

# Planning and Highways Committee

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**Tuesday 20 January 2015 at 2.00 pm**

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

**The Press and Public are Welcome to Attend**

## **Membership**

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Councillors Alan Law (Chair), David Baker, Jack Clarkson, Tony Damms, Roger Davison, Tony Downing (Deputy Chair), Ibrar Hussain, Bob Johnson, Bryan Lodge, Roy Munn, Peter Price, Denise Reaney and Joyce Wright

## **Substitute Members**

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

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## **PUBLIC ACCESS TO THE MEETING**

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

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

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

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

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

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## **FACILITIES**

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

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

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
20 JANUARY 2015**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 8)  
Minutes of the meeting of the Committee held on 6 January 2015
- 6. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Applications Under Various Acts/Regulations** (Pages 9 - 98)  
Report of the Director of Regeneration and Development Services
- 8. Record of Planning Appeal Submissions and Decisions**  
Report of the Director of Regeneration and Development Services
- 9. Date of Next Meeting** (Pages 99 - 102)  
The next meeting of the Committee will be held on 10 February 2015

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

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

Further advice can be obtained from Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

#### Meeting held 6 January 2015

**PRESENT:** Councillors Alan Law (Chair), David Baker, Jack Clarkson, Tony Damms, Roger Davison, Tony Downing (Deputy Chair), Ibrar Hussain, Bob Johnson, Bryan Lodge, Roy Munn, Peter Price, Denise Reaney and Joyce Wright

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#### **1. APOLOGIES FOR ABSENCE**

1.1 There were no apologies for absence.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

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

#### **3. DECLARATIONS OF INTEREST**

3.1 The Chair (Councillor Alan Law) declared a personal interest in an application for planning permission for the use of a distribution centre/warehouse for the permanent establishment and expansion of a post-16 school with associated alterations, including a single-storey extension to form an entrance, re-cladding and installation of windows and doors at 6 Hydra Business Park, Nether Lane, as a relative attended the existing school and indicated that, whilst he would still chair the meeting, he would not speak or vote. At the point of the vote he vacated the chair, which was then occupied by the Deputy Chair (Councillor Tony Downing).

#### **4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the previous meeting of the Committee held on 9 December 2014 were approved as a correct record.

#### **5. SHEFFIELD CONSERVATION ADVISORY GROUP**

5.1 The Committee received and noted the minutes of the meeting of the Sheffield Conservation Advisory Group held on 18 November 2014.

#### **6. SITE VISIT**

6.1 **RESOLVED:** That the Director of Regeneration and Development Services, in liaison with the Chair, be authorised to make arrangements for a site visit on Monday, 19 January 2015, in connection with any planning applications requiring a visit by Members prior to the next meeting of the Committee.

## 7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

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

(b) having noted (i) a correction to the report now submitted relating to affordable housing, (ii) Condition 5 had been deleted and (iii) that the Legal Agreement had been received, all as detailed in a supplementary report circulated at the meeting, an application for planning permission for the erection of a mixed use development comprising managed student accommodation (535 beds), private apartments (74) and Class B1 Offices (385sqm) with ancillary facilities and associated landscaping at the site of Denby Street Car Park, Denby Street (Case No. 14/03597/FUL) be granted, conditionally;

(c) having noted an additional representations from Sport England who confirmed they had no objections to the development and from the Coal Authority confirming their objection had been withdrawn, as detailed in a supplementary report circulated at the meeting, an application for planning permission by the City Council under Regulation 3 of the Town and Country Planning (General) Regulations 1992, in respect of the erection of a leisure facility (North Active) including swimming pool, learner pool, fitness suite, exercise/dance studio, multi-use studio, changing facilities, health consultation/treatment rooms, associated works, car parking accommodation and road improvement scheme along Pack Horse Lane at land at Thorncliffe Recreation Ground, Mortomley Close (Case No. 14/03537/RG3) be granted, conditionally, subject to (i) additional conditions in respect of (A) the requirement for a Traffic Management Plan in relation to the use of the car park by parents of the adjacent school for drop off and collection times and (B) an intrusive site investigation report in relation to recorded mine entries within the site and (ii) an amendment to Condition 7 by the addition of the words “of road markings and signs” after the words “including the provision” in respect of the second highway improvement, as detailed in the aforementioned supplementary report;

(d) (i) having (A) noted (1) additional representations from the South Yorkshire Passenger Transport Executive and the officer’s response, (2) a proposed amendment to Condition 8 in respect of the possible provision of bus laybys, and (3) that Condition 20 had been attached in relation to the building meeting 10% of energy needs from alternative sources, all as detailed in a supplementary report circulated at the meeting and (B) heard representations from a representative of the applicant speaking at the meeting in support of the proposed development and (ii) notwithstanding the officer’s recommendation, an application for planning permission for the use of a distribution centre/warehouse for a post-16 school with associated alterations, including a single-storey extension to form an entrance, re-cladding and installation of windows and doors at 6 Hydra Business Park, Nether Lane (Case No. 14/03411/FUL) be refused, as the Committee considered that the development would compromise pedestrian safety and the preferred commercial

use of the site which was viewed to be inappropriate for a post-16 school;

(e) having considered (i) additional representations and the officer's response, as detailed in a supplementary report circulated at the meeting and (ii) representations at the meeting from a neighbour speaking against the development and from the applicant speaking at the meeting in support of the development, an application for planning permission for the demolition of outbuildings and erection of five new dwellings, associated landscaping and removal of trees at Shirle Hill House, 6 Cherry Tree Road (Case No. 14/03252/FUL) be granted, conditionally;

(f) having (i) noted that Ecclesfield Parish Council had withdrawn their objection to the application, as detailed in a supplementary report circulated at the meeting and (ii) heard representations at the meeting from four local residents speaking against the development and from the applicant and the applicant's agent speaking at the meeting in support of the development, a retrospective application for planning permission for the retention and re-positioning of an existing refrigeration unit to the rear elevation and encasement in a sound reduction enclosure at Village News, 176 to 178 Main Street, Grenoside (Case No. 14/01042/FUL) be granted, conditionally;

(g) having considered (i) an amended report circulated prior to the meeting, which provided additional information to the report circulated with the agenda in relation to its introduction, representations and Condition 6 and (ii) representations at the meeting from four local residents speaking against the development and from the applicant and the applicant's agent speaking at the meeting in support of the development, an application for planning permission under Section 73 to vary condition 3 (hours of use) and condition 6 (cooking equipment), concerning the planning permission for the use of a dwellinghouse as a restaurant/cafe (Class A3) on the ground floor with a flat at the first floor level (Case No.13/02171/CHU), by increasing the opening hours of the cafe to between 0800 hours and 1800 hours (Monday to Friday) and between 0900 hours and 1600 hours (Saturday, Sunday and Bank/Public Holidays) and for the retention of 2 microwave ovens, 1 safety fat fryer and 1 griddle to be used in the cafe at Village News, 176 to 178 Main Street, Grenoside (Case No. 14/01031/CHU) be granted, conditionally;

(h) having considered representations at the meeting from a local Ward Councillor commenting on traffic and transport issues relating to the proposed development, an application for planning permission for alterations and improvements to Graves Tennis and Leisure Centre including construction of a 25 metres swimming pool, teaching pool, wet and dry changing facilities, 2 indoor tennis courts, extension to the tennis centre, provision of a 100 station fitness suite, exercise studios, and associated flexible rooms, catering and circulation spaces, car parking accommodation and vehicular access from Bochum Parkway at Graves Tennis and Leisure Centre, Bochum Parkway (Case No. 14/00709/FUL) be granted, conditionally, subject to (i) an additional condition being attached in respect of the inclusion of public art within the development and (ii) Condition 12 being amended in respect of the additional words "and associated signage" after the words "footway/cycleway" in respect of the second highway improvement, all as detailed in a supplementary report circulated at the meeting; and

(i) having considered (i) amendments to the report circulated with the agenda in respect of the final sentence on page 177 and the fourth and ninth paragraph on page 189, as detailed in a supplementary report circulated at the meeting and (ii) representations at the meeting from four people speaking against the development and from the applicant's agent speaking at the meeting in support of the development, an application for planning permission for the demolition of an existing disused electrical substation and erection of 2 terraced dwellinghouses (Class C3), with associated landscaping and car parking provision at site of the former electricity substation adjacent to 47 Roach Road (Case No. 13/01689/FUL) be granted, conditionally.

## **8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS**

- 8.1 The Committee received and noted a report of the Director of Regeneration and Development Services detailing (a) the planning appeals recently submitted to the Secretary of State and (b) the outcome of recent planning appeals, along with a summary of the reasons given by the Secretary of State in his decision.

## **9. DATE OF NEXT MEETING**

- 9.1 It was noted that the next meeting of the Committee will be held on Tuesday, 20 January 2015 at 2.00 pm at the Town Hall.



## SHEFFIELD CITY COUNCIL

### Planning and Highways Committee

**Report of:** Director of Regeneration and Development Services

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**Date:** 20/01/2015

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**Subject:** Applications under various acts/regulations

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**Author of Report:** John Williamson 2734218

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**Summary:**

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#### Reasons for Recommendations

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

**Recommendations:**

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**Background Papers:**

**Category of Report:** OPEN



Application No.	Location	Page No.
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14/03390/ADV (Formerly PP-03593106)	Land And Buildings At Fletchers Bakery Clay Wheels Lane And Travellers Inn, 72 And The Gate Inn, 74 Penistone Road North Sheffield	<b>13</b>
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14/03215/FUL	Land And Buildings At Boston Street, Bramall Lane, Arley Street, St Marys Gate And Sheldon Street Sheffield S2 4QA	<b>21</b>
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14/03162/LBC	St Silas Church Hanover Square Sheffield S3 7UA	<b>73</b>
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14/03161/FUL	St Silas Church Hanover Square Sheffield S3 7UA	<b>83</b>
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SHEFFIELD CITY COUNCIL

Report Of The Head Of Planning  
To the Planning and Highways Committee  
Date Of Meeting: 20/01/2015

LIST OF PLANNING APPLICATIONS FOR DECISION OR INFORMATION

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

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Case Number	14/03390/ADV (Formerly PP-03593106)
Application Type	Advertisement Consent Application
Proposal	Signage to supermarket including illuminated individual letter fascia signs, totem signs, pole mounted car park signs and non-illuminated wall signs (as amended 9.10.14)
Location	Land And Buildings At Fletchers Bakery Clay Wheels Lane And Travellers Inn, 72 And The Gate Inn, 74 Penistone Road North Sheffield
Date Received	11/09/2014
Team	West and North
Applicant/Agent	Turley Associates (Leeds)
Recommendation	Grant Part Refuse Part

(i) Grant subject to:

- 1 Advertisement consent is hereby granted for signs type ref B2, B3, W1, W2, W3, W4, W5, W5a, 7T, 5T, PT, S1, S2, S3, S3a, S4, S5, S6a, S6b, S6c, S7,

S8, S9, S10, S10a, S11, S11a, S13a, S17 and S18as shown and described on the submitted documents.

Reason; For the avoidance of doubt

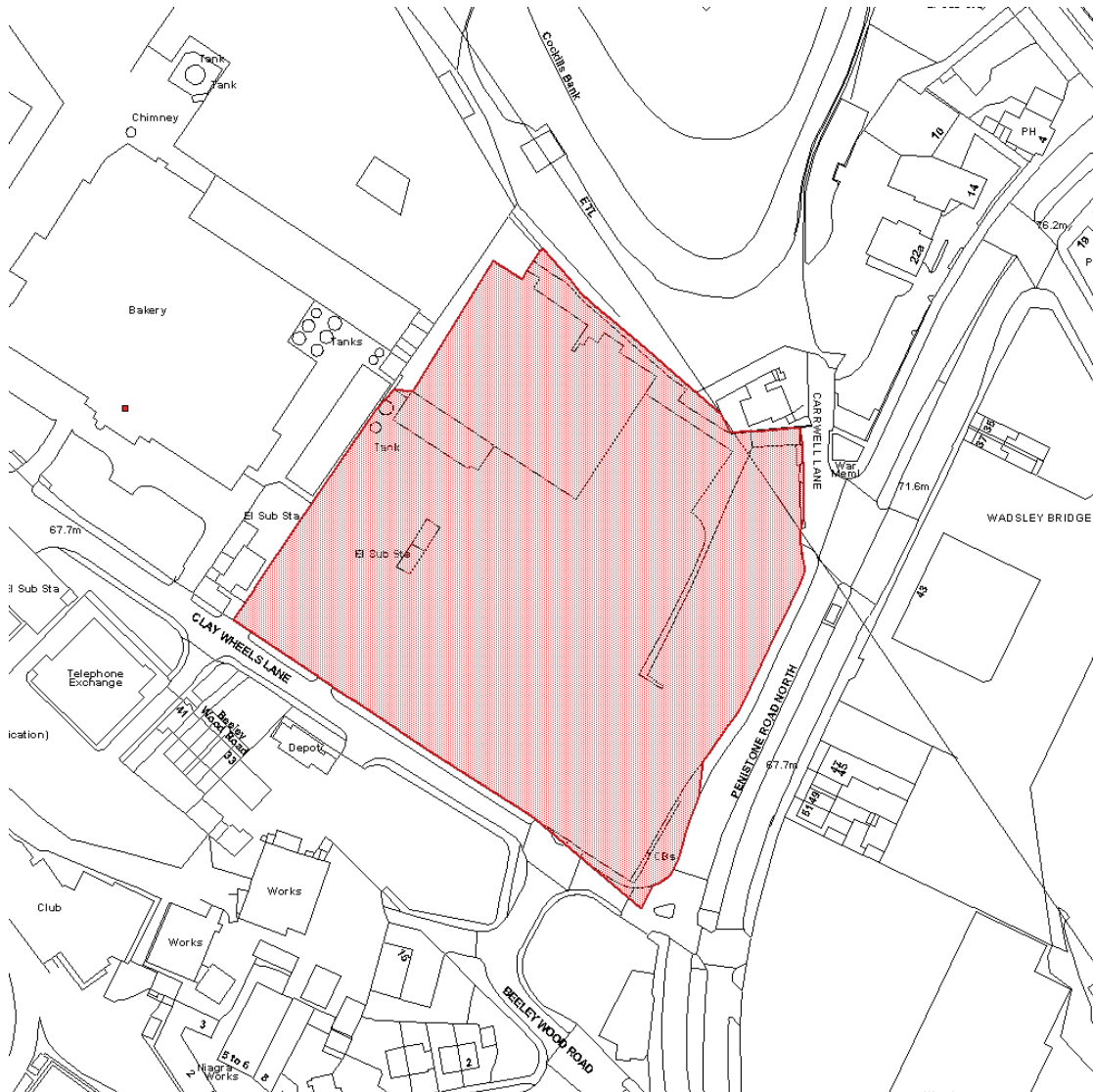
Refuse for the following reason(s):

- 1 The two high level name signs (ref Sign B1) at high parapet/roof level facing the customer car park (south elevation) and at high level above facing over the service road (north elevation) by virtue of their position above the main eaves line of the foodstore building, their size and their illumination would be visually intrusive within the streetscene and would harm the character and appearance of the locality. These two high level signs are contrary to UDP Policy BE13 and the Government's planning policy contained in the NPPF.

Attention is drawn to the following directives:

1. The Director of Development Services or the Head of Planning has been authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the 2 high level name signs (ref Sign B1). The Local Planning Authority will be writing separately on this matter.

## SITE LOCATION



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## LOCATION

The site comprises a recently opened foodstore on the corner of the junction of Claywheels Lane and Penistone Road North at Wadsley Bridge.

## PROPOSAL

The proposal seeks advertisement consent for the display of signage on the building and on land within the curtilage of the building.

The proposal has been amended since its original submission to include minor variations to some of the signs. The proposed signage as amended consists of the following items:

### High Level Name Signs

2 high level individual letter internally illuminated name signs (type ref Sign B1) are proposed at high parapet/roof level of the foodstore building, one facing over the customer car park towards Claywheels Lane (south elevation) and one facing over the service road (north elevation). Each of these signs is 2.5 metres high by 16.7 metres long. The individual letters are fixed to a rail attached to the building.

### Entrance Name Sign

1 individual letter internally illuminated name sign (type ref Sign B2) is proposed on the glazing above the entrance facing Penistone Road North (east elevation). This sign is 1.2 metres high by 8 metres long.

### Atrium Entrance Signs

2 individual letter internally illuminated name signs (type ref Sign B3) are proposed on the glazing above the customer entrances to the atrium facing the customer car park (south elevation). Each of these signs is 0.85 metres high by 5.8 metres long.

### Totem Signs

3 freestanding totem signs are proposed comprising:

-a 7 metre high internally illuminated double sided totem sign (type ref Sign 7T) sited on the Penistone Road North frontage on land within the adopted highway in a soft landscaped area bounded by a low wall. This sign is 2.1 metres wide fitted with aluminium panels;

-a 5 metre high internally illuminated double sided totem sign (type ref Sign 5T) sited alongside the vehicular access to the customer car park on Claywheels Lane;

-a 2metre high non-illuminated double sided totem sign (type ref Sign PT) sited alongside the pedestrian access to the site on Claywheels Lane.

### Welcome and Information Signs (South Elevation)

7 additional signs are proposed on the south elevation of the building (comprising 1 ATM panel sign 3 metres by 2.4 metres, 1double sided vinyl sign 1 metre by 1.6 metres, and 2 small bus stop signs are proposed alongside the southern entrance,

1 internally illuminated panel sign 3.4 by 2.4 metres is proposed alongside the northern entrance, and 2 double sided cafi vinyl signs are proposed on the glazing to the upper floor cafi area each 2.8 metres by 1 metre (type ref Signs W1, W2, W3, W4, W5 and W5a ).

#### Welcome and Information Signs (East Elevation)

3 additional signs are proposed on the east elevation of the building (comprising 1 double sided vinyl sign 1 metre by 1.6 metres alongside the main entrance, and 2 double sided cafi vinyl signs on the glazing to the upper floor cafi area each 2.5 metres by 1 metre (type ref Signs W3 and W4) ).

#### Welcome and Information Signs (North Elevation)

1 additional sign is proposed on the elevations of the building facing north (1 double sided vinyl sign 1 metre by 1.6 metres alongside the main entrance (type ref Sign W3) ).

#### Car Park Signage

A variety of 70 non-illuminated post mounted information signs (type ref Signs S1 to S18) within the customer car park.

#### RELEVANT PLANNING HISTORY

Planning permission was granted in 2011 under application 10/03381/FUL for the demolition of buildings, erection of foodstore and provision of car parking accommodation and landscaping on land at the corner of Penistone Road North and Claywheels Lane at Wadsley Bridge.

In April 2013, planning permission 12/03975/FUL was granted under Section 73 of the Town and Country Planning Act 1990 for approval of minor material amendments to planning permission 10/03381/FUL.

In October 2013, approval was granted for non-material amendments to allow for shallower excavation work and reduced internal height (application no. 13/02378/NMA refers).

The foodstore has subsequently been constructed and has commenced opening.

#### SUMMARY OF REPRESENTATIONS

No representations have been received.

#### PLANNING ASSESSMENT

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP). The proposals map

identifies the site as being within a Fringe Industry and Business Area adjacent to the Spital Hill District Shopping Centre.

UDP Policy BE13 relating to advertisements seeks to ensure that illuminated advertisements are not a traffic hazard and do not harm the character or appearance of the area.

The Government's planning policy contained in the National Planning Policy Framework (NPPF) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment and that advertisements should be subject to control only in the interests of amenity and public safety taking into account cumulative impacts (NPPF, paragraph 67).

The Upper Don Valley Physical Regeneration Strategy endorsed by the Council's Cabinet in 2006 seeks to create a place where investment in development, infrastructure and environment creates a high quality corridor as part of the ongoing regeneration of the city. It envisages that Penistone Road will be a strong corridor, approach and gateway to the city centre.

The Penistone Road Gateway Action Plan (GAP) which was adopted by Cabinet as Interim Planning Guidance in 2010 provides a townscape and landscape framework through which significant improvements to the environmental character of the Penistone Road corridor will be enabled.

The Penistone Road GAP identifies the site as being within the Wadsley Bridge Character Area. This is an area dominated by industrial uses with a scattering of pubs, vacant land and small scale commercial properties adding to the fragmented character of the area. It notes that the railway bridge forms an effective visual barrier and identifies the view from the south side of the bridge down Penistone Road North as a key view within the area. One of the environmental improvements identified in the GAP is the regulation of advertising along the whole corridor removing unauthorised signage from highway land.

There is a range of large and smaller buildings in the immediate locality of the site. Most commercial premises in the locality of the site display advertisements on their buildings and some have freestanding signs on their forecourts. The signage on these buildings are generally positioned at fascia level, or at a level below the eaves of the buildings, or positioned on features such as gables. Freestanding signs, including various totem style signs, are generally sited within the landscaped or fenced part of the premises forecourt. An exception to this, further to the south of the site, is the existing name and logo signage above the entrance canopy to the Owlerton Stadium.

Whilst the majority of the proposed signage attached to the foodstore building is fixed to the external elevations of the building, the two high level signs (type ref

Sign B1) are fixed on top of the roof above the roof parapet. These two high level signs appear particularly intrusive within the streetscene.

The high level sign on the south elevation of the building is visually prominent when viewed from the southern approach to the foodstore along Penistone Road and Penistone Road North.

The high level sign on the north elevation of the building is visually prominent when viewed from the northern approach to the foodstore along Penistone Road North south of the railway bridge.

The illumination of these two high level signs results in the signs being particularly visually intrusive outside daylight hours.

It is considered that the two high level name signs (ref Sign B1) at high parapet/roof level facing the customer car park (south elevation) and at high level above facing over the service road (north elevation) by virtue of their position above the main eaves line of the foodstore building, their size and their illumination would be visually intrusive within the streetscene and would harm the character and appearance of the locality. These two high level signs are contrary to UDP Policy BE13 and the Government's planning policy contained in the NPPF.

The remaining proposed signage attached to the foodstore building would be seen against the background of the building and their siting, positioning, size, and means of illumination is acceptable and would not have an adverse impact on the appearance of the building in terms of lighting, colour and scale and are proportionate to the building and its proposed use and comply with UDP Policy BE13 and the Government's planning policy contained in the NPPF.

The 7 metre high totem sign (Sign 7T) is shown sited on land within the highway in a soft landscaped area bounded by a low wall. The provision of soft landscaping and boundary wall around the sign ensures that the proposed totem sign would not appear unduly intrusive within the streetscene. This sign will require a separate licence from the Local Highway Authority as this part of the site remains part of the adopted highway.

The remaining freestanding totem signs and the signs within the customer car park are of an appropriate size and scale and do not appear unduly intrusive.

There are no highway objections to the proposed signage. The proposed signage would not be a traffic hazard or otherwise harm public safety.

## ENFORCEMENT

The two high level signs (type ref Sign B1) have been installed and are displayed on the foodstore building.



In the light of the above assessment, should advertisement consent be refused for the display of the two high level signs (type ref Sign B1) it will be necessary for enforcement action to be taken to secure the removal of the two high level advertisement signs (type ref Sign B1) from the foodstore building.

#### SUMMARY

The two high level name signs (ref Sign B1) at high parapet/roof level facing the customer car park (south elevation) and at high level above facing over the service road (north elevation) by virtue of their position above the main eaves line of the foodstore building, their size and their illumination would be visually intrusive within the streetscene and would harm the character and appearance of the locality. These two high level signs are contrary to UDP Policy BE13 and the Government's planning policy contained in the NPPF.

The remaining proposed signage would not have an adverse impact on the appearance of the building or the visual amenities of the locality and comply with UDP Policy BE13 and the Government's planning policy contained in the NPPF.

There are no highway objections to the proposed signage. The proposed signage would not be a traffic hazard or otherwise harm public safety.

In the light of the above assessment, should advertisement consent be refused for the display of the two high level signs (type ref Sign B1) it will be necessary for enforcement action to be taken to secure the removal of the two high level advertisement signs (type ref Sign B1) from the foodstore building.

#### RECOMMENDATION

It is recommended that;

- (i) advertisement consent for the display of the two high level name signs (ref Sign B1) be refused;
- (ii) authority be given to the Director of Development Services or head of Planning to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the removal of the two high level advertisement signs (type ref Sign B1) from the foodstore building, and
- (iii) advertisement consent be granted for the display of the remaining signage.



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Case Number	14/03215/FUL
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of 3 buildings (1 x part 5/6 storey and basement building, 1 x part 6/7 storey and basement building and 1 x part 6/7/ 9/ 18/ 19/ 21 storey building) for mixed use development, comprising oriental cash and carry/supermarket (Use classes B8 and A1), retail/commercial development (Use classes A1/A2/A3/A4 and A5), business accommodation (Use Classes B1 and A2), 392 student flats/studios and 40 cluster units for 272 students(Sui Generis), and 14 private residential apartments (Use Class C3), together with access, carparking and ancillary works
Location	Land And Buildings At Boston Street, Bramall Lane, Arley Street, St Marys Gate And Sheldon StreetSheffieldS2 4QA
Date Received	26/08/2014
Team	South
Applicant/Agent	Hadfield Cawkwell Davidson
Recommendation	GRA GC subject to Legal Agreement

Subject to:

- 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.

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

Drawing Title / Reference Number:

- GA Site Plan / A-09-002 RevP03
- Proposed Site Levels / A-09-05 RevP02
- GA Plan Level 00/A-04-000 Rev P03
- GA Plan Level 10 / A-04-010 RevP03

- GA Plan Level 20 / A-04/020 Rev P03
- GA Plan Level 30 / A-04-030 Rev P03
- GA Plan Level 40 / A-04/040 Rev P03
- GA Plan Level 50 / A-04/050 Rev P03
- GA Plan Level 60 / A-04-060 Rev P03
- GA Plan Level 70 / A-04-070 Rev P03
- GA Plan Level 80 / A-04-080 Rev P03
- GA Plan Level 90 / A-04-090 Rev P03
- GA Plan Level 100 / A-04-100 Rev P03
- GA Plan Level 110 / A-04-110 Rev P03
- GA Plan Level 120 / A-04-120 Rev P03
- GA Plan Level 130 / A-04-130 Rev P03
- GA Plan Level 140 / A-04-140 Rev P03
- GA Plan Level 150 / A-04-150 Rev P03
- GA Plan Level 160 / A-04-160 Rev P03
- GA Plan Level 170 / A-04-170 Rev P03
- GA Plan Level 180 / A-04-180 Rev P03
- GA Plan Level 190 / A-04-190 Rev P03
- GA Plan Level 200 / A-04-200 Rev P03
- GA Plan Level 210 / A-04-210 Rev P03
- GA Elevation Block A North & South West / A-PL-EA4 Rev P03
- GA Elevation Block AC South / A-PL-EAC3 Rev P03
- GA Elevation Block B North / A-PL-EB1 Rev PE03
- GA Elevation Block B (Tower) East & South / A-PL-EB5 Rev P03
- GA Elevation Block C North East / A-PL-EC2 Rev P03
- GA Elevation Block D / A-PL-ED1 Rev P03
- GA Elevations Block E North and South / A-PL-EE1 Rev P03
- GA Elevations Block E East & West / A-PL-EE2 Rev P03
- GA Site Elevations in Context North & South / A-PL-EZ01 Rev P03
- GA Elevations in Context East, West & South / A-PL-EZ02 Rev P03
- GA Sections in Context Blocks 1A, 1B & 2 / A-PL-SZ02 Rev P03
- Block A Detailed Bay Plaza (Boston Street) / A-PL-DA1 Rev P03
- Block A Detailed Bay Service Yard / A-PL-DA2 Rev P03
- Block B Detailed Bay Tower Base (St Mary's Gate) / A-PL-DB1 Rev P03
- Block B Detailed Bay Tower Parapet (St Mary's Gate) / A-PL-DB2 Rev P03
- Block B Detailed Bay Façade Base (St Mary's Gate) / A-PL-DB3 Rev P03
- Block B Detailed Bay Façade Parapet (St Mary's Gate) / A-PL-DB4 Rev P03
- Block C Detailed Bay Cantilever (Bramall Lane) / A-PL-DC1 Rev P03
- Block D Detailed Bay Bramall Lane / A-PL-DD1 Rev P03
- Block E Detailed Bay Sheldon Street / A-PL-DE1 Rev P03
- Block E Detailed Bay Plaza (Boston Street) / A-PL-DE2 Rev P03
- Block E Detailed Bay Arley Street / A-PL-DE3 Rev P03
- Block Plan 2013-077 Z-SK-06

Reason: In order to define the permission.

- 3 The Phasing of the scheme and Block label details referred to elsewhere within this notice shall be as per Drawing 2013-077 Z-SK-06.

Reason; In order to define the permission.

- 4 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 is commenced:

Windows  
Window reveals  
Eaves, Parapets and Soffits  
Rainwater Goods  
Entrance and Canopies  
Brickwork detailing (including mortar and pointing)  
Ventilation Grilles and Louvres  
Doors

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

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

- 5 The external cladding to the tower element of the scheme is not hereby approved. Prior to the commencement of that part of the development revised details of this element shall be submitted to the Local Planning Authority and approved in writing.

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

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

- 6 The Ground Floor / Retail Treatment to the Boston Street frontage is not hereby approved. Prior to the commencement of that part of the development revised details of this element shall be submitted to the Local Planning Authority and approved in writing.

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

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

- 7 The metal detail to the top floor facing Boston Street is not hereby approved. Prior to the commencement of that part of the development revised details of this element and the location of the plant enclosure shall be submitted to the Local Planning Authority and approved in writing. The revised details shall include the plant enclosure being set back by at least 400mm.

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

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

- 8 The blue brick detail referred to as MAS 03 is not hereby approved. Prior to the commencement of that part of the development a brickwork detail showing the transition to the plinth brick shall be submitted to the Local Planning Authority and approved in writing. Thereafter, the works shall be carried out in accordance with the approved details.

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

- 9 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 Phase of the development is commenced. These details shall include (but not be restricted to) details of External Cladding which shall include details of panel size, colour, finish and fixing details, details of Glazing Systems.. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 10 Details of external lighting shall be approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 11 Details of the media screen shall be approved in writing by the Local Planning Authority before that part of the development is commenced. The submitted details shall include information about the location, size and times of operation. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 12 Details of the concertina façade treatment to the base of the tower shall be approved in writing by the Local Planning Authority before that part of the development is commenced. Samples shall be provided where required. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 13 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted

to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

- 14 The submitted hard and soft landscaping scheme is not hereby approved. 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 that part of the development is commenced.

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

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

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

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

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

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

Reason: To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

- 18 Details of green/brown roof (vegetated roof system) shall be approved in writing by the Local Planning Authority before that Phase of the development commences. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to that part of the development is commenced. The green/brown roof(s) shall be provided prior to the use of the building commencing. The plants shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced. Thereafter, the development shall be carried out in accordance with the approved details.

Reason; In the interests of biodiversity.

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

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

- 20 The development shall incorporate the measures as set out in the Energy Statement which achieve a minimum of 10% of the predicted energy needs of the of the completed development being obtained from decentralised and renewable or low carbon energy. The gas fired combined heat and power and air source heat pump systems shall have been installed before Phase Two of the development is occupied and a post-installation report shall have been submitted to an approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason; In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

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

Reason; In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

- 22 The cash and carry unit hereby approved shall serve as a sui generis mixed A1/B8 use cash and carry supermarket only.

Reason; In order to define the permission.

- 23 The A1 Retail floorspace provided within the scheme hereby approved shall be restricted to a maximum of 1,608 sqm.

Reason; In order to define the permission.

- 24 The development shall be carried out in accordance with the submitted flood risk assessment and the following mitigation measures it details:

1. Existing flood flow routes to be maintained through the site.
2. Residential living areas to be on the first floor and above only.

3. The basement is to be used for car parking, bike storage, bins, and commercial / basement plant only.
4. Finished floor levels for residential access areas on the ground floor are to be set no lower than 600mm above adjacent road levels.
5. Finished floor levels for commercial use on the ground floor are to be set no lower than 300mm above adjacent road levels.
6. Utility services serving the residential parts of the development should be set above and flood proof to the finished floor level of the ground floor - i.e. 600mm above adjacent road levels.
7. The basement is to be flood resistant to a minimum of 600mm above adjacent road levels and also be constructed with flood resilient finishing.
8. Production of a flood plan for the site which includes sign up to the EAs Flood Warning Service.

These measures shall be fully implemented prior to occupation, and according to the scheme's phasing arrangements (or with any other period, as agreed in writing, by the Local Planning Authority).

Reason; To maintain existing flood flow routes, to reduce the risk and damages of flooding to the proposed development and future occupants and to ensure safe access and egress from the site.

- 25 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the 90mm & 4" diameter water mains, which cross the site, and no building or other obstruction shall be located over or within 5.0 (five) metres either side of the centre line of the 12" diameter water main, which crosses the site.

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

- 26 The development shall be carried in complete accordance with the drainage details shown on the submitted plan "Drawing S-90-003 (Revision A) dated May 2014 that has been prepared by Hadfield Cawkwell Davidson".

Reason; In the interest of satisfactory and sustainable drainage.

- 27 Prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from parking areas and hardstandings shall be passed through a petrol/oil interceptor designed and constructed in accordance with details to be approved in writing by the Local Planning Authority.

Reason: Prevent pollution of the water environment.

- 28 Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the



use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the buildings. Thereafter the hard surfacing shall be implemented in accordance with approved details.

Reason; In order to control surface water run off from the site and mitigate against the risk of flooding.

- 29 The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow and detailed proposals for surface water disposal, including calculations to demonstrate the reduction, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, or an alternative timeframe to be approved in writing by the Local Planning Authority. In the event that the existing discharge arrangements are not known, or if the site currently discharges to a different outlet, then a discharge rate of 5 litres / hectare should be demonstrated. The development shall thereafter be carried out in accordance with the approved details.

Reason; In order to control surface water run off from the site and mitigate against the risk of flooding.

- 30 No development shall take place, including any works of demolition, until details are submitted for written approval by the Local Planning Authority giving details of measures to control the emission of dust during demolition and construction.

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

- 31 Prior to the commencement of Phase 2 of the development hereby approved details of six car charging points shall be provided and approved in writing by the Local Planning Authority. The car charging points shall be provided prior to the occupation of any part of Phase 2 of the development hereby approved.

Reason; In order to reduce the development's impacts upon local air quality.

- 32 Details of directional signage to the car charging points specified in the preceding condition shall be submitted and approved in writing by the Local Planning Authority, prior to commencement of Phase 2 of the development hereby approved.

Reason; In order to reduce the development's impacts upon local air quality.

- 33 Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.



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

- 34 No development shall take place, including any works of demolition, until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during demolition and construction.

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

- 35 The residential accommodation hereby permitted shall not be occupied unless a scheme of sound attenuation works has been installed and thereafter retained. Such scheme of works shall:
- a) Be based on the findings of approved ADT Ltd Environmental Noise Impact Assessment report (ref. 2062; 06/08/2014).
  - b) Be capable of achieving the following noise levels:  
Living Rooms: LAeq (15 minute) - 40dB (0700 to 2300 hours);  
Bedrooms: LAeq (15 minute) - 30dB; LAmx 45dB (2300 to 0700 hours);
  - c) Where the above internal noise levels cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.
- Before the scheme of sound attenuation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

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

- 36 Before the use of portions of the development for food or leisure purposes is commenced a scheme of sound attenuation works shall have first been installed and shall be thereafter retained. Such a scheme of works shall:
- a) Be based on the findings of approved ADT Ltd Environmental Noise Impact Assessment report (ref. 2062; 06/08/2014).
  - b) Be capable of restricting noise breakout from the food or leisure use to the street to levels not exceeding:
    - i) the existing ambient noise levels by more than 3 dB(A) when measured as a 15 minute LAeq;
    - ii) any octave band centre frequency by more than 3 dB when measured as a 15 minute linear Leq.
  - c) Be capable of restricting noise breakout from the food or leisure use to any adjoining residential units to levels complying with the following:
    - i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours),
    - ii) Living Rooms: Noise Rating Curve NR35 (0700 to 2300 hours).
- Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority. [Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz.]

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

- 37 Any office accommodation shall not be occupied unless sound insulation works have been implemented and are thereafter retained. Such works shall be capable of achieving the following noise level:

i) Offices - Noise Rating Curve NR45 (0700 to 2300 hours).  
[Noise Rating Curves should be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz.]

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

- 38 Before the use of the any portion of the development is commenced, a validation test of the sound attenuation works designed to ensure adequate mitigation of environmental noise and transmitted noise from adjoining portions of the building and in accordance with the relevant internal noise criteria specified by planning condition(s) shall first 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 level(s) have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding any sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of that portion 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.

- 39 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(s) unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority. All plant shall be specified to have noise output levels in accordance with the 'fixed plant installations' recommendations of the approved ADT Ltd Environmental Noise Impact Assessment report (ref. 2062; 06/08/2014), with a cumulative rating level not exceeding 39dBA at any sensitive residential window.

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

- 40 Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of nearby properties from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be installed prior to use commencing and be thereafter retained and maintained.

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

- 41 Deliveries to and/or despatches from any commercial unit(s) forming part of the development hereby permitted shall be carried out only between the hours of 0700 to 2300 hours Monday to Saturday and 0900 hours to 2300 hours Sundays and Public Holidays.

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

- 42 Movement, sorting or removal of waste bottles, materials or other articles, or movement of skips or bins within the site of the development shall be carried on only between 0700 hours and 2300 hours Monday to Saturday and between 0900 hours and 2300 hours on Sundays and Public Holidays.

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

- 43 Intrusive site investigations, in accordance with the approved Phase I Environmental Assessment (Wardell Armstrong; ref. SH11417/RPT-01; June 2014) shall be carried out and be the subject of Phase II Intrusive Site Investigation Reporting, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the relevant construction works commencing. The Reporting 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.

- 44 Any remediation works recommended in the Phase II Intrusive Site Investigation Reporting shall be the subject of Remediation Strategy Reporting which shall have been submitted to and approved in writing by the Local Planning Authority prior to the relevant construction works commencing. All Remediation Reporting 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.

- 45 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 in all areas of the development site affected or potentially affected by the contamination discovered 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.

- 46 Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy, Validation Reporting shall be submitted to the Local Planning Authority. The development or any part thereof shall not be brought into use until the relevant Validation Reporting has been approved in writing by the Local Planning Authority. All Validation Reporting 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.

- 47 Prior to the commencement of development details of ten bird boxes or similar shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason; In the interests of sustainable development.

- 48 No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;  
a) been carried out; or  
b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is/are brought into use.

Highway Improvements:

Sheldon Street (remodelling / TRO)  
Arley Street (remodelling / TRO)  
Boston Street (remodelling / TRO)  
Bramall Lane roundabout (as indicated in principle on dwg VN40336-103)  
Bramall Lane / Sheldon Steet

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.

- 49 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.

- 50 Phase 2 of the development shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

- 51 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 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 highway safety and the amenities of the locality.

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

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

- 53 Phase 2 of the development shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

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

- 54 The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the development commencing, and shall thereafter be retained.

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

- 55 Details of the temporary turning facilities on Boston Street shall be submitted to and approved in writing prior to the commencement of development and such turning facilities shall be provided and retained for a period to be agreed with the Local Planning Authority.

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

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

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

- 57 Before the development hereby permitted is occupied arrangements shall be agreed with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the city at any time.

Reason; In order to ensure that the development does not result in additional parking pressure on existing residents' parking schemes.

- 58 Prior to occupation of any part of the development the details shall be submitted to and approved in writing relating to a Television / Monitor displaying Real Time bus service information to be displayed in a main entrance area. The approved details shall be implemented prior to occupation of any part of the development hereby approved.

Reason; In order to facilitate the use of public transport.

- 59 Prior to the occupation of any part of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel

Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

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

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

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

- 60 Prior to the occupation of any part of the development, or an alternative timeframe to be agreed in writing by the Local Planning Authority, a delivery management plan shall be submitted and approved in writing by the Local Planning Authority. The delivery management plan shall include details of delivery times, delivery vehicles and points of delivery. Thereafter deliveries shall be carried out in complete accordance with the agreed measures.

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

- 61 Before the development is commenced, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of the site, shall have been submitted to and approved in writing by the Local Planning Authority and the development shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

- 62 Before the occupation of each phase of development, or within an alternative timescale to be first agreed in writing by the Local Planning



Authority, the offices and commercial accommodation hereby approved shall be fitted out to an agreed specification, the details of which shall have first been approved in writing by the Local Planning Authority.

Reason; In order to ensure that the commercial floorspace is delivered, in accordance with Unitary Development Plan Policy.

- 63 Prior to occupation of Phase 1 of the development hereby approved, details of counter terrorism measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and permanently retained prior to occupation of the development.

Reason; In order to address potential concerns relating to the development's vulnerability to terrorism.

Attention is drawn to the following directives:

1. Sheffield City Council Drainage Department should be consulted on surface water management for the site and any required conditioning. The applicant/occupants should phone Floodline on 0345 988 1188 to register for Floodline Warnings Direct. It is a free service that provides flood warnings direct by telephone, mobile, fax or pager. It also gives practical advice on preparing for a flood, and what to do if one happens. By getting an advanced warning it will allow protection measures to be implemented such as moving high value goods to an elevated level as well as evacuating people off site.
2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

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

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

3. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street



Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

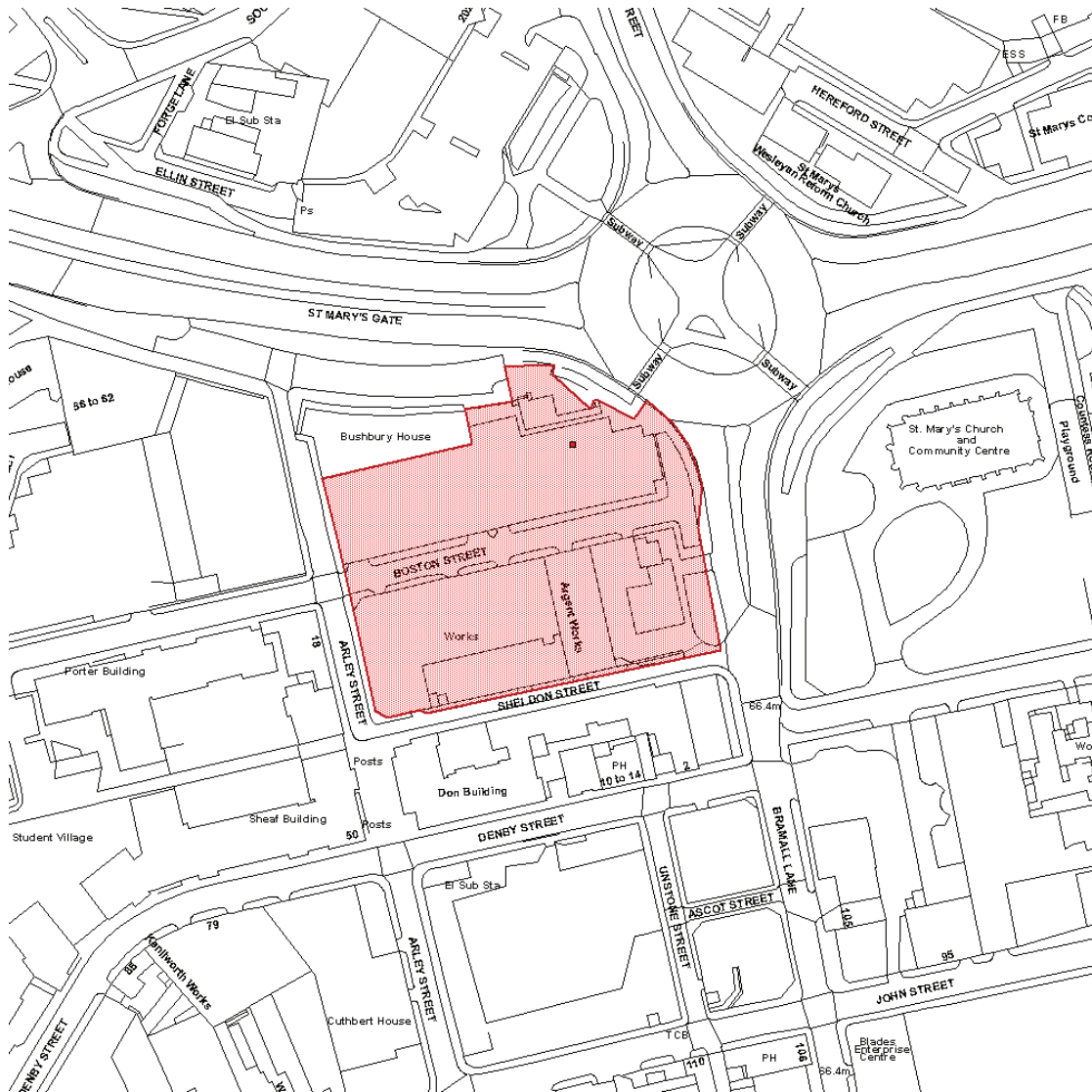
Sheffield City Council  
2-10 Carbrook Hall Road  
Sheffield  
S9 2DB

For the attention of Mr P Vickers

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

4. Before the development is commenced, a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any deterioration in the condition of the highway attributable to the construction works shall be rectified in accordance with a scheme of work to be agreed with the Local Planning Authority.
5. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
6. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Engineers in their document "Guidance Notes for the Reduction of Light Pollution". This is to prevent obtrusive light causing disamenity to neighbours. The Guidance Notes are available from the Institute of Lighting Engineers, telephone number (01788) 576492 and fax number (01788) 540145.
8. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

## Site Location



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### LOCATION AND PROPOSAL

The site lies to the south of Sheffield City Centre and is bounded by St Mary's Gate to the north, Bramall Lane to the east, Sheldon Street to the south and Arley Street to the west. Boston Street currently runs through the centre of the site.

The portion of the site lying to the north of Boston Street was previously used for light industrial and business purposes, but it is now cleared and lies disused. The part of the site lying to the south of Boston Street includes a car dealership within a former petrol station, an electroplating business in a two storey industrial premises and a single storey warehouse building serving as an Oriental Cash and Carry business.

St. Mary's Gate acts as a barrier between the site and the city centre, whilst the site has a close relationship with the Grade II\* listed St Mary's Church across Bramall Lane to the east. The area around the site also includes a petrol filling station and student accommodation.

The proposal seeks planning permission for the erection of 3 separate buildings. These would be of differing heights, ranging from 5 to 21 storeys. The development would incorporate a mixture of development types, including:

- student accommodation (392 student flats and 40 cluster units / a total 695 student bedrooms),
- private residential accommodation (14 apartments),
- oriental cash and carry/supermarket (Use Class B8 and A1),
- retail / commercial development (Use Classes A1/A2/A3/A4/A5), and
- business accommodation (Use Classes B1 and A2)
- exhibition and conference space
- basement car parking, including vehicular access from Sheldon Street, and
- a public plaza area between the three buildings.

The building adjacent to St Mary's Gate and Bramall Lane would range from 6 storeys at its western end, with 9 storeys at its eastern end with the centrally located tower being 21 storeys in height. The buildings at the southern portion of the site, adjoining Sheldon Street would include 5/6 and 6/7 storeys.

The scheme is proposed to include a social hub and a Chinese Business Incubator, with the potential for significant inward investment and business development. It will also provide a destination for the wider community incorporating a public square.

#### RELEVANT PLANNING HISTORY

03/02188/FUL; Demolition of existing buildings and erection of 10 independent office units (amended scheme dated 10/04/2006)

Withdrawn - 27/6/07

07/03909/FUL; Mixed use development comprising 57 apartments, office accommodation and retail floorspace in 1 x 4/6/8 storey block, 2/3 storey office block and associated parking and landscaping works

Refused - 1/4/08

08/04686/FUL; Mixed use development comprising of 57 apartments, office and retail accommodation and provision of car parking spaces and landscape works (Resubmission 07/03909/FUL)

Granted - 15/8/11

## SUMMARY OF REPRESENTATIONS

One letter of representation has been received on behalf of the occupants of Lathco, the electroplating firm which occupies one of the existing buildings in the southern portion of the site.

The comments made can be summarised as:

- Lathco Ltd was formed in 1979, and provides specialised plating, silverware and metal design and manufacturing services. The company places quality first, and has developed and expanded. A total of 19 members of staff are employed. It is an established company, reflecting the traditional industrial heritage which Sheffield is renowned for.
- If the application were to progress Lathco would be required to relocate. There is no evidence that alternative premises are available, which are affordable. Relocation would be a disruption. It would prejudice the business and consequently put at risk 19 full time jobs.
- The development contrary to development plan and the National Planning Policy Framework (NPPF), which all place value on building a strong, competitive economy.
- The site is within a Fringe Industry and Business Area in the UDP. Policy IB6 states that the preferred uses are Business (B1), General Industry (B2) and Warehouses (B8 excluding open storage), recognising the areas will make an important contribution to overall supply of sites and premises for industry, warehouses and business development. The development would contravene this policy, requiring the existing manufacturing company to relocate, to be replaced with a use which is not preferred by the policy.
- Policy CS1 deals with land for employment and economic development. The supporting text highlights the need to ensure there is sufficient land for industry, which is especially needed where market demand for other uses could result in a shortage of sufficient employment land. The policy states that sites will be released for alternative uses where industry or business would not be appropriate. This is not the case in the current application, and it is considered that Lathco should be safeguarded.

- Policy CS5 is concerned with locations for manufacturing, distribution/warehousing and other non-office businesses. The guiding principle for the location of manufacturing is that it should be away from housing areas and accessible by public transport. Policy CS6 notes that historically metal industries and related manufacturing developed in and around the City Centre. It acknowledges that the City Centre is no longer a suitable location because of topography and restricted accessibility. In transition areas there are long term advantages for the efficient operation of the businesses and the regeneration of the City Centre if industry can be relocated. The Core Strategy highlights that the process needs to be managed to allow businesses to relocate within Sheffield, where this is also the aim of the company itself.
- It is clear that the relocation of Lathco is contrary to the provisions of the Core Strategy. The premises are in a sustainable, accessible location and the business operates successfully in the environment. There is no ambition for relocation, and there are concerns that the business would be prejudiced if they relocated.
- The NPPF highlights that the purpose of the planning system is to contribute to sustainable development, and requires planning to perform the following roles; an economic role, a social role, & an environment role. Chapter 1 deals with building a strong, competitive economy, with para 18 outlining the Government's commitment to securing economic growth to create jobs. But the development would put at risk local jobs and a local business with its roots in the city's industrial heritage, within an industry recognised by the Council as making an important contribution to the local economy.

A 2nd letter has been received from Lathco itself. The comments can be summarised as follows:

- Uncertain about what may happen or what options are and lack of acknowledgement or consideration in application. Assurances are needed that objections have been considered, are valid and that Lathco will be helped/supported by all parties.
- Lathco are a long established Sheffield company, employing 19 members of staff and have been at the current site since 1994.
- Potential development is negatively impacting on business, involving staff loss due to job security uncertainty. No reassurances can be provided as no support has been provided.
- Not intended to cease trading if planning permission is granted. The business is growing and securing new customers.
- Other concerns are: -what will happen regarding relocation
- Liability for costs
- timescale regarding any planning permission and commencement of development
- querying scope for appeal if permission was granted

- if permission is granted, how will disruption to business be limited
- restrictions to Lathco business are expected, how will this be prevented.
- Construction noise, dust and dirt and general disruption

In addition a number of comments have been raised about the application process and wider, non-planning related issues.

A 3rd representation has been received from an interested party, which states that the development should maintain the setting of the Grade II\* Listed St Mary's Church, and that the advisory comments of English Heritage are agreed with.

English Heritage have commented upon the application, and their comments can be summarised as follows:

- Effect of development from Boston Street will be positive, and in line with Section 137 of the NPPF.
- 21 storey element will intrude onto the experience of the church from the churchyard and in the wider context. Recognised this takes place in an urban context, which is much changed from when the church was built, so the negative impact on the significance of the church as a listed building is minor.
- Therefore, it is recommended that the Local Planning Authority should determine the application based on whether the harm caused is justified by the public benefits of the proposal, as per para 134 of the NPPF.

## PLANNING ASSESSMENT

The site is allocated as being within a Fringe Industry and Business Area under the provisions of the Adopted Unitary Development Plan (UDP).

### Relevant Policies

#### UDP

BE2 (Views and Vistas in the Built-up Area)

BE3 (Views and Vistas in the City Centre)

BE5 (Building Design and Siting)

BE6 (Landscape Design)

BE7 (Design of Buildings Used by the Public)

BE10 (Design of Streets, Pedestrian Routes, Cycleways and Public Spaces)

BE16 (Development in Conservation Areas)

BE19 (Development affecting Listed Buildings)

IB6 (Development in Fringe Industry and Business Areas)

IB9 (Conditions on Development in Industry and Business Areas)

H5 (Flats, Bed-sitters and Shared Housing)

H7 (Mobility Housing)

H15 (Design of New Housing Developments)

H16 (Open Space in New Housing Developments)

S11 (Design of Retail Development)

T7 (Promoting Walking and Cycling)

T10 (Cycle Routes)

Core Strategy

CS3 (Locations for Office Development)

CS22 (Scale of the Requirement for New Housing)

CS23 (Locations for New Housing)

CS24 (Maximising the Use of Previously Developed Land for New Housing)

CS26 (Efficient Use of Housing Land and Accessibility)

CS30 (Jobs and Housing in the Sheaf Valley and Neighbouring Areas)

CS40 (Affordable Housing)

CS41 (Creating Mixed Communities)

CS43 (Schools)

CS53 (Management of Demand for Travel)

CS55 (Cycling Routes)

CS63 (Responses to Climate Change)

CS64 (Climate Change, Resources and Sustainable Design of Developments)

CS65 (Renewable Energy and Carbon Reduction)

CS66 (Air Quality)

CS67 (Flood Risk Management)

CS74 (Design Principles)

CS75 (Improvements to Gateway Routes into and through the City)



## CS76 (Tall Buildings in the City Centre)

Government policy in the National Planning Policy Framework (NPPF) is relevant. The NPPF places strong emphasis on achieving sustainable development, and gives a presumption in favour of sustainable development. The delivery of this would achieve the building of a strong and competitive economy and the promotion of sustainable transport. It emphasises the need to deliver a wide choice of high quality homes and the requirement for good design. Guidance is given on meeting the challenge of climate change and flooding issues, and in regards to conserving and enhancing of the historic environment.

The following documents are also relevant:

- Interim Planning Guidance "Affordable Housing"
- Interim Planning Guidance "Education Provision"
- Supplementary Planning Guidance "Mobility Housing"
- Supplementary Planning Guidance "Open Space Provision in New Housing Development"
- Supplementary Planning Document "Climate Change and Design"

The South Yorkshire Residential Design Guide (2011) has been adopted by the Council as a Best Practice guide and is therefore a material consideration, albeit carrying less weight than the above mentioned policies and documents.

The Council's Urban Design Compendium includes guidance on tall buildings. The current application site is not located in a zone suggested as potentially suitable for tall buildings. The Compendium requires detailed urban design analysis of a proposed tall building using montages to check its effect upon the city skyline and any important views.

In July 2007 the Commission for Architecture and the Built Environment (CABE), jointly with English Heritage, issued new guidance to councils on tall buildings. As well as fitting into its immediate location and wider setting, and being of excellent design quality in its own right, a tall building should be part of a plan-led approach. The Guidance states: "They should be properly planned as part of an exercise in place making informed by a clear long term vision, rather than in an ad hoc, reactive piecemeal manner."

It also recommends that tall buildings should also be of sustainable design and construction, performing well in minimising energy use and reducing carbon emission over the lifetime of the development.



## LAND USE POLICY / PRINCIPLE OF DEVELOPMENT

### Office/Commercial Policy Issues

The site is located in a Fringe Industry and Business Area (FIBA) in the Unitary Development Plan, and as such B1 Offices are one of the preferred uses. Consequently, the proposal for 2,699sqm of office space would be in line with this. In addition, policy CS3 of the Core Strategy encourages offices in this location.

Policy IB9(a) of the UDP states that the preferred uses (B1-Business, B2-General Industry and B8-Warehouses, excluding open storage) are required to be dominant in the area. However, the proposal is likely to lead to a dominance of non-preferred uses in the area and would therefore represent a policy objection.

This was, however, identified as an issue in the City Policies and Site document which proposed a Business Area to cover the application site. The Economic Prosperity and City Region Background Report supported the City Policies and Sites document, and on page 201 paragraph 7.199 to 7.201 acknowledged that the policy requirement in this location was not likely to be met, but concluded the designation was still appropriate.

In addition, it is considered that subject to the preferred offices being provided at the scale proposed, the application would be supported in terms of these policies as it would help to deliver the aims of Core Strategy policy CS3. As such the non-compliance with IB9(a) is given limited weight and the scheme would be considered to be acceptable on business and industrial policy grounds.

### Retail Policy Issues

The retail elements of the scheme include:

- a 2,070 sqm replacement facility for the existing 1,700 sqm oriental cash and carry supermarket,
- an additional 1,608 sqm of commercial activities (A1 to A5 uses) for a variety of food, non-food, financial and professional service uses, which are anticipated to be let to independent businesses that will be attracted to the location in order to be in proximity to the Chinese supermarket.

The site is at the edge of the London Road District Shopping Centre (DSC), within a FIBA. Policy IB6 lists B1- Business, B2- General Industry and B8 Warehouses as preferred uses. It also states that A2, A3, A4 and A5 uses would be acceptable, provided other applicable policies are met. Whilst IB9(a) would not be complied with, as the scheme would lead to non-preferred uses becoming dominant, the provision of significant amounts of office space would justify the non-compliance with this policy being given limited weight.

Policy IB6 also refers to the amount of A1 floor space as not necessarily being unacceptable given the site's location at the edge of the DSC. The acceptability of the retail element of the scheme is therefore dependent on the provisions of the NPPF. Para 24 of the NPPF requires the sequential approach to be applied to all main town centre uses which are out of centre/s and not in accordance with an up to date local plan. The site is classified as 'edge of centre', being adjacent to the boundary of London Road DSC and less than 200m from London Road itself. It is also less than 300m from the Central Shopping Area, which forms the 'Primary Shopping Area' for the City Centre, although it is separated by the Ring Road.

The retail sequential approach requires suitable alternative sites to be sought within nearby centres. London Road and the Central Shopping Area are the two nearest centres that can be considered. The Central Shopping Area has vacant sites and buildings suitable for retail use, but they would be unsuitably located for the particular development proposed. The applicants have an aspiration for the A1 to A5 floorspace to be occupied by Chinese businesses to create 'a vibrant multicultural quarter'. These aspirations are considered to be reasonable and achievable. The development would add to the existing offer of London Road as a multicultural centre serving a sizeable Chinese community, while a site in the Central Shopping Area would not permit these aspirations to be so readily met. As a result, it is considered that the retail sequential approach should be restricted to London Road DSC.

The existing Cash and Carry supermarket is a mixed A1-retail and B8-warehousing use, selling goods for re-sale as well as for personal use. There is no reason to doubt that the proposed facility will perform the same function as the existing premises. The sequential approach applies to cash and carry stores, but the application is to replace and enlarge an existing store, which according the applicant's statement is too small and outdated. It would also be unreasonable to refuse an improved store on the grounds that it should be located elsewhere, when the fallback position would be for it to continue trading there in a substandard facility. Since the development is needed in that particular location it is acceptable under the sequential approach. In any case the operational requirements of the business mean that it could not be accommodated within the London Road Centre.

The proposal also includes 1,608 sqm of A1 to A5 floorspace that in combination with the cash and carry facility, will attract other commercial operators particularly Chinese businesses to the development. The Applicants have shown that none of the 37 available sites within the London Road DSC would be suitable. In addition, the units are also needed to enhance the environment of the pedestrianized square. It is therefore considered that the additional units are acceptable under the sequential approach.

The retail floorspace, as opposed to Class B8 and A1 cash and carry would not be considered to have a negative impact upon London Road DSC. It is located on the

edge of the Centre and well connected to it. It is expected that the intended end users would broaden the range of uses and diversify the offer of the DSC.

Therefore, the scheme is considered to satisfy the sequential test and is considered to be unlikely to have a significant adverse impact on any centre. As such the scheme is considered to be acceptable, and subject to appropriate conditions would be acceptable in retail policy terms.

#### Housing Policy Issues

Residential Institutions (Sui Generis) and Housing (C3) are acceptable uses under the provisions of IB6. Core Strategy Policy CS41 (a) seeks a broad range of smaller households in the City Centre where no more than half the new homes in larger developments (60 or more dwellings) should consist of a single house type. Part (d) of the Policy limits the development of HMOs and Purpose Built Student Accommodation where more than 20% of residences within 200m are already in use as shared housing.

The proposed Micro and Micro+ flat designs are both very similar, and for these purposes should be considered as a single house type. They are, however, different from the studio apartments in key respects. As a result no single element type within the proposed accommodation would represent more than 50% of the overall scheme. On this basis the proposal would conform with CS41 (a).

CS41(c) requires purpose built student accommodation to be primarily located in the City Centre and the areas directly to the north-west and south of the city centre. On this basis the proposal is considered to conform to this part of the policy.

CS41(d) limits development of HMOs and purpose built student accommodation where more than 20% of residences within 200m are already in use as shared housing. The current concentration is 82% and the current proposal would reduce it to 48% due to the majority of the scheme comprising self-contained studio and micro flats. Whilst reducing the shared housing density, which is positive, the scheme would be strictly contrary to CS41(d), as it introduces further Purpose Built Student Accommodation into an area where it is already an imbalance. However, it would be located in an area where there is very little existing C3 accommodation, with the closest C3 properties currently being 120m away from the site. The site is bounded by existing student accommodation directly to the west and south and St Mary's Gate and Bramall Lane to the north and east which restricts the potential for further residential development immediately around it. CS41(d) is intended to protect imbalanced communities, and as there is currently no established traditional residential community, and little scope for one to develop, it is not considered to be essential that it is met in this case.

It should also be added that policy CS30 identifies the site as being within an “area of transition with new residential development, including new purpose-built student accommodation along with compatible businesses and activities”. This policy therefore supports the scheme.

Core Strategy Policy CS22 deals with the ‘Scale of the Requirement for New Housing’, specifying the number of new homes which are required. The proposed development would help to support these requirements.

Core Strategy Policy CS23 deals with ‘Locations for New Housing’ and states that new housing development will be concentrated where it would support urban regeneration, with the main focus being partly on suitable, sustainably located, sites within the main urban area of Sheffield. Again, the current scheme would support this policy requirement.

Core Strategy Policy CS24 covers ‘Maximising the Use of Previously Developed Land for New Housing’ and states priority will be given to the development of previously developed sites. This would be supported by the application.

Policy CS26 of the Core Strategy deals with ‘Efficient Use of Housing Land and Accessibility’ and suggests density levels for accommodation within certain locations. At this site near to the City Centre it is specified that housing should achieve at least 70 dwellings per hectare. The high density nature of the current proposal’s residential accommodation would mean that this would be comfortably satisfied, and therefore this policy would be met.

Overall, therefore, despite some conflict with policy CS41 the application would be considered to comply with the relevant Housing policy requirements as set out in the Core Strategy.

#### Sustainability

The NPPF in para 14 states that at its heart there is a presumption in favour of sustainable development. This is affirmed by Policy CS63 of the Core Strategy which covers Responses to Climate Change and Policy CS64, which requires a scheme including a variety of uses to show a BREEAM rating of Very Good. A Preliminary Assessment has been submitted with the application which shows that a very good rating would be achieved, thereby meeting CS64.

Additionally CS65 of the Core Strategy backs up the NPPF requirement, stating that schemes should provide 10% of predicted energy needs on-site. The Energy Statement concludes that a gas-fired Combined Heat and Power system would be the most appropriate solution to achieve this requirement. This is specified as providing 10.5% of total predicted energy needs, and would be acceptable as a low carbon energy source.

In addition, the statement refers to the use of air source heat pumps in the scheme for the retail and business units, and therefore the total low carbon energy contribution would be greater than 10.5%. On this basis the proposal would be considered to be acceptable in terms of CS65.

Guideline CC1 of the Climate Change and Design Supplementary Planning Document, states that green roofs will be required on major developments. It is also specified that the green roof should cover at least 80% of the total roof area.

The Agent dealing with the proposal has confirmed that green roofs will be provided as part of the scheme though at this stage no specific locations have been identified. However, due to the nature of the proposed buildings and complex roof arrangements it will not be possible to provide the stipulated 80%. No proposed proportion has been referred to, however, a provision below the guideline would be considered to potentially be acceptable as it is not considered to be feasible within the buildings' design strategy.

In order to establish more detail on this it will be necessary to impose a condition on any consent granted which would require the submission and agreement of green roof details.

#### Design/Street Scene

The scheme can essentially be broken into three separate buildings. Building 1A includes 3 separate blocks, (A, B and C) and is located to the north of Boston Street, fronting onto St Mary's Gate and the roundabout junction with Bramall Lane. Block A is located at the north-western portion of the site, and would be 7 storeys in height. Building B would be the tall block and would essentially be located in the centre of Building 1, and would comprise up to 21 storeys. Building C would be located at the north-eastern portion of the site at the point where Bramall Lane meets St Mary's Gate, and would include 9 storeys.

Building 1B would be located at the south eastern portion of the site, and its main elevation would front onto Bramall Lane. It would be 7 storeys in height.

Building 2 would be separated from Building 1A by the main pedestrian entrance to the plaza area, and the vehicular access to the basement parking area. The plaza area would be a public space and measure approximately 97m by 15m and also be accessed from Bramall Lane and Arley Street. It would include forecourt/s to the commercial facilities, as well as an open space area. It would be the main focus of the scheme and open up from the existing line of Boston Street.

Building 3 would be set towards the south western part of the site, adjacent to Sheldon Street and Arley Street and would be 6 storeys in height.

It is intended that the construction would take place in two phases, with Block 1A being erected firstly on the disused site to the north. When this was completed, the

existing KH oriental supermarket would vacate their existing premises in one of the buildings to the south of the site, and occupy the premises in Block 1A. After demolition of the buildings in the southern portion of the site, Blocks 1B and 2 would then be constructed.

UDP Policy BE2 deals with Views and Vistas in the Built-Up Area, and requires new development to respect the skylines, roofscapes and views that are particularly visible in the City.

BE3 deals with Views and Vistas in the City Centre and states development will not be permitted to damage traditional city centre skyline or views and vistas important to the Centre's character.

UDP policy BE5 covers Building Design and Siting and states in (a) that original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings, (b) in developments with more than one building there should be a comprehensive and co-ordinated approach to the overall design, (d) in all new developments, design should be on a human scale wherever possible, and in large scale development the materials should be varied and the overall mass broken down, and (e) special architectural treatment should be given to corner sites in order to create a lively and interesting environment.

BE16 deals with Development in Conservation Areas and states that proposals affecting the setting of Conservation Areas will be required to preserve or enhance the character and appearance of the Conservation Area. BE19 states proposals affecting the setting of a listed building will be expected to preserve the character and setting of the building and setting.

UDP Policy S11 deals with Design of Retail development, and requires retail development to provide access for pushchairs and people with disabilities, give safe and easy pedestrian movement, provide car and cycle parking for residents, employees and shoppers, and provide shop fronts compatible with the building.

Core Strategy policy CS74 covers Design Principles, and states high quality development will be expected to take advantage of and enhance the distinctive features of the city, districts and neighbourhoods, including (b) views and vistas to landmarks and skylines into and out of the City Centre and across the city to surrounding countryside, (c) the townscape character of the city's districts, neighbourhoods and quarters, with their scale, layout and built form, building styles and materials and (d) the distinctive heritage of the city, particularly the buildings and settlement forms associated with the metal trades (including workshops, mills and board schools).



Policy CS75 addresses Improvements to Gateway Routes into and through the City, and states one of the gateway routes which will be prioritised for improvements will be the Inner Ring Road.

Policy CS76 deals with Tall Buildings in the City Centre, and states tall buildings are appropriate in the City Centre where they: (a) help to define identified gateway sites, (c) mark a principle activity node or a key route. Whilst this policy would not be directly applicable to the application given that it is not located in the City Centre, it does give useful parameters which can be followed in this instance.

The proposed blocks at the site's perimeter would be considered to reinforce the existing street grid of the area. The building line/s in the vicinity of the site are important to the area's character, and would be strengthened by the scheme. The proposal involves the provision of numerous entrances onto the street, which creates activity onto the street. In addition, the development would provide an appropriate street hierarchy, reinforcing the existing context in this regard, with Boston Street and Bramall Lane being primary and Arley Street and Sheldon Street being secondary.

The development provides for clear pedestrian movement, with entrances being from clear paved streets. There would also be designated arrangements / bays for servicing and delivery vehicles.

The parking within the scheme is mostly all underground, with some disabled and standard bays provided on street. This is considered to be well integrated into the scheme, and to avoid having a dominant, visual impact.

The scheme acknowledges that the views of St Mary's Church are of city-wide importance. The site is also adjacent to the Murray Building (Grade II Listed), located at the Arley Street and Boston Street junction. The impacts on these views have been a key factor through the entire assessment process, including the pre-application stage. Core Strategy policy CS75 states the Inner Ring Road is one of the routes most in need of improvement, and development of large portions of the application site would contribute towards this improvement.

The Urban Design Compendium deals with Tall Buildings, and advises that the site is located in an area which would be potentially sensitive to tall buildings, given the listed church building which constitutes an urban landmark. The Compendium goes on to state that careful attention must be given to tall buildings in close proximity to the Church so that important visual and spatial references are preserved. It is also commented that tall buildings should be sited and scaled to not impede views to landmarks or to detract from their visual prominence. This affirms the need for the proposal to relate sensitively to the Church, but it is not suggested that a tall building would be fundamentally unacceptable. The Compendium also requires particular attention to be paid to the impact on adjacent heritage sites, such as the adjacent Conservation Area.

As a result of the sensitivity of this issue, the key view has been assessed using the Sheffield 3D Model, and included views to St Mary's Church from the Cultural Industries Quarter and other relevant locations. These show that the Church would not be obscured from St Mary's Gate to the west of the site, or from the Cultural Industries Quarter.

Views from within the site have been provided by the Architects. These show that Boston Street will be retained as the central axis of the development, which was originally laid out to frame the tower of the church. The development will retain this view, and focus directly on the tower of the Church. Whilst the proposed frame of the Church will be a different scale to the late nineteenth century frame, it is considered that the Church's prominence due to size, significance and architectural quality will allow it remain a key feature within the proposed frame.

It is therefore considered that the proposal would protect the views of the Church and maintain the contribution which it makes to the character of the area as a heritage asset.

The Church is located within John Street Conservation Area, and the proposed development would be considered to respect the setting of the Conservation Area. It would be separated from it by the busy arterial highway of Bramall Lane, and incorporate a high quality façade facing towards the conservation area. The tall building element of the scheme would be unashamedly different in scale and character, but the prominent gateway site demands significant development and is also capable of supporting it. The quality of the scheme would be considered to enhance the setting, particularly when compared to the site's existing condition and the form of development which it contains. On this basis the proposal would have an acceptable impact upon the conservation area's setting.

In relation to the relationship with the Murray Building, it is considered that the proposed building footprint reinforces the existing street grid. Also, the proposed building line harmonises with the established building line. The proposed massing would be considered to form an appropriate backdrop to the Murray Building, and it would also propose high quality detailing and materials, including glazed brickwork. On this basis, the proposal would be considered to have an acceptable impact upon the Murray Building and its context.

In regards to the massing of the overall scheme, it is considered that the height and massing follows the established street hierarchy, with greater massing to Bramall Lane and the Ring Road and lower 'urban' blocks to the rest of the streets. The massing to Sheldon Street has been reduced significantly through the course of pre-application discussions, and is considered to be acceptable.

The massing to the Ring Road has been assessed using the 3d model, focusing on the impacts of the tall building. This has involved extensive work being carried out in regards to the buildings' form, heights and design. The resulting building is



considered to be of acceptable massing and to appropriately relate to St. Mary's Gate.

Policy CS75 states tall buildings are appropriate in the City Centre, amongst other things where they would help to define gateway sites and mark a principle node or a key route. The site is not strictly within the City Centre, but it is adjacent to its boundary and therefore CS75 is considered to be applicable. The site is on the St Mary's Gate roundabout and acts as a gateway from key routes into the city. As a result it is considered to meet the requirements of this policy.

Policy CS76 deals with tall buildings in the city centre, so isn't directly applicable, but gives useful suggestions. It states tall buildings are appropriate where they help to define gateway sites, mark a principle activity node or key route and reflect the strategic economic vision for the city, amongst other things.

The Urban Design Compendium recommends that: "Proposals for tall buildings must be considered on a city-wide basis. This will require assessment in terms of the impact that may result upon the city centre as a whole, as well as individual site conditions", and "Detailed urban design analysis must be undertaken for each proposal or development site which is under consideration for a tall building. This must include a thorough analysis of the siting and design of the building, and its potential impacts in both the immediate and broader contexts. Architectural models and three dimensional drawings should be used to gain an accurate understanding of:

- how the building will appear in the streetscape;
- how it will relate to other structures and landmarks;
- how the building will shape the city's skyline;
- whether it will impede any important views from, to or within the city centre."

It states elsewhere that a tall building will play an important part in the design of the City Centre where it is a focal point of activity at a major gateway to the City Centre. It also requires that the building makes a positive contribution to the appearance and activity of the streetscape, and to the pedestrian experience at their base. The ground floor uses of tall buildings should be compatible with the activity of the street, they should aid permeability by allowing through block pedestrian connections, be integrated with their surroundings by providing access for cafes, shops and thoroughfares. Particular attention is required to be paid to the impact on adjacent heritage sites and microclimate impacts such as wind tunnels or overshadowing should be considered.

The key views have been assessed using the Sheffield 3d model. The impacts in regards to St Mary's Church and also to the wider vicinity arising from the proposed tall building in terms of its location, height and form would be considered

to have an acceptable impact. The tall building has been redesigned to provide activity at its ground floor level, and to aid the pedestrian experience surrounding the development. The ground floor use of the tower would be an active space, and give views into the building. The public plaza would contribute to permeability of the site and provide pedestrian connections. Overall, the proposed tall building element of the scheme is considered to be acceptable in relation to the relevant policies and guidance.

The scheme's design quality is considered to make a positive contribution to the vicinity of the site. It involves the use of integrated façade solutions which involves glazing which incorporates ventilation and solar shading rather than being added as 'after-thoughts'. This would provide longevity and a good quality appearance. The 'urban blocks' would be treated in brickwork and the tall building/s would be treated in high quality cladding, along with a principally glazed façade.

The scheme's contributions to the public realm are considered to be significant, in terms of enhanced pedestrian connectivity, the provision of trees and views, activity in the seating areas and a public art contribution. Given these elements of the proposal, the scheme would be considered to make a good contribution to public realm.

Overall, the design of the proposal is considered to be acceptable and to meet the requirements of the relevant policies and the compendium guidelines outlined above.

#### Landscaping

UDP policy BE6 covers Landscape Design and states good landscape design will be expected in new developments and refurbishment schemes.

Policy BE10 requires pedestrian routes and public spaces, amongst other things, to be convenient and safe to use, create attractive, welcoming and usable open spaces, and to co-ordinate paving, street lighting, street furniture and landscaping.

The site does not currently include any trees or planting which would be valuable in landscaping terms. However, it is important to ensure that the scheme incorporates hard and soft landscaping which contributes towards an effective public area within the courtyard. The tree planting layout which has been provided would be considered to be improved with some modest alterations. These would include taking the tree planting out onto Bramall Lane, involving widening their spacing slightly, removing the raised planters and pulling the trees in from the Arley Street / Boston Street junction.

The raised planters would be considered to interrupt pedestrian flow along Boston Street, and the use of tree planting in paving would be considered to be better.

Also by linking the tree planting with Bramall Lane, the public courtyard itself will link better with Bramall Lane. Separate to this, a question has been raised regarding the suggested tree type, and whether it is appropriate to the circumstances.

In regards to the paving details, it is considered that the suggested orientation of the surfacing materials should be revised, making them more effective visually and less likely to fail. It is also considered that the main surfacing palette should be expanded to be carried through to the Arley Street carriageway and also a short distance up/down Arley Street.

Overall, these issues are not considered to be significant and the relevant revisions to the layout can be required to be submitted at a later date by way of condition. As such they would be capable of meeting the requirements of BE6 and BE10.

#### Public Art

UDP Policy BE13 states that public art will be encouraged in places which can be seen by the public, and that they would be required to be an integral part of major developments.

Given the scale of the development and the public nature of the courtyard, it is considered to be appropriate to incorporate public art of some substance.

This should incorporate more than an artist designing the detail of the grilles and benches, as per the most recent proposal. Discussions have been held with the Architect regarding these issues, and they accept the principle of this approach, though no revisions have been provided at this stage.

Consequently, it is considered that something more substantial could be accommodated within the development and that this should be required by condition, and this would give opportunity for further input into this process.

#### Future Flexibility / Adaptability

Officers have discussed with the scheme's architects the potential for the buildings to be potentially adapted in the future to enable different forms of residential accommodation. The reassurances provided are such that the proposal would be acceptable in this regard.

#### Amenity Issues

There is no traditional residential accommodation adjoining the site or within the surrounding vicinity. There is however, student accommodation located to the south and west of the site which ranges from 2 to 6 storeys in height.

Building 2 would potentially have an impact upon existing neighbouring accommodation. Building 2 would be proposed to be a maximum of 6 storeys in

height. The existing neighbouring accommodation is two storeys in height, forming part of the Murray Building and is located at the south-west of the junction of Boston Street and Arley Street. It would face a 5 storey element of the proposed building, and be separated by approximately 13.5metres. This would represent a greater setback than the current separation distance from the existing accommodation within the Unite student accommodation to the west. As a result, it would be considered to be unreasonable to resist the current proposal when the existing relationship was previously considered to be acceptable.

The other accommodation to the west of Arley Street is 4 storeys in height and would be setback from the proposed 6 storey building by approximately 11.5metres. This would be closely comparable to an existing relationship within the Unite student development. As a result it is considered that the proposed development would not have any greater impact upon the existing neighbours than exists currently. Therefore, this proposed arrangement would be considered to be acceptable.

The portion of the Unite scheme to the south of Sheldon Street currently includes 5 and 6 storeys. The proposed building would be 6 storeys in height at this point and would be 8.5metres from the existing neighbouring building at the closest point. Whilst this separation would be rather close, it would be separated by a public highway. It would therefore be considered to avoid having an overbearing or detrimental impact upon amenities of existing neighbouring accommodation.

The other neighbouring buildings are not residential; being an office building and a supermarket. Neither of these premises include windows to active parts of the respective buildings, and therefore the proposed buildings would not lead to harmful overbearing impacts or loss of sunlight.

Overall, the proposed buildings would be considered to have an acceptable impact upon the amenities of surrounding occupiers and therefore meet the requirements of UDP policy IB9(b), which requires developments to not cause residents in any residential institution or housing to suffer from unacceptable living conditions.

In terms of the proposed accommodation, it is considered that the student accommodation would provide good amenity provisions to their respective occupants. The individual rooms in the cluster flats would each be provided with shower/W.C. space. The kitchen would be shared amongst the respective occupiers, and would serve as the communal dining/lounge area. It is considered that this would represent a typical student, cluster flat arrangement, and would be considered to provide acceptable internal amenity space provisions.

The Twin Studio, Studio, Microflat and Microflat+ units would provide a good amount of internal floorspace. Each would provide personal shower/W.C. facility, kitchen space and a sitting/lounge area. These spaces would also be considered to provide a good standard of living space.

The individual spaces would be supplemented by a large common room in Building 1A. This would obviously be accessible by all students, and would supplement amenity provisions for the student occupants.

The private apartments would each provide a good level of floor space, and would be spread over the upper 4 floors of the 21 storey tower. They would not be provided with private, external amenity space, or balconies but it is considered that the accessibility of the public plaza and their edge of city centre location would enable them to access city centre amenities conveniently. This would be considered to compensate for the lack of private, external amenity space. Overall, the proposal would be considered to provide acceptable amenities for the future occupants of the student and private residential accommodation within the scheme.

On this basis the proposal would be considered to meet the requirements of UDP policy H5(b), which requires living conditions to be satisfactory to occupants of the accommodation and their immediate neighbours. Policy H15 (b) would also be met in that it would give adequate communal open space and good standards of daylight, privacy, security and outlook.

#### Access and Mobility Issues

UDP Policy BE7 deals with the Design of Buildings used by the Public, and requires people with disabilities to be able to access the building and appropriate parking spaces. Also H7 deals with Mobility Housing and requires new housing to provide a proportion of mobility housing.

The scheme has been assessed in this regard and it is mainly considered that with minor modifications to the external arrangements, that the scheme would be capable of meeting these requirements, and such alterations can be secured through condition.

#### Highways Issues

The application site would be accessed by vehicles from Sheldon Street, which would involve the removal of the ban on right turns from Bramall Lane.

The proposed development would include a total of 93 car parking spaces, 76 of which would be located at the basement level and 17 located at surface level.

The proposal would involve the stopping up of the eastern section of Boston Street, and be the subject of a separate stopping up application.

A Transport Assessment has been submitted with the application. This included consideration of the following:

- Consideration of the estimated traffic generation and capacity impact on the adjacent highway network;

- Consideration of pedestrian, cycle and public transport accessibility and facilities;
- Consideration of parking provision
- Consideration of servicing requirements
- Safety impact of reintroduction of right turn from Bramall Lane to Sheldon Street

Estimates of the likely levels of new vehicular trips to the site have been made. In order to assess these estimates reference has been made to the TRICS database. Consideration has been given to the AM and PM peak periods as this is likely to be when there will be the greatest impact. The estimated traffic generation for the AM and PM peak periods is 36 and 103 respectively. Whilst these estimates may appear low it has to be borne in mind that due to the nature of the development there are likely to be a significant number of linked trips as well as diverted trips (those which are already on the network).

Capacity assessments have been carried out for the following junctions for the existing and proposed situation:

- London Road / Boston Street
- Bramall Lane / Sheldon Street

The assessment shows that the proposal does not have a detrimental impact on the operation of these junctions.

As indicated above the proposal includes the provision of 93 on-site parking spaces. This is significantly below the parking provision which would be acceptable if the Council's parking guidelines were applied in full. Whether such a significant under-provision is acceptable depends on the likely impact on the adjacent highway network. In this instance the low levels of parking provisions are considered to be acceptable for the following reasons:

- The site is highly accessible by public transport, there are 42 bus services available in both the AM and PM peak periods. The bus stops are within 400m of the site (400m is considered to be the desirable walking distance).
- The site is also within a reasonable walking distance of both Supertram and rail services;
- The site is within an existing permit parking scheme and residents / occupiers of this development will not be eligible for parking permits issued as part of this scheme.
- The site is within an acceptable walking distance of a wide range of goods and services

The parking area is basement provision in phase two of the development so will be unavailable to users of phase one. However, for the reasons stated above it is not considered necessary for the parking to be provided at phase one. It is necessary

for the development as a whole, and appropriate conditions will require its provision as part of phase two.

The servicing requirements for the development were of some concern due to the relatively constrained road network making manoeuvring space short combined with increases in pedestrian flows. The Transport Consultant and/or Architect has submitted detailed vehicular tracking details which show that the manoeuvres can be made within the extent of the highway. Alterations are also being proposed to the highways around the site in part to facilitate servicing. It will also be necessary for a Delivery Management Plan to be submitted and agreed, however, this will be subject to conditions. On occasions when the service head / turning area is not fully available for use, delivery vehicles would need to reverse out / into the delivery area. This would be considered to be acceptable, as it would involve private space and there would be sufficient visibility to enable this to take place.

In regards to cycling the proposal includes two separate secure, cycle storage areas at the basement level, and some surface cycle parking within the plaza area. The basement level cycle parking would be secure, and would provide in the order of 150 spaces. These would be within locked spaces, and would be capable of being made swipe access only. The two separate areas have been modified to provide usable and accessible storage spaces. The total number of spaces which would be provided would be sufficient to facilitate a significant increase in the level of cycling within the area and through the City.

The surface level provisions would include 24 cycle stands (i.e. use by 48 cycles overall). These would be considered to be acceptable, and to represent an appropriate level of provision for customers of the commercial units accessed from the plaza.

The adjacent subway system, through the roundabout on St Mary's Gate does not contain cycle facilities. The need for improvements to the subway system to ensure that the development is accessible by cyclists is covered in more detail below.

This development will require two areas of all-purpose Adopted Public Highway to be Stopped Up (i.e. permanently closed): a small area of footway and landscaping on St. Mary's Gate, and the part of Boston Street which runs through the centre of the site, including its eastern turning head.

Accordingly, if Members are minded to approve this application, they are also requested to confirm that:

- a. No objections are raised to the proposed stopping-up of the areas of highway shown hatched on the plan 14/03215/FUL-STOP\_UP, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected; and



b. Legal Services are authorised to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town & Country Planning Act 1990.

Overall, the scheme would be considered to have an acceptable impact upon the surrounding highway network. Therefore, the proposal would satisfy the requirements of UDP policy IB9 in this regard.

### Ecology

The NPPF includes a key principle of conserving and enhancing the natural environment. The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity.

The nature of the site is such that it currently has limited ecology value. However, a biological records data search did reveal species of conservation value, and it is therefore expected that on a scheme of this magnitude that proportionate biodiversity enhancements would be expected.

The provision of green roofs would be welcomed, however, the specifications should provide a bio-diverse green roof which would include suitable planting.

In addition, to ensure that the development's impacts on the species of conservation value recorded in relation to the site are addressed as part of the scheme, it is considered to be necessary to require the installation of bird/bat boxes within the structure of the buildings. The principle of this has been agreed with the developers, and therefore can be covered by appropriate conditions.

### Flood Issues

A Flood Risk Assessment (FRA) was submitted with the application. The Environment Agency raised an objection to the FRA in its initial form. It was considered that the FRA failed to fully define the use of the basement areas or to set finished floor levels of the commercial properties appropriately.

Revisions have been made to the FRA and the proposed arrangements. These modifications have resulted in the FRA now being considered acceptable. The Environment Agency has therefore withdrawn their objection and recommended that a series of conditions are added to any consent. These would ensure that the development was carried out in accordance with the FRA and the mitigation measures which are proposed.

In addition to the FRA, the scheme needs to undergo a Sequential Test given its location within Flood Zone 2, as required by the NPPF. The search area has been restricted to the City Centre (+400m). This is considered to be appropriate due to functional requirements of the development and the local circumstances relating to the location of the Universities.



The Flood Sequential Test has reviewed 37 potential sites. 5 of these sites are located in a higher flood risk zone and are not sequentially preferable. 10 of them are located in same flood zone as the subject site, however, they are not considered to be sequentially preferable due to site size/capacity, housing not being an appropriate use for the site's policy designation or because the sites are not available. The remaining 22 sites are all located in the lower risk flood zone, however, they are not sequentially preferable by reason of their availability, capacity and being located in policy areas where housing is unacceptable.

As a result of these findings the sequential test process shows that there are no other reasonably located available sites within the search area which offer a lower probability of flooding. It has therefore been demonstrated that the development could not be steered to Flood Zone 1. On this basis the application site, located in Flood Zone 2 is considered to be the next reasonable location for the development and it is considered that the Sequential Test has been passed.

On this basis the proposal is considered to meet the relevant requirements of CS67 (Flood Risk Management) and the NPPF.

#### Drainage

Yorkshire Water's response to the proposal reveals that several live water mains cross through the site, particularly within the existing highway at Boston Street. Easement distances from the mains are required unless the mains are re-routed. Yorkshire Water are not clear on the exact line of the mains. Since they would be included within private land as part of the proposal it would be necessary that they are diverted elsewhere at the developer's expense.

In relation to the submitted Drainage Statement and proposals, Yorkshire Water confirm that the submitted details are considered to be acceptable. The Statement confirms that the surface water disposal to the public sewer, via storage, would be to a restricted discharge rate of 36 litres /second. This would constitute 30% reduction compared to the existing discharge and would therefore comply with the relevant aspect of CS67.

Subject to appropriate conditions the proposal would be considered to be acceptable in relation to drainage issues.

#### Environmental Protection Issues

##### Existing Noise Issues

A Noise Impact Assessment of the site was submitted with the application, which found there to be high levels of environmental noise, mainly from traffic and also from plant at commercial premises. This means that a comprehensive scheme of works will be required to mitigate noise.

A range of glazing and acoustic ventilation treatments are specified within the assessment for various facades.

The overall conclusion of the Noise Assessment document is that acceptable living conditions can be achieved with appropriate noise mitigation measures. This Assessment has been considered by officers and is considered to be reasonable.

The acoustic specifications of the proposed ventilation provisions are considered to be appropriate, however, there are reservations about the likely air exchange performance of the recommended trickle ventilators. It is likely that occupiers of units with bedroom windows on the noisiest elevations will wish to have open windows at some points. The proposed trickle ventilation may not provide adequate air exchange for summer cooling. It is therefore recommended that a mechanical ventilation system is provided for at least some portions of the development. For those units with external facing facades in the higher noise zoning categories, a whole house system with heat recovery for energy efficiency / sustainability would be recommended.

In noise terms it is considered that more detailed specifications will be required to finalise the noise mitigation measures for the development. Currently, only measures designed to protect the residential accommodation have been given consideration. The office units will have to meet standard internal levels as well. Also detailed consideration of the potential for noise transmission from the B1/B8 and A1 to A5 portions of the development to other sensitive uses within the building will be necessary.

These outstanding elements would be capable of being dealt with through appropriate noise conditions, and in this context the proposal is considered to be acceptable in terms of the noise impact on its occupants from surrounding development and road traffic.

#### Proposed Commercial Uses Noise Issues

The commercial uses would be likely to introduce some plant, and there is scope for this to impact upon the amenities of existing sensitive occupiers of neighbouring properties. Condensers and air conditioning units can cause such noise, whilst fume extraction systems may cause noise and/or odour issues.

There would also be a potential for noise from customers, and music etc to impact on the amenity of occupiers of adjoining and noise sensitive properties. The commercial units would also need to be serviced, which may have an impact upon the amenities of occupiers of proposed and nearby buildings.

These are matters that can be satisfactorily resolved, or controlled with appropriate conditions.

Generally, in regards to noise issues it is considered that the scheme would satisfy the requirements of UDP policies IB9(b), which requires developments to not cause any existing residents to suffer from unacceptable living conditions, and H5(b) which requires living conditions to be acceptable.

#### Demolition/Construction Noise and Dust

The scale of the works would be such that the demolition and construction works would potentially generate dis-amenity for sensitive users in close proximity. As a result of this conditions dealing with these potential outcomes should be added to any consent which may be granted.

#### Contamination

It is considered that the proposed residential use is vulnerable to the presence of contamination or ground gases. With this in mind, a Phase I Environmental Assessment document was submitted with the application. The document is considered to represent a satisfactory initial overview document, and is supported by the Council's own records relating to the site.

The Phase I report concludes that the risks associated with the contamination and ground gas risks would require further evaluation by way of an intrusive site investigation with gas monitoring and accompanying asbestos surveys.

Access to the industrial buildings is not currently available. Once this is possible or after their demolition, further information relevant to the appropriate design of the intrusive investigations may be gathered. This is not an untypical situation, and can be appropriately safeguarded through planning conditions requiring further evaluation, remediation and validation.

#### Air Quality

Policy CS66 deals with air quality, and requires action to protect air quality to be taken in all areas of the city, with further action to improve air quality to be taken across the built up areas and where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Paragraph 124 of the NPPF requires planning policies to contribute towards EU limit values or national objectives (Air Quality Objectives) for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites locally. It also requires planning decisions to be consistent with the air quality action plan. Sheffield has an Air Quality Action Plan which identifies the whole of the urban area of the city as an Air Quality Management Area.

An Air Quality Impact Assessment has been submitted with the application. This document concludes that the impact of the proposed development on annual mean

Nitrogen Dioxide and Particulate Matter concentrations would be negligible. Additionally, no new exceedances of the annual mean Nitrogen Dioxide and Particulate Matter air quality objectives were predicted at any of the considered receptors.

The impacts of a potential lack of the anticipated downward trend in projected emissions were also considered, and only negligible impacts on annual mean Nitrogen Dioxide and Particulate Matter concentrations were considered to occur.

The Council's Air Quality Officer has assessed the submission and the findings of this assessment are considered to be reasonable, and it is therefore concluded that the proposal would not have a detrimental impact in air quality terms.

It is considered to be appropriate to secure mitigation measures in relation to the impacts of additional traffic arising from the development. The developer has therefore agreed to install 6 electric car charging points. These would be located within the basement parking area, and would be served with directional signage from ground level in prominent location/s.

A Framework Travel Plan has been submitted with the application, referring to the intention to appoint a Travel Plan Co-ordinator, who will liaise with occupants/users of the development. They will be informed of available walking, cycling and public transport options. A car sharing scheme will be promoted and information about cycling to work purchasing opportunities for employers / employees will be provided. Information about city centre car clubs will also be provided. The cycle facilities and parking options are also referred to. It is considered that the details of the Plan would contribute to a reduction in reliance on the private car arising from the development. These elements would meet the requirements of UDP policy T7 which requires walking and cycling to be promoted, and Core Strategy policy CS53 which covers the Management of Demand for Travel.

It would also be considered appropriate to require the implementation of a dust management / mitigation plan, to ensure that there are no significant dust impacts from the proposal in the construction phase.

#### Local Employment Opportunities

The Council's Lifelong Learning service is seeking to establish links with developers, to enhance training and learning opportunities for local people. The developer has expressed an interest in liaising with colleagues from the Lifelong Learning Service. It has unfortunately not been possible to reach any agreement as to which form this may take, at the point when this report was being produced. Consequently, it is considered to be appropriate to allow this issue to be dealt with by colleagues in the Lifelong Learning section, without imposing any conditions as part of any planning permission.

## Planning Obligations

The NPPF at paragraph 173 states that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking.

It further states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The supporting guidance to the NPPF, the National Planning Guidance (NPG) makes clear that where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.

However, the NPG is also clear that where a safeguard (obligation) is necessary to make a particular development acceptable in planning terms, and it cannot be secured, planning permission should not be granted for unacceptable development.

## Affordable Housing

Core Strategy Policy CS40 requires a contribution towards Affordable Housing, subject to financial viability. The 2014 Affordable Housing Interim Planning Guidance identifies a target contribution of 10% in this location which should normally be provided on site. An off-site contribution can be accepted if it would have a better outcome for overall Affordable Housing provision.

The applicant considered that providing the affordable housing contribution would make the scheme unviable. In line with the above policy guidance and also A financial appraisal of the development has been submitted to the District Valuation Office, and the DVO have carried out their own viability appraisal of the development. The DVO conclude that the project would make a loss of around 8.46% of the gross development value. At this stage it is therefore not considered necessary to pursue an affordable housing contribution.

Notwithstanding this the 2014 Affordable Housing Interim Planning Guidance acknowledges that following a viability appraisal a scheme may be granted now with a low or zero affordable housing contribution, but these schemes may not be built until the market improves. At such a time a higher level of affordable housing may be viable. In such circumstances it is therefore appropriate to re-appraise the viability of the scheme to determine whether any affordable housing contribution would be viable. The re-appraisal would be secured via a section 106 agreement. It is suggested at this point that the trigger for re-appraisal will be if the completion

of the building shell or eaves height of the Phase 1 buildings is not achieved within 3 years.

#### Education Contributions

The proposal would incorporate a total of 14 private apartments; 12 of these would include 2 bedrooms and the remaining 2 would be large penthouse apartments with scope for 2 bedrooms. As a result of this the proposed private accommodation would be subject to Policy CS43 and the provisions of the Education Provision Interim Planning Guidance (2014).

In line with the above guidance, an assessment of catchment school capacity has been undertaken. The closest Primary School (Sharrow) currently becomes fully subscribed during the school year, and forecasts show that the school is likely to be oversubscribed in future years. In addition, figures show that there is no spare capacity within the local primary schools able to accommodate additional pupils from the development.

In relation to Secondary Schools, King Edward VII is currently full, with forecasts showing that it is likely to continue to be oversubscribed in future year groups. In regards to the wider area all of the schools in the SW of Sheffield are forecast to be oversubscribed due to population growth in the next few years. On this basis it is considered that there is no capacity to accommodate extra pupils arising from the development.

The overall total required contribution would be £74,354. As discussed above the development has been shown to be unviable. It is necessary to assess whether this planning obligation would be necessary to make the scheme acceptable in planning terms. With this in mind it should be considered that the accommodation triggering the contribution is a very small proportion of the overall development, and the units' location within the development amongst predominantly student accommodation would make them less attractive to families. Additionally, the 2011 census data suggests a small percentage (4%) of children live in 2 bed flats, and the location of the current site and the location of the units within the development would be expected to make this figure lower here.

As a result of these considerations, which are specific to this case, it is considered a contribution towards education provisions would not be necessary to the granting of permission, and that refusal of permission would not be recommended in its absence.

#### Open Space Contributions

Policy H16 of the UDP requires developers to contribute to the provision or enhancement of public open space within the vicinity of the site where it can be demonstrated that a shortfall exists.

An assessment has been undertaken and a shortfall is demonstrated. This would require the development to make a contribution towards the provision of local recreation provisions. However, the open plaza area proposed within the development is a significant provision of new publically accessible open space which is of considerable benefit and such that a contribution to informal recreation space is not considered necessary. This results in a reduced contribution of £205,200.

Since the development has been shown to be unviable, it is necessary to assess whether the planning obligation would be necessary to make the scheme acceptable in planning terms.

The development will introduce a significant number of residents into the area, within which a significant shortfall of youth/adult outdoor sports provision occurs. A large proportion of the occupants are likely to be students, and the applicant argues that the students will use the existing student facilities operated by the two Universities. However, the student facilities are approximately 1700m from the site, and this conflicts with the 1200m distance identified as reasonable within the Open Space Guidance. It is therefore considered that the absence of a contribution towards the provision or enhancement of such facilities would place significant additional burden on existing facilities and provide the new residents with a shortfall in provision.

The proposal does not therefore comply with the aims of Policy H16, and the associated Supplementary Planning Guidance 'Open Space Provision in New Housing Development'. This is a material consideration that will need to be considered alongside all other such considerations.

#### Cycle Infrastructure Improvements

The scheme incorporates a large number of end users and makes substantial internal provision for cyclists. The increased cycling activity which would arise from the scheme would increase cycle movements in the vicinity of St Mary's roundabout. In order to allow these movements to be safely accommodated, it is considered that it would be necessary to provide improvements to the nearby subway system to enable it to be safely used by cyclists as well as pedestrians.

These alterations are yet to be detailed but in order to ensure that they are implemented an appropriate condition can be included within any recommended approval. This will allow the proposal to meet the requirements of UDP policy T10 which requires the safety and convenience of cycle routes to be improved, and CS55 of the Core Strategy which refers to improvement of the cycle network at this location being given priority.



## Planning Out Crime

The Architectural Liaison Officer at South Yorkshire Police (SYP) has commented that due to the nature of the overall development it will be necessary to require a full CCTV system to be incorporated into the development. Agreement of these details will need to incorporate information as to whether a full system will be installed and where it will be operated from.

SYP also queried whether the scheme will have its own in house security. The Developer has confirmed that a Security Team will be provided as part of the development

It is also suggested that a series of additional security measures are integrated into the scheme. These should include entrance doors to be to a certain standard, with Audio/Video entry systems at communal entrances.

SYP also advised that discussions with the Counter Terrorism Security Advisors should take place. It has not been possible for contact to be made to arrange such a meeting and as an alternative it is recommended that a condition is added to any consent granted which requires agreement on measures designed to deal with these issues. This would allow the matter to be satisfactorily met.

It is also suggested that a substantial amount of additional pedestrian movements would arise from the development, which would use the nearby subways. Historically, these are crime generators, and SYP consider the increased movements may increase the number of crimes at these locations. The comments therefore suggest that consideration is given to the closure of these subways, and replacing them with footbridges over the dual carriageways, which could be opened to CCTV surveillance. Officers consider that this is an excessive and disproportionate response to the issue and as a result, it has not been pursued through the assessment of the application.

## South Yorkshire Public Transport Executive

The site is considered to be sustainable from a public transport perspective. There are a number of bus stops located within 400m of the site, which are considered to be of high standard and do not require upgrading.

The proposed site layout is considered to encourage walking and cycling movements. The reduced number of parking spaces restricts the attractiveness of owning a vehicle, and encourages walking, cycling and public transport use. There is also a large amount of cycle parking available.

It is also noted that the Transport Assessment mentions a Service Management Plan which would restrict when service vehicles access the site. This would be considered useful, as it would prevent any potential blockage/s at peak times.



The Travel Plan outlines a number of measures to encourage sustainable travel behaviours, which are supported. It is also considered that it would be beneficial to incorporate a real time information screen in the lobby area of the main student tower, to advise of arrival times of buses at nearby stops and encourage public transport travel. This is considered to be appropriate, and the Applicant has agreed to this principle. It can therefore be covered by condition within any consent granted in this case.

## RESPONSE TO REPRESENTATIONS

Although not fully meeting the terms of policy IB9a, the scheme includes the provision of a significant amount of B1a Office, conferencing and exhibition space, which is welcomed. It is not contrary to Core Strategy as office uses are supported in this location and it is not identified in the Core Strategy as a location for manufacturing, distribution and warehousing.

The proposal is not considered to be contrary to Core Strategy policy CS1, because it is not a site identified to meet employment land requirements in the Employment Land Review. It is also not contrary to policy CS5, as CS5 does not apply to the area in which this site is located.

CS6 only applies to the City Centre and is therefore not relevant to the current assessment.

In regards to the representation sent by Lathco, the following comments can be made:

- The absence of contact between the developer and/or their representative would not represent a planning consideration
- The comments relating to the lack of support / advice and the implications of this are noted, however, it is not possible to give an assurance on the outcome of an application during its assessment.
- Lathco's presence at the site since 1994, and the existence of 19 jobs within the site are noted and the concerns regarding this are appreciated, however, they are not sufficient reason on their own for the scheme to be resisted.
- Concerns connected to relocation and costs liability are not material planning considerations.
- The Planning Authority does not determine when development is likely to commence, however, developer has indicated it is likely to be in the near future.
- There is no third party appeal potential
- Dust and dirt will be controlled through the construction process by condition. Hours of operation will prevent noise during unsociable hours, although this may not benefit occupants of the Lathco building.
- A construction traffic methodology document will be required to be submitted as part of any consent, which would be primarily designed to prevent detrimental

impacts on local highway safety but would also be able to pay some reference to occupants at Lathco.

## SUMMARY AND RECOMMENDATION

The application seeks planning permission for the development of a site located adjacent to the St Mary's Gate roundabout and Bramall Lane.

Consent is sought for the construction of 3 separate buildings which would be linked by a public plaza at their centre. The three buildings would range in height from 5 to 21 storeys, with the tall building component of the scheme facing out onto the St Mary's Gate and Bramall Lane roundabout.

The scheme would be considered to be acceptable in land use policy terms, having an acceptable impact in retail terms and in regards to office use issues. The impacts upon the operation of the existing manufacturing business operating within the site are noted, but it is not considered that these issues would represent a significant conflict with the relevant policies and there would not be reason to resist granting consent based upon these items.

The proposal would be considered to be acceptable in regards to sustainability issues and meets the terms of the relevant policies. The proposal would not meet UDP policy IB9(a), but this would be considered to be acceptable as the proposal would provide a significant amount of Office Space, and therefore meet the requirements of Core Strategy policy CS3.

The development would involve A1-A5 commercial units, and replacement premises for the site's existing Oriental Supermarket. Also at the 1st floor level, there would be B1 uses with shared conference facilities. The remaining spaces would comprise student accommodation with a total of 695 student bed spaces, and 14 private 2 bedroom apartments.

The design of the various components of the building is considered to be acceptable, being appropriate to the existing character of the locality and providing a positive contribution at a gateway location. The setting of important nearby buildings would be respected and safeguarded. The tall building component of the proposal is considered to have been well designed and to integrate well into the development, the immediate surroundings and from further afield.

The impacts of the scheme in highway safety terms would be considered to be acceptable. The proposed parking provisions would be capable of accommodating the amount of parking generated by the proposed development. The delivery and servicing arrangements for the proposal would be considered to be acceptable, and not cause a detrimental impact upon existing on-street parking, the free flow of vehicles locally or pedestrian safety. The re-instatement of a right turn to Sheldon Street from Bramall Lane would not be considered to have a detrimental impact upon local highway circumstances. The level of traffic which would undertake this

manoeuvre would not be considered to be sufficiently significant to lead to circumstances which would undermine highway safety. Overall, the proposal is considered to be acceptable in highway safety terms.

The scheme would be considered to have an acceptable impact upon the amenities of residential occupiers surrounding the development, as well as providing good amenities for residential occupiers of the development.

The development would meet the requirements of the flood sequential test, and be acceptable in flood risk terms. It would also be considered to be capable of having an acceptable impact upon drainage issues, reducing current run off rates.

The scale and nature of development is such that Planning Obligations relating to Affordable Housing, Public Open Space and Education provision have been considered, in line with relevant policy guidance. Financial contributions to all three were identified as appropriate however the applicant considered that they would make the scheme unviable.

Appraisal by the District Valuer has confirmed this, and therefore in line with NPPF guidance a flexible approach has been taken to the need for the Obligations. For the reasons identified in the main body of the report it is considered that the Affordable Housing and Education contributions are not to be pursued, but that the (absence of a) financial contribution to public open space (is necessary and that its absence) represents a conflict with UDP Policy H16. The weight to be afforded to this material consideration must then be balanced against all other material considerations relating to the proposed development.

The scheme overall represents a high quality and significant development at a highly sustainable and prominent gateway location on the edge of the city centre. It will provide for redevelopment of a partly vacant, underutilised, unattractive and previously developed site in a manner which will transform its appearance and result in significant physical and economic regeneration. The scheme represents substantial investment in the city that will provide a multicultural social hub and Chinese Business Incubator with the potential for significant inward investment and business development. The development will provide a new urban destination for the benefit of the wider community including a new public square, and enhancement of the pedestrian/cycle infrastructure at St Mary's roundabout.

The benefits of the scheme are therefore substantial, and in this context it is considered that those benefits outweigh the absence of a financial contribution to the provision or enhancement of youth/adult outdoor sports facilities and conflict with policy H16.

It is however crucial therefore that the scheme is completed in its entirety to ensure that all relevant benefits are secured. It is considered that this is most appropriately

secured through a legal agreement, requiring completion of the whole scheme within an agreed timescale.

On the basis of the above it is concluded that the scheme is acceptable and that it should be conditionally approved, subject to the completion of a legal agreement to secure a commitment to a future reappraisal of the development if an agreed portion of the development has not been completed within the specified timescale, and completion of the scheme in its entirety.

Members are also requested to confirm that they:

- a. Raise no objection to the proposed stopping-up of the areas of highway shown hatched on the plan 14/03215/FUL-STOP\_UP, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected.
- b. Authorise Legal Services to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town and Country Planning Act 1990.

#### HEADS OF TERMS FOR LEGAL AGREEMENT

1. The Owners shall undertake a re-appraisal of the viability assessment of the scheme's ability to make a contribution to Affordable Housing in the event that the building shell is not completed or if the eaves height is not reached for Phase 1 within 3 years.
2. Phase 2 of the development shall be commenced within x years of the first occupation of Phase 1, and shall be completed within x years thereafter.

The legal agreement shall include a clause which states that after re-assessment it is found that the Affordable Housing contribution has increased it may be appropriate to provide unit/s on site or the equivalent monetary figure.

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Case Number	14/03162/LBC
Application Type	Listed Building Consent Application
Proposal	Alterations to former church to form 4 cluster flats (Houses in Multiple Occupation) totalling 27 bedrooms (as amended 18/11/14 and 09/01/15)
Location	St Silas Church Hanover Square Sheffield S3 7UA
Date Received	26/08/2014
Team	South
Applicant/Agent	Mr Timothy Steedman
Recommendation	Grant Conditionally

Subject to:

- 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 Planning (Listed Buildings and Conservation Areas) Regulations 1990.

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

Drawings (Tim Steedman Architecture):

- 11/03/011 P1A (ground floor plan)
- 11/03/012 P1 (first floor plan)
- 11/03/013 P1 (second floor plan)
- 11/03/014 P1 (roof plan)
- 11/03/015 P1 (elevation Hanover Street)
- 11/03/016 P1A (elevation Hanover Square)
- 11/03/017 P1A (east elevation)
- 11/03/018 P1 (elevation Broomhall Street)
- 11/03/019 P1 (cross sections)
- 11/03/020 P1 (longitudinal section)
- 11/03/022 P1A (external works)
- 11/03/023-P1 (general notes) (excluding polymeric sheeting)

Reason: In order to define the permission.

- 3 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the access

and facilities for people with disabilities, as shown on the plans, shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such access and facilities have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

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

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

- 5 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.

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

Staircases  
Internal balconies  
Windows  
Window reveals  
Internal and external doors  
External railings  
Roof lights

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

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

- 7 Details of the extent and specification of brick/stone repair and cleaning shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works and shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure that the fabric of the building is not damaged.

- 8 There shall be no replacement, alteration or repair of any part of the original roof structure without the prior written approval of the Local Planning

Authority of details of timbers to be removed, altered and repaired and details and specifications of all replacement timber members.

Reason: In order to ensure that inappropriate alterations are avoided.

- 9 All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

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

- 10 Details of all new joinery and timber structural elements and/or the repair, alteration or replacement of existing timber elements (including roof and floor timbers, partitions, stairs, balustrades, screens, wainscoting) shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter, the development shall be carried out in accordance with the approved plans.

Reason: In order to protect the character of the original building.

- 11 Details of the new internal floor structure and its abutment with the existing building structure shall be approved in writing by the Local Planning Authority before that part of the development commences.

Reason: In order to ensure an appropriate quality of development

- 12 A schedule of all fixtures and fittings, with a photographic record, and details of their retention, repair, removal or relocation shall be approved in writing by the Local Planning Authority before that part of the development commences. The development shall then be carried out in accordance with the approved schedule. Such schedule shall make provision for the retention/relocation of the War Memorial Board.

Reason: In order to protect the character of the original building.

- 13 The design and location of all new internal and external light fittings shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to protect the character of the original building.

- 14 Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

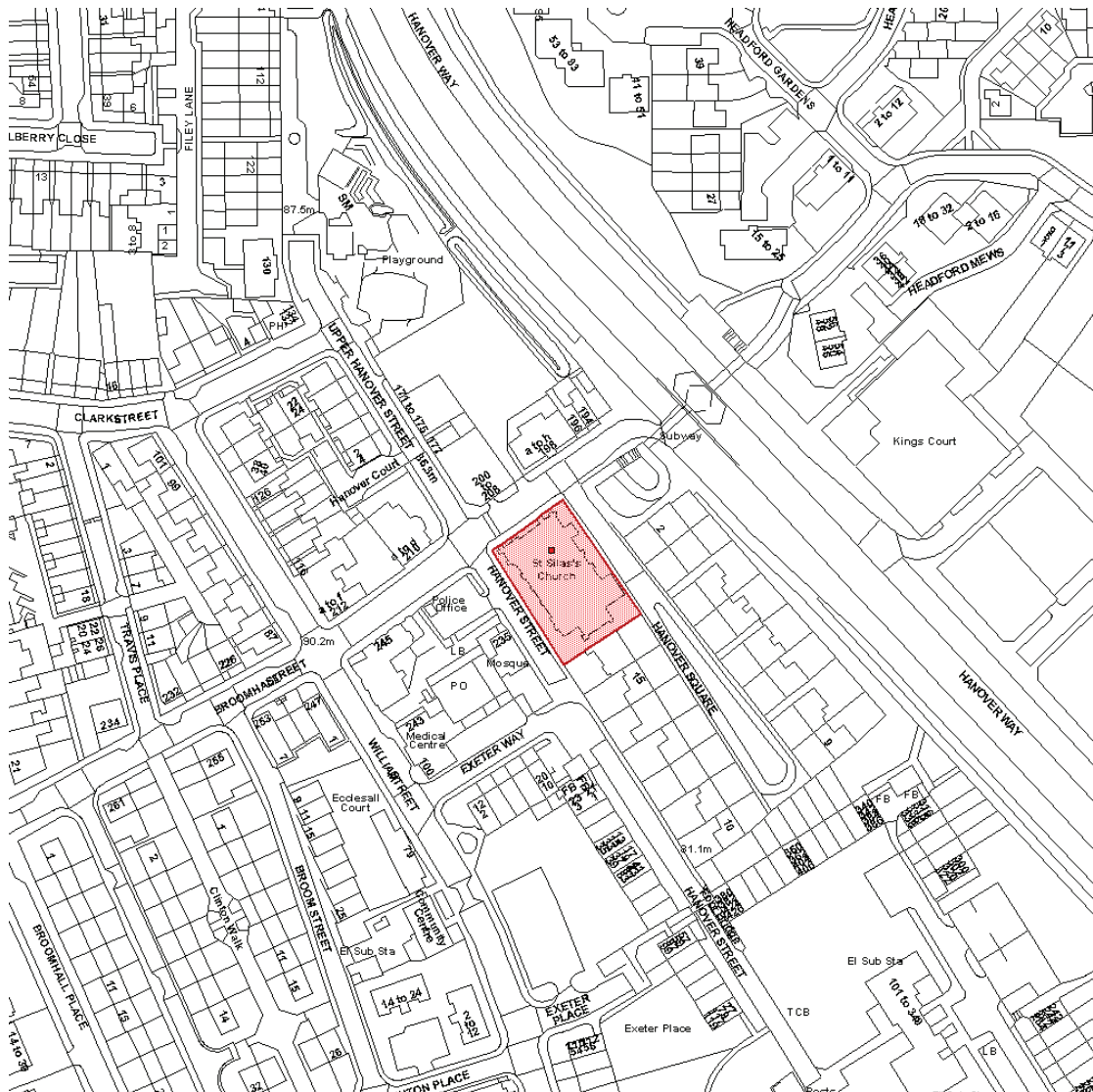
Reason: In order to protect the character of the original building.



Attention is drawn to the following directives:

1. The developer is advised that the details approved under reference 14/01355/COND1 are acceptable for the purposes of Conditions 7 (rooflight details only) and 9. No further details need to be submitted.
2. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

## Site Location



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## INTRODUCTION

This application runs concurrently with an application for planning permission (ref 14/03161/FUL).

## LOCATION AND PROPOSAL

St Silas Church is a large Victorian building with frontages to Hanover Square, Broomhall Street and Hanover Street. It is constructed in stone and slate and is a Grade II Listed Building. There are low stone walls to the boundaries and limited space between the boundaries and the building. Entrances into the building are from Hanover Square and Hanover Street. The building has not been used for well over 10 years and its condition is deteriorating.

The building is located at the entrance to Hanover Square. Hanover Square is made up of two rows of dwellings, all of which are Grade II Listed Buildings. The dwelling immediately adjoining the site is split into two flats (Nos16A and 16B). Beyond Hanover Square is the Inner Relief Road (Hanover Way). On the opposite side of Broomhall Street are a large scale 3 storey Victorian office building which includes living accommodation on part of the first floor (No200) and a modern 4 storey block of flats in Victorian pastiche style (No198). On the opposite side of Hanover Street is a small car park to serve adjacent local shops and a former vicarage now in use as Al Huda Islamic Centre. These buildings are c1960s.

The proposal is to alter the interior of the building to form 4 'cluster' flats (houses in multiple occupation) over 3 floor levels. The accommodation comprises:

Ground floor – 1 x 6 bed unit; 1 x 4 bed unit  
First floor – 1 x 10 bed unit  
Second floor – 1 x 7 bed unit

Most bedrooms have ensuite facilities and the occupants will share kitchen/living rooms.

External alterations are restricted to the installation of rooflights and partial alteration of the window treatments.

## RELEVANT PLANNING HISTORY

Planning permission and listed building consent was granted in December 2013 for alterations to the building to form 3 houses in multiple occupation and a 2 bedroom dwelling (refs 13/01353/FUL and 13/01355/LBC). Details required by pre-commencement conditions in relation to the roof works have been approved (refs13/01353/COND1 and 13/01355/COND1). With the exception of one additional rooflight, the roof works currently proposed reflect those already approved.

Prior to that, planning permission was granted in 2005 for alterations and extensions for use as various community facilities including a medical centre and community rooms (ref 04/04489/FUL). The permission was not implemented.

## SUMMARY OF REPRESENTATIONS

2 representations have been received from local residents:

- Notes that viability information indicates 12.5% annual return. This equates to 9% return on previously approved scheme – surely this would be viable return for investors
- Doubts that cars will restrict themselves to one entrance and one street for access as suggested in application
- Trust no recommendation for approval until thoroughly satisfied that developer and designer have thoroughly understood existing building and have accurately communicated intentions
- Welcome owner's comment on working responsibly with neighbours but no consultation has taken place
- Already Hanover Square residents park in centre of Square due to parking problems
- Already enough students in this area and associated noise, work and general comings and goings of lorries workmen and traffic will cause general upheaval for neighbours
- Have previously had problems with rats in area – additional rubbish will attract more rats

1 representation has been received from a resident outside the City and not affected by these proposals:

- Support conversion of derelict listed church – important that listed buildings are maintained and kept in use
- Support no alterations affecting historic fabric

A petition with 10 signatures of residents of Hanover Square has been received:

- 43% increase in beds compared to previous application will lead to socially cramped accommodation and will not provide good standard of amenity for occupiers
- Shared facilities provide minimum 3m<sup>2</sup> per person (compared to previous 7.8m<sup>2</sup>) and potentially 3 persons sharing 1 shower/wc
- Insufficient bin store – potential for rat infestations and collection days being missed – already rat problems in area. Needs better storage facility and management plan
- High potential for excessive noise disturbance due to location of garden area adjacent mixed family housing in Hanover Square, including directly adjoining older residents
- Traffic associated with development is potential significant danger for cul-de-sac in Hanover Square which young children play in because of current low volume of traffic – particular problem at beginning and end of academic year when students arrive/depart
- Supports English Heritage's comments regarding unjustified harm to listed building

The above objections are repeated in the concurrent application for planning permission (ref 14/03161-FUL).

The Ancient Monuments Society has made representation:

- Building entering 14<sup>th</sup> year of abandonment and there is pressing need for conversion as only way of saving building
- However, harm inherent in this scheme is greater than in earlier scheme – underlying reasons need to be spelt out and defended – not covered in Design Statement
- entombing of columns of the arcade greatly spoils internal balance, as does crude jutting out of structures into the chancel
- insufficient level of detail to understand full effect, particularly in respect of stained glass windows
- presume that East Window and reredos beneath stay intact but plans don't spell out what else is to go there

The Council for British Archaeology has made representation:

- support principle of securing a new use
- new use should be sensitive to listed building in accordance with NPPF – significance lies in traditional layout for church use, architectural styling and features, interior fixtures and fittings and its meaning in the local context as what was once a parish church
- recommends amendments to justify proposals and respond to features of interest – does not fulfil requirements of NPPF (paragraph 132)
- columns, capitals and arcade should be protected – beneficial if visible in new scheme – and need clarification of extent of stained glass retention
- loss of stone walls behind plasterboard regrettable – can an area be left free
- timber windows acceptable but white finish unlikely to be in character
- requests archaeology watching brief in respect of any ground works

English Heritage originally recommended that consent is not granted:

- refers to comments on previous application (13/01355/LBC) – supportive subject to harm to significance being weighed against benefit of re-use of building
- no written justification for increase in total number of bedrooms which increases level of harm
- particular concern about bathroom jutting into chancel area, partition wall impacting on door to north porch (Hanover Square elevation) and awkward angles of partition walls which are incongruous to previously open space of nave
- no clear and convincing justification for harm as required by NPPF
- approved scheme has been judged to be sustainable by Council in securing long term future of listed building – can't support current proposal due to existing less harmful alternative

Following a minor amendment to the scheme and the submission of additional information in respect of viability, English Heritage have made further

representation. They welcome the relocation of a partition wall but maintain strong reservations about encroachment into the chancel area. However, they state that the harm is not such that they object to the application. They recommend that the Council is satisfied that the information provided by the applicants demonstrates a justification for the increase in accommodation in accordance with paragraph 132 of the NPPF. The harm the proposals would cause to the listed building should then be weighed against the public benefits of the scheme.

### Policy

The building is a Grade II Listed Building, as are all the dwellings in the adjoining Hanover Square.

The most relevant UDP and Local Plan Core Strategy policies are:

BE15 (Areas and Buildings of Special Architectural or Historic Interest)  
BE19 (Development Affecting Listed Buildings)

The National Planning Policy Framework (NPPF) is relevant and provides the context for considering the historic environment.

The Local Plan City Policies and Sites (pre-submission version) document is also relevant but carries very limited weight as the document is not adopted and is not currently intended to be submitted to the Government for scrutiny. It is therefore not considered in detail here. However, the document has no additional implications for this proposal.

### Listed Building

The proposals are as sympathetic as possible in protecting as many original features as possible whilst providing acceptable living conditions and economic viability.

The applicant has submitted a financial appraisal which shows a return of 12.5% on the investment over 10 years. Nevertheless, the figures for repairs and conversion works appear overly optimistic given the condition of the building and the extent of works required. Even with 27 rooms, the viability of the project is unconvincing. Presumably, the previously approved scheme proved not to be viable for the last owner, hence the site changing hands. An alternative form of development may be more viable but this is conjecture and no such proposals have come forward previously. At present, the current proposals appear to be the only chance, no matter how slim, of preventing further deterioration and possibly eventual loss of a listed building which is clearly 'at risk'. This factor has to be given considerable weight in determining these proposals.

Amendments to the internal layout have been negotiated prior to the application being submitted and further minor amendments have been secured during the course of the application to give the Hanover Square entrance more presence in the internal layout. As in the previously approved scheme, the opening treatments retain much of the stained glass. However, stained glass to the arched windows in

the side elevations will be replaced by plain or leaded glass to allow natural light into the rooms. The circular feature windows directly above these openings will be retained in stained glass. The stained glass to be removed from the lower panes will be relocated on display elsewhere within the building. The white timber window frames indicated in the application are not acceptable. Alternative treatments (preferably dark painted slim section timber or metal) can be conditioned. The roof lights have previously been approved (ref 13/01353/COND1).

A War Memorial board previously indicated to be retained can be conditioned to be retained in these proposals, together with some of the original pews which are shown to be relocated to the new internal balconies above the chancel. The font and alter had been removed some time prior to the original application being submitted. As previously, the interior walls to the chancel are to remain exposed, with the exception of a protrusion opposite the previously approved new staircase. As previously, the new floor levels are stepped back from the large stained glass window on the north west elevation to allow the window to remain dominant. The arcade apexes and capitals and columns will remain exposed within the individual rooms.

Ramped access is proposed to the Hanover Street entrance and can be achieved without significant impact on the appearance of the entrance. The existing entrance doors are proposed to be retained but will be modified to allow for disabled access.

The external layout is generally sympathetic, the exception being the proposed provision of a disabled parking space accessed from Hanover Square. Such provision would involve the removal of part of the original stone boundary wall and minor excavation works to achieve level access. An amended plan has been requested with the parking space deleted in order to protect the setting of the Listed Building. A bound gravel pathway is proposed behind the boundary wall to Hanover Street and, as previously, a lean-to bin store is proposed towards the rear of the building in a relatively discreet location. Full details of the various treatments can be secured by condition.

Whilst the proposals involve additional subdivision of the building relative to the previously approved scheme, the impact on the external appearance remains the same. With the exception of the protrusion of one ensuite shower room into the chancel area, the proposals have no greater impact on the original features of the interior than the previously approved scheme. Overall, the proposals are sympathetic to the Listed Building and will have no significant impact on the character or appearance of the Hanover Conservation Area.

The alterations proposed are necessary to bring the building back into beneficial use following a long period of vacancy and deterioration. The proposals comply with Government policy in the NPPF (paragraphs 131 and 132) which seek to conserve heritage assets. The harm to the asset is minimised by the design and is outweighed by the significant benefit of bringing an important building at risk back into use. The existing features of the building should be recorded for future reference. In these circumstances, and on balance, the proposals are considered

to comply with paragraphs 133 and 141 of the NPPF and Policies BE15, BE16 and BE19 of the UDP.

#### RESPONSE TO REPRESENTATIONS

The representations from residents are considered in the report regarding the application for planning permission (14/01361/FUL).

The remaining comments are addressed in the Assessment above.

#### SUMMARY AND RECOMMENDATION

The proposed development is intended to bring a long term vacant Grade II Listed Building at risk back into beneficial use without significant additional harm to the heritage asset. If viable, the proposals will enhance the setting of the building within the Hanover Conservation Area.

The viability of the scheme is in some doubt and it is noted that previously approved schemes by different developers (for community use and residential accommodation) have not been implemented and are presumed to have not been economically viable.

On balance, the proposals are considered to comply with the quoted policies and it is recommended that listed building consent is granted subject to conditions.

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Case Number	14/03161/FUL
Application Type	Full Planning Application
Proposal	Alterations to former church to form 4 cluster flats (Houses in Multiple Occupation) totalling 27 bedrooms (as amended 18/11/14 and 09/01/15)
Location	St Silas Church Hanover Square Sheffield S3 7UA
Date Received	26/08/2014
Team	South
Applicant/Agent	Mr Timothy Steedman
Recommendation	Grant Conditionally

Subject to:

- 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.

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

Drawings (Tim Steedman Architecture):

- 11/03/011 P1A (ground floor plan)
- 11/03/012 P1 (first floor plan)
- 11/03/013 P1 (second floor plan)
- 11/03/014 P1 (roof plan)
- 11/03/015 P1 (elevation Hanover Street)
- 11/03/016 P1A (elevation Hanover Square)
- 11/03/017 P1A (east elevation)
- 11/03/018 P1 (elevation Broomhall Street)
- 11/03/019 P1 (cross sections)
- 11/03/020 P1 (longitudinal section)
- 11/03/022 P1A (external works)
- 11/03/023-P1 (general notes) (excluding polymeric sheeting)

Reason: In order to define the permission.

- 3 Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of the access



and facilities for people with disabilities, as shown on the plans, shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such access and facilities have been provided in accordance with the approved plans and thereafter such access and facilities shall be retained.

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

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

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

- 5 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.

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

Reason: To ensure that the local planning authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

- 7 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.

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

Staircases  
Internal balconies  
Windows  
Window reveals  
Internal and external doors



External railings  
Roof lights

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

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

- 9 Details of the extent and specification of brick/stone repair and cleaning shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works and shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure that the fabric of the building is not damaged.

- 10 There shall be no replacement, alteration or repair of any part of the original roof structure without the prior written approval of the Local Planning Authority of details of timbers to be removed, altered and repaired and details and specifications of all replacement timber members.

Reason: In order to ensure that inappropriate alterations are avoided.

- 11 All the rainwater gutters, downpipes and external plumbing shall be of cast iron or cast aluminium construction and painted black.

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

- 12 Details of all new joinery and timber structural elements and/or the repair, alteration or replacement of existing timber elements (including roof and floor timbers, partitions, stairs, balustrades, screens, wainscoting) shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter, the development shall be carried out in accordance with the approved plans.

Reason: In order to protect the character of the original building.

- 13 Details of the new internal floor structure and its abutment with the existing building structure shall be approved in writing by the Local Planning Authority before that part of the development commences.

Reason: In order to ensure an appropriate quality of development

- 14 A schedule of all fixtures and fittings, with a photographic record, and details of their retention, repair, removal or relocation shall be approved in writing by the Local Planning Authority before that part of the development commences. The development shall then be carried out in accordance with the approved schedule. Such schedule shall make provision for the retention/relocation of the War Memorial Board

Reason: In order to protect the character of the original building.

- 15 The design and location of all new internal and external light fittings shall be approved in writing by the Local Planning Authority before that part of the development commences. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to protect the character of the original building.

- 16 Details of the location, specification and appearance of all new services to the building (including meter boxes, outlets and inlets for gas, electricity, telephones, security systems, cabling, trunking, soil and vent stacks, fresh and foul water supply and runs, heating, air conditioning, ventilation, extract and odour control equipment, pipe runs and internal and external ducting) shall be approved in writing by the Local Planning Authority before installation.

Reason: In order to protect the character of the original building.

- 17 Before any hard surfaced areas are constructed, full details of all those hard surfaced areas within the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of porous materials, or for surface water to run off from the hard surface to a permeable or porous area or surface within the curtilage of the building. Thereafter the hard surfacing shall be implemented in accordance with approved details.

Reason: In order to control surface water run off from the site and mitigate against the risk of flooding.

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

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey,
- b) Be capable of achieving the following noise levels:
  - Bedrooms: LAeq 15 minutes 30 dB (2300 to 0700 hours),
  - Living Rooms: LAeq 15 minutes 40 dB (0700 to 2300 hours),
- c) Include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

- 19 Before the use of the development is commenced, a Validation Test of the sound attenuation works shall have been carried out and the results

submitted to and approved by the Local Planning Authority. Such Validation Test shall:

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

Reason: In order to protect the health and safety of future occupiers and users of the site.

- 20 Prior to the building being brought into use, a Waste Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Such Waste Management Plan shall include means of ensuring that waste is regularly collected and confined to the bin storage area. Additional provision for bins within the cycle storage area shall be identified in the event that the bin store is insufficient to meet the needs of the development. Thereafter waste management shall be in accordance with the approved Waste Management Plan.

Reason; In the interests of the amenities of the locality.

Attention is drawn to the following directives:

1. From the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2008 require that all requests for confirmation of compliance with planning conditions require a fee payable to the Local Planning Authority. An application to the Local Planning Authority will be required using the new national standard application forms. Printable forms can be found at [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning) or apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). The charge for this type of application is £97 or £28 if it relates to a condition on a householder application for development.

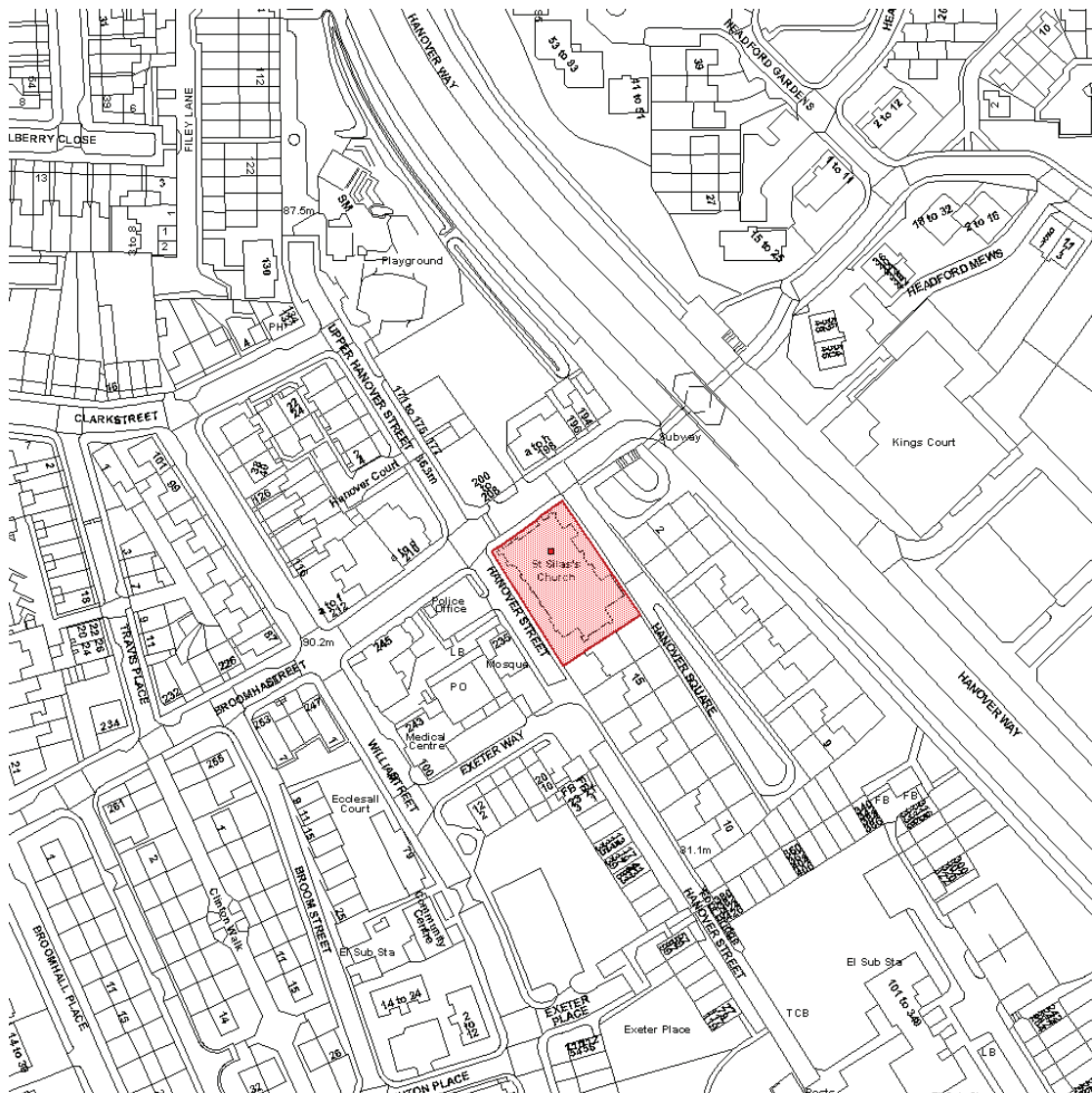
For Listed Building Consent and Conservation Area Consent applications an application for confirmation of compliance with planning conditions is still required but there is no fee.

2. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours,

i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel - 0114 2734651.

3. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, 2-10 Carbrook Hall Road, Sheffield, S9 2DB: Tel - 0114 2734651.
4. You are advised that residential occupiers of the building should be informed in writing prior to occupation that:
  - (a) limited/no car parking provision is available on site for occupiers of the building,
  - (b) resident's car parking permits will not be provided by the Council for any person living in the building.
5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines and application forms on the Council website. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk). Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.
6. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

## Site Location



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## INTRODUCTION

This application runs concurrently with an application for Listed Building Consent (ref 14/03162/LBC).

## LOCATION AND PROPOSAL

St Silas Church is a large Victorian building with frontages to Hanover Square, Broomhall Street and Hanover Street. It is constructed in stone and slate and is a Grade II Listed Building. There are low stone walls to the boundaries and limited space between the boundaries and the building. Entrances into the building are

from Hanover Square and Hanover Street. The building has not been used for a number of years and its condition is deteriorating.

The building is located at the entrance to Hanover Square. Hanover Square is made up of two rows of dwellings, all of which are Grade II Listed Buildings. The dwelling immediately adjoining the site is split into two flats (Nos16A and 16B). Beyond Hanover Square is the Inner Relief Road (Hanover Way). On the opposite side of Broomhall Street are a large scale 3 storey Victorian office building which includes living accommodation on part of the first floor (No200) and a modern 4 storey block of flats in Victorian pastiche style (No198). On the opposite side of Hanover Street is a small car park to serve adjacent local shops and a former vicarage now in use as Al Huda Islamic Centre. These buildings are c1960s.

The proposal is to alter the interior of the building to form 4 'cluster' flats (houses in multiple occupation) over 3 floor levels. The accommodation comprises:

Ground floor – 1 x 6 bed unit; 1 x 4 bed unit  
First floor – 1 x 10 bed unit  
Second floor – 1 x 7 bed unit

Most bedrooms have ensuite facilities and the occupants will share kitchen/living rooms.

External alterations are restricted to the installation of rooflights and partial alteration of the window treatments.

#### RELEVANT PLANNING HISTORY

Planning permission and listed building consent was granted in December 2013 for alterations to the building to form 3 houses in multiple occupation and a 2 bedroom dwelling (refs 13/01353/FUL and 13/01355/LBC). Details required by pre-commencement conditions in relation to the roof works have been approved (refs13/01353/COND1 and 13/01355/COND1). With the exception of one additional rooflight, the roof works currently proposed reflect those already approved.

Prior to that, planning permission was granted in 2005 for alterations and extensions for use as various community facilities including a medical centre and community rooms (ref 04/04489/FUL). The permission was not implemented.

#### SUMMARY OF REPRESENTATIONS

7 representations have been received from residents:

- Cramped accommodation relative to previous scheme – averages at marginally over 18m<sup>2</sup> per unit (compared to 26.4m<sup>2</sup> previously) with smallest room being 11m<sup>2</sup>
- Inaccuracy in Heritage Statement – site is within Hanover Conservation Area



- Proposed white painted timber windows not aesthetically appealing and not in accordance with English Heritage's recommendation for dark coloured slender frame and possibly leaded glass
- Ambiguity about retention or replacement of external doors and retention or removal of font and pulpit
- Reference in Sustainability Statement to community offices, toilets and meeting area – plans do not include these proposals
- Bin store may not be adequate for fortnightly collections
- Have previously had problems with rats in area – additional rubbish will attract more rats
- English Heritage not listed as a consultee
- Retention of Chancel and some of church artefacts is good but chancel space compromised by proposed layout
- Welcomes beneficial use but submitted elevations bear little resemblance to reality: they are misproportioned and show a funny suburban looking shallow pitched roof
- Absence of parking provision laudable but will lead to additional cars parking in vicinity which will be problematic for all
- Already Hanover Square residents park in centre of Square due to parking problems
- Already enough students in this area and associated noise, work and general comings and goings of lorries workmen and traffic will cause general upheaval for neighbours
- Notes that viability information indicates 12.5% annual return. This equates to 9% return on previously approved scheme – surely this would be viable return for investors
- Doubts that cars will restrict themselves to one entrance and one street for access as suggested in application
- Trust no recommendation for approval until thoroughly satisfied that developer and designer have thoroughly understood existing building and have accurately communicated intentions
- Welcome owner's comment on working responsibly with neighbours but no consultation has taken place
- Church roofspace and tower is a summer nesting site for swifts – requests condition requiring nesting boxes and preventing disturbance while nesting

A petition with 10 signatures of residents of Hanover Square has been received:

- 43% increase in beds compared to previous application will lead to socially cramped accommodation and will not provide good standard of amenity for occupiers
- Shared facilities provide minimum 3m<sup>2</sup> per person (compared to previous 7.8m<sup>2</sup>) and potentially 3 persons sharing 1 shower/wc
- Insufficient bin store – potential for rat infestations and collection days being missed – already rat problems in area. Needs better storage facility and management plan
- High potential for excessive noise disturbance due to location of garden area adjacent mixed family housing in Hanover Square, including directly adjoining older residents

- Traffic associated with development is potential significant danger for cul-de-sac in Hanover Square which young children play in because of current low volume of traffic – particular problem at beginning and end of academic year when students arrive/depart
- Supports English Heritage’s comments regarding unjustified harm to listed building

Councillor Jillian Creasy has objected:

- Large increase from 19 beds to 27 beds risks poorer quality accommodation and more pressure on surrounding amenities
- Requests clear commitment to conditions requested by English Heritage which were included on the existing permission for 19 beds
- More provision for bin storage needed - proposals look inadequate for increase in accommodation and will lead to rubbish piling up outside building – should also be a management plan where landlord takes bins out for weekly collection

## PLANNING ASSESSMENT

### Policy

The site lies within a Local Shopping Centre (LSC) as defined in the Unitary Development Plan (UDP). It is also within the Hanover Conservation Area. There are no material changes to these policy areas in the Local Plan Draft Proposals Map (pre-submission version), although LSC’s are proposed to be replaced by Neighbourhood Centres.

The building is a Grade II Listed Building, as are all the dwellings in the adjoining Hanover Square.

The most relevant UDP and Local Plan Core Strategy policies are:

- BE15 (Areas and Buildings of Special Architectural or Historic Interest)
- BE16 (Development in Conservation Areas)
- BE19 (Development Affecting Listed Buildings)
- H5 (Flats, Bed-sitters and Shared Housing)
- S7 (Development in District and Local Shopping Centres)
- S10 (Conditions on Development in Shopping Areas)
- CS24 (Maximising the Use of Previously Developed Land for New Housing)
- CS26 (Efficient Use of Housing Land and Accessibility)
- CS39 (Neighbourhood Centres)
- CS41 (Creating Mixed Communities)

The National Planning Policy Framework (NPPF) is relevant and provides the context for considering the Council’s policies. The quoted UDP and Core Strategy policies are generally consistent with the later NPPF in terms of provision for housing and consideration of the historic environment.



The Local Plan City Policies and Sites (pre-submission version) document is also relevant but carries very limited weight as the document is not adopted and is not currently intended to be submitted to the Government for scrutiny. It is therefore not considered in detail here. However, the document has no additional implications for this proposal.

#### Principle of Proposed Development

Housing (Class C3) uses are an acceptable use within LSC's in accordance with Policy S7. Class C4 (HMO – 3-6 residents) uses are also deemed to be acceptable as C4 uses were formerly within Class C3 and the UDP pre-dates this amendment to the Use Classes Order. Retail uses (Class A1) are the preferred land use.

The ground floor units (6 and 4 bedrooms, respectively) falls within Class C4. Both uses are therefore acceptable in principle. The two larger HMO's fall outside the scope of the Use Classes Order and are not listed as being either acceptable or unacceptable under Policy S7. They must therefore be determined on their individual merits. The principle of larger HMO's has previously been accepted (ref 13/01353/FUL) and carries significant weight as that planning permission remains valid until December 2016. There have been no relevant changes in national or local policies since that decision.

Policy S10(a) allows for changes of use within Shopping Areas provided that the dominance of the preferred use and/or the principal shopping function is not prejudiced. In this instance the proposals represent the re-use of a former church (Class D1). Consequently, there is no loss of retail use and there will be a neutral impact on the shopping function. The proposals therefore comply with Policy S10(a).

Policy CS39 encourages facilities to serve the everyday needs of the community in Neighbourhood Centres. The proposals will have no benefit to the community in the context of this policy whereas the former church use could be of benefit to some people within the community. However, the church has been vacant for at least 10 years and is clearly no longer required. In the circumstances, there is no material conflict with Policy CS39.

#### Housing Location, Density and Mix

The site is previously developed land within the urban area. The location is therefore sustainable and in accordance with Policy CS24.

As there is no increase in the number of dwellings relative to the approved development (13/01353/FUL), the density continues to equate to 35.15 units per hectare. This is below the 40-60 units/ha density range specified in Policy CS26 for locations near to high frequency bus routes and Supertram stops and below the minimum 70 units/ha specified for locations near to the City Centre. However, the development is informed by the constraints of the Listed Building and the occupancy will be higher than would normally be associated with traditional

housing. In these circumstances, there is no material conflict with the objectives of Policy CS26.

The proposals continue to represent a mix of housing (2 x Class C4 and 2 x sui generis (larger HMO's)) although there is unlikely to be any difference in tenure. The current density of shared housing within a 200m radius of the site is around 9%. Therefore the proposals will not lead to any imbalance in the community as a result of a concentration of such uses and the proposals comply with Core Strategy Policy CS41, which allows for up to 20% shared housing, and UDP Policy BE5(a).

#### Conservation Area and Listed Building

The proposals are as sympathetic as possible in protecting as many original features as possible whilst providing acceptable living conditions.

Amendments to the internal layout have been negotiated prior to the application being submitted and further minor amendments have been secured during the course of the application to give the Hanover Square entrance more presence in the internal layout. As in the previously approved scheme, the opening treatments retain much of the stained glass. However, stained glass to the arched windows in the side elevations will be replaced by plain or leaded glass to allow natural light into the rooms. The circular feature windows directly above these openings will be retained in stained glass. The stained glass to be removed from the lower panes will be relocated on display elsewhere within the building. The white timber window frames indicated in the application are not acceptable. Alternative treatments (preferably dark painted slim section timber or metal) can be conditioned. The roof lights have previously been approved (ref 13/01353/COND1).

A War Memorial board previously indicated to be retained can be conditioned to be retained in these proposals, together with some of the original pews which are shown to be relocated to the new internal balconies above the chancel. The font and alter had been removed some time prior to the original application being submitted. As previously, the interior walls to the chancel are to remain exposed, with the exception of a protrusion opposite the previously approved new staircase. As previously, the new floor levels are stepped back from the large stained glass window on the north west elevation to allow the window to remain dominant. The arcade apexes and capitals and columns will remain exposed within the individual rooms.

Ramped access is proposed to the Hanover Street entrance and can be achieved without significant impact on the appearance of the entrance. The existing entrance doors are proposed to be retained but will be modified to allow for disabled access.

The external layout is sympathetic to the setting of the building. A proposed disabled parking space accessed from Hanover Square has been deleted from the scheme as such provision would involve the removal of part of the original stone boundary wall and excavation works which would detract from the setting of the building. A bound gravel pathway is proposed behind the boundary wall to

Hanover Street and, as previously, a lean-to bin store is proposed towards the rear of the building in a relatively discreet location. Full details of the various treatments can be secured by condition.

Whilst the proposals involve additional subdivision of the building relative to the previously approved scheme, the impact on the external appearance remains the same. With the exception of the protrusion of one ensuite shower room into the chancel area, the proposals have no greater impact on the original features of the interior than the previously approved scheme. Overall, the proposals are sympathetic to the Listed Building and will have no significant impact on the character or appearance of the Hanover Conservation Area.

The applicant has provided details of the investment return which indicate that a reduced scheme would not be economically viable. Presumably the approved scheme proved not to be viable for the previous owner, hence the site changing hands. The alterations proposed are necessary to bring the building back into beneficial use following a long period of vacancy and deterioration. The proposals comply with Government policy in the NPPF (paragraphs 131 and 132) which seek to conserve heritage assets. The harm to the asset is minimised by the design and is outweighed by the significant benefit of bringing an important building at risk back into use. The existing features of the building should be recorded for future reference. In these circumstances, the proposals comply with paragraphs 133 and 141 of the NPPF and Policies BE15, BE16 and BE19 of the UDP.

#### Residential Amenity (New Occupiers)

The proposals provide a reasonable standard of amenity for future occupiers. Rooms vary in size between 11m<sup>2</sup> and 29m<sup>2</sup> and all have good natural light. The communal rooms are in excess of 20m<sup>2</sup>. The bedrooms and living areas all comfortably exceed minimum space standards necessary for HMO licensing (SCC Private Sector Housing document) – these standards indicate a bedroom of 6.2m<sup>2</sup> is acceptable where communal living areas are provided. It is acknowledged that the licensing standards are a quantitative requirement rather than a qualitative requirement but the provision of the significantly larger rooms proposed is an indication of reasonable quality.

A communal garden area is provided to the rear of the building and has an area of 100m<sup>2</sup> (approx 160m<sup>2</sup> with car parking space removed). The garden areas are proposed to be surfaced with bound gravel (currently broken tarmac with weeds). A detailed hard and soft landscape scheme can be secured by condition.

Provision is made for people with disabilities with three of the ground floor rooms having accessible accommodation, together with accessible communal kitchen facilities. This is not a requirement on a development of this scale but is welcomed in accordance with the objectives of providing equality of access opportunities.

#### Residential Amenity (Neighbours)

There will be no overlooking of the dwellings in Hanover Square or Broomhall Street from the building. The garden areas are not particularly private but it would

be inappropriate to provide solid boundary treatments in this location and such treatments would make the garden areas somewhat oppressive due to excessive enclosure in close proximity to the church building and the blank gable of the adjoining dwelling in Hanover Square. That dwelling has a solid boundary wall to the rear garden area which will be sufficient to maintain adequate, if not full, privacy between garden spaces.

It is acknowledged that the communal garden area will directly adjoin the boundary with residential property (16A/16B) and will receive more use than at present. However, these properties have a blank side elevation and an approx. 1.6m brick wall to the rear side boundary. The garden serving 16A/16B is at a lower level to the application site. The increase from 19 to 27 bedrooms is not so significant as to have any material impact on noise associated with activity in the communal garden area. It is highly unlikely that all residents would be taking advantage of the garden at the same time.

The bin store is sufficient to accommodate 3 paladin refuse bins. This should be sufficient to serve the 4 units of accommodation. Additional provision for recycling bins could be made within the adjoining large void below the chancel area which is proposed to be used as a cycle store. The concerns relating to waste collection raised by residents are noted and a waste management plan can be conditioned accordingly.

Overall, it is considered that satisfactory levels of amenity can be provided and maintained for new and existing and residents. The proposals therefore comply with Policies H5(b) and S10(b).

#### Highway Issues

There is no scope for off street parking provision to serve the development (the originally proposed disabled parking space accessed from Hanover Square is not acceptable due to the impact on the setting of the building) A secure cycle store is proposed to be provided in the void beneath the chancel area at the rear of the building. This is an improvement on the previously approved internal cycle store which would have required bicycles to be carried up a flight of external steps or taken through the ground floor HMO.

The site is in a highly accessible location and on street parking controls operate throughout the area. In these circumstances, it is appropriate that the development is 'car free'. Consideration was given to the provision of an on street disabled bay but this cannot be reasonably justified in the absence of any policy requirement for mobility housing. The adjoining Al Huda community building is funding on-street disabled bays as part of its planning permission.

In view of the above, the proposals are considered acceptable in highway terms and there is no conflict with Policies H5(c) and S10(f).

## RESPONSE TO REPRESENTATIONS

Consultation with English Heritage – EH have been consulted about the concurrent application for listed building consent. Their comments are covered in the report (ref 14/03162/LBC) elsewhere on this agenda.

The remaining comments are addressed in the Assessment above.

## SUMMARY AND RECOMMENDATION

The proposed development will bring a long term vacant Grade II Listed Building back into beneficial use without significant additional harm to the heritage asset. Previously approved schemes by different developers (for community use and residential accommodation) have not been implemented and are presumed to have not been economically viable. In turn, the proposals will enhance the setting of the building within the Hanover Conservation Area.

The proposed use will not undermine the retail function of the LSC and will not create an imbalance of shared housing uses within the catchment of the site. Adequate amenity can be provided and maintained for existing and proposed residents and it is appropriate that the development should be 'car free'.

Overall, the proposals comply with the quoted policies and it is recommended that planning permission is granted subject to conditions.

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## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Regeneration & Development Services

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**Date:** 20<sup>th</sup> January 2015

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**Subject:** RECORD OF PLANNING APPEALS  
SUBMISSIONS & DECISIONS

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**Author of Report:** Claire Woods 0114 2734219

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**Summary:**

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

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**Reasons for Recommendations**

**Recommendations:**

To Note

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**Background Papers:**

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**Category of Report:** OPEN

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## DEVELOPMENT SERVICES

REPORT TO PLANNING &  
HIGHWAYS COMMITTEE  
20 January 2015

### 1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

### 2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for a Four storey side extension to dwellinghouse, including lower ground floor level at 40 St Lawrence Road Sheffield S9 1SD (Case No 14/01867/FUL)

### 3.0 APPEALS DECISIONS - DISMISSED

(i) An appeal against the decision of the Council at its meeting of 5 August 2014 to refuse planning consent for erection of a dwellinghouse and single-storey side/rear extension to existing dwellinghouse including garage (amended as per plans received on 25/06/14 and 15/07/14) at High Bank Eckington Road Sheffield S20 1EQ (Case No 14/01848/FUL) has been dismissed.

Officer Comment:-

The Inspector did not agree with the Council's interpretation that the dwelling would adversely affect the living conditions of neighbouring properties in terms of light and outlook. She found the development to be acceptable in these respects.

In respect of highway safety she noted that there was no indication on the plans of how a vehicle would enter and exit the site in a forward gear. She felt this was necessary on this stretch of road because visibility is difficult given the proximity of the site to the brow of a hill. In the absence of a suitable turning facility she concluded that the development would be harmful to highway safety and dismissed the appeal on these grounds.

(ii) An appeal against the delegated decision of the Council to refuse advertisement consent for an illuminated free standing advertising display board at Land Fronting Sheffield Mail Centre Brightside Lane Sheffield S9 2XX (Case No 14/02480/HOARD) has been dismissed.

Officer Comment:-



The Inspector agreed with the Council's conclusion that the advertisement hoarding would be a visually intrusive and discordant feature in the streetscene because of its size and prominent position. He considered that it would be out of context with its surroundings and it would reduce the positive visual effect that the established landscaping has on the streetscene. For these reasons the appeal was dismissed.

#### 4.0 RECOMMENDATIONS

That the report be noted

Maria Duffy  
Acting Head of Planning

*20 January 2015*

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