Milton

Street has been treated differently making it appear as a separate feature, taking a more industrial appearance to reflect the character of the more industrial buildings opposite.

Block C

Block C is a rectangular block fronting onto the Inner Ring Road, and contains the retail/commercial at the ground floor in a double height units, with a 24 storey tower above towards the southern corner of the site closest to Moore Street roundabout, and 15 storey block towards the western corner of the site.

The Inner Ring Road is a wide expanse of highway which encloses the city centre. It is appropriate for the tallest buildings within the development to front onto the Inner Ring Road. There are other tall buildings in the area, including the 17 storey residential block at Hanover House, and the 22 storeys at Velocity Tower. The Velocity Tower scheme originally proposed a further 8 storeys on top of the built scheme which have never been implemented. (Total of 30 storeys).

The building will be viewed from a wide area of the city, and it is important that the design is high quality. The 'tower' is considered to be slender and will stand out as a key landmark building. It will not obstruct any key views into or out of the city.

A number of changes have been incorporated into the design. There is a distinction between the 'tower' and the 'lower' element, with greater horizontal emphasis within the tower, glazed panels between them, and a change in material. The top 3 floors of the tower have full height glass to provide a 'crown' to the development which is lightweight as will reflect the sky beyond. The tower has a slender appearance. The ground floor retail units have full height two storey glazing facing the Inner Ring Road, with the piers to the ground and first floor widened to help ground the building, along with ensuring that there is an active frontage at street level.

- Appearance/Materials

The contemporary design approach is considered acceptable, and it presents a well detailed proposal which is of a high quality design. All of the 3 blocks have well-defined fenestration, showing a clear hierarchy.

Careful consideration has been given to the different materials proposed on different parts of the development. Those elevations which face towards Milton Street have a traditional red brick to reflect the character of the brick terrace of Beehive Works opposite. As you move towards the centre of the site and closer to the Inner Ring Road the materials change to a lighter brick. Deep reveals are proposed throughout the proposal. Balconies take an industrial steel appearance fronting the traditional listed works buildings, transitioning to contemporary glass balconies on Blocks B and C.

Large scale drawings of the finer details including the window reveals, ground floor entrances, brickwork modelling and other details can be controlled through condition to ensure appropriate high quality finishes.

Overall it is considered that the development is well designed and complies with Policies BE5 and IB9 of the UDP, Core Strategy Policy CS74 and CS76, and the principles of Chapter 12 of the NPPF.

Impact on Setting of Listed Buildings

UDP Policy BE19 'Development Affecting Listed Buildings' requires that the proposals for development which affect the setting of a Listed Building will be expected to preserve the character and appearance of the building and its setting. This is in line with guidance contained in the NPPF at Chapter 16 'Conserving and enhancing the historic environment'. A similar duty is required by Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, which states that the local planning authority shall have 'special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses'.

The brick built terrace on the opposite side of Milton Street consists of 3 residential properties and Beehive Works. The residential part of the terrace is Grade II with Beehive Works being Grade II*. The terrace is a long three storey building under a pitched roof, with regular fenestration pattern. Street scene drawings including sections submitted with the application show that whilst the proposal of Block A which is directly opposite will be slightly taller it is not considered to overwhelm the Listed Terrace. Our assessment of this impact is mirrored in Historic England's comments which say that the scale of Block A and the footprint at the back edge of the pavement respect the historic context of the site.

Historic England considered that the footprint of Blocks B and C are acceptable and reflect the historic street pattern, but have raised objections to the scale of these Blocks. This is in terms of the views of the listed buildings from Milton Street, and views out of the courtyard area.

It is evident that the surrounding area is going through a transformation, and a number of permissions have been granted for substantial multi storey developments in close proximity to the site. It is your officers' view that whilst Blocks B and C are taller than the listed buildings, they will not dominate them to a significant level. There has been approval for a tall building on the site in the past (which did not proceed), and there are views of other tall buildings in the same context (at Hanover Towers, when looking down Milton Street, between the proposed development and the listed building).

Whilst the architectural design and treatments are deliberately contemporary, the proposal does respect the scale and proportions of the listed terrace. Amended plans have been received which show the design of the elevation facing Milton Street mirroring the fenestration details and hierarchy of the listed terrace with more emphasis on the ground floor units. The use of a good quality red brick will complement the red brick on the listed terrace. Balconies along this elevation are constructed of steel, maintaining the industrial appearance, rather than glazed which are found elsewhere on the scheme. Eye Witness Works is located on the opposite corner of Milton Street/Headford Street, and again, it is not considered that the

proposal will overwhelm the listed building, respecting the scale, proportions and fenestration patterns.

The Substation is a Grade II Listed Building. It is a unique Brutalist structure built out of unfinished concreted, featuring large bays.

The proposal is not considered to take away from the quality of the Substation, with design cues taken from it, with the amenity areas designed to reflect the shuttered unfinished concrete design.

The existing cleared site with surface car park and security fencing around its perimeter is considered to detract from the setting of the adjacent listed buildings, and therefore their removal will actually enhance and preserve the setting of the listed buildings. The construction on the site of any built form undoubtedly has an impact on the settings of the surrounding listed buildings, but in this instance, the modest scale of the proposal, especially along Milton Street for Block A is not considered to dominate the listed buildings, and any negative impacts on the setting are considered to be less than substantial.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, (the setting of the listed buildings in this instance), greater weight should be given to the asset's conservation.

Paragraph 196 requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (as is considered to be the case here), this harm should be weighed against the public benefits of the proposal. The public benefits of the proposal are that the site will deliver 372 units to the housing market, which would provide employment opportunities during construction; and post completion within the retail units and the management of the building/communal Hub. In addition, the proposal would develop a brownfield site and bring significant regeneration benefits to the area and the city centre as a whole.

Overall, the contemporary design is high quality and will complement the existing townscape. Quality detailing, and materials can be controlled through relevant conditions. Therefore it can be concluded that overall the proposal will preserve and enhance the setting of the listed building, meeting the requirements of the UDP and NPPF policies, and Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990.

Micro Climate

Wind Study

An Environmental Wind Study was submitted as part of the original submission, which was a desk based study. The study was based on drawings, an evaluation of aerial views, and a computer generated study.

The acceptability of windiness is subjective and depends on a number of factors. The Lawson Criteria is used to describe acceptability for particular activities in terms

of 'comfort' and 'distress' (or safety). The comfort criteria is listed as 'Sitting' (reading a newspaper, eating or drinking), 'Standing' (appropriate for bus stops, window shopping and building entrances), 'Walking or Strolling' (General areas of walking and sightseeing) and 'Business Walking' (local areas around tall buildings where people are not expected to linger). The distress criteria is listed as 'General Public Areas (Above which the less able and cyclists may at times find conditions physically difficult) 'Able-bodied Access' (Above which it may become impossible at times for an able bodied person to remain standing) and 'Restricted Access' (Conditions may be dangerous at times for pedestrians and vehicles).

The original desk based wind studied concluded that there were a number of areas of concern, and the massing of the originally submitted application was likely to create excessive windiness for pedestrians general public access use, and it recommended that wind tunnel testing is carried out to quantify the windiness.

Two separate assessments where made over 3 days, using a wind tunnel and 1:300 scale model of the proposed development and all surrounding buildings within approximately 400 metres of the site.

The wind tunnel model was tested in the worst season conditions, with the conditions for General Public Access at street level exceeded in several locations mainly along Milton Street. Various mitigation measures have been investigated and further testing carried out, and the conclusion was that the best results were when the residential units above the retail unit on the corner of Milton Street and the Inner Ring Road where omitted, and thus streamlining the wind flow around the development. The wind conditions around the proposed development at ground floor level showed significant improvements. Wind conditions along the Inner Ring Road, and Hodgson Street are acceptable for the anticipated general public access, with entrances to the commercial areas 'standing'.

Windiness in more heavily trafficked pedestrian areas around the proposed development now meets the 'general public access limits, with the exception of a short length along Milton Street where the limit is exceeded by less than 10%, which takes it just into the 'Able Bodies Access' range which is considered to remain adequate for less critical access routes.

There are no areas surrounding the proposed development which take the windiness level into 'Restricted Access' whereby it may be dangerous at times for pedestrians, and therefore it is considered that the proposal is acceptable from a wind perspective.

Sunlight and Daylight Study

NPPF paragraph 123 (c) states that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework. When considering applications for housing, authorities are told to take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, provided that the resulting scheme would provide acceptable living standards.

Whilst we do not have a specific policy for assessing the acceptability of daylight and sunlight, it is considered reasonable to use the BRE assessment method. Where a new development can block light to existing homes, the BRE's daylight assessment is based around the Vertical Sky Component (VSC) within or without the development. This sets out a number of parameters and is a measure of the amount of sky visible.

Analysis of results for the future users of the proposed development shows that 100% of the living rooms, and 88% of bedrooms meet the respective average daylight factor criteria. Two of the three external amenity areas within the proposed development also meet the respective criteria. It is the courtyard adjacent to the proposed tower and closest to the sub-station building that does not meet the minimum requirements, however supplementary analysis shows that this space exceeds the target during the summer months when higher use of the amenity space is expected.

The majority of the surrounding properties are unlikely to experience a significant reduction to the natural light available, with only a minor number of windows which will experience a noticeable loss in the available skylight. These are limited to 94, 96, 98 and 100 Milton Street which are residential properties. Other properties which will experience some impact are the commercial properties within Beehive Works workshops and the Pryor Technologies workshop whereby they are considered to have a lower requirement for natural light.

The impact on sunlight and overshadowing is a consequence of high density city living, which is one of the city's key planning objectives and brings wider sustainability benefits. This includes re-developing vacant / underused brownfield land and protecting green spaces. Therefore, on balance, it is concluded that the impact on the daylight and sunlight for these limited number of existing residential windows identified is outweighed by the benefits of the proposal and not so harmful that permission should be refused on amenity grounds.

Regarding the solar reflection, there is the potential for reflected sunlight from the proposed development, but this will be for very short durations and its potential impact is considered negligible.

Amenity issues

Paragraph 127 within the NPPF states that the planning system should always seek to secure a high standard of amenity for existing and future users.

Policy H5 'Flats, Bed-sitters and Shared Housing' of the UDP states that planning permission will be granted only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

H15 'Design of New Housing Developments' 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.

Existing/Surrounding Occupiers

The closest neighbouring buildings are the Listed terrace and Pryor Marking Technology Works which are on the opposite side of Milton Street, the residents in Exeter Drive Flats, the flats with the 'Printworks' apartment block on the opposite side of Headford Street the 'Unit' café adjacent to the site on the corner of Headford Street and Hodgson Street. The Substation is located on the opposite side of Hodgson Street.

On the opposite side of Milton Street is the row of brick terraced properties. The east half of the terrace is Beehive works, which contains a number of small workshops and offices which are positioned at the back edge of the footpath, around a central courtyard area. Adjacent to Beehive works and occupying the west half of the terrace are 3 residential properties at 94, 96 and 100 Milton Street. The proposed development is positioned to the south of this terrace and is primarily 4/5 storey in height at the back edge of the footpath running the length of the terrace. At present these property have an outlook over a cleared site which is orientated south and therefore currently are afforded significant levels of direct sunlight. There will be an adverse impact of overshadowing to occupiers of these properties through the re-development of the site. The development maintains the townscape character, which is high density, back edge of the footpath development, and it is unreasonable to expect, or be offered the same degree of protection as residential property in a more traditional suburb. Realistically the application site would always be redeveloped, given its location and it having been cleared.

The proposed relationship of windows facing each other, separated by the highway is a common occurrence with high density city centre schemes and is acceptable in this location opposite the terrace.

Pryor Marking Technologies is positioned on the corner of Milton Street and the Inner Ring Road, and is a works building. The building rises up to 17 storeys on the corner which owing to the orientation will cast a shadow over the Pryor building. This building is not residential, and whilst it will be overshadowed, this is not considered to be to a detrimental level.

Located to the west of the site is the Exeter Drive flats. These are located approximately 65 metres away on the opposite side of the Inner Ring Road. The 26 storey tower is located to north/northeast of these properties. Any potential overshadowing will only occur for a very brief time first thing in the morning. No adverse overbearing or overlooking will be created from the proposal to occupiers of these flats which are sufficient distance away, and separated by the busy Inner Ring Road.

Occupiers within the 'Printworks' apartment block on Headford Street do have an outlook at the moment across the site. Therefore any development proposal on the application site will reduce the amount of privacy and daylight to these residents. Development in the surrounding area is all positioned at the back edge of the footpath to retain the townscape character. It would not be reasonable to expect, or be offered the same degree of protection as residential property in a more traditional suburb. The sun/daylight study demonstrates that there remains adequate light to

occupiers of the 'Printworks' apartments. The proposed relationship of windows facing each other, separated by the highway is a common occurrence with high density city centre schemes and is acceptable in this location.

The 'Unit' café is within a warehouse building which only has an outlook onto Headford Street. The proposal is not considered to impact on this outlook.

The Substation building is located on the opposite side of Hodgson Street and runs the entire length of the application site. Owing to the nature of the use, the proposal will not impact on this building.

All other properties are sufficient distance away from the proposal, and any residents/occupiers will not experience any adverse amenity issues.

Therefore the majority of residents in the neighbouring properties will not experience any adverse impact from the proposed development, with the exception of the 3 residential units at 94, 96 and 100 Milton Street. Occupiers of these properties will see a reduced level of natural day light and will be overshadowed. However, on balance, this is a minority of properties, and the regeneration benefits of the proposals outweigh the impact on these three properties.

Future Occupiers

The proposed units are primarily single aspect, taking an outlook over either the adjacent highways, or over one of the two courtyards proposed. All habitable rooms have large window openings and have a reasonable level of outlook and natural day light. Windows are positioned to ensure that there are no unacceptable levels of overlooking between adjacent flats within the scheme.

Amenity space is proposed within the two courtyard areas, and a roof terrace is proposed to part of the roof above Block B. Flats on the ground floor have external terraced areas, with the majority of the proposed flats having an external private balcony area. Furthermore, a two storey communal hub is proposed, which is accessed from Milton Street and the courtyard between Blocks B and C.

Noise Assessment

A noise assessment has been submitted with the application. Readings have been taken at various locations around the site. The conclusion is that the main source of noise is from road traffic noise, and low frequency noise and vibration from the adjacent sub-station. The noise report acknowledges that the low frequency hum from the substation currently exhibits a discernible degree of localised variation, which may be due to reflections from existing surfaces cause's standing waves. The new building could exacerbate this phenomenon. The report established that with a suitable scheme of sound insulation works, internal noise levels and noise levels in external amenity areas can be rendered acceptable and within the levels specified within relevant conditions.

Is it unlikely that the noise sources would be deemed a nuisance, or be intrusive above existing noise levels. Recommendations are made for glazing, insulation to walls and ventilation to achieve the appropriate internal noise levels.

The retail/commercial units could potentially impact on occupiers of the units directly above, and therefore hours of use, deliveries, and external plant details can be controlled through a relevant condition to prevent any future dis-amenity.

Highways

Paragraph 109 of the NPPF 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.'

UDP Policy IB9 '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.

UDP Policy BE9 'Design for Vehicles' expects developments to provide a safe, efficient and environmentally acceptable site layout for all vehicles (including cycles) and pedestrians.

The car parking entrance/exit is taken from Hodgson Street, which at this location is at the end of the cul-de-sac, with a basement level of car parking provided, which covers the whole site. 4 existing on-street parking bays are required to be removed along Hodgson Street to help the flow of two way traffic. The level of car parking provision is approximately 36% (147 parking spaces), with a total of 210 secure cycle parking spaces. The cycle parking is accessed from a separate access situated next to the proposed vehicular access point. 10 cycle spaces for visitors are created close to the entrance point to Block A.

The site is located within the city centre, close to existing services, shopping facilities, employment, and frequent transport links. Furthermore, given the fact that a permit parking scheme covers the adjacent roads, a reduction in maximum car parking standards is in accordance with Sheffield City Council Information Sheet Three: Car Parking Guidelines, and can be accepted so long as a condition is imposed to ensure future residents are not eligible for parking permits.

The existing entrance along Milton Street is to be stopped up and the footpath reinstated. Servicing to the development is proposed to take place from Milton Street. Two service bays are proposed in the highway, one close to the commercial units, and one adjacent to the refuse area.

The proposed maximum am peak hour trip generation is 67 two-way movements, and the pm peak hour trip generation is 81 two-way movements. This equates to just over 1 vehicle movement per minute. This trip generation associated with the residential element of the scheme has the potential to generate fewer trips than the

existing short stay parking on site, and this is due to the fact that the short stay spaces are likely to have a greater turn over per bay than the residential spaces. Planning permission was granted for a temporary period for 160 spaces, however on site, the capacity looks to be higher at an estimated 192 spaces.

There will be diverted vehicular trips made by vehicles accessing alternative car parking. There are a number of alternative car parks within the immediate vicinity of the site and it is not considered it will have a negligible impact on the operation of the highway and would certainly not result in the requirement for any form of alteration / improvement.

Strategies in relation to waste management can again be controlled through a condition. There is a large refuse area below Block B which can be accessed via a dedicated lift.

Overall it is therefore considered that the proposed scheme accords with the relevant highway polices and it is supported in this respect.

Access

The requirements of Policy H7 'Mobility Housing' of the UDP have been superseded by the Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time as these standards are not part of an up to date local plan.

H15 'Design of New Housing Developments' within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout, all buildings and approaches will benefit from level access. It is expected that all building entrances, ramps, steps, footpaths, lifts, crossing, mobility car parking spaces are all design to meet current standards.

Based on the above the proposals are considered to offer a suitable response from an access perspective.

Landscaping

At present the site is a hard-surfaced car park with no landscaping. UDP Policy BE6 'Landscape Design' requires that good quality landscaping design will be expected in new developments. The proposal follows the context of the surrounding built form which is back edge of the footpath development, and as such there are not large areas of soft landscaping. Two large courtyard areas are to be provided with side of Block B to provide amenity space for future residents. These areas have planting beds, grass lawns, social seating areas, and a BBQ area. On the edge of these courtyards, there are private terraces to the ground floor units.

A condition on any approval can ensure a detailed planting plan, including tree/plant locations, species, size, numbers, planting method, soil depths and future maintenance are all provided.

Therefore the proposal is considered acceptable in terms of Policy BE6 of the UDP.
Ecology

UDP Policy GE11 'Nature Conservation and Development' expects the natural environment to be protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

The site is currently vacant of buildings, with the majority of it being surfaced in tarmac. There is no evidence of any protected species on the site, or any within close proximity of the site.

In line with promoting biodiversity gain on the site, any soft landscaping proposed in the court yard areas should be using species which provide ecological value that would enhance the site and provide some additional diversity locally. Bird and bat boxes can be incorporated on the buildings as an additional measure.

Therefore the proposal is considered to comply with Policy BE11.

Sustainability

The NPPF advises that there is a presumption in favour of sustainable development. This comprises of three dimensions which must be considered together. These are an economic role, a social role and an environmental role.

In this instance, the site is a large vacant parcel of land (with the exception of the temporary car park) and will deliver economic regeneration to an important part of the city centre.

On a social role, the proposal will be providing a large number of 2 bedrooms private flats in an area of the city where there is a strong demand for this type of development providing more of a variety of house type. It will regenerate the area and provide a vibrant and welcoming environment.

In an environmental role, the proposal seeks to remove a vacant brownfield site which adjoins the Inner Ring Road and is in a visible position when entering the city with a high quality development. The proposal will take the opportunity to introduce soft landscaping features which will help to improve biodiversity.

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. Policy CS64 'Climate Change, Resources and Sustainable Design of Development' sets out a suite of requirements in order for all new development to be designed to reduce emissions. Policy CS65 'Renewable Energy and Carbon Reduction' sets out objectives to support renewable and low carbon energy generation and further reduces carbon emissions.

New developments are expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach where this is deemed to be feasible and viable.

A number of options are being looked at by the development including connecting to the District Heating Network which runs adjacent to the site. A condition can be attached to any approval to ensure that the minimum 10% is provided. Overall, it is considered that the proposal meets the local sustainability policy requirements, CS63, CS64 and CS65.

Drainage/Flood Risk

Core Strategy Policy CS67 'Flood Risk Management' states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. The site itself is located within Flood Zone 1 and therefore not at any significant risk of flooding.

The site is entirely impermeable and drained to the combined public sewers, with the site being considered unsuitable for infiltration and there are no watercourses close to the site. Therefore it is proposed to provide separate systems of surface and foul water drainage on site which will drain to the existing combined sewers. There will be a requirement to reduce the existing surface water run-off, and this can be achieved by a large storage tank that would cater for the 1 in 100 year event plus +30% for climate change. This will then have a flow control device to limit the forward flow to the existing combined public sewer. Conditions can be attached to any approval requiring the finer details of how this is to be achieved.

Ground Conditions

The site lies within a low Risk Coal Mining Area, and as such the Coal Authority has no objection to the proposal, and just recommends The Coal Authority's Standing Advice is included on any approved application.

A Phase I Geo-Environmental Appraisal has been submitted, which recommends a Phase II intrusive investigation be carried out. The details of which can be controlled through a suite of relevant conditions.

Air Quality

The Council declared an Air Quality Management Area across the whole of the urban area of the city, and this site falls within that area. An Air Quality Action Plan details how to reduce pollution in Sheffield. This is mirrored in Policy CS66 'Air Quality' of the Core Strategy, which seeks to improve air quality.

The site at present is used as a short stay car park, and vehicle movements associated with the proposed development will be less than the existing use, and will not adversely impact on air quality.

During construction, dust will be released, and in order to tackle this, a planning condition can be attached to any approval to secure dust suppression measures.

Affordable Housing

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

Within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) the site falls in the City Centre West area. Sites within this area have a target of 10% for affordable housing provision.

In this case the applicant has stated that it would not be viable to make an affordable housing contribution as part of these proposals and has provided a financial appraisal to evidence this.

The submitted information was originally considered by CP Viability, acting as an independent valuer/expert on such matters, and they have confirmed it would not be viable to provide an affordable housing contribution. Whilst officers originally recommended that this figure should be accepted, given the wider regeneration benefits of the scheme, Members did not accept this recommendation and deferred the application to allow for a second viability assessment to be conducted by an independent valuer/expert.

Your officers have commissioned Dr Andrew Golland (Andrew Golland Associates) to conduct an independent review in the form of a second independent viability assessment. His conclusion is that the scheme cannot deliver any contribution towards affordable housing provision. This is because the costs of delivering a scheme of this mass and density are very high but sales values are relatively modest, therefore there is insufficient margin to allow a contribution to be taken. Andrew Golland Associates have advised us that this is not a unique issue to Sheffield; schemes like this are generally only generating a surplus in very high value areas such as inner and central London.

On the basis of two independently commissioned viability reports your officers are clear that this scheme cannot deliver an affordable housing contribution.

Community Infrastructure Levy (CIL)

The CIL applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. The application site lies within CIL Charging Zone 3 with the charge for this development being £30 per square metre.

Response to Representations

The majority of issues raised through the representations are discussed in the above report. Those which are not, are addressed below:

- The level of consultation meets the requirements found in the Council’s Statement of Community Involvement, whereby immediate neighbours have been consulted by letter, 8 site notices have been posted and adverts have been published in the newspaper.
- The proposal is for a brick façade for the majority of the elevations. Final details of the materials can be controlled through a condition. Whilst acknowledging that this is a serious issue; the fire safety properties of the materials are currently dealt with through the Building Regulations, rather than through planning legislation. The same is true of the requirements for fire doors and fire lobbies. The highways service have assessed the proposals and this includes reviewing the accessibility of the site by the emergency services.
- The loss of the Art work graffiti on the site is not something that can be protected, or re-used as part of the redevelopment of the site.
- The proposal consists of a mixture of 1, 2 and 3 bedroom units. There could be families occupying the building, and it is envisaged that the local schools will be able to accommodate these children. Nevertheless, as stated above, the scheme is liable for the CIL and the provision of education facilities is included on the Regulation 123 list of Infrastructure Projects.
- The standard guidance for noise impact assessment methodology, requires that microphones are positioned at 3+ metres away from reflecting surfaces to avoid a requirement for a correction factor for noise reflected by buildings. All neighbouring properties are significantly further away from the recommended 3 metres for noise reflection.
- The ownership of the site is immaterial to the determination of this application and has no influence on it
- The redevelopment of the site and increasing population in the area is expected to be a catalyst to reducing anti-social behaviour.

SUMMARY AND RECOMMENDATION

The proposed development meets the key land use policies outlined in the report above. The redevelopment of this vacant (with temporary car park use) parcel of land in this prominent location is welcomed as a major regeneration boost to this part of the city centre.

The scheme proposes a high quality design that features a tall building in this gateway location, whilst respecting the overall character of the surrounding area.

The proposal is acceptable in highways terms, providing sufficient off street car parking, cycle parking and servicing arrangements, and will not adversely impact on the surrounding highway network.

The proposal will deliver a high density development, on a brownfield site in a sustainable location which will bring positive regeneration benefits, including the provision of 372 residential units at a time when the city does not have a 5 year supply.

The main negative aspects of the proposal are that some dis-amenity to occupiers of 94, 96 and 100 Milton Street through overshadowing will occur, and that the

development will lead to less than substantial harm to the setting of the listed buildings. This has to be balanced against the public benefits.

The proposal does not entirely accord with Core Strategy Policy CS41 in that more than 50% of the units are a single house type (2 bed units). However there have been a large number of predominantly 1 bedroom and studio flats granted permission recently in the surrounding area, such that this proposal would redress the balance and give greater variety of choice to residents wishing to live in the city centre, which is to be welcomed.

In light of the above, and notwithstanding the objection received from the member of the public and the objection from Historic England in respect of Blocks B & C, it is your officers' view that the regeneration benefits of the scheme and the supply of 372 dwellings where the authority does not have a 5 year supply, outweigh the less than substantial harm to the setting of the listed buildings and the other minor disbenefits referred to in the report.

It is concluded that the proposals are acceptable and in broad compliance with the adopted local plan and national planning policy. Therefore, it is recommended that the Members of the Planning Committee approve the application subject to the listed conditions.