
Case Number	19/03779/FUL (Formerly PP-08216410)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of mixed use, 38/17/12-storey building comprising 1230no. residential units with ancillary amenities including gymnasium, cinema, common rooms and raised external deck, associated cycle and bin storage and ground floor retail unit (Use Class A1) (Development Accompanied by an Environmental Statement as amended 19th December 2019) (Amended Description)
Location	Land Bounded By Rockingham Street And Wellington Street And Trafalgar Street Wellington Street Sheffield S1 4ED
Date Received	15/10/2019
Team	City Centre and East
Applicant/Agent	Howes Percival
Recommendation	Grant Conditionally Subject to Legal Agreement

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Site Plan - P02 Rev L
Proposed Plans - P03 Rev R
Proposed Plans - P04 Rev L
Proposed Elevation 1 - P101 Rev D
Proposed Elevation 2 - P102 Rev D
Proposed Elevation 3 - P103 Rev D
Proposed Elevation 4 - P104 Rev D
Proposed Elevation 5 - P105 Rev E

Proposed Elevation 6 - P106 Rev E
Proposed Street Elevation - P107 Rev B
Contextual Street Elevation - P108 Rev D
Illustrative Views - P201 Rev C
Illustrative Views - P202 Rev B
Illustrative Sections and Bay Details - P303 Rev B

Reason: In order to define the permission.

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. Prior to the construction of any phase of the development commencing, a detailed Inclusive Employment and Development Plan for that phase, designed to maximise opportunities for employment and training from the construction phase of the development, shall have been developed collaboratively with Talent Sheffield and submitted to and approved in writing by the Local Planning Authority.

The Plan shall include a detailed Implementation Schedule, with provision to review and report back on progress achieved, via Talent Sheffield, to the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for Sheffield from the construction of the development.

5. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
 - The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.
 - The provision to be made for deposition of the archive created.
 - Nomination of a competent person/persons or organisation to undertake the works.
 - The timetable for completion of all site investigation and post-investigation works.

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.

6. Development shall not 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 all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

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. 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.

9. Any intrusive investigation recommended in the Phase I Desk Study Report & Coal Mining Risk Assessment; PRP Environmental (ref.62576-100 Rev.B 04/07/2019) shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

10. No development shall commence until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on the site and a report explaining the findings has been submitted to and approved in writing by the Local Planning Authority. In the event that site investigations confirm the need for remedial works to treat areas of shallow mine workings details of the remedial works shall also be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

11. 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 construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

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

12. No development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could

be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

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

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

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

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

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

15. No above ground works shall commence until the improvements (which expression shall include traffic control and cycle safety measures) to the highways listed below have either:

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

Highway Improvements:

- a) Reconstruction of footways round the perimeter of the development site in accordance with the Urban Design Compendium, including the provision of pedestrian drop crossings and tactile paving to facilitate unhindered wheelchair mobility;
- b) Promotion of a Traffic Regulation Order (loading/waiting restrictions) in the vicinity of the development site and provision of associated road markings and signage, all subject to the usual formal procedures;
- c) Accommodation works to street furniture, including street lighting columns, moving them to the new rear of footway and out of the way of entrances, service laybys and possibly windows;
- d) Provision of a service layby on the Wellington Street frontage, at footway level, with a half battered (45 degrees) kerb face, requiring a slither of highway adoption from the site frontage;

- e) Provision of push-button controlled pedestrian crossing facilities at the junction of Wellington Street with Rockingham Street, relocate and reconfigure the signal controller to introduce a pedestrian phase, undertake factory acceptance testing, configuration, site acceptance testing/commissioning;
- f) Construction of new service yard accesses from Trafalgar Street and Rockingham Street.

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

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

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

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

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

18. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented.

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

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

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

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

- a) Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
- b) A package of measures to encourage and facilitate less car dependent living;

- c) A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule;
- d) Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority;
- e) Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to occupation of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, evidence that all the measures included within the approved Detailed Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

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

21. The stairs and dutch-ramp leading to the cycle parking accommodation indicated on the submitted plans are not approved. Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details shall have been submitted to and approved in writing by the Local Planning Authority of a step-free solution to the cycle parking (possibly a curved ramp), which will necessitate a revision to the cycle parking layout and possible loss of a few spaces. The above-mentioned approved details shall be provided prior to occupation, and shall thereafter be retained/maintained for the sole purpose intended.

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

22. Notwithstanding the submitted plans, before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details shall have been submitted to and approved in writing by the Local Planning Authority of how the cycle parking accommodation is accessed from Trafalgar Street and Rockingham Street (avoiding the use of the service yard roller-shutter doors) and of a safe route for cyclists through the service yard. The above-mentioned approved details shall be provided prior to occupation, and shall thereafter be retained/maintained for the sole purpose intended.

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

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

- a) Be based on the findings of approved noise assessment report ref 03409-730103 (19/09/19).
- b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours); Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

24. Before the use of the development is commenced, Validation Testing of the sound insulation and/or 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 insulation and/or attenuation works thus far approved, a further scheme of 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.

25. 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.

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

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

27. 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.

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

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

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

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

30. Full details relating to the ecological enhancements, recommended in section 5.2 of the Preliminary Ecological Appraisal report prepared by Skilled Ecology shall be submitted to and approved in writing by the Local Planning Authority. Thereafter such ecological enhancements shall be implemented prior to the development being brought into use.

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

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

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

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

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

- a) windows and doors
- b) window reveals
- c) metal detail to windows
- d) Ground floor glazing
- e) commercial unit shop front
- f) Detail and cross section of window bays
- g) canopy
- h) louvers
- i) parapet
- j) service entrance doors

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

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

34. Notwithstanding the approved plans the UPVC windows and grey render are not approved. Prior to above ground works commencing amended drawings showing alternative materials will be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development

35. The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority of the signing of the one-way operation of the service yard, and head-room signage of the access in from Trafalgar Street. Once agreed, the measures shall be put into place prior to the use of the development commencing, and shall thereafter be retained.

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

Other Compliance Conditions

36. No customer shall be permitted to be on the premises of any commercial use adopted within the building outside the following times: 0700 hours to 2330 hours Monday to Saturday and 0800 hours to 2300 hours on Sundays and Public Holidays.

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

37. 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.

38. 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.

39. 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.

40. No doors/windows shall, when open, project over the adjoining highway

Reason: In the interest of pedestrian safety

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. The developer is advised to contact BT as occupier of the adjacent site at 220 Rockingham Street in order to discuss a strategy to ensure that their operations are not disrupted during demolition/construction works. Please contact Samuel Thompson at British Telecom Communication Station, Eldon House Telephone Exchange, Charter Row, Sheffield, S1 3EF
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

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

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

If you require any further information please contact:

Mr S Turner
Highway Adoptions
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 4383

Email: stephen.turner@sheffield.gov.uk

5. 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

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

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

7. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

8. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
9. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:

- Reference to permitted standard hours of working:

i) 0730 to 1800 Monday to Friday

ii) 0800 to 1300 Saturday

iii) No working on Sundays or Public Holidays.

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

- A communications strategy for principal sensitive parties close to the site.

- Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:

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

ii) Vibration

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

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

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

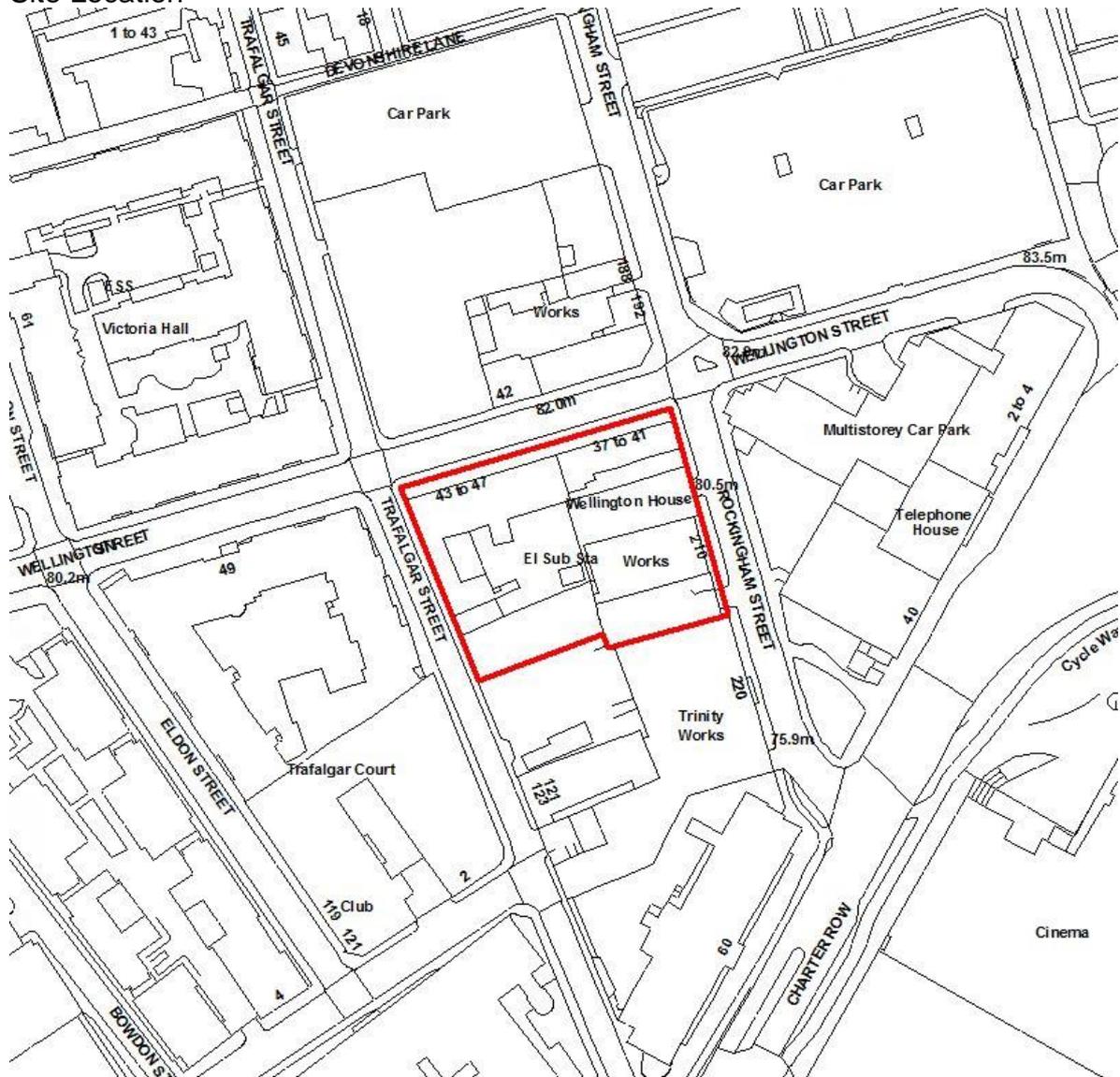
- Details of site access & egress for construction traffic and deliveries.

- A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service - Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.

10. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.

Site Location



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LOCATION AND PROPOSAL

The application relates to a site bounded by Wellington Street to the north, Rockingham Street to the east and Trafalgar Street to the west. The site occupies an area of approximately 0.3 hectares and slopes down from north to south with a level difference across the site of approximately 3 metres. The site currently comprises three-storey buildings to the front of the site, formerly used as offices and a retail showroom with residential accommodation above; a car garage to the south of the site accessed off Rockingham Street and a vacant two-storey industrial building to the south accessed from Trafalgar Street.

The site is located in the City Centre within the Devonshire Quarter and immediately to the west of the Heart of the City II; one of the city's key economic projects focused on creating a dynamic mixed use district in the heart of the City Centre.

The surrounding area comprises a diversity of uses and buildings of varied styles and scales. Telephone House is located to the west of the site and comprises a 15 storey building used as student accommodation with a car park podium fronting Charter Square. Land directly to the south of the site is occupied by a two-storey commercial building fronting Rockingham Street and a car park and two-storey commercial building fronting Trafalgar Street. Devonshire Court lies to the west of the site and provides student accommodation in a 4/5 storey block; student accommodation is also located to the north west of the site in Victoria Halls.

The site directly opposite on Wellington Street is currently vacant but has permission for a mixed use residential and commercial development granted through application 19/01836/FUL. The site to the north-west is currently used as a car park but is identified as a redevelopment site in the Heart of the City II Masterplan.

Planning permission is sought for the erection of a 38/17/12 storey building to provide co-living accommodation comprising 1230 residential units with ancillary facilities including a gymnasium, cinema, common room and a ground floor retail unit. The proposal is considered to be EIA development and is accompanied by an

Environmental Statement.

It is considered that the Environmental Statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any mitigation required.

PLANNING HISTORY

The proposal has been subject to extensive pre-application discussions. Significant improvements in the design of the scheme have been achieved as part of this process.

Initial plans indicated two towers on the site with a central linking block forming a 'H' shape and constructed from white render. Concerns were raised about the impact of two towers on the skyline and the overall design quality particularly including, but not

limited to, the use of white render. The scheme now proposes just one tower, reducing the impact on the skyline and is of much higher design quality.

19/01846/EIA – In May 2019 an EIA (Environmental Impact Assessment) screening opinion request for the proposed development was made under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to determine whether an EIA was needed to support the application. Following review, it was concluded that the development would have a significant impact on the City skyline and townscape character as a result of its scale and form. The impact was sufficient to warrant an Environmental Statement. The screening opinion also requested additional information on microclimate to be submitted to establish if this should also be included in the Environmental Statement.

19/02380/EIA –In June 2019 a scoping request was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to determine what should be included in the Environmental Statement. The extent of assessment on the impact on townscape and character was agreed. It was also confirmed following the submission of additional information that the impact on microclimate would be local only and so did not need to be included in the Environmental Statement.

SUMMARY OF REPRESENTATIONS

Consultation has been carried out in line with the guidance for EIA developments, including consulting the Environment Agency, Natural England and the Secretary of State. The Environment Agency and Natural England have confirmed they have no objection. The Secretary of State has not provided a response.

Two letters of representation have been received, these are detailed below:
British Telecom occupies the property at 220 Rockingham Street, to the south of the site, they have commented as follows:

- BT operates a 24 hour service function which plays a vital role in maintaining nationwide operations.
- BT's primary concern is ensuring that operations are not hindered or disrupted by the adjacent development.
- Welcome the opportunity to engage with the developers as the project progresses
- Key concerns relate to noise impacts during demolition and construction; security of the BT car park; protection of services to the building and protection of sensitive equipment in close proximity to the site.

A letter has been received from a company with a direct interest in the progression of the planning application for Kangaroo Works to the north of the site; the key points are detailed below:

- Policy CS41 seeks to create mixed communities. The development is formed entirely of studio accommodation and is contrary to CS41(a) which requires not more than 50% of units to be a single house type
- The scale and quantum of studio apartments could lead to imbalance in the local housing market provision

- The studios are likely to be occupied by individual tenants and could lead to an isolated environment, where social interaction between residents is limited.
- Development does not comply with CS41(c) as it only provides one type of unit
- Proposal fails to comply with CS41 (d) which seeks to limit the amount of shared accommodation within 200m of the site to 20%. The concentration of shared housing is currently 74% and the development would make this worse
- The unit sizes are small and below space standards
- The Wind Impact Assessment is unacceptable; the development needs to be assessed in a wind tunnel to understand the full impacts.
- Concern about the wind impacts on the 12 storey roof terrace of Kangaroo Works
- The daylight/sunlight study does not include an assessment of the impact on the approved Kangaroo Works scheme
- No analysis has been undertaken in relation to potential overlooking
- Question whether aluminium cladding will meet fire safety regulations
- Disappointing that only three 3D visuals have been submitted; insufficient to assess the visual impact on the skyline. The development should be inserted in the city's 3D model if it has not already done so.

PLANNING ASSESSMENT

National Planning Policy Framework

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

Policy Context

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF makes it clear that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The assessment of this development proposal needs to be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.
-

As Sheffield does not currently benefit from a five year housing land supply, all of the most important policies for determining this application are automatically considered to be out of date, as made clear in footnote 7 of paragraph 11. As such the two Paragraph 11 tests detailed above and sometimes referred to as 'the tilted balance' will apply.

In this context the following assessment will:

- Assess the proposal's compliance against existing local policies as this is the starting point for the decision making process. For Sheffield this is the Unitary Development Plan (UDP) and the Sheffield Development Framework Core Strategy (CS).
- Consider the degree of consistency these policies have with the Framework and attribute appropriate weight accordingly, while accounting for the most important policies automatically being considered as out of date.
- Apply 'the tilted balance' tests, including considering if the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Land Use

The site is located in a Business Area in the Unitary Development Plan. Policy IB7 sets out the preferred, acceptable and unacceptable uses in this area; it defines offices as the preferred use and housing as an acceptable use. The proposal would lead to the loss of the preferred use. However, the vision for the area has changed since the UDP designation.

The Core Strategy reflects the change for the vision of the area; Policy CS17 (f) states that the role of the Devonshire Quarter is as a 'thriving, distinctive and vibrant area with city living, niche shops, restaurants and bars and a variety of business uses with the City Centre's largest green space, Devonshire Green'. Furthermore, the area is not highlighted as a Priority Office Area in Core Strategy Policy CS4.

The development is for 'co-living' accommodation, this is a relatively new concept which has no formal definition but refers to purpose-built, managed developments that include a combination of personal and shared amenity spaces. There is no national planning policy relating to co-living, nor does Sheffield have a local policy.

The applicant confirms that the proposed development is aimed at students, graduates and young professionals. The development will include all-inclusive rents and substantial amounts of communal facilities. It is generally acknowledged that in co-living developments there is some trade-off between the size of units and the

large amount of shared communal space (space standards are discussed more in the amenity section of the report). The applicant's model seeks to provide a substantial level of communal facilities and services to offset a more efficient room size and provide a more affordable price. Rents will typically be less than typical build to rent schemes.

Co-living is generally defined as a Sui-Generis use and is not explicitly listed in any relevant policies. However it is most similar to housing (C3) which is defined as an acceptable use in relevant policies. Co-living would support the Council's objectives to broaden the range of residential accommodation in the City Centre and would create a more affordable product to support the diversification of the city centre population. In light of this it is considered that co-living is an acceptable use.

Commercial Unit

The scheme also includes a ground floor retail use (A1 use class) at 397 square metres, fronting on to Rockingham Street. UDP Policy S5 details that retail uses will be permitted at the edge of the Central Shopping Area where there is no suitable site within them. This approach is reflected in paragraph 86 of the NPPF which state that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Paragraph 87 goes on to state that when considering edge of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

The site is at the edge of the Central Shopping Area as designated in the UDP and the New Retail Quarter and is immediately adjacent to the Heart of the City II Masterplan area. Given its proximity and linkages to these areas it is considered that the proposed A1 use in this location is acceptable and would not be harmful to the vitality or viability of the existing shopping centre.

In summary it is concluded that the proposed uses are acceptable and in line with relevant land use policies.

Housing Land Supply

Housing in the city centre is promoted in Core Strategy Policy CS27 and provides an important contribution towards meeting the housing requirements.

Core Strategy Policy CS22 relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5 year supply of deliverable sites will be maintained. However, the NPPF (2019) 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.

The Council is in the process of updating its 5 year housing land supply position and in light of the recently changed assessment regime further detailed work is required. The Council cannot currently demonstrate a five year supply at this time. The Council's most recent assessment of supply, contained in the SHLAA Interim

Position Paper (2017), showed a 4.5 year supply of sites. In the absence of a 5 year housing land supply and in light of paragraph 11 of the NPPF as detailed previously, all policies that are most important for determining this application are automatically considered to be out of date.

Weight cannot be afforded to the housing figures identified in CS22. However it is considered that weight can still be afforded to CS27 which promotes housing in the City Centre, this links to key themes in the NPPF including boosting the supply of homes, the efficient use of land, brownfield redevelopment, sustainable travel and sustainable development.

The proposed development will help to meet the Council's Housing land supply and boost housing delivery as advocated in the NPPF, this is offered significant weight in the balance of planning considerations.

Previously Developed Land

The proposal will make use of a sustainably located brownfield site in the city centre. Core Strategy Policy CS24 states that priority will be given to the development of previously developed sites.

This approach is reflected in paragraph 117 of the Framework, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'. Paragraph 118 (b) goes on to state that substantial weight should be given to utilising brownfield land within existing settlements.

The weight to be afforded to CS24 can be questioned as it is based on outdated housing need figures. However, it promotes brownfield development which aligns strongly with the NPPF and therefore can be offered substantial weight. As such it is concluded that the principle of developing this brownfield site is supported in policy terms.

Density

Core Strategy Policy CS26 requires that housing development makes efficient use of land and states that the highest densities will be expected in the city centre. It goes on to set a minimum density of 70 dwellings per hectare in the city centre.

This approach is reflected in the NPPF where paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. It then identifies that policies should set minimum density standards for city centres.

It is considered that CS26 aligns strongly with the NPPF, particularly with regards to the setting of minimum density standards. As such it can be offered significant weight.

The proposed scheme has a density of approximately 4,100 dwellings per hectare. This is a very high density, well in excess of the minimum requirements. The scheme makes efficient use of land and helps to meet the Council's housing land supply of deliverable sites, which is afforded appropriate weight as a material consideration. It therefore complies with both Policy CS26 and paragraph 123 of the NPPF.

Mixed Communities

Core Strategy Policy CS41 promotes the creation of mixed communities by encouraging development of housing to meet a range of housing needs. CS41 (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 development should consist of a single house type. 'Larger developments' are defined as more than 60 new dwellings and a single house type is defined as one with the same number of bedrooms and of the same design or generally similar characteristics.

Part (c) states that purpose-built student accommodation should be provided as part of a mix of housing development, with a mix of tenures and sizes of unit on larger sites, primarily in the City Centre.

The NPPF highlights the importance of communities and details in paragraph 8 the social objective 'to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations'.

Paragraphs 60 and 61 go on to state that a housing needs assessment is required to determine the size, type and tenure of housing needed for different groups in the community.

CS41 is one of the most important policies against which the application must be assessed, in the absence of a 5 year housing land supply it is considered that this policy is out of date in accordance with paragraph 11 of the NPPF. It is therefore of importance to determine how closely this policy aligns with the NPPF.

The overarching aim of CS41 is to create mixed communities through the provision of a range of homes, this aligns with the NPPF as detailed above and so can be offered moderate weight.

However, the more detailed aspects of the policy, including the need for no more than 50% of homes to be of a single type (part a) carry less weight. This is because paragraph 60 of the NPPF states that a housing needs assessment is required to determine the size, type and tenure of housing needed. The Council is currently working on this document and it is expected to be published shortly. However at present and in light of this document not being available the amount of weight which can be attributed to CS41 (a) is limited.

Furthermore, CS41 (a) in some instances is likely to create a lower density development, for example for a city centre scheme which proposes all one-bed apartments and they are required to provide 50% two-bed. This in effect would limit

housing numbers which in the absence of a 5 year housing land supply is not in line with policy requirements. In light of the above it is concluded that significant weight can be afforded to creating mixed communities in line with the NPPF. However, the detailed methodology outlined in CS41 carries limited weight.

The application initially proposed that all units (1370) were studios, of which 10% of units (137) would be for affordable housing. Officers raised concerns with this as it would fail to provide a mixed offer of housing types/sizes and therefore would not contribute towards creating a mixed community.

The plans have since been amended and now include 1065 studios (86%), 140 one bed flats (11%) and 25 two bed flats (2%). In terms of floor space this equates to 75% studios, and 25% one and two bed flats. The mix of unit sizes, along with the provision of 10% of residential floor space for affordable rent will help to create some variety of offer. Furthermore, it can be argued that the co-living model will help achieve a mix of residents as it will not be restricted to a target market such as students. The Co-living accommodation will provide a different type of offer and broaden the range of residential accommodation on offer in the City Centre. The creation of a more affordable, high quality product will support the diversification of the city centre population.

Whilst it is considered that there is further scope to provide a more varied mix of housing, this must be viewed in the context of the limited amount of weight which can be afforded to part (a) of CS41 and the lack of a 5 year housing land supply. There are numerous examples across the city where exceptions have been made to Policy CS41(a), albeit on smaller schemes. A recent comparable is the Stokes Tiles site (17/04517/FUL) which approved 864 co-living bed spaces, of which 75% were studios and 25% were cluster flats.

The applicant has confirmed that their model requires a uniformity of studios. In compensation for the less than desired unit mix, they have demonstrated how the development could be converted to one and two-bed apartments in the future should it be necessary.

Whilst not ideal and clearly a negative aspect of this proposal, the departure from CS41(a) at this location will not harm an existing community which could be imbalanced or adversely affected by the lack of mix. Additionally the redevelopment of city centre brownfield sites has the effect of releasing some existing shared housing in the suburbs back into the family market.

On balance, whilst a greater mix of unit types would be preferred, the weight which can be offered to CS41(a) is limited. The unit mix has been improved during the course of the application and the variation in type, along with the provision of affordable units and the co-living model, will create some diversity and a varied offer. In light of the lack of a 5 year housing land supply, the planning balance is in favour of the development in this respect.

Demolition of Buildings

The application proposes the demolition of all buildings on site. The site contains no designated heritage assets above the ground – the existing buildings are not listed and the site is not within a conservation area. The buildings predominantly survive from the site's use as a car garage and offices and are of little architectural merit. As such their demolition is acceptable.

Design

UDP Policy BE5 'Building Design and Siting' and Core Strategy Policy CS74 'Design Principles' set out the design principles for new developments. Policy BE5 requires development to incorporate good design, the use of high quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 states that high quality development will be expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods. It also states that development should contribute to place making and contribute to a healthy, safe and sustainable environment which promotes the city's transformation and helps to transform the character of physical environments that have become run down and are lacking in distinctiveness. Development should also enable all people to gain access safely and conveniently, providing, in particular for the needs of families, children, disabled and elderly people and should contribute towards creating attractive, sustainable and successful neighbourhoods.

Policy CS76 'Tall Buildings' relates specifically to tall buildings in the City Centre and defines such a building as being substantially higher than its context or one that will shape the city's skyline. Elegantly designed and appropriately sited tall buildings can create landmark structures in areas of strategic importance. As distinctive and bold features on the skyline, they express confidence about a city that can encourage investment.

Paragraph 124 of the NPPF highlights the importance of good design as a key aspect of sustainable development and creating better places to live and work. Paragraph 127 then goes on to set out a series of requirements including that development should add to the quality of the area; have good architecture, layout and landscaping; be sympathetic to local character and history; establish a strong sense of place and create welcoming and distinctive environments.

The National Design Guide provides guidance for creating successful places and includes 10 key themes namely, context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan.

The design policies are considered to be some of the most important policies against which the application must be assessed. Given the lack of a 5 year supply of housing land, the policies are considered automatically out of date in accordance with paragraph 11 of the NPPF. As such it is necessary to determine how closely these policies align with the NPPF. The key principles contained within the local design policies relate to providing developments that are high quality, well designed,

distinctive and sympathetic to local character. These principles align closely with paragraph 124 of the NPPF and as such it is considered that they can be afforded significant weight. Although the NPPF does not refer specifically to tall buildings, the design principles apply generally to buildings of all scales.

The scheme has undergone numerous revisions through the pre-application process in order to minimise the visual impacts on the City's skyline. The key alterations which took place during the pre-application process include –

- Pulling the development forward to the back edge of the footways so that it better reflects the surrounding urban grain
- Relocating the tallest element of the building to the corner of Wellington Street/Rockingham Street to reflect the street hierarchy
- Reducing two tall towers to one tall tower.
- Removing all render from the building and instead using high quality cladding and brickwork
-

Numerous iterations of the scheme were considered as part of the pre-application discussions in order to achieve the optimum scale and massing of each block whilst still allowing the developer to achieve their required quantum of development.

The development now proposed includes a single 38 storey tall tower fronting Rockingham Street, a 17 storey block fronting Wellington Street and a 12 storey block fronting Trafalgar Street.

Impact on Townscape

The proposed development, if approved, will be the tallest building in the city centre. Owing to the scale of the building it has the potential to impact on the townscape and skyline of the city. This has led to these impacts being assessed in an Environmental Statement (ES).

The ES assesses the view of the site from 12 different aspects and the corresponding impact on the townscape and skyline. The views have been selected as aspects from which the building will be most visible and potentially have the greatest impact. All views are taken from the City's 3D model and are discussed below.

View 10 is taken from the Cholera Monument, approximately 1km to the east of the development and at an altitude equivalent to the ground floor level of the proposed development. This offers a panoramic view of the City Centre and indicates that whilst the proposed tower will be clearly visible, it will be no more prominent than existing tall buildings in the City. The development will not screen or harm any key townscape features and will act as a legible marker to enhance the prominence of the centre. Sheffield's skyline is punctuated by existing tall buildings and the proposal in the context of these, will not appear out of keeping.

Views 3, 4, 6, 7, 10 and 11 are taken along existing highways and indicate that the development will act as a marker for the City Centre and Heart of the City II area.

The slim nature of the proposal and high design quality will ensure that the development contributes positively to the cityscape.

View 5 is from within Devonshire Green open space and View 9 is from the top of Division Street. These show the development to be visible above the tree line in the open space. The impact is greatest from within the open space area itself, where the development could be held to have a minor negative impact on the open feel and character of the open space (contrary to the assessment in the ES). Nevertheless view 9 indicates that from the top of Division Street the building acts as a clear marker for the city centre and will significantly improve legibility from this part of the city.

View 13 Looking West along Fargate and 14 from Barkers Pool, indicate that the building will be visible beyond the Listed Buildings on Pinstone Street and Barkers Pool public square with its listed war memorial. These are particularly sensitive views given the presence of heritage assets; however the proposal is set at a distance and contrasts with the appearance of the heritage assets, adding to the mix of building types within the city centre. As such your officers judge there to be no negative impact.

View 8 is a view towards the building from Canning Street to the north. This view shows that the end of the tower and the front of the Wellington Street block will be visible from this viewpoint and the massing significantly alters the nature of the view. However, it does not block any important views or vistas and the high quality design of the building will add to the character of the area.

To conclude, it is considered that the development will not have a harmful impact on the city skyline or townscape and will not harm local or long range views. In fact the development will provide a key urban marker and improve legibility of the city centre.

Principle of a tall building

The site is not identified in the Urban Design Compendium as a suitable location for a very tall building and consequently must be assessed against the requirements of Policy CS76. The policy details that Tall Buildings are appropriate in the city centre where they:

- a) Help to define identified gateway sites;
- b) Mark an area of civic importance;
- c) Mark a principal activity node or a key route;
- d) Form the focal point of a vista or enhance the city skyline;
- e) Re-inforce the topography;
- f) Support the vision for City Centre quarters;
- g) Reflect the strategic economic vision for the city.

The development meets a number of the points identified above. The site is considered to comply with part (c) and marks a key route and activity node in the city. Rockingham Street is a primary street within the Heart of the City Quarter, whilst Wellington Street provides a strong pedestrian priority route in terms of east west connectivity from the Peace Gardens to Devonshire Green. The proposal will

act as a marker for the Heart of the City II scheme, improving the legibility of the city centre.

In respect of parts (d) and (e) the proposed height, assessed in long views, does not impact negatively on views of existing landmarks or the conservation areas and in time is likely to be seen in the context of a collection of taller buildings in this part of the City Centre. Furthermore, the scheme reinforces the existing topography. The scheme supports the vision for the Heart of the City II and Devonshire Quarters (part f of CS76) through the provision of a high quality mixed use development. It will also add to the vitality and vibrancy of the area and increase pedestrian activity in the locality.

The assessment of the scheme in relation to CS76 and the Townscape Impact, demonstrate that the site is a suitable location for a tall building.

Scale, siting and detailing

The development comprises three blocks, set back from the edge of the footway by approximately 1.2 metres. The layout will ensure that the development reflects the dominant back edge of footway development that is strongly characteristic of the area and reinforces the site perimeter.

The tallest element of the scheme fronts Rockingham Street which is the primary route in the vicinity of the site and therefore considered to be the most appropriate location for scale. The development will be seen in the context of Telephone House to the East which is 15 storeys and the tallest building in the immediate locality. The development then steps down to 17 storeys along Wellington Street and is opposite Kangaroo Works which has planning permission for a development that varies between 14 and 8 storeys on the Wellington Street frontage.

The lowest part of the development at 12 storeys high fronts Trafalgar Street. This is sited adjacent to Devonshire Court, a six storey building.

The scale of the development reflects the hierarchy of streets in the locality, this is viewed positively. It is noted that the scale of the scheme is significantly taller than adjacent buildings. Given this and the relatively dense grain of the surrounding streets and narrow nature of highways in relation to some of the other primary routes in the city, it is acknowledged that the development will dominate the immediate local townscape and at times may provide an uncomfortable sense of enclosure. This must be considered in relation to the positive aspects of the scheme, including the dense redevelopment of a brownfield site in a sustainable location, which will contribute to the shortfall in housing land supply. On balance, the significant impact on the local townscape is outweighed by the positive impact of the scheme.

The tower element has slim proportions ensuring that it appears as an elegant feature from long range views. The differentiation in heights of the blocks breaks up the massing of the development and ensures that it does not create a slab like appearance.

The proposal has a simple appearance, based on creating a clear grid structure where each room is expressed by piers and floor plates. Large floor to ceiling windows are proposed and include an integrated mesh panel to create texture and depth. Articulation is introduced through the use of deep reveals, steps in the elevation facing Wellington Street and a recessed colonnade in addition to the variation in heights.

The tower element will be finished in metallic powder coated aluminium rainscreen cladding in a copper colour. Windows will be finished in grey with light grey metallic asymmetrical mesh detailing. The colour and reflectance of the cladding will change subtly depending on the daylighting conditions. The middle block fronting Wellington Street will be finished in light red brickwork with contrasting aluminium floor plate bands and copper coloured integrated mesh panels to windows. The lower block incorporates a mixture of brickwork and aluminium cladding. The proposed materials complement one another and will create a well detailed and high quality development. Furthermore the materials will reflect the local vernacular, ensuring that the development reflects the character of the area.

The ground and first floors are expressed as a double height feature, creating a strong presence when viewed by pedestrians. Furthermore, these floors will contain communal and commercial uses, adding to the vibrancy of the local streets which will become major routes into and through the Heart of the City.

The scheme will be very prominent across the city and so it is of paramount importance that a high quality finish is achieved. The plans suggest this will be the case, but conditions will be attached to any approval to ensure that the final materials and large scale details are approved prior to construction commencing. The site is not within a sensitive part of the City Centre in terms of heritage assets. The nearest listed buildings are Aberdeen Works, over 100 metres to the north-west and a number of buildings on Division Street to the north. These buildings are set at a sufficient distance from the site to ensure that there is not a harmful impact on their setting. The site does not lie within a Conservation Area.

In conclusion, the site is an appropriate location for a tall building, it will form an urban marker and improve legibility, it will also reinforce the vision of the Heart of the City and Devonshire Quarter. The scheme will not have a harmful impact on any heritage assets and will not be detrimental to the city's skyline or townscape. The proposal is well detailed and will create a high quality scheme. The scale of the development is such that it may have some limited adverse impact on the local townscape, however given the positive aspects of the development the tilted balance is in favour of the scheme.

Landscape

UDP Policy BE6 expects good quality landscape design in all new developments. This requirement is reflected in paragraph 127 (b) of the NPPF which states developments should be 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping'. These policies align strongly and therefore significant weight can be attached to Policy BE6.

The application relates to a constrained city centre site which is located close to the back edge of the footway, as such the amount of landscaping which can be incorporated is minimal. The key landscape proposals include hard and soft landscaping in the external amenity area and the provision of a green roof to the 12 storey building. The pavements will also be upgraded in line with the urban design compendium.

The landscape proposals are considered to be acceptable and comply with the relevant policies outlined above.

Amenity

Policy IB9 of the Unitary Development Plan states that development should not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions.

UDP Policy H5 states that planning permission will be granted for the creation of flats, bed-sitters and the multiple sharing of houses only if:

- a) a concentration of these uses would not cause serious nuisance to existing residents; and
- b) living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours

UDP Policy H15 (Design of New Housing Developments) expects the design of new housing developments to provide good quality living accommodation. This includes adequate private garden space or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met.

These are some of the most important policies against which the application must be assessed and are therefore considered to be out of date in line with paragraph 11 of the NPPF. The degree of conformity with the NPPF must therefore be carefully assessed to understand the amount of weight which can be afforded to these policies.

Paragraph 127(f) of the NPPF states the development should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

The principle aims of IB9 (b) and H5 are to ensure that existing and future users have a good standard of amenity. This aim is robustly reflected in paragraph 127 of the NPPF and as such it is considered that significant weight can be attached to the local policies.

Impact on Future Residents

The development is for co-living, a relatively new concept, which has no formal definition or policy guidance either locally or nationally. The concept can broadly be

described as the provision of purpose built shared housing where residents have a smaller than average private living space which is off-set by large communal living areas. Each scheme has its own characteristics, in this instance the developer describes that the scheme will be targeted towards a mixture of students, graduates and young professionals. The affordable accommodation will be restricted so that students cannot live in it. The mix of residents in the remainder of the scheme will be dictated by demand and the developer was keen to avoid having restrictions placed on the proportion of students and non-students who could reside in the accommodation.

The plans indicate that the individual room sizes are small: a studio typically has a floor area of 18 square metres; a one-bed apartment has a floor area of approximately 36 square metres and a two-bed has an average floor area of 54 square metres. These are much more modest, than promoted through the South Yorkshire Residential Design Guide which suggest 33 square metres for a studio, 46/47 square metres for a one bed flat and 62 square metres for a two-bed flat.

However, it is highlighted that this is guidance only and not an adopted policy. Whilst clearly a negative aspect of the scheme, the accommodation is compact but includes all necessary features for self-contained living including a kitchenette, ensuite bathroom, seating area, bed and study space. It is further highlighted that the accommodation sizes are similar to other recent developments granted planning permission across the city.

A key aspect of co-living is the importance of creating a sense of place and community, this can be achieved through designing buildings in a way that lowers barriers to social interaction and encourages engagement between people. The scheme includes a large amount of communal floor space, the scale of which has been increased significantly during the course of the application to include an additional floor at the top of the middle block. Co-living guidance and models suggest that communal space on each floor is the optimum format for this type of accommodation. The applicant was requested to consider this option but considered that it would be problematic to manage and that the communal space proposed was already generous.

The communal areas contain a variety of functions including a gym, common room, cinema room, café, private and communal study rooms and private dining rooms. Information submitted in support of the application details that the communal space will be well managed and offer a number of events and services to try and encourage residents to interact. The development also includes a raised external terrace area which will provide outdoor amenity space for residents.

The central location of the site means that residents will have extremely good access to the many leisure / social / outdoor amenity facilities that the City Centre provides as well as good public transport links to other options situated further away.

The plans indicate that all units will benefit from a natural source of light and outlook. Whilst the rooms are smaller than desirable, this is off-set somewhat by the large amount of communal space. In the absence of any adopted policy on unit sizes and in the context of a lack of a 5 year housing land supply, on balance the level of

amenity provided for future residents is considered to be acceptable, although the fact that there is not an element of communal space on each floor of the development is a negative aspect of the proposals.

It is considered that the proposed accommodation will not cause unacceptable nuisance to surrounding uses. The area comprises a range of uses including residential (student and non-student). There is not a strong community which will be affected by the large influx of new residents.

Impact on Existing Residents

The proposal seeks to introduce new built form on a site that has historically contained low rise buildings. Therefore, it must be acknowledged that the proposed development will have a significant impact on the amenity of the uses that overlook the site.

A minimum separation distance of 11.4 metres will exist between the proposal and the windows in the side elevation of the student development at Devonshire Court to the west of the site. A slightly greater distance of 13 metres will exist between the development and the approved scheme on the opposite side of Wellington Street, known as Kangaroo works. Main windows in Telephone House to the east of the site are angled away from the site and are separated by between 14.5 and 34 metres.

Owing to the separation distances, the development will have the greatest impact on the sites to the north and west. It is considered that the privacy distances achieved between the existing and proposed units are acceptable for a dense City Centre living environment where back-edge-of-footpath development is necessary to retain the townscape character. Whilst this is a negative aspect of the scheme, these separation distances are similar to others found across the city where it is the case that residents cannot expect to enjoy the same levels of privacy as more suburban areas.

Daylight and Sunlight

The NPPF details that sites should achieve appropriate densities (paragraph 122 and 123) and that in order to ensure that a site is used efficiently, authorities should 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 (as long as the resulting scheme would provide acceptable living standards).

A daylight, sunlight and overshadowing report has been submitted in support of the application. The report contains an analysis in accordance with the Industry standard BRE document "Site Layout Planning for Daylight and Sunlight, A guide to good practice" 2011. The use of this guide is considered appropriate in the absence of any Local Authority policy or guidance on daylight or sunlight assessments.

The BRE guidance states 'The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and this document should not be seen as an instrument of planning policy. Its aim is to help rather than constrain the developer. Although it gives numerical guidelines,

these should be interpreted flexibly because natural lighting is only one of the many factors in site layout design."

It is highlighted that the numerical targets given within the guidelines are designed to be applied to suburban locations. Flexibility may therefore be reasonably expected in relation to city centre development where higher density development is expected and obstruction of natural light to existing buildings is often unavoidable.

Daylight is assessed using the Vertical Sky Component (VSC), plus an analysis of internal daylight distribution. VSC is a spot measurement of the availability of light from the sky in the existing and proposed situation. If VSC is greater than 27%, it can be considered that sufficient light from the sky is entering the window. If VSC is both less than 27% and less than 0.8 times its former value, occupants will notice a reduction in light.

Average Daylight Factor (ADF) is another method of measuring daylight and assesses the level of light inside a building in comparison to the level of light outside a building. Different ADF factors are required depending on the type of room; bedrooms should achieve a minimum of 1% ADF; living rooms should achieve a minimum of 1.5% and kitchens a minimum of 2%.

Overshadowing (or loss of sunlight) is analysed using Annual Probable Sunlight Hours (APSH). This is a measure of how much sunlight the window can receive with or without the new development. Guidance recommends that a good level of sunlight will be achieved where at least 25% of APSH is provided, of which 5% should be in winter months. BRE guidance states that only windows within 90 degrees of due south need to be assessed in relation to sunlight.

Devonshire Courtyard

The impact on daylight to Devonshire Courtyard to the west of the site has been undertaken in relation to both the VSC and the ADF. An analysis has been taken for all rooms that the development will be visible from and equates to a total of 152 rooms. Of these 55 (17% of the entire development) directly face the site, being located on the east elevation at the back edge of the footway, unsurprisingly these windows experience the greatest impact from the proposed development.

In the existing situation, only 20 windows (36%) directly facing the development currently achieve more than 27% VSC. The proposed development would result in no windows achieving the minimum of 27% VSC and the impact on existing levels would be significant, resulting in reductions of between 58% and 87%. This would result in a noticeable impact to residents in the adjacent student accommodation.

Similarly, in the existing situation 19 windows (35%) directly facing the site achieve the minimum 1% ADF factor. The proposed development would result in no windows on this elevation achieving 1% ADF and the impact on existing ADF levels would be significant.

Other windows which have been assessed include those facing onto the internal courtyard, where the development will be visible but there is a greater separation.

These windows will experience a reduction in VSC and ADF but to a much lesser extent than the windows on the east elevation; the maximum reduction in VSC for the courtyard windows is 31%, this is not considered to be significant.

In light of the above it can be held that the proposed development will have a significant impact on overshadowing of the elevation of Devonshire Courtyard directly facing the application site. This will affect a total of 14% of bedspaces and 22% of living areas in the development when considered as a whole. In order to assess this further, the applicant was requested to submit an alternative scheme showing a lower form of development, so that the impact of the proposed scale in comparison to a smaller development could be considered. An assessment was carried out to assess the impact on daylight of a six-storey block opposite Devonshire Court. The assessment shows that at this reduced scale the development would still cause a significant effect on VSC and ADF; the proposed development would cause a maximum worsening of VSC levels of 21% and ADF levels by 34% in comparison to a 6 storey development.

Only 28 windows are within 90 degrees of due south, of these only 3 (11%) will have less than 25% of APSH but only miss this target by 2%. All windows will achieve at least 5% of APSH during winter months. It is therefore considered that existing windows will still receive adequate amounts of sunlight.

Victoria Halls, Eldon Street

The impact of the development on Victoria Halls to the north west of the site and located diagonally opposite was also assessed. The results indicate that of 55 windows with a view of the site, 36 (65%) currently have less than 1% ADF, this will be increased by an additional 8 windows as a result of the proposed development. However, many of these rooms will still have higher amounts of light than windows in the existing situation and as such the impact is considered to be marginal. VSC levels will also be reduced, in some instances by more than 20%, however the impact is significantly less than for Devonshire Court.

With regards to sunlight, the assessment shows that just 3 windows within 90 degrees of due south will not achieve the APSH and 4 will not achieve the winter sunlight target. These numbers are very small and given the remainder of the windows will not be adversely affected are considered to be acceptable.

Telephone House

The development will have an impact on VSC for 137 windows, resulting in decreases of between 30% and 67%. However all windows will have an ADF in excess of 1% and so the development will remain well lit by daylight.

A total of 39 windows will fall below the 25% requirement for APSH and 19 will fall below the 5% for winter sunlight hours. Whilst not ideal, taken as a proportion of all windows the number affected is considered to be minimal.

Kangaroo Works

The site to the north is currently vacant but, as mentioned previously, has planning permission for a mixed use development comprising commercial ground floor units with residential accommodation above. The impact on daylighting of these future residential units has been assessed using both VSC and ADF methods. The results indicate that in comparison to the existing situation the proposal will have a significant adverse impact on daylight levels to the opposite site. A total of 48 (13.1 %) of apartments would be affected and would have VSC levels and ADF levels significantly below those recommended in the BRE guidance and at such levels where natural daylight to the rooms will be severely compromised.

However, regard is had to the fact that the application site at present represents a low density form of development. BRE guidance allows assessment of schemes to establish if they are taking more than their fair share of light by undertaking a 'mirror massing' analysis. In light of this, a daylight study has been undertaken for an alternative development scenario for a 10 storey building on the site. The results of this show that a total of 47 apartments (12.9 %) would have VSC and ADF levels below the BRE recommended levels. A comparison of the two development scenarios shows that the current proposal would result in VSC levels of up to a maximum of 19% less for the proposed development in comparison to the 10 storey alternative. Similarly, ADF levels would be up to a maximum of 29% worse in the higher density development in comparison to the mirror massing analysis.

All windows in the south elevation of the proposed Kangaroo Works development on the opposite side of Wellington Street face due south and so the impact of the development on their sunlight has been assessed. In comparison to the existing situation where the development comprised three storey buildings the impact on sunlight is significant. The development will result in 165 windows having less than 25% total APSH and 136 windows have less than 5% of total hours from winter hours. The 'mirror massing' for a 10 storey development indicates that in this alternative development scenario 148 windows (89.7% of the number affected in the proposed development) would achieve less than 25% total APSH and 113 (83% of the number affected in the proposed development) would achieve less than 5% of these from winter hours.

The number of windows which fall below recommended guidance is not significantly different between the two development scenarios. However a thorough analysis of the data suggests that as may be expected, the amount of APSH achieved in the lower scenario, whilst still below the guidance level is greater for the lower development option. The reduction in APSH between the two options varies between a minimum of 13% at the second floor to a maximum of 37% at the 8th floor. The development will result in 65 windows having zero hours of winter sunshine and 21 windows having zero hours of sunlight in comparison to 45 windows and 1 window respectively in the 10 storey alternative option.

The above demonstrates that the development will have the most significant impact on daylight to windows in the east elevation of Devonshire Court and the south elevation of Kangaroo Works. The adverse impacts relate to 14% of bedrooms in Devonshire Court and 21% of living areas and 12% of apartments in Kangaroo Works. The most significant impact on sunlight will be to the south elevation of the proposed Kangaroo Works development. The impact on these units will be

significant, however in the context of the overall scale of these developments the number of units affected is relatively small.

Furthermore, it is considered that any form of meaningful dense development on this site would give rise to an impact on these windows, as assessed above. It is highlighted that the BRE guidance relates to suburban developments and promotes flexibility in applying the guidelines. In this instance flexibility can be justified given the City Centre location where dense development can be expected. Indeed, 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 objectives. This includes re-developing vacant / underused brownfield land, regenerating City Centre Quarters and minimising the development of greenfield sites.

The adverse impacts are acknowledged as a negative aspect of the proposals and are not ideal, however it must be recognised that this is not a suburban location and that if the impact on sunlight/overshadowing were to be given too much weight in a City Centre this would prevent high density development and the efficient use of land, as set out in paragraphs 122 and 123 of the Framework. Less dense development would lead to a negative impact on housing numbers which is less than desirable in the absence of a 5 year housing land supply. On balance, it is considered that whilst the development will clearly cause harm to daylight and sunlight on adjacent sites, this is outweighed by the positive aspects of the scheme.

Noise

Paragraph 180 (a) of the NPPF requires the mitigation and reduction to a minimum of potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life.

A noise assessment report has been submitted with the application, this demonstrates that the main source of noise is from road traffic. Environmental noise is not particularly problematic in this the location, as such it is considered that with a suitable scheme of sound attenuation works, as recommended in the noise report, that satisfactory noise conditions will be provided for future residents.

The development has the potential to give rise to noise and disturbance during the construction phase, this will be limited to daytime hours only and will be controlled by conditioning a Construction Environmental Management Plan. Nevertheless, as with all development, some level of noise during demolition and construction will be inevitable.

The residential nature of the new development will ensure that no new significant noise sources are introduced into the local area. There is the potential for new plant and mechanical equipment to produce noise, however this will be controlled by condition to prevent any nuisance.

In summary it is considered that the development will not give rise to unacceptable noise disturbance in the local area and will provide future residents with a suitable

noise environment. The development is therefore in accordance with paragraph 180 (a) of the NPPF.

Contaminated land

Paragraph 178 of the NPPF requires that planning decisions take account of ground conditions and any risks arising from land instability or contamination.

A phase I contaminated land desk study has been submitted in support of the application. The report identifies a number of risks, including asbestos and storage of hazardous waste and recommends further intrusive site investigation works. All identified risks are likely to be within the scope of what can readily be remediated by standard means.

The site also falls within a Coal Mining Development High Risk Area, the desk study recommends that deep bore holes are drilled on site to fully assess the coal mining legacy. The site investigations will be used to inform a remediation strategy to ensure the safety and stability of the building.

An adequate assessment of contamination has been undertaken in line with paragraph 178 of the NPPF. Further work is required to better understand the contamination and the coal mining legacy, this will be secured by condition.

Wind Impacts

It is commonly acknowledged that tall buildings can have an adverse impact on the local wind microclimate, resulting in a detrimental effect on pedestrian comfort levels and in the most severe cases, in wind safety issues.

In order to fully consider the impact of the development a wind assessment has been submitted with the application. The results of which are based upon a 3D model of the development being placed inside a wind tunnel to simulate wind conditions and the impact around the site.

The assessment has considered a total of 85 points both within and around the site and identified the wind environment at these points in line with the Lawson wind comfort criteria. The Lawson criteria defines 5 different wind environments based upon wind speeds namely, uncomfortable conditions; fast (business walking); pedestrian leisure walk/strolling; pedestrian standing/entrances and outdoor seating. The assessment has been undertaken for a number of scenarios, including existing, with the proposed development and with the existing and approved Kangaroo works development.

The results indicate that on the whole the development will provide a suitable wind microclimate within and around the site. The main area of concern relates to the raised terrace area, where conditions will be suitable for strolling and standing. Further testing has been undertaken to show how mitigation in the form of tree planting will provide an enhanced comfort level.

Officers also expressed concern in relation to the impact of the development on the wind microclimate on the north side of Wellington Street immediately adjacent to the old fire station car park where the development will alter the wind conditions to suitable for fast walking in some instances. Given the strategic importance of this site as a future development site within the Heart of the City II area this causes some concern. However, it is noted that if the Kangaroo works development proceeds, the impact on the wind environment is improved.

The applicant has considered whether mitigation could be employed to reduce the impact, however given that this area is outside the site boundary this is not possible. At present the affected area is undeveloped and so the area is suitable for fast walking. If the site comes forward in the future, the wind environment will be assessed as part of that proposal and the wind environment may well be improved or mitigated depending on the final design of the scheme. Whilst this is not ideal, it represents only a very small area and will not result in an unsafe wind environment. As such and on balance in view of the positive aspects of the scheme this element is deemed to be acceptable.

Highways

The site lies within a designated Business Area and Policy IB9 (f) expects development to be adequately served by transport facilities, provide safe access to the highway network and appropriate off street parking.

Paragraph 108 of the NPPF states that in assessing applications it should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree

Paragraph 109 of the NPPF states that new 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'.

Paragraph 110 goes on to state that priority should be first given to pedestrian and cycle movements and second to facilitating access to high quality public transport. The site is located in a highly sustainable city centre location within walking distance of a wide range of services, amenities and educational and employment opportunities. Furthermore, the site offers easy access to a range of high frequency transport routes including buses and trams. A secure cycle store capable of accommodating 500 cycles will be provided at ground floor level, this will encourage use of this mode of travel.

No parking spaces are proposed as part of the development, the applicant will be required by condition to ensure that future occupiers are aware that they will not be

eligible for parking permits in the designated Permit Parking Zone. However, on street parking adjacent to the site is controlled by parking restrictions and pay and display parking spaces, it is therefore considered highly unlikely that any demand for parking spaces by residents will be displaced onto the local highway network. Additionally as detailed above the site is in a highly sustainable location and therefore the level of parking proposed is acceptable.

The scheme is for co-living and is likely to include a substantial number of residents who are students. Students can have a significant impact on the local highway network if they all arrive and depart at the same time at the start/end of term. A management strategy will be employed to ensure that measures are taken to stagger arrivals and departure in order to cause minimum disruption to the highway network. This will be secured by condition.

A service road is to be provided to the south of the site and will allow ease of access to the bin store at lower ground level. Tracking information submitted with the application shows that a large refuse vehicle can enter and exit the service yard in a forward gear.

A number of highways improvements are required around the site including the introduction of a push button pedestrian crossing and service layby and will be secured by condition.

The proposal is considered acceptable from a highways perspective and complies with paragraphs 108, 109 and 110 of the framework.

Disabled Access

Mobility housing provision for residential development (Use Class C3) has been superseded by the Technical Housing Standards (20150, which removed the requirement for mobility housing from the planning process in cases where Local Authorities do not have an up to date relevant policy in place, as is the case in Sheffield.

However, it remains necessary to provide accessible flats in developments for shared accommodation such as this one. The plans detail a total of 36 accessible units, equating to 3% of provision. This is slightly less than the 5% required by policy but is still a relatively large number of units in total and so on balance is acceptable. All entrances will benefit from level access and it is expected that the building will be designed to current accessible standards.

It is concluded that the development will provide an inclusive environment for future users.

Sustainability

A key objective of local and national policy is the pursuit of sustainable development. The NPPF details three overarching principles of sustainable development; an economic objective; a social objective and an environmental objective.

In economic terms, the development will re-use an underdeveloped brownfield site and will create a number of jobs during the construction phase. Jobs will also be provided in maintenance and management of the completed development. The scheme will increase the number of residents in the local area which will boost the local economy. The applicant has agreed to a condition requiring local employment initiatives as part of the scheme.

The social benefits of the scheme include the provision of 'co-living' a new type of accommodation which will increase the mix and offer of the city's housing market. The provision of affordable units is also a substantial social benefit. The site is well located close to a wide range of services and facilities, development in this location will ensure that resident's social and community needs are well catered for. In environmental terms, the proposal seeks high density redevelopment of a brownfield site, reducing the pressure on greenfield land. The site is sustainably located with easy access to a wide range of services and public transport, this will reduce the pressure on travelling by motor vehicle. The proposal will enhance the built environment in a busy central location and support the provision of high density development in the city centre.

Core Strategy Policies CS64 and CS65 provide local policy requirements in relation to achieving environmental sustainability. As this is also a key theme in the NPPF, the policies are considered to be compatible and therefore weight can be given to these local policies.

Core Strategy Policy CS64 'Climate Change, Resources and Sustainable Design of Development' expects all new buildings to be energy efficient and to use resources sustainably.

Core Strategy Policy CS65, relates to renewable energy and carbon reduction and requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. The submitted energy statement confirms a fabric first approach to the building design. The statement details that the building will be served by a 100% renewable energy tariff. Whilst this is commended, it does not provide the 10% on site energy requirement set out in the local policy. It is however considered that the 10% renewable energy provision can be achieved by appropriately worded condition.

Overall, the scheme is considered to represent sustainable development and meets the relevant policy requirements, subject to conditions securing the final proposed details.

Affordable Housing

Core Strategy Policy CS 40 'Affordable Housing' states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable. The Affordable Housing Interim Planning Guidance (IPG) was updated in 2014 and it should be read alongside Policy CS40.

IPG Guideline 2 identifies the site as being located within the “City Centre West” Affordable Housing Market Area where there is a 10% contribution required towards affordable housing provision.

Paragraphs 62 and 64 of the NPPF detail that major developments should provide an element of affordable housing. The preference for this is an onsite contribution for affordable home ownership; exceptions to the type of affordable housing can be made in certain circumstances including where development

- a) provides solely for build to rent
- b) provides specialist accommodation for a group of people with specialist needs (such as students).

The general principles contained within CS40 and NPPF paragraphs 62 and 64 are the provision of affordable housing for major developments. As the objectives are largely the same significant weight can be attached to the local policy.

The development will provide 10% of residential floorspace as affordable rent, this type of affordable housing is included in the definition of affordable housing in annex 2 of the NPPF.

Initially as detailed earlier in the report, the scheme was proposed to be entirely studios and consequently all affordable rent units were studios. Officers raised concerns that this form of accommodation was not in demand for affordable accommodation and the preference was for one and two bed apartments. The mix of units in the scheme has changed and now includes a proportion of one and two bed apartments. The developer has agreed that 50% of the affordable rent units will be one and two bed apartments and the remaining 50% will be studios. Furthermore, they have confirmed that the affordable rent units will be restricted so that they cannot be occupied by students, thus helping to meet the needs of a wider demographic. Clarification has been sought on how the floorspace equates to the number of units and an update on this will be presented in a supplementary report at committee.

The affordable rent units will accord with the definition in annex 2 of the NPPF; they will be available at rent capped at 20% below local market rents; will be managed by the operator of the entire proposed development and will remain at an affordable price for future generations. The developer also proposes to restrict the age of occupants to below 30 years old to reflect the nature of the accommodation and those with an income below the mean average for the city.

The provision of affordable housing is viewed positively. The scheme complies with CS40 and paragraphs 62 and 64 of the NPPF.

Health provision

Core Strategy Policy CS44 states that additional health care facilities will be provided, subject to funding and need materialising in various places, including the city centre, to meet city-wide needs, particularly of vulnerable people, as well as of workers, residents and other users of the centre.

Paragraph 34 requires policies to set out the contributions from development, including health care provision. The local policy reflects the national policy and so can be given significant weight.

The Community Infrastructure Levy and Planning Obligations Supplementary Planning Document states that a contribution towards health care provision may be required for developments of over 1000 dwellings to make them sustainable.

The development exceeds the number of units identified in the policy; however a contribution towards health provision has not been sought in this instance. This is due to the co-living nature of the scheme whereby a notable proportion of occupants will be students; student health care requirements are unique. Both Universities direct students to student specific medical practices within the city (University Health Service and Student Health at SHU), the proposed development will not increase the number of students in the city as a whole and so will not lead to a direct increase in patients registering with these practices. It is reasonable to assume that the number of students residing in the development would bring the number of non-student residents well below the 1000 threshold detailed in the policy.

For non-student residents there are 10 practices located within one mile of the development. It is assumed that residents would be well dispersed across these practices and that therefore they could accommodate any new non-student residents. The development offers access to mental health support which is welcome. Furthermore, it is highlighted that health care provision could be funded by CIL contributions.

To conclude, the development is not required to provide a financial contribution towards health care provision in this instance and complies with relevant policies.

Community Infrastructure Levy

The site is within charging zone 3 which equates to a £30 per square metre charge (plus index linked inflation since 2015). Based upon the floorspace of the development, a CIL contribution of £1,324,771.81 has been calculated.

Flood Risk and Land Drainage

Paragraph 155 of the NPPF states that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'.

The site is located in Flood Zone 1 on the Environment Agency's Flood Map and is therefore not considered to be at risk of flooding.

Core Strategy Policy CS67 'Flood Risk Management' seeks to ensure that all developments significantly limit surface water run-off and utilise sustainable drainage systems where feasible and practicable.

The NPPF details at paragraph 165 that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Policy CS67 and paragraph 165 of the NPPF are considered to closely align and therefore significant weight can be attached to the local policy in this instance.

A drainage Strategy Report has been submitted in support of the application, this investigates a variety of different options for surface water run-off. Given the constrained and built up nature of the site and locality it is proposed that underground storage is the most suitable method. The application also includes a green roof to the roof of the 12 storey element of the building, and details that some storage or use of water may be possible in the roof terrace garden area. Yorkshire Water have commented on the scheme and the Lead Local Flood Authority, neither raised objections. Suitable conditions will be attached to any approval to ensure that final surface water drainage details are agreed prior to the commencement of development.

Public Art

Policy BE12 encourages works of public art in places which can readily be seen by the public as an integral part of the development. The final detail of this will be secured by condition.

Archaeology

UDP Policy BE22 relates to 'Archaeological Sites and Monuments' and states that these will be preserved, protected and enhanced. Where disturbance of an archaeological site 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.

Paragraph 189 of the NPPF requires that due regard is had to archaeological assets. The national policy strongly reflects the local policy in this instance and therefore significant weight can be afforded to Policy BE22.

An archaeological assessment has been carried out in support of the scheme. This indicates that the site lies outside the medieval town in an area that remained undeveloped until the 19th century. Prior to the development which is currently present, the site previously contained a steelworks, a Methodist chapel, a Sunday School and terraced housing. Recent archaeological work close to the site (Kangaroo Works, Washington Works and Clintock Works) has revealed well preserved industrial remains just below the surface of the modern buildings. The report concludes that there is moderate to high potential for industrial archaeological remains and 19th century housing on the site.

Further archaeological site investigations will be conditioned as part of any approval but are not considered to be an impediment to the future redevelopment of the site. Furthermore, the research will help us to further understand the detailed evolution of the city.

In view of the above, the development is considered acceptable with regards to Policy BE22 and relevant guidance in the NPPF.

Ecology

UDP Policy GE11 requires that the natural environment is 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.

Paragraph 170 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity. The local policy requirement to protect and enhance the nature environment strongly reflects the relevant policy in the National Framework and so can be offered substantial weight.

A preliminary ecological survey has been undertaken in support of the application.

This summarises that the site is of minimal ecological value and has very low potential for any protected species. The report includes a number of recommendations to minimise the ecological impact, including minimising external lighting and avoiding security lights. A number of recommendations are also made in relation to biodiversity enhancement, in order to provide a net gain in line with the NPPF. Such enhancements include the inclusion of bat and bird boxes and the inclusion of native plants in soft landscaped areas.

The site is of low ecological potential and does not contain any protected species. The scheme will enhance biodiversity and is therefore in compliance with relevant national and local policies.

RESPONSE TO REPRESENTATIONS

The majority of representations have been addressed in the main report above. In relation to disturbance to the adjacent site, this can be partially reduced by a construction management plan, however some noise/disturbance will be inevitable. The developer is advised to contact BT to agree a mutually satisfactory way forward and this is suggested in a directive.

The proposal has been assessed against Core Strategy Policy CS41, part (d) is not relevant as the studios are not classed as student accommodation or shared units.

An amended daylight survey has been submitted including an assessment of Kangaroo Works and is discussed in the main report. The development has also been assessed in the wind tunnel as discussed in the report.

In relation to the safety of the cladding, this will need to meet current building regulations requirements, in light of the Hackitt Review.

As described earlier in the report, the scheme has been inserted in the 3D model and a total of 12 views analysed to assess the impact on the skyline.

SUMMARY AND RECOMMENDATION

The proposal is for the demolition of existing buildings and redevelopment to form a 38/17/12 storey development comprising a ground floor retail unit and 1230 co-living units.

In the absence of a 5 year supply of housing land the tilted balance has to be considered in accordance with Paragraph 11 of the NPPF and the positive and negative aspects of the scheme must be carefully weighed.

A number of significant benefits will arise from the proposed development including the efficient redevelopment of a sustainably located brownfield site within the City Centre. The proposal represents a very dense form of development which would provide a significant contribution towards the City's housing land supply targets as well as providing 10% of residential floor space for affordable rent, which are both key policy requirements.

The negative aspects of the proposal include the limited unit mix, small unit sizes and the impact on daylight/sunlight of adjacent buildings. These issues have been carefully considered in the report above and whilst not ideal, are not dissimilar to the issues arising on other City Centre schemes which have been granted planning permission.

The impact of the development on townscape and the city's skyline has been carefully considered in light of the information included within the Environmental Statement. An assessment of key views shows that the development will not be harmful to any key views or vistas and will in fact act as a key marker in the City Centre. The development will cause some harm to the local townscape given its scale in relation to the dense urban form of the site and narrow roads. However, on balance it is officers' opinion that a building of this scale can be supported on this site.

In applying the tilted balance in favour of sustainable development in paragraph 11 (d) of the NPPF, your officers' consider that the adverse impacts in this instance do not demonstrably outweigh the benefits of the scheme and it is considered that the scheme represents sustainable development, in line with the key policies contained in the Development Plan and the provisions of the NPPF.

In conclusion, it is recommended that planning permission be granted subject to the listed condition and to the completion of a legal agreement to secure the affordable housing units, in accordance with the following heads of terms.

Heads of Terms

Ten percent of residential floor space is to be provided as affordable rented accommodation for non-students at a discount of 20% below market rent. The accommodation will be provided to those who earn less than the average wage and shall remain as affordable units in perpetuity.

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