

Planning and Highways Committee

Tuesday 30 November 2021 at 2.00 pm

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

The Press and Public are Welcome to Attend

Membership

Councillors Peter Price (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Dianne Hurst, Bob McCann, Zahira Naz, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams and Alan Woodcock

Substitute Members

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

PUBLIC ACCESS TO THE MEETING

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

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You 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.

Although the Government has lifted all Covid-19 restrictions, the Council are still operating under Social Distancing Rules and you must register to speak by emailing committee@sheffield.gov.uk no later than 2pm on the Friday before the Committee. This is necessary to facilitate the management of attendance at the meeting to maintain social distancing. You will also be asked for your email address and phone number (details of how we will use and keep your information can be found [here](#)). The Principal Committee Secretary will ask you to confirm that you do not object to your details being passed on to other people who wish to speak, to encourage the selection of a single spokesperson, if this is necessary. Where agreement on a spokesperson is not reached, speakers will be chosen on a first come, first served basis. Due health and safety restrictions in place to ensure current social distancing rules in our meeting rooms, we are unable to guarantee entrance to observers, as priority will be given to registered speakers. To observe the meeting as a member of the public, please click on the 'view the webcast' link provided on the meeting page of the website and then click on the 'Click for more details about Planning and Highways Committee' header which will enable you to see the presentations made.

Further information on this or any of the agenda items can be obtained by speaking to Abby Brownsword on telephone no. 0114 273 5033 or by emailing abby.brownsword@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
30 NOVEMBER 2021**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 5 - 8)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 9 - 14)
Minutes of the meeting of the Committee held on 9th November 2021.
- 6. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Tree Preservation Order No. 438, 1 Archer Drive, Sheffield, S8 0LB** (Pages 15 - 28)
Report of the Director of City Growth Service.
- 8. Applications Under Various Acts/Regulations** (Pages 29 - 30)
Report of the Director of City Growth Service.
- 8a. Application No. 20/04453/FUL - Land adjacent 19 to 41 Walkley Lane, Sheffield, S6 2NX** (Pages 31 - 48)
- 8b. Application No. 21/04263/REM - 33 Love Street and site of former 53 Bridge Street, Sheffield, S3 8NW** (Pages 49 - 68)
- 8c. Application No. 21/03238/RG3 - Former 88 Pinstone Street, Sheffield, S1 2HP** (Pages 69 - 92)
- 9. Record of Planning Appeal Submissions and Decisions** (Pages 93 - 100)
Report of the Director of City Growth Department.
- 10. Date of Next Meeting**
The next meeting of the Committee will be held on Tuesday 21st December 2021 at 2pm.

This page is intentionally left blank

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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

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

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

You **must**:

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

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

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

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

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

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

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

You have a personal interest where –

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

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

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

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

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

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

This page is intentionally left blank

Planning and Highways Committee

Meeting held 9 November 2021

PRESENT: Councillors Dianne Hurst (Chair), Tony Damms, Roger Davison, Peter Garbutt, Brian Holmshaw, Zahira Naz, Peter Price, Chris Rosling-Josephs, Andrew Sangar, Garry Weatherall, Richard Williams, Alan Woodcock and Barbara Masters (Substitute Member)

.....

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Bob McCann. Councillor Barbara Masters acted as substitute.

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 Councillor Chris Rosling-Josephs declared a personal interest in Agenda Item 7, Tree Preservation Order No. 443, High Street Beighton, Sheffield, S20 1HA, as a local ward member. Councillor Rosling-Josephs declared that he had been involved with local residents on the matter prior to the meeting, therefore would not take part in the discussion and voting thereon.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 19th October 2021 were approved as a correct record, subject to two amendments:

7c.3 – Chloe Parmenter spoke in support of the development, not against.

8.5 - should read:

*‘Councillor Holmshaw noted the dismissal **of an appeal against the delegated decision of the Council to refuse planning permission**’*

5. SITE VISIT

5.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make any arrangements for a site visit, in connection with any planning applications requiring a visit by Members, prior to the next meeting of the

Committee.

6. TREE PRESERVATION ORDER NO. 443, HIGH STREET BEIGHTON, SHEFFIELD, S20 1HA

6.1 Sam Thorn (Planning Officer, Landscape) attended the meeting and presented the report.

6.2 The Officer informed Committee that the Order had been served in response to a local resident raising concerns that the tree at No. 31 High Street, Beighton may be lost. In order to prevent the removal of the trees, a Tree Preservation Order was therefore served.

6.3 No objections to the Order had been received from the public.

6.4 **RESOLVED:** That Tree Preservation Order No. 443 be confirmed unmodified.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7a. APPLICATION NO. 21/03193/RG3 - LAND BETWEEN BIRLEY MOOR AVENUE AND BIRLEY LANE, NEWSTEAD ROAD, SHEFFIELD, S12 3BH

7a.1 An amended condition and an additional condition were included within the Supplementary Report circulated and summarised at the meeting.

7a.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

7a.3 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted including the amended and additional condition.

7a.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, including the amended and additional conditions, for the erection of 5 'Older persons independent living' (OPIL) residential buildings comprising of 123 apartments, community hall and cafe facilities (Main Block and Blocks B to D), erection of 18 supported residential apartments in 1 block - (Block A - Complex needs accommodation) and provision of hard/soft landscaping and car parking accommodation (Application under Regulation 3 - 1992)) at Land Between Birley Moor Avenue and Birley Lane, Newstead Road, Sheffield, S12 3BH (Application No. 21/03193/RG3).

7b. APPLICATION NO. 21/03334/RG3 - 20-22 (HENRY LEAH AND SONS LTD)

AND 24-26, CAMBRIDGE STREET, SHEFFIELD, S1 4HP

- 7b.1 This application and the application at Agenda Item No. 8c were presented together. Members voted on each application individually.
- 7b.2 The minor report corrections were contained within the Supplementary Report circulated and summarised at the meeting.
- 7b.3 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.
- 7b.4 Mr. Robin Hughes and Councillor Mike Drabble attended the meeting and spoke against the applications.
- 7b.5 Mr. James O'Hara attended the meeting and spoke in support of the application.
- 7b.6 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.
- 7b.7 Members requested that an additional informative be added to request that the large Victorian fireplace in the front room of the Tap and Tankard Public house be preserved, if possible.
- 7b.8 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report including the additional informative for partial demolition (excluding facade retention) and erection of a three-storey building and redevelopment of 24-26 Cambridge Street to form a mixed use development together with 20-22 Cambridge Street (Leah's Yard) including cafe, restaurant, retail and office space (Class E), drinking establishment with expanded food provision (Sui Generis) and external seating including levelling works to external courtyard (Application under Regulation 3 - 1992) at 20-22 (Henry Leah and Sons Ltd) and 24-26 Cambridge Street, Sheffield, S1 4HP (Application No. 21/03334/RG3).

7c. APPLICATION NO. 21/03335/LBCRG3 - 20-22 (HENRY LEAH AND SONS LTD) AND 24-26, CAMBRIDGE STREET, SHEFFIELD, S1 4HP

- 7c.1 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report for alterations to buildings to facilitate mixed used development including removal/replacement of staircases, removal of buttress walls, creation of new window and door openings, alterations to windows, floors, ceilings and external floorscape (Application under Regulation 3 - 1992) at 20-22 (Henry Leah and Sons Ltd) and 24-26 Cambridge Street, Sheffield, S1 4HP (Application No.

21/03335/LBCRG3).

7d. APPLICATION NO. 21/03006/FUL - LAND AT MEERSBROOK AVENUE, NEWSHAM ROAD AND WOODBANK CRESCENT, SHEFFIELD, S8 9ED

7d.1 An amended condition and an additional condition were included within the Supplementary Report circulated and summarised at the meeting. The Officer also informed Committee that the reference to a listed building should be removed from the report.

7d.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

7d.3 Mr. Mike Sims attended the meeting and spoke against the application.

7d.4 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.

7d.5 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report and supplementary report, including the amended and additional conditions, for the erection of 7 dwellinghouses with associated parking and landscaping at Land at Meersbrook Avenue, Newsham Road and Woodbank Crescent, Sheffield, S8 9ED (Application No. 21/03006/FUL).

7e. APPLICATION NO. 21/03684/CHU - 24 NORWOOD DRIVE, SHEFFIELD, S5 7BH

7e.1 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues in addition to presenting photographs of the site which were provided to committee members in advance of the meeting.

7e.2 A statement against the application from Councillor Mark Jones was read out to the Committee.

7e.3 The Committee considered the report and recommended conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report, now submitted and also having regard to representations made during the meeting.

7e.4 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report for change of use of

dwellinghouse (Use Class C3) to supported living accommodation for children and young persons (Use Class C2) at 24 Norwood Drive, Sheffield, S5 7BH (Application No. 21/03684/CHU).

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

- 8.1 The Committee received and noted a report of the Chief Planning Officer detailing a new planning appeal received by the Secretary of State.

9. DATE OF NEXT MEETING

- 9.1 It was noted that the next meeting of the Planning and Highways Committee would be held on Tuesday 30th November 2021 at 2pm.

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 30 November 2021

Subject: Tree Preservation Order No. 438,
1 Archer Drive, Sheffield, S8 0LB

Author of Report: Sam Thorn, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Order No. 438

Reasons for Recommendation

To protect a group of trees of visual amenity value to the local residents

Recommendations

Tree Preservation Order No. 438 should be confirmed unmodified.

Background Papers:

- A) Tree Preservation Order No. 438 & map attached.
 - B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.
 - C) Revised site plan
 - D) Extracts from objection received to the Order
-

Category of Report: OPEN

CITY GROWTH SERVICE

REPORT TO PLANNING & HIGHWAYS COMMITTEE

30th November 2021

TREE PRESERVATION ORDER NO. 438

1 ARCHER DRIVE, SHEFFIELD, S8 0LB

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 438.

2.0 BACKGROUND

2.1 A TPO covering the whole site was originally made on 24th June 2020 to protect the trees across the entire plot. The order was requested by residents and a local Councillor following the redevelopment of the site as there was a perceived threat to the trees being removed by the new lease-holder. These trees are deemed to provide significant amenity value in the local landscape and are of particular value to the immediate residents, offering a clear visual buffer to the retail unit below. It was therefore considered expedient in the interests of amenity to make the order and protect the trees. A copy of the order, with its accompanying map, is attached as Appendix A and C.

2.2 A condition inspection of the trees was carried out by Sheffield City Council's Tree Officer at the time, Leonie Kapadia, Dip. Arb. The trees were found to be in good health when inspected and had no obvious health and safety reasons requiring major intervention which would negate the trees' contribution to the amenity of the locality. A TEMPO assessment was carried out following the inspection which confirmed their value and supported their protection (see Appendix B).

2.3 Due to staff changes within the Urban & Environmental Design Team and the onset of the Covid pandemic, the original order was not referred to the committee with a recommendation that it be confirmed. The six-month period given for the Council to confirm the order (which converts it from temporary to permanent status) lapsed, meaning the order expired and therefore a second order was required to be made if the trees were to continue to be protected.

2.4 In the time taken to make a second order ('the Order'), the Officer undertaking assessments of the trees had changed, and a second assessment of the site was deemed necessary. In reviewing the plot, Peter Simpson, MICFor MArborA revised the extent of the Order so as not to include the newly planted trees within the car park or those specimens along the boundary with Archer Drive. This was due in part to the fact that they had been recently planted as part of the development so had very limited amenity value but also were not in danger of being removed as part of the redevelopment of the plot. Only the established belt along the southern boundary (see Appendix C) was included on the basis that these trees provide the strongest visual and public amenity, particularly for those residents facing on to the plot. The new Order was made on 1st July 2021 and the consultation period has now ended, allowing the Council to make the Order permanent.

- 2.5 No objections to the Order were received within the period given for objections and representations, which ended on 5th August 2021. However, one objection has been received from a local resident by e-mail on 19th November 2021 (Appendix D for relevant extracts) stating a number of concerns relating to the size and density of the woodland belt. The objection did not include any input from a qualified arborist and none of the claims were backed up with photographic evidence.
- 2.6 The existence of a TPO does not prevent tree removals or pruning works to be carried out where necessary, in most cases it simply requires that an application be submitted and consideration given as to whether and how such works should be carried out. With this in mind, the order is recommended for confirmation on the basis that it is still considered expedient that the trees should benefit from the protection of the order in the interests of amenity.
- 3.0 VISUAL AMENITY ASSESSMENT
- 3.1 As a group, the trees offer significant visual amenity to the residents on Archer Road, providing invaluable cover and screening from the adjacent retail unit.
- 3.2 The TEMPO assessment produced a clear recommendation for statutory protection through a TPO.
- 4.0 EQUAL OPPORTUNITIES IMPLICATIONS
- 4.1 There are no equal opportunities implications.
- 5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS
- 5.1 There are no environmental and property implications based on the information provided.
- 5.2 Protection of the trees detailed in Tree Preservation Order No.438 will benefit the visual amenity of the local environment.
- 6.0 FINANCIAL IMPLICATIONS
- 6.1 There are no financial implications.
- 7.0 LEGAL IMPLICATIONS
- 7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (Section 198, Town and Country Planning Act 1990).
- 7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.

- 7.3 The local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 7.4 A local authority may only confirm an order after considering any objections and representations which were duly made in respect of that order. None were received within the period given for such in accordance with the Town and Country Planning (Tree Preservation) (England) Regulations 2012. The regulations state that objections and representations must be made within the given period for the authority to treat them as duly made, however the authority may decide to treat an objection made outside of that period as duly made if it is satisfied that the objection could not reasonably have been expected within the given period.
- 8.0 RECOMMENDATION
- 8.1 Recommend Provisional Tree Preservation Order No.438 be confirmed.

Michael Johnson, Chief Planning Officer

19th November 2021

Tree Preservation Order
Town and Country Planning Act 1990
The Tree Preservation Order No 438 (2020)
1 Archer Drive, Sheffield S8 0LB

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

Citation

1. This Order may be cited as Tree Preservation Order No 438 (2020) – 1 Archer Drive, Sheffield S8 0LB

Interpretation

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

Effect

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

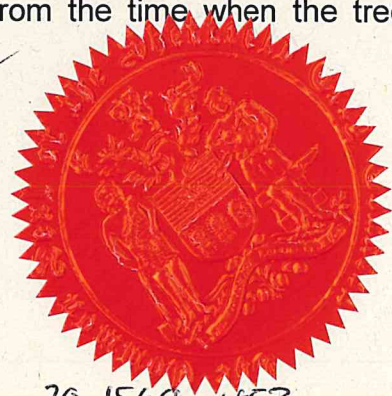
Application to trees to be planted pursuant to a condition

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

Dated 24TH JUNE 2020

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

David J. Harris
Page 19
Duty Authorised Signatory



20 1540 1452

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

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

Trees specified by reference to an area

(within a dotted red line on the map)

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

Groups of trees

(within a solid red line on the map)

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

Group 1	Mixed species including Sycamore, Ash, Alder, Maple, Birch, Rowan, Oak	
---------	--	--

Woodlands

(within a continuous black line on the map)

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

1 Archer Drive, Sheffield, S8 0LB

TPO no. 808/438



Scale: 1:2022

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. © Crown copyright. All rights reserved. 10018816. 2005

Organisation	Sheffield City Council
Department	Development Services
Comments	TPO no 808/438
Date	18 June 2020
SLA Number	10018816. 2009

Group 1: All trees within red line boundary consisting of mixed species including Sycamore, Ash, Alder, Maple, Birch, Rowan, Oak.

10/10/10

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/06/2020	Surveyor: Leonie Kapadia
------------------	--------------------------

Tree details		
TPO Ref:	Tree/Group No: G1	Species: Mixed – Sycamore, Alder, Maple, Ash, Birch
Owner (if known):	B&M	
Location:	1 Archer Drive Sheffield, S8 0LB	

Part 1: Amenit

a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Unsafe Unsuitable
- 0) Dead Unsuitable

Score & Notes 4. Most of the trees are in good condition, with normal canopies and good structure.

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

Refer to 'Species Guide' section in Guidance Note

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

Score & Notes 3. Apart from a couple of ash, the alder and maple at least 20 years remaining, and the numerous sycamores over 40 years.
--

c) Relative public visibility & suitability for TPO:

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

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

Score & Notes 3 – Some of the trees are clearly visible from Archer Road, the rest from Archer Drive, and clearly to the row of houses on Archer Lane

d) Other factors

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

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

Score & Notes 1

Part 2: Expediency assessment

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

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

Score & Notes 5 – several trees have been removed and more are planned for removal e.g. next to main sign.

Part 3: Decision guide

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

Add Scores for Total: 16

Decision:

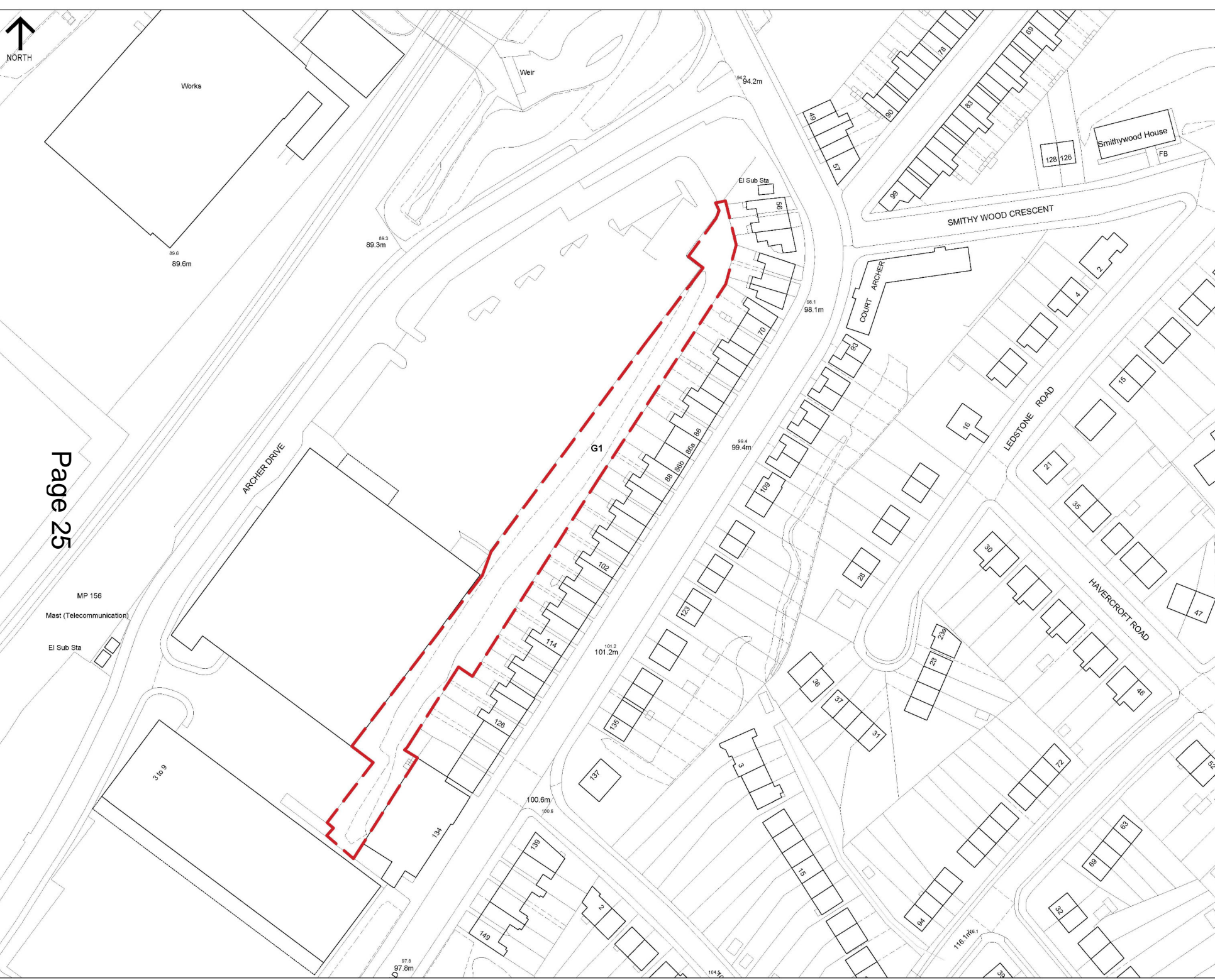
This page is intentionally left blank

© Crown copyright and database right 2018 OS licence number 100018910. You are permitted to use this data solely to enable you to request to, or interact with, the organisations that provided you with the data. You are not permitted to copy, sub-license, distribute or sell any of the data to third parties in any form.



NORTH

Page 25



- TREE SCHEDULE**
- TREES SPECIFIED INDIVIDUALLY
(Encircled in black on the map)
 - None
 - ▭ TREES SPECIFIED BY REFERENCE TO A GROUP:
(Within a broken black line on the map)
 - G1 All trees within G1 broken black line boundary consisting of mixed species including Sycamore, Ash, Alder, Maple, Birch, Rowan, Oak.
 - ▭ TREES SPECIFIED BY REFERENCE TO AN AREA:
(Within a continuous black line on the map)
 - None
 - ✕ TREES EXCLUDED FROM ORDER
(Shown with a cross on the map)

SHEFFIELD CITY COUNCIL			
DEVELOPMENT SERVICES			
PROJECT: TREE PRESERVATION ORDER			
No. 808/438 (2021)			
TITLE: ARCHER DRIVE, SHEFFIELD, S8 0LB, WOOFINDIN ROAD			
PRIORITY: PLACE			
SCALE: 1:500@A1			
DATE:	BY:	DATE:	DATE:
15/05/21	AL	15/05/21	15/05/21
DRAWING NO: AI/UED/808/438 (2021)			
CAD FILE NAME:			

This page is intentionally left blank

Following a discussion at length with your colleague David, I am mailing with my objections to the TPO proposal on the Archer Drive Development (Home Bargains site). I understand that the issue is proposed to be heard at committee on the 26th and the objections would need to be with you by close of business today.

In summer 2020 when work was able to continue with the development and they got to working on the trees, on brief conversation with the arborist who was instructed to carry out the work, they were indeed only carrying out the 4m reduction in height and thinning out some of the huge number of saplings that had taken while the site was derelict.

I strongly object to the TPO on the basis that:

The tree line that borders Archer Road is hugely overgrown and has not been kept for many years since the closure of Esporta.

At it's densest parts it has a significant reduction in light to many gardens and overpowers by height.

The trees are too large for adjoining residents to reasonably (and safely in part) be expected to cut back overhang.

The associated vegetation is coming over boundary walls and eating into the mortar causing damage.

There has been no maintenance of continued sapling growth - some directly next to boundary walls are now at height.

The mature/largest trees are within 4m of boundaries and some 10m of buildings - their root growth poses risk of significant damage to foundations/boundaries/buildings.

The trees directly behind me grow from some 10/15ft height above ground level and if they fall, will cause significant damage to property/person either to our houses or the store.

While I appreciate that this isn't necessarily a reason for objection, the household who raised these issues and pressed for legal action to be taken on the developer, no longer live here. They aren't effected by the trees nor their impact on this row of houses.

My request, would be that the TPO is removed. The developer/retailer should be free to continue carrying out that, and any further works without the need for planning applications. There are far more worthy tree lines in close proximity to here that would benefit from that, but don't have immediate proximity to residential gardens/building/boundaries. There are multiple areas of beautiful natural woodland in our direct locality (Barbers Field, All along the river/train line, Millhouses park and Hutcliffe Wood to name but a few).

Thank-you for time and I trust this objection will be taken to committee. If you require any further information please let me know.

yours sincerely

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 30/11/2021

Subject: Applications under various acts/regulations

Author of Report: Dinah Hope, Sarah Hull and Howard Baxter

Summary:

Reasons for Recommendations

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

Recommendations:

Background Papers:

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

Category of Report: OPEN

This page is intentionally left blank

Case Number	20/04453/FUL (Formerly PP-09335987)
Application Type	Full Planning Application
Proposal	Erection of 4x dwellinghouses with parking provision and associated works (amended plans)
Location	Land adjacent 19 to 41 Walkley Lane Sheffield S6 2NX
Date Received	14/12/2020
Team	West and North
Applicant/Agent	Space Studio
Recommendation	Grant Conditionally

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

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

Drawing No. A19-145-02 - Rev D (PROPOSED GROUND FLOOR SITE PLAN)

Published 10.11.21

Drawing No. A19-145-02-1 (PROPOSED SITE PLAN 45M VISIBILITY SPLAY)

Published 10.11.21

Drawing No. A19-145-03 - Rev D (HOUSE TYPE A AND B GROUND FLOOR PLAN)

Published 10.11.21

Drawing No. A19-145-03-1 - Rev D (HOUSE TYPE A AND B FIRST FLOOR PLANS)

Published 10.11.21

Drawing No. A19-145-03-2 (FULL SITE-GARDEN PLAN) Published 10.11.21

Drawing No. A19-145-04 - Rev C (HOUSE TYPE A AND B SECOND FLOOR PLAN)

Published 10.11.21

Drawing No. A19-145-04-1 - Rev A (HOUSE TYPE A AND B ATTIC FLOOR PLAN)

Published 10.11.21

Drawing No. A19-145-04-2 - Rev A (HOUSE TYPE A AND B ROOF PLAN) Published

10.11.21

Drawing No. A19-145-05-1 - Rev D (PROPOSED FRONT ELEVATION) Published

10.11.21

Drawing No. A19-145-06 - Rev C (PROPOSED REAR ELEVATIONS) Published

10.11.21

Drawing No. A19-145-07 - Rev D (PROPOSED SIDE 1 ELEVATION) Published

10.11.21

Drawing No. A19-145-08 - Rev D (PROPOSED SIDE 2 ELEVATION) Published

10.11.21

Drawing No. A19-145-05 - Rev D (PROPOSED STREET ELEVATION) Published

10.11.21

Drawing No. A19-145-01 - Rev A (site location plan) Published 14.12.20

Reason: In order to define the permission.

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

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

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

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

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

5. Prior to works starting on site 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 remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.

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

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

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

7. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

8. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority before the commencement of development. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a rate to be agreed by the

Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

9. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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

10. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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

11. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

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

12. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

13. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation 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.

14. 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.

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

- Windows (including reveals to min. depth of 100mm)
- Balconies (including privacy screens)

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

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

16. Should the clearance of trees take place within the bird nesting season (March to August inclusive) a pre site clearance check shall be carried out by a suitably qualified ecologist to establish the presence of nesting birds. If active bird nests are present clearance works should only proceed once all chicks have fledged.

Reason: In order to ensure that nesting birds are not adversely affected by the development.

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

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

18. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing 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 it is essential for these works to have been carried out before the use commences.

19. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the development shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

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

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

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

21. Before the use of the development is commenced, Validation Testing of the sound insulation and/or attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

a) Be carried out in accordance with an approved method statement.

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

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

22. Prior to the development becoming occupied, suitable and sufficient, secure and sheltered bicycle parking accommodation shall have been provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved cycle parking shall be retained/maintained for the sole purpose intended

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).

23. The development shall not be used unless the car parking accommodation for the development 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 car parking accommodation.

24. The development shall not be used unless the visibility splays indicated on the approved plans have been provided in accordance with those plans, entailing removal of the existing front boundary wall, overgrown vegetation, and widening of the adopted footway to run concurrently with the visibility splay. Full construction details of these works are to have first been submitted to and approved in writing by the Local Planning Authority.

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

Other Compliance Conditions

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

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

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

If you require any further information please contact:

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

Email: highwayadoptions@sheffield.gov.uk

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

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

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

Tel: (0114) 273 6349

Email: james.burdett@sheffield.gov.uk

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

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

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

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

6. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 Guidance Notes for the Reduction of Obtrusive Light. This is to prevent lighting causing

disamenity to neighbours. The Guidance Notes are available for free download from the resource pages of the Institute of Lighting Professionals website.

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

Reference to permitted standard hours of working:

- 0730 to 1800 Monday to Friday
- 0800 to 1300 Saturday
- No working on Sundays or Public Holidays

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

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

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

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

- Vibration.

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

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

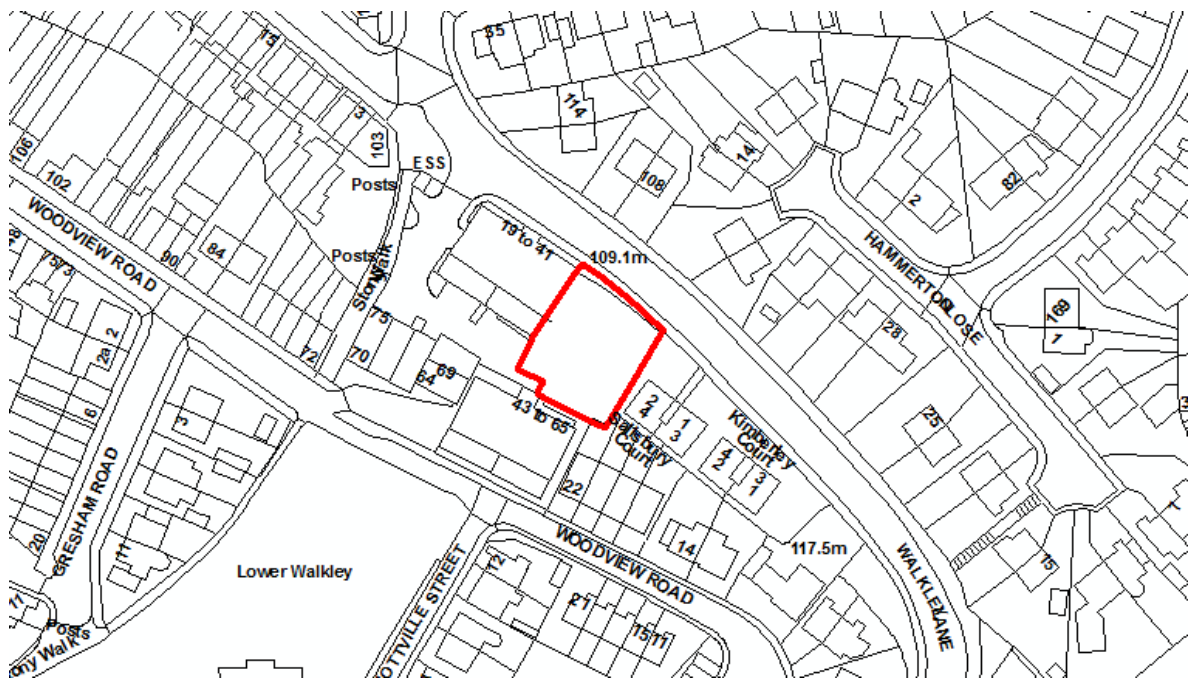
A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.

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

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

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

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

Location and Proposal

The site lies within an allocated Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP). The surrounding area is residential in character, incorporating a mixture of housing types.

The site comprises of a vacant and overgrown parcel of land which is elevated above the highway and sits between two residential blocks on Walkley Lane: to the south-east two terraces of three storey townhouses with integral garages constructed in red brick, and to the north-west a three to four storey, stone built apartment block. Opposite the site along Walkley Lane are semi-detached properties which are set back from the road and on a much lower level. To the rear of the site is a large stone retaining wall along the boundary, beyond and elevated above which is a further three to four storey stone built apartment block.

The application seeks planning permission to erect 4 dwellings with undercroft car parking. Amended plans have been received during the application process following negotiations with the agent.

REPRESENTATIONS

25 representations from 20 properties have been received objecting to the proposal. The following material concerns were raised:

- the exit onto Walkley Lane is dangerous due to poor visibility.
- highway safety would be adversely affected due to increase in traffic, during the construction phase and once the properties are sold.
- the development will exacerbate existing parking problems.
- the development will overshadow and result in a loss of light to neighbouring properties.
- the development represents an overdevelopment of site in an already densely populated area.
- the development will cause increased overlooking, noise and general disturbance.
- the scale and massing of the proposed development will be detrimental to the character of Walkley Lane.
- the proposed development will be overshadowed by the existing buildings.
- the development will result in the loss of green space and wildlife (site is used by foxes).
- the proposed trees will block light, cause debris and affect the structure of neighbouring buildings.
- the existing tree in the south-east corner is too close to neighbouring buildings, suffers from defects and should be removed if planning permission is granted.
- bin collection concerns.
- the development will have a large carbon footprint.

- there is not enough green space between buildings.

Non-Material Issues:

- this land was designated a garden/recreation area by the developers (of the adjoining development) but never provided.
- loss of views.
- concerns relating to the future maintenance of adjoining land.
- would prefer site used as amenity space.

PLANNING ASSESSMENT

Policy Context

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework revised in 2021 (NPPF) is a material consideration. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

The Council has released its revised 5-Year Housing Land Supply Monitoring Report. This new figure includes the updated Government's standard methodology which includes a 35% uplift to be applied to the 20 largest cities and urban centres, including Sheffield. The monitoring report, released in August 2021, sets out the position as of 1st April 2021 – 31st March 2026 and concludes that there is evidence of a 4-year supply of deliverable housing land. Therefore, the Council is currently unable to demonstrate a 5-year supply of deliverable housing sites.

Consequently, the most important Local Plan policies for the determination of schemes which include housing should be considered as out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and as such, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In this instance, the site does not lie within nor is it adjacent to any protected areas or assets of particular importance which should be taken into consideration in the tilted balance process.

Land Use Principle

The application site falls within a Housing Area as identified in the Unitary Development Plan (UDP) for Sheffield. Redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'. It is therefore acceptable in principle.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure.

prioritises the development of previously developed (brownfield) sites, states that Housing on greenfield sites should not exceed more than 12% of completions and should (part b) be on small sites within the existing urban areas, where it can be justified on sustainability grounds.

Policy CS23 and CS24 are restrictive policies, however the broad principle is reflected in paragraph 119 of the NPPF, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'.

In this instance the site constitutes greenfield land. However, the site is sustainably located and is a small site within an urban area. The completions on greenfield sites are well below the 12% figure set out in policy CS24, and the NPPF does not require a brownfield first basis, so therefore the proposal is acceptable in principle.

It is considered that the proposal is consistent with the aims of policies H10, CS23 and CS24.

Efficient Use of Land

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from the highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. The need to make efficient use of land is reflected in paragraph 125 of the NPPF which states that 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.' Policy CS26 is therefore considered to carry substantial weight in the determination of this application.

Paragraph 124 of the NPPF promotes making efficient use of land taking account of a number of factors including identified housing needs; market conditions and viability; the availability of infrastructure; the desirability of maintaining the prevailing character of the area, or of promoting regeneration; and the importance of securing well designed places.

For a site such as this, part c) of policy CS26 is relevant. It states that a range of 40-60 dwellings per hectares is appropriate where a development is near to Supertram stops and high frequency bus routes in urban areas. The site is less than 500m from Supertram and on a key bus route. The application site is approximately 0.60 hectares, and the 4 proposed units would give a density of approximately 67 dwellings per hectare. This figure, although slightly above the suggested range in CS26, makes efficient use of the site whilst maintaining the area's character (by reflecting the scale and appearance of neighbouring properties - discussed in more detail below). It is also worth noting that density is less meaningful on small sites as a small change of one unit can make a significant difference to the density calculations. Furthermore, the prevailing character of the wider area is a mix of flats, townhouses and terraced dwellings which are close to the back edge of the footpath and at relatively high density.

The proposed density of 67 dwellings per hectare reflects the character of the area and is considered acceptable in policy terms providing that the resulting scheme would provide acceptable living standards, which is assessed in the sections below.

As such the proposal complies Policies CS26 and of the Core Strategy and paragraphs 124 and 125 of the NPPF in relation to densities and efficient use of land.

Design

Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is also reflected in UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

Chapter 12 of the NPPF requires good design, whereby paragraph 126 states that good design is a key aspect of sustainable development and should contribute positively towards making places better for people. Paragraph 134 states that development which is not well designed should be refused.

It is considered that the design policies within the UDP and Core Strategy reflect and align with the guidance in the NPPF and so can be afforded significant weight.

The development proposal seeks to provide two pairs of semi-detached residential dwellings (four in total) with undercroft car parking. Due to the topography of the area, which rises steeply up from the north, the building will be cut into the slope, resulting in three above ground storeys to the front, facing Walkley Lane, and two storeys to the rear, plus accommodation in the roof.

Access into the site will be taken at the western end of the Walkley Lane frontage. The shared parking area will be partially screened from the street by a brick boundary wall and brick built bin store.

The proposed properties will be clad in grey brick on the lower level and red brick on its main facades. The windows are shown to be grey UPVC windows, with brick soldier course detailing above. Glazed balconies are proposed at first floor level on the front elevation.

The proposed building will sit slightly behind and at a similar scale to no's 41-91 Walkley Lane, but will project forward of no's 2-4 Walkley Lane, which sit at a higher level, by approximately 10m. In this location the development sits between and mitigates the existing differences in the positions of the neighbouring property's principle elevations.

There are a mixture of house styles and designs in the surrounding streets. The proposed development takes a simple contemporary approach to design. The proposed dwellinghouses are of a scale and mass that respects the character of the area and they are considered to sit reasonably comfortably within the existing urban street scene.

The proposal therefore complies with H14, BE5, CS74 and paragraphs 126 and 130 of the NPPF.

Living Conditions

Policy H14 'Conditions on Development in Housing Areas' part (c) requires that new development in housing areas should not cause harm to the amenities of existing residents. This is further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice guidelines and principles for new build structures and their relationship to existing houses.

The NPPF, at paragraph 130 part f), requires a high standard of amenity for existing and future users.

so can be given significant weight.

Impact on Neighbouring Occupiers

Relevant Guidelines in the adopted Supplementary Planning Guidance on Designing House Extensions relating to overbearing and overshadowing impacts, privacy and overlooking include: the requirement for two storey dwellings which face directly towards each other to have a minimum separation of 21 metres (guideline 6); two storey buildings should not be placed closer than 12 metres from a ground floor main habitable window; and a two-storey extension built along site another dwelling should make an angle of no more than 45° with the nearest point of a neighbour's window (guideline 5). These guidelines are reflected in the South Yorkshire Residential Design Guide (SYRDG), which Sheffield considers Best Practice Guidance, but which is not adopted as Supplementary Planning Guidance.

The closest neighbouring properties to the application site are those flats along Woodview Road to the rear of and elevated above the site and no's 2-4 and 41-91 Walkley Lane. Dwellings on the opposite side of Walkley Lane sit below the level of the highway a minimum of 26 metres away.

Main habitable windows in the proposed development are located in the front and rear of the properties. No windows are proposed in the gable ends. The rear elevations of the proposed properties are located approximately 15m from the rear elevations of the flats on Woodview Road. However, these neighbouring properties are elevated to a degree that they will more or less have views over the roof of the proposed dwellings. Openings in the rear elevation of the proposed properties will look onto the existing high retaining wall that runs along the rear boundary. As such the privacy levels of neighbours will not be compromised.

Both No's 2-4 and 41-91 Walkley Lane are clear of the 45 degree angles of clearance designed to prevent unreasonable overbearing or overshadowing impacts.

Amenity for Future Occupiers

Occupants of the proposed dwellings will have good sized living accommodation over three floors and access to good sized rear gardens in excess of the 50 sqm required by guideline 4 of the SPG. The rear gardens, though south facing, will be in shadow for parts of the day due to the site's topography and presence of development to the rear, but they will receive some direct light and occupants will also benefit from first floor north facing balconies and windows with wide views across the valley to the north.

No's 2-4 Walkley Lane sit further away from Walkley Lane than the proposed dwellings. As there are no openings in the gable of this property it does not overlook the application site. It does have the potential to cause some overshadowing of the rear gardens of the proposed properties, particularly in the winter months, but only in the mid morning.

It is considered that the proposed dwellings offer good quality living accommodation and that the amenities of the occupants of neighbouring properties will not be adversely affected to any significant degree. The application therefore complies with policy H14 of the UDP and paragraph 130 of the NPPF.

Highways

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

UDP Policy H14 'Conditions on Developments in Housing Areas' part d) requires that permission will be granted where there would be appropriate off-street car parking for the needs of the people living there.

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 111 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The local policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 107 and 108 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

The proposed development has gone through design changes in order to achieve acceptable visibility splays for motorists leaving the site. The initial plans drew objections from the local community on highway safety grounds, and officers shared these concerns in relation to visibility. However, the amended ground floor design relocated the car park access from a central position, to one at the western end of the site frontage. The existing boundary wall and vegetation that protrudes into the highway will be removed, and the visibility splay tarmacked and incorporated into the adopted footway. By undertaking these design changes, the applicant has achieved a visibility splay to the right of 2.4 metres x 46 metres, which is more than sufficient for a 30mph design speed. In relation to visibility to the left, it is possible to see almost to the apex of the bend in Walkley Lane, just before Lonsdale Road. Accordingly, the visibility splays now accord with national design guidelines, and have been superimposed on a topographical survey to be sure of accuracy.

The vehicular access is 5 metres wide, thereby allowing cars to enter and leave simultaneously. Eight car parking spaces are proposed, with on-site turning space. No indication of bicycle parking is given, so a condition is recommended.

Whilst there will be a small increase in traffic generation from occupiers and visitors to the proposed development, it is not considered that there would be a significant increase in traffic on Walkley Lane that would materially impact on the operation of the highway.

With regard to parking spaces, the Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53. Outside of the city centre, a 2-3 bedroom house should have a maximum of 2 spaces, in addition 1 visitor space per 4 houses should be provided. For this scheme that equates to 8 spaces, plus 1 visitor space. Whilst no visitor space is shown, the site is located in a sustainable location with easy access to public transport and facilities in nearby Hillsborough and Walkley. The lack of 1 visitor space is not considered to justify refusal in this instance, particularly as the guidelines are maximum standards and bearing in mind the more up to date guidance in NPPF paragraphs 107 and 108.

It is considered that the access arrangements are safe and that a sufficient amount of car parking is proposed. Accordingly, the proposal is considered to comply with the UDP, Core Strategy and NPPF policies listed above, and would not have the level of impact that would justify refusal of permission on highway safety grounds as required by the NPPF.

Landscaping

UDP Policy GE15 'Trees and Woodlands' states that trees and woodlands will be encouraged and protected by planting trees and requiring developers to retain mature trees.

Policy BE6 'Landscape Design' expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation.

CS74 'Design Principles' part a) requires high-quality development that will respect, take advantage of and enhance natural features of the City's neighbourhoods.

These policies are considered to align with the NPPF on the basis that paragraph 130 expects appropriate and effective landscaping and paragraph 131 recognises the contribution of trees to the quality of urban environments.

A tree report was submitted with the application. It identified the presence of Ivy and Buddleia, now considered an invasive pest. Ash trees are growing in front of the site, against the retaining wall, but these have been cut leaving only metre-tall stumps. In the northwest corner of the site is a self-sown Pussy Willow growing behind the gate post, which was probably the original entrance to the site. The tree is very close to the neighbouring property and is recommended for removal.

The most significant tree on the site is a Sycamore growing on a mound of spoil in the southeast corner of the site and surrounded by Sycamore saplings. It is approximately 13 metres tall and very close to the boundary wall, with the majority of its crown hanging over the boundary close to the neighbouring properties to the east and south. The spoil in which this tree is growing appears loosely-tipped spoil and is unlikely to provide much stability. It is recommended that the Sycamore be removed before any construction work commences.

The Council's landscape officers are in agreement with the recommendations of the tree report, concluding that retention the remaining trees cannot be justified.

The loss of the existing green space is acknowledged, but the site is overgrown, inaccessible and unused and it is not known to accommodate any protected species (urban foxes are not protected). The site is designated for housing in the UDP and Sheffield is currently unable to demonstrate a five-year supply of deliverable housing sites. Some replacement planting can be secured through the recommended condition for hard and soft landscaping.

Consequently, the proposal is considered to comply with paragraph 130 of the NPPF and UDP policy.

Sustainability

Policy CS63 'Responses to Climate Change' of the Core Strategy sets out the overarching approach to reducing the city's impact on climate change. These actions include:

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

Policy CS 64 'Climate Change, Resources and Sustainable Design of Developments' states that all new buildings and conversions of existing buildings must be designed to reduce emissions of greenhouse gases and function in a changing climate. All developments will be required to:

- achieve a high standard of energy efficiency;
- make the best use of solar energy, passive heating and cooling, natural light, and natural ventilation; and
- use resources sustainably.

At the heart of the NPPF, there is a presumption in favour of sustainable development (paragraph 11), with paragraph 152 stating that the planning system should support the transition to a low carbon future in a changing climate.

The site is located within the main urban area close to a wide range of amenities and transport options. The scheme proposes double-glazed sealed units, energy saving and motion sensor lighting. The applicant also proposed the use of solar/photovoltaic panels.

As the application is for 4 dwellinghouses only, conditions cannot be imposed to secure on site renewable or low carbon energies, however the proposal is considered to meet the general local sustainability policy requirements of CS63 and CS64 and the NPPF.

Environmental Issues

Environmental Officers have raised no significant objections to the development. From their records the site is identified as potentially influenced by former contaminative uses and as such conditions for ground investigations are recommended.

As Walkley Lane is a well trafficked local road and bus route, conditions for sound insulation are recommended to mitigate road noise.

Flood Risk/Drainage

Policy CS67 'Flood Risk Management' of the Core Strategy states that, amongst other things, the extent and impact of flooding should be reduced through a series of measures, including limiting surface water run-off through the use of Sustainable drainage systems (Suds).

This element of Policy CS67 is considered to align with paragraph 167 of the NPPF which states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

The site does not fall within a high or medium risk flood zone that would affect the principle of the development.

To mitigate for surface water run-off, permeable paving to all hardstanding areas is proposed. In addition, a condition requiring the details of surface water drainage works is recommended.

Therefore, the proposal complies with CS67 and paragraph 169 of the NPPF.

Community Infrastructure Levy

The proposed development is CIL liable and the proposal falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in

which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010'.

SUMMARY AND RECOMMENDATION

This application seeks planning permission for the erection of 4 dwellinghouses. Sheffield has updated its 5 year housing land supply position to reflect the deliverability of sites as at 1 April 2021 and can demonstrate a 4 year deliverable supply of housing land. Because the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the relevant policies for determining applications that include housing should be considered automatically out-of-date according to paragraph 11(d) of the NPPF. The so called 'tilted balance' is therefore triggered, and planning permission for housing should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The proposal would deliver a number of benefits, with the NPPF emphasising the importance of delivery of housing. The provision of 4 additional homes will contribute to meeting the current shortfall. There would be economic benefits though expenditure in construction, in the supply chain, and in local spending from residents. There are sustainable design features including solar PVs. The proposal is not considered to create any significant or severe highway safety issues. The scheme proposes a development at an appropriate scale and mass which sits reasonably comfortably within the street scene and there are no harmful impacts on occupiers of neighbouring properties.

There are therefore no adverse impacts that would significantly and demonstrably outweigh the benefits of the development. Taking into account the tilted balance set out in paragraph 11(d) of the NPPF, the application is recommended for approval subject to the proposed conditions.

This page is intentionally left blank

Case Number	21/04263/REM (Formerly PP-10231786)
Application Type	Approval of Reserved Matters
Proposal	Reserved matters application proposing details for the appearance, scale, layout, landscaping and access for a 9 storey multi-storey car park building (Sui Generis) at No.4 West Bar Square
Location	33 Love Street and site of former 53 Bridge Street Sheffield S3 8NW
Date Received	29/09/2021
Team	City Centre and East
Applicant/Agent	Asteer Planning LLP
Recommendation	Reserved Matters Approved Conditionally

Time Limit for Commencement of Development

Approved/Refused Plan(s)

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

Location Plan - 05883 MP_00_0001 A
Proposed Masterplan - 05061_MP_00_2200 Rev D
MSCP - Landscape GA - 1936.A-PLA-XX-XX-DR-L-0002 P03
MSCP - Levels Plan - 1936.A-PLA-XX-XX-DR-L-0003 P02
MSCP - Hardworks - 1936.A-PLA-XX-XX-DR-L-0008 P02
MSCP - Softworks - 1936.A-PLA-XX-XX-DR-L-0009 P02
Proposed Site Plan - J1866-STRIPE-XX-00-DR-AX-1001 P05
Proposed Ground and Level 01 Floor Plan - J1866-STRIPE-XX-ZZ-DR-AX-1100 P06
Proposed Level 02 and Typical Floor Plan - J1866-STRIPE-XX-ZZ-DR-AX-1101 P06
Proposed Level 08 and Roof Floor Plan - J1866-STRIPE-XX-ZZ-DR-AX-1102 P06
Proposed Elevations - J1866-STRIPE-XX-ZZ-DR-AX-1500 P06
Proposed Sections - J1866-STRIPE-XX-ZZ-DR-AX-1600 P05

Reason: In order to define the permission.

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

2. The following Road Safety Audits, to be completed by appropriately qualified road safety audit engineers who shall be independent of the scheme design/process, shall be submitted to and approved in writing by the Local Planning Authority:
 - i. A Stage 2 RSA, prior to the commencement of development.
 - ii. A Stage 3 RSA on completion of construction of the relevant section of highway or access to the highway.
 - iii. A Stage 4 post opening collision monitoring report shall be completed 12 months after

the first opening of the highway scheme.

All issues raised by the Road Safety Audits shall be addressed by the applicant and works completed at the earliest opportunity and no later than 3 months from the date of the relevant RSA.

Reason: In the interests of highway and pedestrian safety.

3. No above ground works shall commence until the highway's improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

been carried out; or

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 building is brought into use and the building shall not be brought into use until the highway improvements listed below have been carried out;

Highways Improvements:

i. Improved cycle infrastructure to Bridge Street to be determined by the Local Planning Authority.

ii. Agree the extent of the adopted highways and reconstruct Love Street and the west side footway of Bridge Street in Urban design Compendium palette or alternative to be approved by the Local Planning Authority.

iii. Apply for all relevant TRO's and install all signs and markings required for direction to and control of access to the new MSCP.

Reason: In the interest of highway and pedestrian safety

4. 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 interest of highway or pedestrian safety

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

5. Details of all proposed external materials and finishes, including sizes, fixing and 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. Prior to that part of the development commencing, large scale details at a minimum scale of 1:20 showing the pattern/size of perforations to the mesh cladding shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenities and to ensure a high quality design.

7. A sample panel of the proposed cladding shall be erected on the site and shall illustrate the colour, texture, detailing and fixing of the panels to be used. The sample panel shall be approved in writing by the Local Planning Authority before the erection of any cladding is commenced and shall be retained for verification purposes until the completion of such works.

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

8. Prior to the development being occupied, details of a cleaning and maintenance regime for the mesh cladding, in line with the recommendation in the design and access statement, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the maintenance shall be in accordance with the approved details.

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

9. Notwithstanding the submitted plans a comprehensive and detailed hard and soft landscaping scheme for the site which includes plant species, details of specific hard surfacing materials and details of street furniture and bins shall be submitted to and approved in writing by the Local Planning Authority before the hard and soft landscaping works are commenced.

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

10. Prior to that part of the development commencing, large scale details at a minimum scale of 1:20 showing the perforations and detailing (to include public art in the lower cladding panels) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenity and securing a high quality design

11. 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

12. The proposed green screen shall be installed in the locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works commencing. The green screen shall be installed prior to the use of the building commencing and thereafter retained and maintained.

Reason: In the interests of biodiversity.

13. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered. Plant noise emission levels should not exceed the LA90 background noise level at the nearest noise sensitive receptor during the periods of operation.

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

14. Prior to the development being brought into use, full details of any proposed external lighting associated with the buildings and public realm hereby approved shall have been submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

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

15. Prior to the development being brought into use, full details of a signage strategy will be submitted to and approved in writing by the Local Planning Authority. Thereafter any signage shall only be installed in accordance with the approved strategy.

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

16. The sole means of vehicular ingress to and egress from the site shall be gained from and to Love Street.

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

17. No door, window or gate shall, when open, project over the adjoining highway.

Reason: In the interests of pedestrian safety.

18. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation shall have been submitted to an approved in writing by the Local Planning Authority. The car park shall then be laid out in accordance with the approved details.

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

19. The car parking accommodation shall not be used until an access management strategy, including proposals to prevent a negative impact of equipment failure on the highway, has been submitted to and approved in writing by the Local Planning Authority. Thereafter such approved access management strategy shall be retained and complied with by the car park operator.

Reason: In the interests of highway safety.

Other Compliance Conditions

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

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

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

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

To ensure that the road and/or footpath on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on

commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

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

Email: highwayadoptions@sheffield.gov.uk

4. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

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

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

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

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

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

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

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

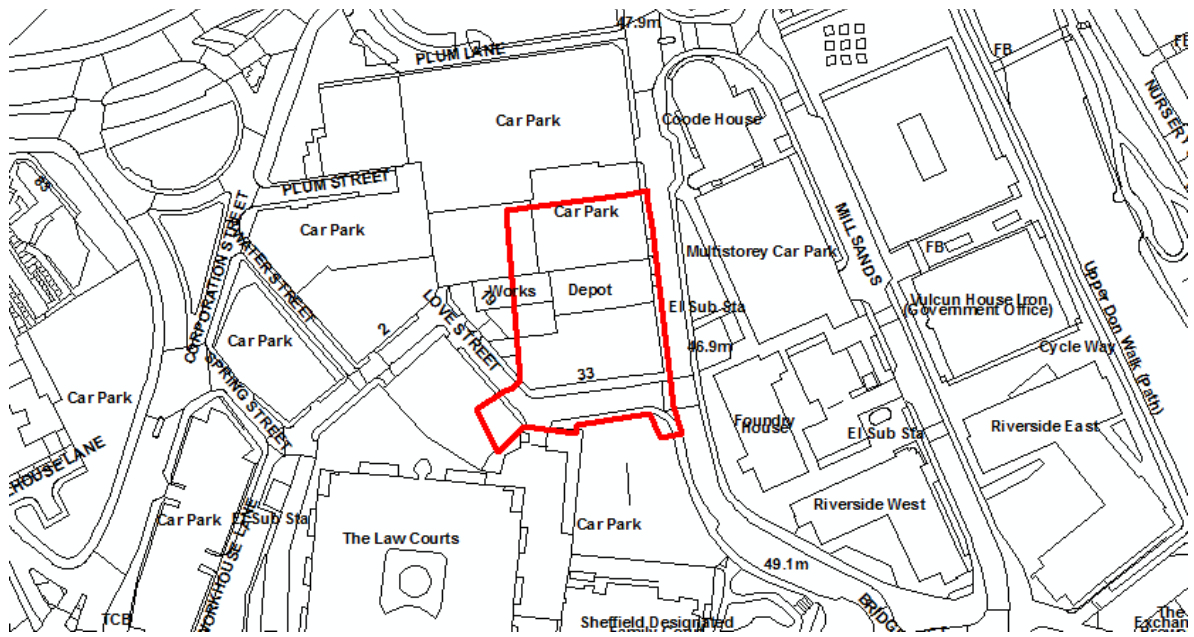
6. Dependent upon the nature of the highway works being undertaken, you may be required to pay a commuted sum to cover the future maintenance of new and/or improved highway infrastructure.

The applicant is advised to liaise with Highways Maintenance Division early on to determine the approximate cost. In the first instance contact should be made with the S278 Officer:

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

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

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

INTRODUCTION

This application forms part of the West Bar Square redevelopment for which Outline planning permission was granted through application 16/02518/OUT. The approved outline application was the culmination of a significant amount of work from first concept in 2002; including a development brief in 2004; outline planning approval in 2007 (the developer then went into administration); and the signing of a development agreement in 2015 with Urbo who submitted the Outline application in 2016 and this current application.

The outline application approved the demolition of existing buildings and erection of buildings to form a mixed-use development comprising offices, residential, retail and leisure uses, public realm and parking on a triangular, 3.04 hectare, site bounded by West Bar, Corporation Street, Bridge Street and the Inner Relief Road.

The Outline consent approved the principal access into the site with all other matters, namely access (except for principal access), scale, layout, appearance and landscaping reserved for future approval. As part of the approval, parameter plans were granted which set the location of the public square, maximum building heights and zones where particular uses were permitted. Conditions also control the amount of each use permitted in the overall scheme.

Owing to the scale of the site the development will be phased. Reserved matters applications have recently been granted through applications 21/01998/REM and 21/01999/REM for an office building and two residential blocks respectively.

The MSCP is located on Plot 4C within the west portion of the outline approval red line boundary area. The site is bounded by Love Street to the south, beyond which lies the retained Law Courts. Bridge Street is to the west and is characterised by office and residential development to the opposite side of the highway. The remainder of the cleared West Bar site lies to the east and north of the application site. The site formerly accommodated surface car parking and industrial buildings, but these have recently been demolished.

This application seeks reserved matters approval for a multi-storey car park (MSCP) with access and egress taken from Love Street. The proposal is 9 decks high and will accommodate 470 car park spaces, including provision for disabled parking and electrical vehicle charging, as well as car parking attendants office and a substation. Hard and soft landscape works are also proposed and will link to the wider landscape works for West Bar Square.

RELEVANT PLANNING HISTORY

21/01998/REM – Erection of an office building (Use Class B1a) with ground floor retail units (Use Classes A1-A4) (Application to approve access, appearance, landscaping, layout and scale as reserved under planning permission no. 16/02518/OUT) – Granted Conditionally

21/01999/REM - Erection of mixed-use development comprising 2no. buildings up to 19 storeys with apartments at upper levels (Use Class C3) and ground floor retail units (Use Classes A1-A4) (Application to approve access, appearance, landscaping, layout and scale as reserved under planning permission no. 16/02518/OUT) – Granted Conditionally

20/02999/NMA - Application to allow minor amendment to condition 58 to 'No more than 700 car parking spaces, inclusive of existing temporary car parking and any new car parking provision, shall be provided within the site before parts a, c, d, e, f and g of Part

1 of Condition 20 are completed to the satisfaction of the Local Planning Authority' (amendment to planning approval 16/02518/OUT) – Granted

16/02518/OUT - Demolition of existing buildings and erection of buildings to form a mixed use development (maximum floor space of up to 140,000m²) comprising office (Class B1), residential (Class C3), hotel (Class C1) and retail and leisure (Classes A1, A2, A3, A4, A5, D1 and D2) uses, provision of public realm space and car parking accommodation (Outline application - all matters reserved except for the principal means of access to the site from the junction of Bridge Street/Corporations Street) – Granted Conditionally

07/03813/OUT - Mixed use redevelopment for Class B1 (Business). Class A1 (Shops), Class A2 (Financial and Professional), Class A3 (Restaurants and Cafes), (A4 (Drinking Establishments), Class A5 (Hot Food Takeaways), Class C3 (Dwellings), Student Housing, and Class C1 (Hotels), and associated roof plant, car parking accommodation and access – Granted Conditionally subject to Unilateral Agreement

SUMMARY OF REPRESENTATIONS

No letters of representation have been received

PLANNING ASSESSMENT

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

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

Sheffield's development plan comprises the Unitary Development Plan (1998) and the Core Strategy (2009).

Paragraph 219 of the NPPF states that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

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

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

The principle of the development has been established through the Outline planning approval. It is not considered necessary to repeat this assessment here.

However, in summary the redevelopment of the West Bar Site for a mixed-use development comprising high quality office space, residential accommodation, a hotel, multistorey car park and a range of A and D use classes is consistent with the aspirations of the West Bar Interim Planning Guidance, the Core Strategy and the NPPF.

The main issues for consideration as part of this application are those matters reserved from the outline approval including:

- Access and highway matters;
- Layout, appearance and scale; and
- Landscaping of the site

Consideration will also be given to other relevant issues. All matters will be assessed in relation to relevant national and local policies and the degree of consistency between policies will be considered.

Relevant Conditions from Outline Application

Condition 56 of the outline approval sets limits on the amount of floor space for different uses across the whole development site, as below:

The total combined gross floor space of the development shall not at any time exceed 140,000m² in accordance with the following minimum and maximum gross floor spaces:

- (a) Office (use Class B1a): a minimum of 51% of the total combined development floor space up to a maximum floor space of 85,000m².
- (b) Residential (use class C3) up to a maximum floor space of 50,000m² or 525 units whichever is the greater.
- (c) Retail, leisure and community (use class A1, A2, A3, A4, A5, D1 and D2) a combined a maximum floorspace of up to 5,000 m² subject to the restrictions on retail (use class A1) use as identified in condition 52
- (d) Hotel (use class C1) up to 500 bedspaces or a maximum floorspace of 20,000m² whichever is the greater.
- (e) Car parking (sui generis) up to 700 car parking spaces not exceeding 25,000m²

The application proposes 13,932m² (GIA) of parking provision and so is comfortably in line with Condition 56. To date no other parking spaces have been approved as part of a reserved matters application and so the proposed 470 spaces do not need adding together with any other provision.

Condition 2 of the outline application approved a number of parameter plans which the development must be in accordance with. Of relevance to this are drawings which set out where Sui Generis Car Parking uses are permitted, indicated to be along Bridge Street. The location of the MSCP proposed through this reserved matters application is consistent with the land use parameter plan.

Design (Reserved Matters: Appearance, Layout and Scale)

Policy

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

architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

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

Paragraph 126 of the NPPF highlights the importance of good design as a key aspect of sustainable development and creating better places to live and work. Paragraph 130 then goes on to set out a series of requirements including that development should add to the quality of the area; have good architecture, layout and landscaping; be sympathetic to local character and history; establish a strong sense of place and create welcoming and distinctive environments.

The key principles contained within the local design policies relate to providing developments that are high quality, well designed, distinctive and sympathetic to local character. These principles align closely with the NPPF and as such it is considered that they can be afforded significant weight.

Relevant Conditions

Condition 50 of the outline approval requires that the reserved matters applications shall be in substantially in accordance with the Design Principles set out the West Bar Square Design and Access Statement dated May 2016.

Condition 2 sets out approved drawings; one of these relates to maximum heights and indicates a maximum height of 94.30m AOD (including plant) within the area relating to this site.

Scale, siting and appearance

The Design Principles set out in the Design and Access Statement referenced in Condition 50 of the outline approval set out 5 key character areas for the site. Of particular relevance to the MSCP site are character areas West Bar Square and Bridge Street. As defined in the Design and Access Statement the key design principles for the West Bar Square Character Area are:

- Distances between buildings should reinforce the hierarchy of pedestrian routes;
- Active frontages must address the square;
- Key gateways should provide appropriate wayfinding and create distinctive routes through the development;
- The heart of the development is the new city square, the scale of which should be big enough to accommodate public events, but small enough to be at a human scale;
- Routes to the public square should include SuDs, public art, wayfinding/signage, opportunities for informal gathering, high quality materials and tree planting;
- All buildings to display a tripartite separation of top, middle and bottom;
- Ground floor heights to be a minimum of 5 metres;
- High quality materials of a contemporary nature should be used.

The key design principles for the Bridge Street Character Area are:

- Minimum pavement width of 3m along Bridge Street and buildings to display back edge of footprint layout;
- Maximum of 6 buildings, minimum of 5 buildings along Bridge Street;
- Active frontages incorporated where possible to reinforce pedestrian routes through the site;
- Vehicle access to use existing highways of Love Square and Plum Street;
- A minimum of 2 pedestrian routes off Bridge Street must be provided
- Articulation of key gateways is necessary to provide appropriate way finding and create distinctive routes;
- scale to be in line with parameter plans; and must ensure appropriate conditions to the public square
- Public Realm to include semi-mature planting, high quality materials and an uncluttered route to Kelham Island
- All buildings to display a tripartite separation of top, middle and bottom;
- Ground floor heights to be a minimum of 5 metres
- High quality materials of a contemporary nature should be used.

The building is located to the east of the site and is bounded by Love Street to the south and Bridge Street to the east, within an area defined by the parameter plans as suitable for a Sui Generis MSCP. The proposal is for a nine deck building with a height of 78.00m AOD. The Outline application considered that a height of up to 94.300 AOD was an appropriate scale for this key edge of city centre site, so the proposal sits comfortably within the scale parameters.

The proposal is for a rectangular shaped building with vehicular access off Love Street. The siting of the building will allow for a 3 metres wide pavement adjacent to Bridge Street; the building will then be set at the back edge of this widened footway. The increased footway and back edge of pavement layout is in line with the design principles set out in the outline application and will ensure that the building provides an appropriate enclosure to Bridge Street whilst also improving the pedestrian route to the Kelham Island Area to the north.

The MSCP is a functional building with the majority of the floorplate taken up by parking; with the exception of stair cores, ground floor staff offices and a substation. The main stair and lift core are positioned to the north-west corner of the building, providing direct access to West Bar Square and also aiding legibility and wayfinding.

A secondary stair and lift core are provided to the south-west corner and will act as a marker for the vehicular access point to the site. Whilst direct access to West Bar Square is provided, the building is located at a corner of the square allowing office and active frontages in other buildings to dominate. Given the limited opportunities afforded for active frontages by the MSCP this relationship is well considered.

The base of the building is to be clad with anodised aluminium perforated panels, the extent of which will cover the ground and first floors, resulting in a clear base; the height of which is the same as approved at No.1 West Bar Square. The intention is to incorporate public art into the cladding system to create visual interest to the street scene; the design of this will be finalised working with the Council's Public Art Officer, the details of which will be secured by condition.

Above the base level, mesh stainless steel cladding is proposed in a 3D sculptural concertina pattern arranged vertically. Other materials include solid aluminium cladding panels to the stair cores, finished in a silver colour. The Cladding is intended to reflect the steel making history of Sheffield and is effective in creating an interesting, contemporary and unique appearance which will break up the massing of the building. Information submitted with the application details that the stainless steel cladding is not likely to rust but that annual maintenance and cleaning will be required, this will be secured by condition.

The design of the building is based upon the Architect's vision for the whole site; the site as a whole is viewed as a collective and complementary family of buildings but also as individual elements. Buildings towards the north and along Bridge Street will be designed to have a more raw materiality, to reflect the industrial heritage of the Kelham Island Area, whereas the buildings closer to the south and along Corporation Street and the Inner Relief Road will be designed to reflect the contemporary commercial style of the City Centre.

A landscaped pedestrian route is provided to the north of the building supporting the east west link through the site. Shared pedestrian and vehicular access is also provided along Love Street and a pedestrian route to the west links the two horizontal routes. Glazing to the MSCP on the site office area in the west elevation, coupled with the stair cores will help to activate the building and create a positive relationship with pedestrians. Elsewhere, opportunities for active frontages are somewhat limited by the nature of the building, but the use of a green screen to the west elevation and public art in the cladding will enliven the elevations and provide a positive relationship with pedestrian routes. The provision of pedestrian links around the building in high quality landscaped areas will provide a highly permeable layout as envisioned in the original masterplan.

The siting and layout of the proposals supports the evolving masterplan and the two phases of development already granted. Supporting the aims of the masterplan overall and design principles for the character areas.

It is noted that Condition 34 requires all buildings to provide a green/brown roof unless it can be shown to not be feasible or viable. In this instance the roof of the car park is used for parking spaces, this is necessary to maximise parking and so a green/brown roof is not feasible.

In light of the above, it is considered that the proposal is for a well-designed, high quality building that is suitable for this City Centre redevelopment site.

Heritage Implications

The site is not located in a Conservation Area and does not contain any listed buildings or scheduled Ancient Monuments. The nearest listed building (the Emergency Services Museum) is located to the south-west of the site on the opposite side of West Bar roundabout. Owing to the separation distance it is considered that the proposal will not have an impact on this building. Furthermore, owing to the separation distance to the Kelham Island Conservation, the MSCP will not have any impact on this heritage asset.

Highways and access (reserved matter access)

Policy IB9 (f) expects development to be adequately served by transport facilities, provide safe access to the highway network and appropriate off-street parking.

Paragraph 110 of the NPPF states that in assessing applications it should be ensured that:

- Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location
- Safe and suitable access to the site can be achieved for all users;
- The design of streets, parking areas, other transport elements and the content of associated standard reflects current national guidance, including the National Design Guide and the National Model Design Code; and

- Any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 of the NPPF states that new development 'should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

Paragraph 112 goes on to state that application for development should:

- (a) Give priority first to pedestrian and cycle movements and second to facilitating access to high quality public transport;
- (b) Address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- (d) Allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- (e) Be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The MSCP is the primary car park for the West Bar redevelopment site. It will provide a total of 470 parking spaces to include 22 accessible spaces, 25 Electric Vehicle Charging spaces, 25 spaces for Ultra Low Emission Vehicles and 2 Accessible Electric Vehicle Charging spaces. In addition, 5 motorcycle and 5 bicycle parking spaces will be provided.

As detailed previously, the number of overall parking spaces is in line with the maximum parameters set out in Condition 56. Furthermore, the provision of the Electric Vehicle Charging Points and Ultra Low Emission Vehicle spaces is in line with the requirements of Condition 33 which details that a minimum of 5% of spaces within the MSCP should be used for each of these purposes.

The car park is designed to follow a one-way circulation flow. The car park will be formed from large pre-cast planks spanning between primary beams at the perimeter. This will prevent the need for supporting columns within the main floor areas and allow for greater manoeuvrability. Parking bays follow Council standards of 2.5m x 5m for standard bays and 3.6m x 6m for accessible bays.

Vehicular access to the MSCP will be via Love Street, accessed from Bridge Street. The junction with Bridge Street will be modified to provide amended corner radii and dropped kerbs with tactile paving across the junction for pedestrians travelling along Bridge Street. Tracking information has been submitted with the application which demonstrates that access to the MSCP can be achieved, as can access for service vehicles to the perimeter of the site.

It is highlighted, that the principal means of access into the West Bar site from Bridge Street was approved through the outline application. A number of highways improvements were secured through Condition 20 of the outline approval. At outline stage it was determined that permitting travel in both directions along Bridge Street would have the least detrimental impact on highway safety. This option is preferable to allowing immediate access from a car park to the inner relief road or allowing increased usage of the West Bar Grey to Green route, which would be the consequence of Bridge Street remaining one way. As detailed, the access to and from the site is established and the siting of the car park accessed from Love Street via Bridge Street is in line with the already approved details.

Road Safety Audits are needed at each stage of the development of this critically located site. Therefore, the applicant should provide a Stage 1 road safety audit for the development of this section of the site including Love Street and the entire length of Bridge Street and its junctions with Love Street, Corporation Street and West Bar. The RSA's (stages 1, 2, 3 and 4) will be conditioned as has been done for other applications for this site.

Trip generation and traffic modelling was undertaken as part of the Outline approval and these assessments are still relevant. The transport assessment submitted with the current application provides an update to the trip generation modelling based on the approved reserved matters and is in line with the figures issued at outline stage.

The applicant has submitted figures that provide a robust assessment of the likely use of the MSCP. The barrier operational capacity proposed by the applicant is based on details in the Design Recommendations for MSCP and Underground Car Parks (fourth edition), The Institution of Structural Engineers, March 2011.

Although officers do not suggest the figures for access through the barriers are in error, they do appear optimistic and subject to reduction if user error occurs. The applicant has been asked to provide further detail on this matter, however they are unable to provide full details at this time as the car park will be operated by a third party with experience in running other car parks. The applicant envisages a technologically advanced system of management using technology such as ANPR, an automatic barrier system, online pre-parking booking, pay before exit, mobile phone apps and the majority of entries being ticketless which will increase the efficiency of the car park entry and exit processes. A car park management plan will be conditioned which will enable further details to be submitted and agreed when the information is available. This should include measures to address various scenarios that may happen on the site and how any queuing both within the car park and on the route to the car park can be minimised.

The substation will be serviced from within the development, with access via Love Street and the pedestrianised route to the west of the site. Servicing of the operator's office and estate office will be negligible and will be undertaken using light goods vehicles either within the MSCP or from other loading areas in the wider site. Refuse collection will be undertaken from Bridge Street or other collection points in the wider masterplan area.

Landscaped pedestrian routes will be provided around the MSCP and will link to West Bar Square and the wider redevelopment site, ensuring a permeable site layout. The pedestrian routes will be accessible at all hours and details of lighting will be secured by condition. Although the applicant has provided additional information as requested regarding the layout and surfacing of Love Street, further clarification of the extent of adopted public highway on Love Street and also details of the extent of associated public open space (to be maintained by the site management) adjacent to the adopted public highway are required. Clarification of the nature of the proposed surface treatment and street furniture if any for the adopted public highway of Love Street and Bridge Street, should also be provided.

Condition 21 requires details of cycling parking to be provided with each reserved matters application and states:

"Each reserved matters application shall be accompanied by full details of suitable and sufficient cycle and motorcycle parking accommodation in accordance with the Council's most up to date cycle parking guidelines. The details shall include the shower/changing/drying and storage facilities to be provided within that phase/building. The development shall not be used unless such cycle and motorcycle parking and

facilities have been provided in accordance with the approved plans and thereafter retained.”

The plans indicate that 5 cycle spaces and 5 motorcycle spaces will be provided. These are for use by staff associated with the MSCP, with cycle provision made within other buildings and the public square for users of those buildings/areas. The number of spaces proposed for the users of the car park is in excess of the minimum parking requirements, which for offices require one short stay and one long stay space per 100m² of office space. No shower/changing/drying facilities are proposed but given the small number of staff to be employed as part of the MSCP operation this is considered to be acceptable.

The Kelham/Neepsend area is subject to cycle improvements through the Transforming Cities Fund. The plans indicate a number of cycle routes will be provided and West Bar roundabout will become a dutch roundabout, giving priority to pedestrians and cars. Opportunities to link the West Bar Square redevelopment site to the wider cycle improvements in the area are encouraged and will be secured through conditions on the outline and reserved matters approval. Condition 20 of the outline approval requires improvement works including part 3b which requires ‘Improvements to pedestrian and cycle safety and access to the site associated with the relevant phase’.

It is acknowledged that the development of the MSCP and the wider site will increase traffic on Bridge Street. The left slip lane from Bridge Street was conditioned before the latest IRR scheme was designed and it was always envisaged that it would have to be accommodated. At the time of assessment (IRR feasibility stage), traffic volumes on Bridge Street even after the committed development is fully occupied, will permit cyclists to use Bridge Street with all other traffic (based on daily two-way movements) in line with the new 2020 guidelines of LTN 1/20. Coupled with the review and improvements required through Condition 20, it is concluded that the cycle access to the site will be acceptable.

Access

Policy BE5 ‘Building Design and Siting’ of the UDP requires that designs should meet the needs of users, particularly people with disabilities.

The NPPF, in paragraphs 92, 93 and 127, encourages a high standard of design and inclusivity for all members of communities using a development. The main access is to the northwest corner of the building providing clear level pedestrian links through to West Bar Square. Access to the building is via double width automatic doors which provide access to lifts to all levels.

In light of the above, it is considered that suitable access to and within the development will be provided and that the development meets policy requirements.

Landscaping

UDP Policy BE6 expects good quality landscape design in all new developments. This requirement is reflected in paragraph 130(b) of the NPPF which states developments should be ‘visually attractive as a result of good architecture, layout and appropriate and effective landscaping’. These policies align strongly and therefore significant weight can be attached to Policy BE6.

A hard and soft landscape scheme is proposed of the area around the site which includes pedestrian routes (with provision for emergency vehicles) to the north and west, Love Street to the south and Bridge Street to the east.

The plans indicate that granite paving will continue from West Bar Square to the building entrance at the north-west of the site. Beyond this, to the pedestrian links which form part of the public realm to the north and the west, concrete paving is indicated. Concrete paving to adoptable standards is indicated along Bridge Street and a tarmac highway to Love Street. Further discussions about the suitability of the proposed paving materials, including how they link to the wider Grey to Green Scheme are considered to be necessary.

The public realm to the west of the building will include planting and rain gardens to facilitate SUDs whilst raised planting beds are proposed to the north to address the level changes. Anchor trees will be included to highlight entry points and key views. Planting should contribute to the ecological value of the proposals and bat and bird boxes in trees will further improve biodiversity.

The application includes temporary measures along Love Street, with the permanent proposals not being completed until the future reserved matters details for buildings to the west of the stie are submitted. The temporary works indicate a tarmac highway and footway and temporary wildflower embankment.

Whilst the design intent is generally acceptable there are a number of issues with the detail shown which need further consideration, including details of hard surfacing materials and planting. A condition will be attached to any approval to enable further details to be finalised and agreed.

A sun path analysis has been submitted to demonstrate the impact of the MSCP on West Bar Square and demonstrates that there will be some limited overshadowing during the mornings but that this passes by midday.

In accordance with the above, the landscape principles proposed are acceptable and comply with relevant policies.

Security

Paragraph 97 of the NPPF states that Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate....appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security.

South Yorkshire Police and Counter Terrorism Policing have provided comments on the scheme in relation to safety and security. The comments suggest that the development is built to Secured by Design Standards and includes a number of recommendations including not creating recessed doors; entrances should be well lit; CCTV should be installed; inclusion of anti-suicide measures given the high rise nature of the building and access to the upper deck. It is noted that the design and access statement details that the cladding will extend 2.5 metres above the upper deck to prevent falls. The comments have been passed on in full to the applicant.

Amenity

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

Paragraph 130(f) of the NPPF states that development should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high

standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.

The principle aims of IB9 (b) and H5 are to ensure that existing and future users have a good standard of amenity. This aim is robustly reflected in paragraph 130 of the NPPF and as such it is considered that significant weight can be attached to the local policies.

The nearest sensitive users are residential developments, located at Coode House, to the north-east of the site and separated by approximately 19 metres. It is also highlighted that the MSCP will not be directly opposite Coode House but is sited at an angle whereby it does not front directly onto the residential accommodation.

The separation distance plus angled orientation is sufficient to ensure that the proposal is not unacceptably overbearing to existing residents. Although a sun path analysis has not been submitted to demonstrate the impact on residents in Coode House, the height and siting of the MSCP is in line with the parameters plans approved at outline stage. A sunlight study was submitted with the outline approval and the impacts of the development on residents to Bridge Street were considered and found to be acceptable.

In approving the parameter plans for height the impact on surrounding developments was considered and has been established. It is therefore not necessary to consider this matter in more detail as part of this reserved matters submission.

Noise

Paragraph 185 (a) of the NPPF requires the mitigation and reduction to a minimum of potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life.

Noise was assessed at the outline stage and a number of conditions attached to the approval to ensure that the development would create a suitable noise environment and not result in unacceptable noise or disturbance during construction or when in use.

Contaminated land

Paragraph 183 of the NPPF requires that planning decisions take account of ground conditions and any risks arising from land instability or contamination.

Contamination was assessed at the outline stage and relevant conditions applied to the approval. It is not necessary to carry out an additional assessment.

Wind Impacts

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

Although wind was considered at outline stage, an updated wind micro-climate assessment has been submitted now that more information about the design of the scheme is available. The wind assessment uses the Lawson Comfort Criteria to analyse pedestrian comfort. This demonstrates that following the full development of the site the wind comfort levels will be suitable for the intended purposes, including in the public square and at building entrances.

The model illustrates a small area of distress to the north-east corner of No.1 West Bar Square. This has previously been detailed and mitigation secured in relation to application 21/01998/REM.

A further area of wind safety exceedance is shown to the south-west of the site, however owing to the prevailing direction of the wind this is not a result of the redevelopment of West Bar but is likely an existing condition.

The model illustrates that wind comfort to adjacent residential building entrances will remain suitable for this activity.

It is concluded that the development will be acceptable with regards to wind impacts.

Sustainability

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

Condition 31 of the outline approval states:

A sustainability report shall be submitted to the Local Planning Authority for approval with each reserved matters application which reviews the standards set out in condition numbers 17 and 30 and considers whether the sustainability measures should be enhanced in the light of relevant local and national policy and guidance at the time. The report shall include details of how the above-mentioned standards are to be achieved and of any additional sustainability enhancements as agreed. The approved details shall be implemented before the relevant buildings are occupied.

Condition 17 requires the development to provide 10% of its energy requirements from a renewable or low carbon source whilst condition 30 requires the development to meet a minimum rating of BREEAM very good.

In economic terms, the development will form part of the wider West Bar development which will support the economic growth of the area, providing employment floorspace in the City Centre, alongside residential and leisure uses. The MSCP will allow these uses to be easily accessible and thus make them, more attractive and encourage people to the area, boosting the economy.

The social benefits of the scheme include the regeneration of the West Bar area to create a vibrant and attractive mixed-use area with new residential, commercial, leisure and employment uses alongside an attractive public square and public realm. The MSCP is a necessary element of the regeneration and will help to make the scheme accessible and attractive to users.

In environmental terms the proposal will enhance the built environment and includes a number of measures to reduce its impact on the environment as detailed below.

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

Core Strategy Policy CS65, relates to renewable energy and carbon reduction and requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. A sustainability statement has been submitted with the application and this details that consideration will be given to providing renewably energy in line with Condition 17.

The statement details that multistorey car parks are not covered by BREEAM requirements. The developer will need to seek to vary Condition 30 for this

development through a S73 application. This must demonstrate that, despite not achieving the target, opportunities to deliver sustainable elements are maximised. Consideration has already been given to this in the sustainability statement which sets out a range of sustainability measures including natural ventilation instead of mechanical ventilation; provision of natural light to stair cores; LED lighting with daylight and motion sensors; 27 active electric vehicle charging points and inclusion of a green wall and soft landscaping scheme.

Overall, the scheme is considered to represent sustainable development and meets the relevant policy and condition requirements.

Flood Risk and Drainage

Paragraph 159 of the NPPF states that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'.

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

The NPPF details at Paragraph 169 that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Policy CS67 and Paragraph 165 of the NPPF are considered to closely align and therefore significant weight can be attached to the local policy in this instance.

These issues were fully assessed at outline stage and relevant conditions attached. Details submitted with the current application indicate that drainage will incorporate SUDs and underground attenuation. Permission will need to be sought under Conditions 13 and 14 of the Outline Application for approval of the final drainage details.

The site is located in flood zone 2 and Conditions 15 and 41 set out the requirements in relation to flooding. The conditions require the development to be constructed in accordance with the flood risk assessment which set floors levels at 48.90 AOD for this type of use. The ground floor pedestrian entrance will be set at 49.19m AOD with other occupied areas at 48.90 AOD, meeting the levels set in the flood risk assessment.

Further the flood risk assessment requires the overland flow of flood water from west to east between Corporation Street and Bridge Street to be maintained and directed away from building entrances. In the short term the levels will be such that water will flow from the west to the east following a route along the pedestrian route to the north of the MSCP. Following completion of the public square the water will flow from west to east via Plum Lane to the north.

The information submitted in support of flooding and drainage is consistent with the outline approval and conditions and does not raise any additional issues. As with the original assessment these matters can be satisfactorily dealt with by condition.

Other Matters

The Design and Access Statement details that the Cladding must be non-combustible and where close to boundaries must provide fire protection (level to be calculated by a fire engineer). This normally means providing a secondary internal layer of a solid fire-resistant board behind the external cladding.

part of the outline approval and are subject to conditions. No further assessment is required as part of this reserved matters application.

SUMMARY AND CONCLUSION

The Reserved Matters application for the erection of a Multi Storey Car Park within a parcel of land in the west part of the West Bar Square redevelopment site is broadly consistent with the detail submitted at outline stage, including the parameter plans and conditions.

The proposed development is well designed and will create a contemporary addition to the street scene. The development is acceptable in terms of the matters reserved by the outline approval, namely scale, siting, layout, landscaping and access and all other material considerations considered in the report.

The report includes, where relevant, an assessment of local policies against the policies in the NPPF. It is considered that the local and national policies are well aligned and so the tilted balance is not in play. It is concluded that the scheme complies with the relevant local and national planning policies when taken as a whole and as such this reserved matters submission is recommended for approval subject to the listed conditions and those relevant conditions imposed at the outline stage.

Case Number	21/03238/RG3 (Formerly PP-09941894)
Application Type	Application Submitted by the Council
Proposal	Amendment to no. of chimneys and windows on roofscape (Application under Section 73 to vary condition 2 (approved plans) of planning permission no. 18/04069/RG3 (Retention of Pinstone Street and part of Charles Street and Cambridge Street facade, demolition of buildings behind and erection of a seven-storey building for mixed use - retail/cafe/bar space (Use Class A1, A3, A4 and A5) at ground floor with offices (Use Class B1) above and associated works (Block C) (Application under Regulation 3 - 1992))
Location	Former 88 Pinstone Street Sheffield S1 2HP
Date Received	16/07/2021
Team	City Centre and East
Applicant/Agent	Mr David Sweeting
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development must be begun not later than the expiration of three years from the 13.03.2019.

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

Approved/Refused Plan(s)

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

HOC-LDA-XXX-ZZ-DR-A-0800 Rev PO2 - Site Location Plan

HOC-LDA-XXX-ZZ-DR-A-0820 - Demo Plan

HOC-LDA-XXX-ZZ-DR-A-0830 - Demolition Elevations - Pinstone / Cambridge and Charles Street

HOC-LDA-XXX-ZZ-DR-A-0850 Rev C01 - Proposed Site Plan

HOC-LDA-XXX-ZZ-DR-A-0860 P1 - Proposed Basement Plan

HOC-LDA-XXX-ZZ-DR-A-0861 P1 - Proposed Plan Ground Floor

HOC-LDA-XXX-ZZ-DR-A-0862 P1 - Proposed Plan First Floor

HOC-LDA-XXX-ZZ-DR-A-0863 P1 - Proposed Plan Second Floor

HOC-LDA-XXX-ZZ-DR-A-0864 P1 - Proposed Plan Third Floor
HOC-LDA-XXX-ZZ-DR-A-0865 Rev C01 - Proposed Plan Fourth to Sixth Floor
HOC-LDA-XXX-ZZ-DR-A-0868 Rev C01 - Proposed Plan Seventh Floor
HOC-LDA-XXX-ZZ-DR-A-0869 Rev C01 - Proposed Roof Plan
HOC-LDA-XXX-ZZ-DR-A-0880 Rev C01 - Proposed Pinstone Street Elevation
HOC-LDA-XXX-ZZ-DR-A-0881 Rev C01 - Proposed Cambridge Street Elevation
HOC-LDA-XXX-ZZ-DR-A-0882 Rev C01 - Proposed Charles Street Elevation
HOC-LDA-XXX-ZZ-DR-A-0883 P05 - Proposed Five-Ways Elevation

Reason: In order to define the permission.

Pre-Commencement Condition(s)

3. No demolition, site preparation, restoration or construction of buildings or other structures shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual effects from noise and vibration that cannot be managed to comply with acceptable levels at source. The CEMP shall also include details relating to the permitted working hours on site, and include a fugitive dust management plan.

Working hours shall be based on the principal that all demolition, construction and associated activities audible at or beyond the site boundary shall be confined to 0730 to 1830 hours on Mondays to Fridays, 0800 to 1700 hours on Saturdays, with no working on Sundays or Public Holidays. Any extraordinary arrangements shall be subject to agreement in writing by the local planning authority. The CEMP shall detail suitable community communications procedures to ensure that occupiers of dwellings and other sensitive uses are informed in advance of any disruptive or extraordinary working arrangements likely to cause significant amenity impacts.

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

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

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

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

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

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

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

7. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation, which shall include the recording of standing buildings, and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

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

Reason: In the interests of sustainable development and given that drainage works

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

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

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

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

11. No construction of buildings or other structures shall take place until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;

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

Highway Improvement Works:

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

lighting columns, highway drainage and general street furniture deemed necessary as a consequence of the development.

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

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

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

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

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

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

14. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

15. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency

2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

16. No construction of buildings or other structures shall take place until an Employment and Training Strategy, including an implementation plan has been submitted to and approved by the Local Planning Authority. Thereafter the strategy shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic benefits of the scheme for the local community.

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

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

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

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

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

Reason: In the interests of highway safety.

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

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

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

Reason: In the interests of highway safety.

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

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

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

Shop fronts
 Typical window details, including reveals and aluminium panels
 Brickwork detailing
 Aluminium plant screen

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

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

22. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

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

23. Any office accommodation forming part of the development hereby permitted shall not be brought into use unless a scheme of sound insulation works has been implemented and is thereafter retained. Such works shall:

- a) Be based on the findings of approved HRS noise survey Ref: 131367 - AC - 2v1 (20/12/2018).
- b) Be capable of achieving the following noise level: Noise Rating Curve NR40

(0700 to 2300 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilations.

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

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

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

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

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

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

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

Reason: In the interests of delivering sustainable forms of development

27. Before any commercial use(s) hereby permitted whose normal operation involves the broadcast of amplified sound at above background level commences, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:

a) Be based on the findings of approved HRS noise survey Ref: 131367 - AC - 2v1 (20/12/2018).

b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured: (i) as a 15 minute LAeq, and; (ii) at any one third octave band centre frequency as a 15 minute LZeq.

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

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

28. The shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The means of vehicular access shall be restricted solely to those access points indicated in the

approved plans.

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

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

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

30. Any commercial food uses forming part of the development hereby permitted shall not commence unless details of a scheme for the installation of equipment to control the emission of fumes and odours from the premises have been submitted for written approval by the Local Planning Authority. These details shall include:

- a) Plans showing the location of the fume extract system, including any external ducting and detailing the position and design of the cowl/discharge point.
- b) Acoustic emissions data.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the systems required cleaning and maintenance schedule.
- e) Details of any scheme of works necessary to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

Any such use shall not commence until the approved equipment has been installed and is fully operational and shall thereafter be installed, operated, retained and maintained in accordance with the approved details.

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

31. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

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

32. A roof plan, with details of the layout and height of plant, shall be approved in writing by the Local Planning Authority before that part of the development commences. Plant shall not project above the height of the plant enclosure.

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

Other Compliance Conditions

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

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

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

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

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

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

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

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. For the avoidance of doubt in line with National Planning Practice Guidance:

Most original conditions have been included on this Decision Notice for completeness and because they remain in force. No further information is required in relation to Conditions 3, 4, 5, 6, 7, 8, 9, 16 and 26 at this stage subject to the previously agreed details being carried out in accordance with the information approved under Condition Applications 18/04069/COND1; COND 2; COND3; COND4; COND 5 and COND7. Please note the repeat conditions are listed with the same numbering as the original decision notice.

As part of the above submissions, Conditions 20 and 21 have been part approved so are repeated on this notice.

Condition 10 has not been included on this Decision Notice. The details required by this condition have already been agreed and discharged under condition application 18/04069/COND6; and no further information is required.

2. The applicant is advised that Yorkshire Water has no objection in principle to:

- a) The proposed separate systems of drainage on site and combined off-site
- b) The proposed amount of domestic foul water to be discharged to the public combined sewer network
- c) The proposed amount of curtilage surface water to be discharged to the public combined sewer network at a restricted rate of 5.39 (five point three nine) litres/second
- d) The proposed points of discharge of foul and surface water to the public combined sewer network submitted on drawing HOC-ARP-BC-XX-DR-D-14004 (revision P02) dated 11/10/2018 prepared by ARUP.

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

The developer should also note that the site drainage details submitted have not

been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

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

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

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

4. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

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

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

5. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use. Reference may be made to the background noise survey data presented in the ARUP Environmental Statement ref. SRQ ES; 24/07/2015 (as amended by the ARUP Environmental Statement Addendum; 18/02/2016). Copies of the referenced ES documents are available from the LPA or SCC Environmental Protection Service upon request.
6. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
7. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be

affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice is available from SCC Environmental Protection Service; Commercial Team, 5th Floor (North), Howden House, 1 Union Street, Sheffield S1 2SH: Tel. (0114) 2734651, or by email at eps.admin@sheffield.gov.uk.

Extraordinary working arrangements shall typically only be granted in cases where logistical constraints dictate (e.g. due to road closure requirements), or where specific processes cannot be undertaken and completed within the relevant timeframe (e.g. power-floating or other treatments relating to large volume concrete pours). Additional working hours will not generally be granted to address scheduling or project management shortfalls.

8. The Construction Environmental Management Plan (CEMP), required to be produced by the main Contractor (and any subsequently appointed main Contractor), in liaison with the Local Planning Authority and SCC Environmental Protections Service, should be worded so as to assist in ensuring that demolition and construction activities are planned and managed in accordance with the environmental requirements identified in the ARUP Environmental Statement ref. SRQ ES; 24/07/2015 (as amended by the ARUP Environmental Statement Addendum; 18/02/2016). The CEMP should be based on the framework of the approved draft CEMP; ARUP ref. SRQ CEMP01, Rev A; 22/02/2016. The CEMP should document the Contractors plans to ensure compliance with relevant best practice and guidance, as identified in the ES in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP should include strategies to mitigate residual effects from demolition and construction phase noise and vibration, as identified in the ES. Copies of the referenced ES and CEMP documents are available from the LPA or SCC Environmental Protection Service upon request.
9. The applicant is advised that the site lies in close proximity to a National Grid high voltage transmission underground cable and to low or medium pressure (below 2 bar) gas pipes and associated equipment.
10. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

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

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

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

11. The applicant is advised that there are live and abandoned water mains and associated fittings in the public realm areas of the site. Diversions of the pipes

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

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

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

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

in order to secure the relevant licence.

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

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

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

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

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

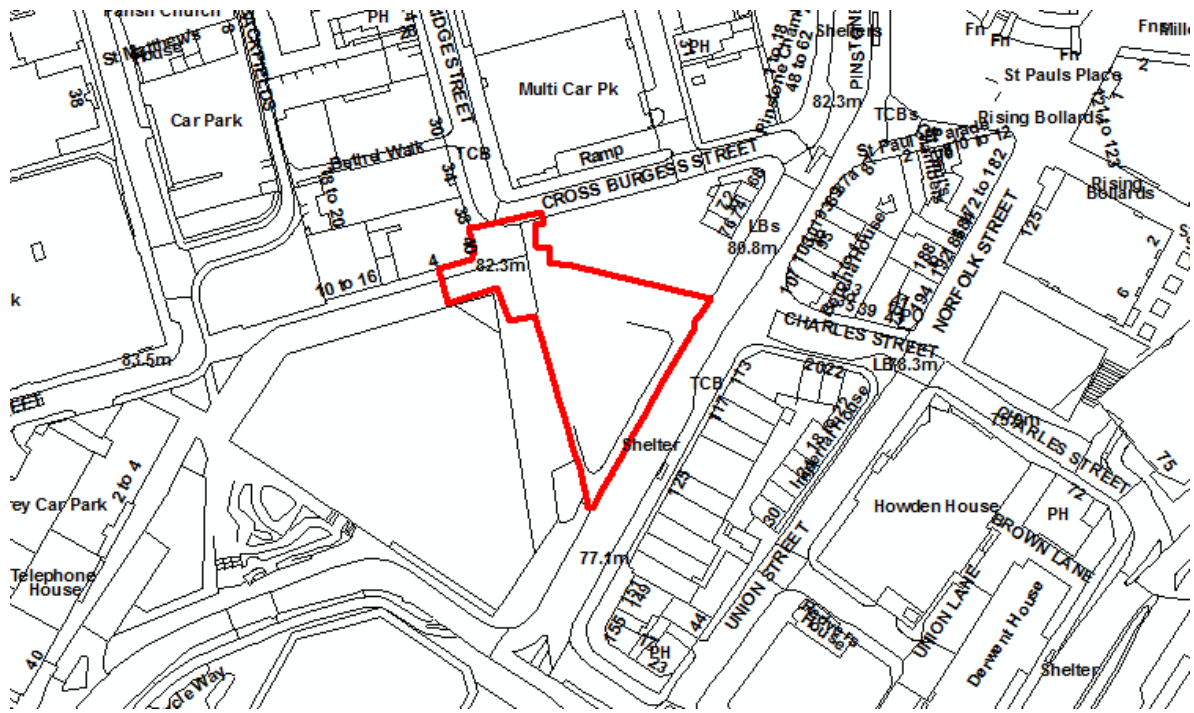
Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

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

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

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

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The application site consists of a triangular shaped city block bound by Pinstone Street to the east, Cambridge Street to the west and Charles Street to the north. It is occupied by numbers 94-104 Pinstone Street (known as Block C of HoCII, the Pepperpot building), which has an ornate roofscape featuring a distinctive turret and Dutch gabled dormers.

Planning permission has been granted for the retention of the Pinstone Street and part of the Charles Street and Cambridge Street facades, the demolition of buildings to the rear and the erection of a seven-storey building with retail/cafe/bar units at ground floor level (use Class A1, A3, A4 and A5) and offices over (use Class B1). The buildings of which the facades are to be retained are non-designated heritage assets within the City Centre Conservation Area.

The site lies at the southern end of the Conservation Area, within the Heart of the City Quarter as defined in the Sheffield City Centre Urban Design Compendium (2004).

The application is seeking consent to permit the removal of chimneys and to amend the windows under Section 73 of the Planning Act, by varying the approved plans listed under Condition 2 of the original permission.

The application is seeking approval to replace the following plans:

Proposed Site plan - 0850
Fourth to Sixth floor plan – 0865 P1
Seventh floor plan – 0868 P1
Roof Plan – 0869
Pinstone Street Elevation – 0880 P04
Cambridge Street Elevation – 0881 P05
Charles Street Elevation – 0882 P05

With the following replacement plans:

Proposed Site plan – 0850 Rev C01
Fourth to Sixth floor plan – 0865 Rev C01
Seventh floor plan – 0868 Rev C01
Roof Plan – 0869 Rev C01
Pinstone Street Elevation – 0880 Rev C01
Cambridge Street Elevation – 0881 Rev C01
Charles Street Elevation – 0882 Rev C01

The original permission gave consent for the replacement of the roof of the Pepperpot building, with only the facades of the heritage buildings to be retained. The existing 6 roof chimneys were then to be replicated as part of the scheme.

This application is seeking approval to replicate only one of the chimneys which is located where the Pinstone Street façade steps down. The original scheme proposed 11 roof windows, whereas 6 are now proposed. The application

supporting submission says that appropriate recording of the chimneys has been undertaken, including photographs and annotated floor plans, as required by the original WSI.

The amended plans also seek to address a discrepancy with the original Pinstone Street elevations where 4 windows in the Cambridge Street/Pinstone Street corner turret were shown as windows on the approved elevations, whereas they were originally, and are currently, blind bricked up windows.

SUMMARY OF REPRESENTATIONS

Hallamshire Historic Buildings (HHB)

HHB has objected to the proposals saying that the application should be refused unless additional changes are proposed to mitigate the harm and loss of design quality.

They argue that tall chimney stacks are a particular feature of the architects who designed this building style, Flockton and Gibbs; that the loss of the stacks would impact on the building's historic significance, to its aesthetics and to the character and appearance of the City Centre Conservation Area. They say the harm is less than substantial and as the conservation area is a designated heritage asset it requires clear and convincing justification, and the harm should be weighed against the public benefits of the proposal. They argue that no public benefit arises from this proposal as the development is underway and it will still be delivered regardless. They also point out that Paragraph 135 of the NPPF warns against approved developments not being materially diminished between permission and completion, as a result of changes being made to the permitted scheme.

They understand the engineering challenges and consider that some changes to the roofscape may be necessary. They argue that the stack above the Cambridge Street elevation might be supported from the new elevation. Even if it is possible to retain this stack, they argue that the loss of 4 stacks will harm the historic and aesthetic significance of the building and should be mitigated. They propose that a substantial spire which originally surmounted the turret at the Pinstone Street/Cambridge Street corner should be reinstated to balance the harm and restore the roofscape as originally proposed. It would also be consistent with Paragraph 206 of the NPPF which says that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

HHB reiterated the grounds of their original objection after considering the additional supporting information submitted by the applicant and also made the following additional points.

- The applicant should provide an estimate of the cost saving achieved by restoring the spire compared with restoring the chimneys.
- The statements by the applicant's heritage consultants that the chimneys do not contribute to significance or are not prominent or distinctive are not true.

They argue harm already done to the conservation area justifies further harm whereas in fact it only increases the desirability of preserving or enhancing the remaining historic character and appearance.

- The argument that the chimneys create visual clutter suggests the original architects erred in not designing a roofscape in keeping with modern taste.
- Businesses actively seek historic locations, so it is perverse to argue it is a public benefit to protect future building occupants from the area's characteristic historic appearance.
- There are numerous statements in the applicant's planning statement extolling the importance of the roofscape and its positive contribution to the character and appearance of the conservation area which are in direct opposition to the claims now being made to support the loss of chimneys.
- It was always known that the chimneys were to be reinstated and it is not credible to claim that the costs are a substantial addition. If additional material and labour costs were not foreseen by the architects or engineers, they should be recovered from them.
- The city's heritage is being made to suffer for the other unforeseen costs such as those associated with the pandemic. If the saving has already been factored in, before receiving consent for the change, that is not a planning justification.
- Planning Practice Guidance on Conserving and Enhancing the Historic Environment defines public benefit as the fulfilment of the economic, social and environmental objectives in the National Planning Policy Framework (Paragraph 8). The conservation and enhancement of the historic environment contributes to all of these objectives and is an important selling point of the entire Heart of the City scheme. The applicant has not identified alternative benefits meeting the same objectives, let alone any benefits sufficient to outweigh the statutory presumption against harm, and for considerable importance and weight to be given to the conservation of the City Centre Conservation Area.

The City Ward councillors Ruth Mersereau, Martin Phipps and Douglas Johnson object to the application and consider it should be refused. They consider that the change to the roofscape is significantly different, bland and lacking historic features. They support the objection from Hallamshire Historic Buildings.

Sheffield Conservation Advisory Group have commented that they consider that the removal of the chimneys, which are an integral part of this building's character, is unacceptable. The Group also noted that, originally, a spire capped the corner turret at the southern end of the building on the corner of Cambridge Street and recommend that it should be reinstated.

PLANNING ASSESSMENT

Policy

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that in deciding whether to grant planning or listed building consent in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 195 of the National Planning Policy Framework (NPPF) says local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 197 says that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

When considering impact, great weight should be given to the asset's conservation and the more important the asset the greater the weight (Paragraph 199). Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification (Paragraph 200). Where a proposed development will lead to less than substantial harm to a designated heritage asset this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (Paragraph 202).

Paragraph 203 says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Unitary Development Plan (UDP) Policy BE15 says that development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.

UDP Policy BE16 says that in Conservation Areas permission will only be given for proposals which would preserve or enhance the character or appearance of the Conservation Area. Buildings which make a positive contribution to the character of the conservation area will be retained.

Justification for the proposed changes

The floor plate requires the chimneys to be supported from roof steelwork to maximise the useable floor area below. Due to the height of the chimneys the construction is complex to maintain the connection detailing and the stability of the chimney and so traditional masonry has been discounted. The original structure would not fully achieve modern design standards and would require additional measures.

Recreating the chimneys in Glass Reinforced Plastic has been rejected as it would appear as an obvious fake. Condition discharge application 18/04069 /COND4 approved a detail for replicating the chimneys based on a brick slip solution.

The applicant is now proposing only one chimney to be reconstructed in brick slips which is the central one as this location remains a strong feature of the original design linking back to the original building as it is away from the leading edge. They say the visibility of the anchor system for maintenance would be minimised. The other 5 chimneys would not be replicated.

The applicant has discounted the reintroduction of all chimneys in brick slips on the grounds of maintenance as periodic safety inspections would be required. The liability of maintaining these structures including excluding pedestrians below is an important but not the primary reason why the applicant has reduced the number of chimneys to be replicated. They also argue that to maintain the chimneys, although not a frequent event, a network of anchor points would be required, which has aesthetic and functionality considerations. The anchors would also need to be tested on an annual basis by specialist abseilers to reach the remote locations, and this would be a long-term cost to the owner.

The applicant has also advised that the original date for completion of this block was December 2020. But due to construction challenges and the global pandemic the programme is 12 months later than planned and overall costs are significantly greater than anticipated. They have listed the following issues as reasons for the increased costs and delays.

- Asbestos within the original building and significantly more than first surveyed as it was mainly hidden
- Dangerous structures and the condition of the old buildings
- Latent defects and the difficulties in retaining the façade
- Reduction in levels of labour and obtaining labour generally as a result of Covid-19.
- Substructure and interface of the new buildings with the existing facade along with the connection to the new building
- Covid-19 and the impacts of materials along with the rising costs
- Statutory connections and rising costs as result of Covid-19 delays and the importation of new substations
- Additional costs for fire protection, ground works and windows.

The reconstruction of the chimneys requires structural steel and further strengthening of the existing façade which would result in significant costs which have been quantified as £425,000, additional to the cost of the one chimney to be replaced. They say the original scheme without the increased costs referred to above did not meet the normal viability criteria of a 15% margin for a commercial development and that the scheme is only progressing due to substantial public investment by the City Council as developer and this investment in the whole Heart of the City project plays a major part in the regeneration of Sheffield City Centre.

The additional costs referred to above have further reduced the viability of the

project along with reduced values due to the impact of the pandemic on the retail sector. It is also pointed out that to construct the additional chimneys would require an extensive extension to the contract period and this would have a knock-on effect with ongoing discussions with tenants to potentially occupy the space from the summer of 2022. They say that if they have to reconstruct the chimneys, they will have to consider changes to the scheme elsewhere including changes to the materials and the detailing of the retail units.

The applicant's heritage consultants argue the chimneys, as a standalone element of the former non-designated asset, do not in and of themselves, contribute meaningfully to the significance of the Conservation Area. They form a minimal part of a historic streetscape along Pinstone Street, which following the consented Heart of the City II, is in the process of being significantly altered and will be viewed in the context of new modern development. Any significance derived specifically from the chimneys lies in a purely visual aspect and their contribution to the former historic streetscape, rather than their fabric which will be entirely new, which when reinstated will form a pastiche.

Although the chimneys can / will be seen within views along Pinstone Street and Cambridge Street, they do not form a prominent or distinctive feature, unlike the gabled dormer windows to the elevations. Rather, when travelling along Pinstone Street, the chimneys blend with the remainder of the built form and are easily overlooked. This will be diminished further by the consented new scheme, with tall modern buildings sited to the rear. As a result, their loss will not have a demonstrable or noticeable effect on the character of the Conservation Area beyond that already permitted, and as such will not cause 'harm' to significance. Furthermore, considering that the loss of the entirety of the remainder of the non-designated heritage asset on the site was deemed as acceptable on balance, any significance derived from the chimneys certainly amounts to much less than the building as a whole. This, alongside the benefits of delivering a functional and viable scheme reinforces a conclusion for approval.

A series of images have been submitted showing the appearance of the development from pedestrian level on Pinstone Street. It is argued that these show that from certain viewpoints the chimneys can hardly be seen and that the only chimney that can really be seen is the one to be retained. They also argue that in certain views the visual clutter is reduced by the omission of most chimneys and that this visual clutter reduces the overall visual amenity of the building. It is also stated that the omission of the chimneys will improve the views out of the fourth-floor offices and that this along with the reduced maintenance disruption is of public benefit to the building's users. They also argue that there are sustainability benefits in the reduced use of materials in the construction of chimneys that have no operational value to the building.

In terms of the changes to the Velux roof windows, these are being revised due to a better understanding of the floorplate. There were no windows originally and these were introduced as part of the original application. The number are being reduced and they have a square rather than rectangular format. It is argued that these changes are needed to deliver a functional and deliverable scheme.

Heritage and visual Impact

The site frontage forms part of the Victorian frontage of heritage buildings that characterises much of Pinstone Street.

The chimneys on Block C are not as prominent as those on Block B. The most prominent elements of the roof scape are the dormers and turret at the corner of Pinstone Street and Cambridge Street. The chimneys are however seen from pedestrian level on Pinstone Street and do contribute to the richness of the roofscape and provide aesthetic interest. They help in understanding the original Victorian streetscape and what remains of the original building. In your officers' view, the with and without images show that they would be easily seen from street level and the chimneys illustrate the more interesting Victorian roofscape rather than detracting from it, as suggested by the applicant.

Whilst their loss was accepted under the original consent this was based on the overall public benefits of the scheme and that the impact would be mitigated to a degree by restoring the façade and replicating the roof and chimneys. The following is an extract from committee report, "As discussed, harm to the significance of this part of the conservation area is mitigated by retaining the Pinstone Street façade, including the decorative roofscape and meaningful returns onto Charles Street and Cambridge Street. The harm caused is therefore considered to be less than substantial."

The applicant argues that the failure to replicate 5 of the 6 chimneys will not have a demonstrable or noticeable effect on the character of the Conservation Area beyond that already permitted, and as such will cause no 'harm' to significance. In your officers' view there will be some harm to the character of the conservation area due to the loss of the richness of the original roof scape and the ability for the passer-by to interpret the original Victorian streetscape as described above. Given that the loss of the building was judged to be less than substantial the failure to replicate most of the chimneys which are not original must be at the very bottom end of less than substantial harm to the character of the conservation area as a whole.

Even though this harm is at the bottom end of less than substantial, Paragraphs 200 and 202 of the NPPF require there to be a clear and convincing justification and any harm must be weighed against the public benefits of the proposal.

No drawings have been submitted to show that the anchor points required would be aesthetically harmful.

The applicant is arguing that the scheme is not viable if all the chimneys are replaced, and further cost savings will have to be made elsewhere and that this is likely to affect the materials and quality of the shopfronts. It is accepted that there is a clear and convincing justification that the replacement of the chimneys will further reduce the viability of the scheme. Your officers have no reason to doubt that that these savings would impact on the appearance and quality of the scheme.

Officers do not agree that the improved views from the fourth-floor offices, reduced

maintenance disturbance and reduced use of materials constitute meaningful public benefits. However, it is accepted that maintaining the quality of the scheme and not delaying its opening do constitute wider public benefits for the city centre which needs to recover from the impact of the pandemic and retail closures.

The revised arrangement of Velux windows and the retention of the blind windows will have a neutral impact on the conservation area.

SUMMARY AND RECOMMENDATION

It is concluded that the proposal to not reinstate 5 of the 6 chimneys will have a less than substantial harmful impact on the character of the conservation area. There is a clear and convincing justification that increased costs and delays associated with the reinstating of all the chimneys will undermine the viability of the scheme. There is a balance between loss of character to the conservation area due to the failure to reinstate all the chimneys and loss of character due to downgrading the quality of the scheme to make savings.

Neither are palatable and the weight to be given to each is difficult to judge in the absence of precise information about where savings would be made if the chimneys are reinstated. However, on the basis of the applicant's advice that it would likely impact on the quality of the shopfronts and taking into account the low level of heritage harm, against the public benefits of delivering the scheme early it is considered that, on balance, the benefits of not proceeding with reinstating all the chimneys outweigh the limited harm to the character of the conservation area. It is therefore recommended that planning permission be granted subject to the listed conditions.

This page is intentionally left blank



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 30 November 2021

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Abby Hartley

Summary:

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

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

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 the Demolition of existing outbuilding (former shelter) and erection of single-storey building to provide home office and storeroom, erection of single-storey flat roofed building (part subterranean) to provide garden store and garage for two vehicles with provision of associated soft landscaping (resubmission of application 20/01220/FUL) at The Hall, The Old Mayfield School, David Lane, Sheffield, S10 4PH (Case No: 21/03066/FUL).

(ii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of a single-storey rear extension - the extension will be 6 metres from the rear of the original dwellinghouse, overall height no more than 3 metres and height to the eaves of 3 metres at 343 Deerlands Avenue, Sheffield, S5 8AA (Case No: 21/02923/HPN).

(iii) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of single-storey detached outbuilding to be used as garage to side of dwellinghouse (resubmission of planning application 20/03251/FUL) at 8 Plumbley Lane, Sheffield, S20 5BJ (Case No: 21/02225/FUL).

(iv) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of side/front extension to dormer bungalow including erection of dormer window to provide additional accommodation at both ground and first floor level with provision of raised decking to side at 1 Brook Lane, Hackenthorpe, Sheffield, S12 4LF (Case No: 21/02119/FUL).

(v) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the alterations to allow use of dwellinghouse as two dwellings at 170 Fife Street, Sheffield, S9 1NR (Case No: 21/01904/FUL).

(vi) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for the erection of single-storey side/rear extension including basement/undercroft store room, erection of front porch to dwellinghouse and formation of stairs into rear garden at 47 Crawshaw Grove, Sheffield, S8 7EA (Case No: 21/01052/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of a single-storey front extension with balcony/terrace above, conversion of existing garage space to form additional living accommodation and alterations to fenestration of dwellinghouse at 8 Ranmoor Gardens, Sheffield, S10 3FR (Case No: 21/01996/FUL) has been dismissed.

Officer Comment:-

The main issues in this case were:

- i) Whether the proposed development would preserve or enhance the character or appearance of the Ranmoor Conservation Area.
- ii) The effect of the proposed development on the living conditions of the occupiers of neighbouring properties with regard to privacy.
- iii) The effect of the proposed development on highway safety.

The Inspector noted that the proposed garage extension would project well forward of the existing front elevation, almost to the highway edge, disrupting the established building line and failing to respond positively to the context of the area. He considered the loss of the small garden area to front of the property would also be harmful to the appearance of the dwelling and the development. Overall, he felt that the proposal would fail to preserve the character and appearance of the CA and, while he found that harm to be less than substantial, he identified no public benefits to outweigh the harm that would be caused

In relation to its impact on living conditions he found the proposed balcony to be of ample size to encourage sitting out and other activities. Consequently, the potential for overlooking and loss of privacy (particularly to the immediately adjacent properties) was to be far greater than that possible from the smaller balconies found elsewhere on the development from where the potential for privacy loss is much more restricted.

In relation to highway safety the Inspector found that the forward projection of the extension would likely lead to access and visibility issues and a potential impact on highway safety.

He concluded that the appeal should be dismissed.

(ii) To report that an appeal against the delegated decision of the Council to

refuse planning permission for the erection of detached single garage with under floor storage to side of dwellinghouse at 2 Stephen Drive, Grenoside, Sheffield, S35 8QY (Case No: 21/01018/FUL) has been dismissed.

Officer Comment:-

The main issues in this case were:

- i) The effect of the proposal on the character and appearance of the local area bearing in mind the extent to which it would preserve or enhance the character and appearance of the adjacent Grenoside Conservation Area.
- ii) The effect of the proposal on highway safety.

The Inspector noted the proposed garage would occupy much of the existing driveway and be positioned well forward of the building lines of both the host dwelling and the neighbouring property fronting Stephen Lane. Also, due to the significant change in ground levels, the garage would appear particularly prominent in the streetscene on Stephen Lane and Stephen Drive, dominating the immediate surroundings of the road junction.

He found that the proposal would result in a visually obtrusive form of development which fails to respond positively to the context of the area and would thus detract from the appearance and setting of the CA and be harmful to its significance. While he found that harm to be less than substantial, he identified no public benefits to outweigh the harm that would be caused.

In relation to highway safety the Inspector noted that the driveway is already used for parking, and whilst the garage would hinder visibility and add to the difficulty of manoeuvring, he considered that this would not be to a degree that would have a materially harmful effect on highway safety.

He concluded that the appeal should be dismissed.

(iii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 3 single-storey dwellinghouses and provision of car parking and amenity space 151-153 Thompson Hill, Sheffield, S35 4JS (Case No: 21/00482/FUL) has been dismissed.

Officer Comment:-

The main issue in this case was the effect of the proposed development on the living conditions of neighbouring residents and whether the proposed development would provide acceptable living conditions for future occupiers, with regard to noise, disturbance and activity associated with vehicle movements.

The Inspector noted that the new access would give rise to the movement of vehicles associated with the three proposed dwellings along almost the full length of the boundary with no. 149 and what would be the boundary with no. 151. Given the number of dwellings proposed, they felt that the use of the proposed access would result in an unreasonable amount of noise and

disturbance associated with vehicle movements passing in close proximity to the rear gardens of these properties, where a degree of quiet enjoyment would be expected.

The Inspector noted that eight proposed parking spaces and a manoeuvring area would be located adjacent to the rear gardens of 149, 139 and 137 Thompson Hill, resulting in noise and disturbance, including from manoeuvring vehicles and the closing of doors as people enter and leave the vehicles, in close proximity to them. They felt that the level of disturbance would be substantially different to that experienced from the two cars already parked at the proposed access. As the proposed dwellings would be located in close proximity to the access road, they felt that future occupiers would also be subject to an unreasonable amount of noise, disturbance and general activity associated with vehicle movements.

The Inspector found that the appeal scheme would cause harm to the living conditions of existing and future occupiers, which would be significant and long lasting, and attached substantial weight to this. It was noted that the Council cannot demonstrate a five year supply of deliverable housing sites and moderate weight was attached to the contribution of three dwellings to the supply of housing in the area, with limited weight being attached to the social and economic benefits.

The Inspector concluded that the proposed development would conflict with the development plan taken as a whole, as well as the Framework, and that there are no material considerations, including the approach of the Framework in regard to housing supply, that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should not succeed.

(iv) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of 4 dwellinghouses and provision of associated car parking spaces and means of access (resubmission of 20/02269/FUL) at 10 High Matlock Road, Sheffield, S6 6AS (Case No: 20/04465/FUL) has been dismissed.

Officer Comment:-

The main issue in this case was the effect of the proposed development on the character and appearance of the area.

The Inspector found that the proposed development, with two of the proposed dwellings to the rear with no street frontage, would be in marked contrast with the prevailing pattern of development in the vicinity and it would seriously undermine the urban grain and rhythm of plot frontages on this part of High Matlock Road, thereby representing an incongruous built form in this locality.

The Inspector felt that the appeal scheme would cause harm to the character and appearance of the area, which would be significant and long lasting, and attached substantial weight to this. Moderate weight was attached to the net

addition of three dwellings to the supply of housing in the area, with limited weight being attached to the social and economic benefits.

The Inspector concluded that the proposed development would conflict with the development plan taken as a whole as well as the Framework, and that there are no material considerations, including the approach of the Framework in regard to housing supply, that indicate the decision should be made other than in accordance with it. Therefore appeal should not succeed.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning permission for the erection of two-storey front extension including porch to dwellinghouse at 47 Vauxhall Road, Sheffield, S9 1LD (Case No: 21/02511/FUL) has been allowed.

Officer Comment:-

The main issue in this case was the effect of the proposed extension on the character and appearance of the host dwelling and surrounding area.

The Inspector noted a wide variety of dwelling types and styles on Vauxhall Road, including a recently constructed three-storey block of flats opposite the site, and a lack of uniformity within the street scene resulting in an area which exhibits no strong prevailing character or especially local distinctiveness.

In this context the Inspector considered the proposed extension would not undermine the appearance of the host dwelling and would respect the character of the area to which it relates, particularly as the front of the extension would align with the building line established by the immediately adjacent terrace.

Although the extension would project by 2.3m, which exceeds the 1.5m recommended in the SPG, he felt this was reasonable given that it would abut the side gable elevation of the adjacent property and yet still be set back from the highway edge.

The Inspector concluded that the proposal represents an acceptable design solution that would harmonise with the style of the dwelling and respect the character and appearance of the area.

(ii) To report that an appeal against the delegated decision of the Council to refuse planning permission for the demolition of single-storey side extension and erection of two-storey side extension to dwellinghouse at 39 Stanwood Crescent, Sheffield, S6 5JA (Case No: 21/00879/FUL) has been allowed.

Officer Comment:-

The main issue in this case was the effect of the proposed development on the character and appearance of the host property and the surrounding area, having particular regard to the Stanwood Crescent/Stanwood Avenue street scene.

The Inspector noted that the contemporary design of the proposal would contrast with the traditional form and character of the host dwelling and would be different in form and appearance to other extensions in Stanwood Crescent. However, it would not project forward of the front elevation and the form and scale of the extension would be subordinate to the host dwelling. There would be adequate separation distance to the road to ensure that it would not project forward to an unacceptable degree nor appear unduly prominent or intrusive in the street scene.

The Inspector concluded that the proposed extension would be an appropriate addition to the host dwelling and would not harm the spacious and established character of the Stanwood Crescent/Stanwood Avenue street scene.

5.0 CIL APPEALS DECISIONS

Nothing to report.

6.0 NEW ENFORCEMENT APPEALS

Nothing to report.

7.0 ENFORCEMENT APPEALS DISMISSED

Nothing to report.

8.0 ENFORCEMENT APPEALS ALLOWED

Nothing to report.

9.0 RECOMMENDATIONS

That the report be noted.

Michael Johnson
Head of Planning

30 November 2021

This page is intentionally left blank