
Case Number	20/01030/FUL (Formerly PP-08541730)
Application Type	Full Planning Application
Proposal	Erection of an 8-storey residential building (use class C3) comprising 95 no. one-bed apartments, 1 no. two-bed apartment and 4 no. studios, with associated works, including hard and soft landscaping, parking, access and amenity space
Location	Stepney Street Car Park Stepney Street Sheffield S2 5TD
Date Received	16/03/2020
Team	City Centre and East
Applicant/Agent	Ian Drabble
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:

614_SK12_01 Proposed Ground Floor Plan rev C
614_SK12_02 Proposed First Floor Plan rev B
614_SK12_03 Proposed Second & Third Floor Plans rev A
614_SK12_06 Proposed Fourth & Fifth Floor Plans rev A
614_SK12_05 Proposed Sixth & Seventh Floor Plans rev B
614_SK12_06 Proposed Eighth Floor & Roof Plan rev C
614_SK12_10 Proposed Elevations rev B
614_SK12_16 Contextual Long Sections rev A
614_SK12_17 Proposed Sections rev A

All published 13.03.2020

Reason: In order to define the permission.

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

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

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

4. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy and land stability features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

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

5. Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

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

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

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

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

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. 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 with Contaminated Land Report CLR11 (Environment Agency 2004).

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

9. Any 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 Contaminated Land Report CLR 11 (Environment Agency 2004).

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

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

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

11. 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.

12. No above ground works shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either;
 - a) Been carried out; or
 - b) Details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into (see directive) which will secure that such improvement works will be carried out before the building is brought into use unless an alternative timescale is agreed in writing with the Local Planning Authority.

Highway Improvements:

a. Resurfacing Stepney Street as needed to provide a shared surface from its Broad Street junction.

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.

13. 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: 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.

14. No development shall commence until detailed proposals for surface water disposal, including calculations to demonstrate a 30% reduction compared to the existing peak flow based on a 1 in 1 year rainfall event have been submitted to and approved in writing by the Local Planning Authority. This will require the existing discharge arrangements, which are to be utilised, to be proven and alternative more favourable discharge routes, according to the hierarchy, to be discounted. Otherwise a rate of 3.5l/sec 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.

15. No development shall commence until full details of measures to protect the existing trees to be retained on site and all trees directly adjacent to the site boundary (outside the red line), have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

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

16. No building or other obstruction including landscape features shall be located over or within 3 (three) metres either side of the centre line of the sewer i.e. a protected strip width of 6 (six) metres, that traverses the site. If the required stand-off distance is to be achieved by closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

Reason: To ensure satisfactory drainage arrangements.

17. Upon completion of all approved remedial works/mitigatory measures in respect of coal mining legacy and land stability, 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.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development.

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

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

19. The development hereby approved shall be constructed in accordance with the recommendations and enhancement measures detailed in the approved Preliminary Ecological Appraisal (PEA) (prepared by Weddle Landscape Design dated March 2020), including the undertaking of a dusk emergence/dawn return bat survey, the results of which, and any subsequently required further mitigation measures for bats, shall be submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the results of the above survey, the development shall not be occupied unless the following ecological enhancements, as recommended by the approved PEA, are implemented as minimum requirements: bat boxes;

bird boxes; tree and shrub planting; and a sensitive lighting scheme, unless an alternative but equivalent scheme is otherwise agreed in writing by the Local Planning Authority.

Thereafter the enhancement measures shall be retained and maintained for the lifetime of the development.

Reason: In order to ensure the development has an acceptable impact on local biodiversity

20. A comprehensive and detailed hard and soft landscape scheme for the site, including treatment of the retaining walls, shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the commencement of development, or within an alternative timeframe to be agreed in writing by the Local Planning Authority. Thereafter the approved landscape scheme shall be implemented before first occupation and thereafter maintained.

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

21. No roof mounted plant or equipment shall be fitted to the building unless full details thereof (including any screening) have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the plant shall be installed as approved.

Reason: In the interests of achieving an appropriate design

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

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

23. 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:

Window and door openings including reveals
Cladding
Parapets
Eaves
Soffits
PV panels
Retaining structures and boundary treatments

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

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

24. 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.

25. The development hereby approved shall be constructed in accordance with the scheme of works/recommendations set out in the approved Sustainability Statement (Section 7.05 within the Design and Access Statement rev B published 13.08.2020), unless an alternative but equivalent scheme is otherwise agreed in writing by the Local Planning Authority. Thereafter the scheme of works shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64.

26. 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);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

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

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

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

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

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

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

28. 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.

29. The residential accommodation hereby approved shall not be occupied unless details regarding the provision of additional lighting within the site have been submitted to and approved in writing by the Local Planning Authority. Once agreed, the lighting shall be provided before first occupation and thereafter retained.

Reason: In the interests of pedestrian safety.

30. The residential accommodation hereby approved shall not be occupied unless the car parking accommodation for 7 no. cars, as shown on the approved plans, has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

31. The residential accommodation hereby approved shall not be occupied unless a service management plan, detailing the proposed servicing arrangements, has been submitted to and approved in writing by the Local Planning Authority.

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

32. The residential accommodation hereby approved shall not be occupied unless the internal bin store, as shown on the approved plans, has been provided and thereafter retained for the sole purpose intended.

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

33. Notwithstanding the approved plans, full details of the external visitor cycle parking stands and the internal cycle parking store, including suitable and sufficient access and circulation arrangements, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, such cycle parking accommodation shall be provided in accordance with the approved details before the residential accommodation is occupied and thereafter retained.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan.

34. 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.

Other Compliance Conditions

35. 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.

Attention is Drawn to the Following Directives:

1. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you

must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council
Howden House
1 Union Street
Sheffield
S1 2SH
For the attention of Mr P Vickers

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

2. 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.
3. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

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

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

4. 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

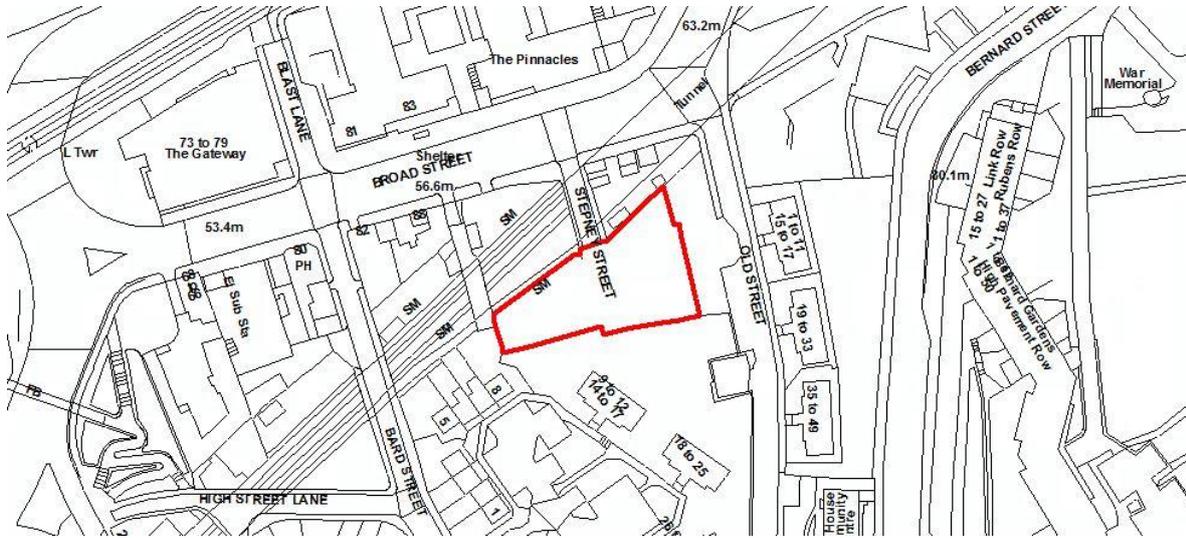
5. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
6. The applicant is advised that 'Talent Sheffield' is a Sheffield City Council initiative delivered through the Invest Sheffield and Opportunity Sheffield teams, to ensure that investors and developers in the City receive the support required to meet the commitments in the Inclusive Employment and Development Plan and deliver the maximum possible benefits to Sheffield people and its communities.
7. The applicant is advised that your ecologist can recommend a suitable type and appropriate siting of bat boxes. General 28mm bird boxes and a 'house sparrow terrace' at lower elevations, with a swift box at higher elevations are recommended. Tree and shrub planting should provide a mix of native flowering, nectar-rich and berry-bearing species. A sensitive lighting scheme should comprise low-level, low-intensity lights, minimising upward, outward light-spill and avoiding illuminating any trees or vegetated areas. The hedgehog boxes and wood/brush habitat piles have not been explicitly required by condition, as due to the nature of the site, use by hedgehogs is unlikely and the habitat piles may attract rats.
8. 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.

9. The developer's attention is directed to correspondence from Network Rail (published 11.05.2020), Yorkshire Water (published 23.04.2020) and South Yorkshire Police (published 25.03.2020) on the public access planning file.
10. The applicant is advised that clearance of any trees or scrub vegetation should be carried out outside of the bird breeding season, generally accepted as March 1st - August 31st. All wild birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 during this period. If works are anticipated during this time, a nesting bird check should be carried out by an appropriately qualified ecologist.

Site Location



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LOCATION AND PROPOSAL

The application relates to a vacant plot of land off Stepney Street, seeking planning permission for the erection of an 8-storey residential building comprising 100 no. apartments (use class C3), with associated works, including hard and soft landscaping, parking, access and amenity space.

The development would comprise 95 no. one-bed apartments, 1 no. two-bed apartment and 4 no. studios.

RELEVANT PLANNING HISTORY

17/03675/FUL - Erection of a 7-storey residential building comprising 62no apartments (16no studios and 46no one-bed apartments) with associated access, cycle and disabled car parking, landscaping and amenity works – Granted conditionally 20.12.2017

17/03058/EIA - EIA (Environmental Impact Assessment) screening request for the erection of a 7-storey apartment block comprising 63no apartments, landscaping and ancillary works - Environmental Statement not required 07.08.2017

SUMMARY OF REPRESENTATIONS

Nine objections have been received from local residents and the adjacent business, in summary raising the following concerns:

- Lack of parking provision exacerbating existing parking problems in the area, unrealistic to build 100 flats and presume no car use with only 7 disabled parking spaces, an oversight and flaw in the scheme, impact on highway safety;
- No vehicle turning within the site has been shown;
- Adjacent business uses Stepney Street for parking and loading;
- Why have objections from the previous scheme not been carried over?;
- 95% one-bed apartments does not accord with Policy CS41;
- If viability is to be used to justify the density of the scheme then this report should be publically available;
- Internal space standards fall below Nationally Described Technical Space Standards and the South Yorkshire Residential Design Guide;
- Flats would face a steep land bank with insufficient natural daylight;
- Lack of outdoor amenity space provided, what is provided is poor quality, the roof terraces appear inaccessible;
- General poor quality of life offered, not healthy, not desirable or sustainable flats to live in;
- The scheme is approx. 7.5m taller and will overbear neighbours and impact on daylight, particularly to Old Street flats, whose daylight comes primarily from the front, and the properties on Bard Street, including gardens, with a lack of natural light damaging gardens;
- Invasion of privacy, including overlooking from the proposed roof terraces, to dwellings and flats on Bard Street and Old Street and their gardens;

- Inaccuracies on plans; some units incorrectly labelled as two-bed on the plans, the plans do not accurately represent the greenery surrounding the site;
- Query whether this is student accommodation, if so there is plenty on Broad Street;
- Query whether the PV panels are just to help with the planning application or will there be a genuine effort to make the building more environmentally responsive;
- The design does not fit in with the visual appearance or density of the area, overdevelopment of the site, leading to a poor quality building from a design perspective, scale and massing incongruous with character of area, detrimental impact on street scene and longer views, does not sit well alongside other buildings, including the residential development behind, and the setting of the Grade II Listed Park Hill flats;
- Impact on views from neighbouring properties;
- Impact on value of neighbouring properties;
- Noise disruption especially if used by students;
- Disruption caused by construction and contractor parking;
- Do not object to a lower scale development;
- The proposal offers nothing to the community, devalues existing sense of community, the area would benefit from longer term residents not short term residency one-beds.

RESPONSE TO REPRESENTATIONS

The material planning issues identified are addressed in the planning assessment. The remaining issues are addressed below:

- It is not standard practice to assume all objections from an extant permission still stand and carry these over. This is a different scheme to the one that was previously approved. Neighbours have been re-notified and invited to comment;
- Due to the commercial sensitivity of the subject matter, a redacted version of the viability report has been published, and assessed below;
- The labelling errors on the plans have been addressed and the overall number of studios, one-bed and two-bed flats have been clarified in the description;
- An officer site visit has been undertaken and the extent and nature of the greenery surrounding the site is fully appreciated;
- The proposal is for residential accommodation (use class C3), not explicitly a student scheme, although there would be nothing to stop students occupying the development from a planning perspective;
- Impact on views from neighbouring properties is not a material planning consideration (design and overshadowing issues are however considered below);
- Impact on the value of neighbouring properties is not a material planning consideration.

PLANNING ASSESSMENT

Planning 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.

The Council's development plan comprises the Core Strategy 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 published in 2018 and revised in February 2019 (the NPPF) is a material consideration (paras 2 and 212 of the NPPF).

Paragraph 213 of the NPPF provides that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the NPPF.

In all cases the assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

This is referred to as the "tilted balance" and this assessment will have due regard to this.

Principle of development

The site lies within a Mixed Use Area, as designated by the Unitary Development Plan (UDP), where Policy MU1 promotes a variety of land uses by not allowing one single use to dominate.

Within the Broad Street Mixed Use Area, Policy MU3 identifies housing (use class C3) as unacceptable, due to existing uses of the area and its nearness to Sheffield Parkway.

However, it is acknowledged that the area is in transition and is notably different to when Policy MU3 was adopted in 1998, such that it is out of date. There are now a number of residential developments in the locality, in closer proximity to the Sheffield Parkway than the subject site. Going forward the area is re-designated for housing in the emerging Sheffield Plan. Furthermore, the site is surrounded by longstanding residential properties within the UDP designated Housing Area to the east and south. The principle of a residential development on the site is therefore acceptable, despite UDP Policy MU11(a) requiring no one use to dominate the area.

Moving forwards, the permission of housing developments in the area is considered to be in accordance with section 5 of the NPPF, which seeks to significantly boost the supply of homes. This takes precedence over the out of date local policy in this case.

The site lies within an area where no affordable housing contribution is required.

Core Strategy Policy CS41(a) seeks to create mixed communities by providing a broad range of smaller households where no more than half the homes in larger developments (60 dwellings or more) consist of a single house type. In this case the proposed development would create 100 no. apartments (95 no. one-bed) and therefore would not accord with CS41(a).

Concerns raised regarding the dominance of one-bed apartments, and the potential impact on the area's existing sense of community created by providing accommodation more likely to be occupied by individuals, on a shorter term basis are noted. A greater mix of accommodation would be preferred in accordance with CS41(a), and this has been explored with the applicant.

However, the justification put forward by the developer for the scheme proposed, in the form of a viability report prepared by Knight Frank, is that the scheme is for the build to rent (PRS) market, with 100+ units required to make the scheme viable and secure institutional funding. As such, the previously consented scheme (62 no. units) is claimed to not be deliverable in the build to rent market by the submission. Such numbers (100+ units) can only reasonably be accommodated on this site by the provision of one-bed units.

The site sits within the City Centre Housing Market Area (HMA) where the Council's own analysis shows that one and two bedroom apartments dominate the housing offer. 84% of all dwellings in this HMA are flats and 74% have 1 or 2 bedrooms (City Centre HMA Profile 2019). Such provision meets the demand of young adults who make up the majority of residents in the City Centre HMA. However, this does limit housing opportunities for families wishing to move into or within the City Centre and a dominance of one and two bedroom apartments prevents the development of more mixed communities. Therefore, there is clear justification for a greater range of properties to be delivered in this location, given the requirements of CS41.

However, it is clearly essential for the scheme to be viable, and it is in the developer's interests to undertake market analysis and actually deliver a scheme that will let. The findings of the analysis are therefore accepted and weighed into the balance of consideration.

Paragraph 73 of the NPPF requires the Local Planning Authority to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement. At present, Sheffield can identify a 5 year supply (although it is only 5.1 years so there is little margin for error), and the extant permission on the subject site will contribute to this, and significant weight is attributed to the benefits of the proposal in assisting Sheffield's required supply of housing.

From a planning perspective there is a clear need to find a viable use for this vacant brownfield site. A residential scheme is considered the most suitable use given surrounding flats; the fact the area is re-designated for housing in the emerging Sheffield Plan and the fact that residential use has also been developed between the site and the Sheffield Parkway in recent years. If the extent permission is not a viable development, the site will remain vacant for the foreseeable, and not deliver its contribution to the 5 year housing supply.

While the "tilted balance" does not apply, as a 5 year supply can be demonstrated at present, significant weight still must be attributed to the delivery of new homes, and ensuring the site does indeed deliver its contribution to the 5 year supply, given a key objective of the NPPF is to deliver a sufficient supply of homes.

The proposal would assist the aims of Core Strategy Policy CS24, which seeks to maximise the use of previously developed land for new housing, and CS26, which requires a density range of more than 70 no. dwellings per hectare at the edge of the City Centre to make efficient use of land. 100 no. apartments would represent a density of more than 800 no. dwellings per hectare, well in excess of the requirement. A high density scheme is therefore appropriate in principle in this sustainable, edge of City Centre location.

These Core Strategy policies and the proposals put forward are in accordance with the NPPF paragraph 118(a), which states that decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes, and paragraph 122, which states that decisions should support development that makes efficient use of land (b) taking into account local market conditions and viability, c) the availability and capacity of infrastructure and services, and (d) the desirability promoting regeneration.

On balance, the viability justification for a high density, one-bed scheme to enable the delivery of this site to be realised in the build to rent market is accepted, and despite not according with CS41(a), the make up of the scheme can be supported in principle (notwithstanding the amenity, highways and design implications, assessed below). While the dominance of one-bed units in the scheme is a negative aspect of the scheme, and there would appear to be a need for larger house types, given the above Core Strategy policies and NPPF requirements, this is considered to be outweighed by the wider regeneration benefits of the scheme and realising the site's contribution to Sheffield's 5 year housing supply.

Design and landscaping

The cleared, vacant site is accessed off Stepney Street, a short access road off Broad Street, which is predominantly characterised by the recent student apartment developments (The Pinnacles and The Gateway) along its northern side, although there are a number of commercial uses within low level traditional buildings along the southern side of the street.

To the south and east, land levels are significantly higher, with the subject site dug into the landscape and retained by walling. To the south there are low-rise residential flats and dwellings positioned around a parking area off Bard Street, entirely screened by mature trees and vegetation. Low rise residential flats also face the site along Old Street, also partly screened by vegetation, although these neighbours are visible stepping uphill above the site. Consequently the area immediately to the south and east of the site is more green and residential in character.

High rise residential flats at Bernard Street (Harold Lambert Court) to the east and Park Hill to the west also form a predominant backdrop to the townscape.

The proposed residential development would be of a contemporary design approach, comprising a singular block of accommodation, with curved principle façade and curved parapet roofline facing out towards Broad Street, characterising its form. The development would principally be finished in white blockwork, with Eternit cladding to the set-back seventh and eighth floor levels, rear and lower portions. The ground and first floor levels would be recessed under a soffit with the building supported by columns in order to achieve the required circulation space.

Some concerns with the design approach have been raised by officers; however the design has not been amended to address these concerns, and must therefore be assessed as submitted, on its merits.

It is accepted that the form of the building is generally presented as a singular, wide mass, which is somewhat monolithic, and will dominate the hillside as viewed from Broad Street. This is not ideal; however, while the recessed ground and first floor levels are a rather utilitarian approach to achieving vehicle circulation space, it is noted that the response does provide a horizontal break to the massing, which would otherwise be only broken by the verticality of the window openings above. While a stronger vertical break in the form would have been preferred, the uniformity of the vertical window openings does go some way to breaking up the massing.

The extant permission achieved a suitable transition between itself and the two-storey dwellings to the west on Bard Street, due to lowering its scale at its western point. In this case, it is accepted that there is less of a transition, given 8-storeys are presented in a single block. However, the proposal is now a further distance away (approx. 16.5m from these low rise dwellings and sited at an angle to them), and not achieving a gradual transition in scale is less of a concern.

The height of the development would be viewed more appropriately to the east, with the Old Street flats stepping uphill behind. However, it is noted that the curved blockwork and recessed, clad elements produce a somewhat inelegant roof-scape, and the curved lines would sit rather uncomfortably against the orthogonal nature of these buildings behind.

The above points are considered negative aspects of the design; however, overall, given the site specific circumstances such as the level differences to the south and east, and the height of the residential developments opposite, it is considered that the scale and massing of the proposal can be accommodated on the site.

While Park Hill flats are visible in the townscape, given their distance from the site, it is not considered by your officers that the development could be argued to harm the setting of this listed building.

The level of screening to the south and east of the development and the much lower level of the site would ensure it would not be particularly dominant in the street scene of Bard Street or Old Street, and is not considered to have a detrimental impact on the character of this immediate residential area.

The contemporary design approach is considered to be of acceptable quality, and would be viewed alongside the contemporarily designed residential developments opposite; appropriate for this edge of centre location. The proposed white blockwork would contribute to the overall contemporary design approach, while relating to the neighbouring brick built buildings as the predominant material finish in the area. Full design details would be conditioned in order to ensure appropriate quality.

The site would be landscaped and the retaining walls would need to be improved as part of the development. This is important to provide a more suitable residential environment and some outdoor amenity space for future occupiers. The main entrance does not present a positive sense of arrival as it is treated as a vehicle dominated space. Full hard and soft landscaping details would therefore be secured by condition in order to accord with UDP Policy BE6. It is expected that this would enable an attractive shared, pedestrian/vehicle environment to be created.

The proposal would improve the character of the physical environment by bringing this derelict, brownfield site back into use and improving the appearance of the wider area. The proposal is considered to accord with the overall design principles as set out by UDP Policies BE5 and MU11(d), and Core Strategy Policy CS74. These design policies are considered up to date and in accordance with the NPPF section 12 which seeks to achieve well designed places.

Public Art

The inclusion of Public Art would be welcomed in the scheme. There are opportunities to introduce art and craft work at the site entrance that could bring together the new use and history of the area and help make sense of this landlocked site. This is a major development in the local area, and of a scale to justify a condition requiring full details to be submitted, in order to accord with UDP Policy BE12.

Living conditions of future occupiers

Each one-bed flat would comprise a bedroom, which could accommodate a double bed, a small shower room and an open living/kitchen/dining space. Each studio could accommodate a double bed, and would have a small shower room and kitchen/dining area. It is clear that the accommodation would only be desirable to, and suitable for, single person households, and will be less attractive and suitable for couples, limiting the potential usage.

While some flats are bigger than others, it is acknowledged that most of the accommodation offers a very limited amount of internal space for future occupiers. It is noted that accommodation levels generally fall some way below internal space standards given by the South Yorkshire Residential Design Guide (recommending an overall floor area of 46m² for a one-bed flat) and below the Nationally Described Technical Space Standards (37m² for a one-bed, one-person flat with a shower room) to varying degrees. No dedicated storage is provided in any of the flats.

While the SY Design Guide is a material consideration, weighed into the balance, it should be noted that these standards are not formally adopted policy. Neither are the Nationally Described Technical Space Standards statutory given the lack of an up to date Local Plan.

In most cases the one-bed flats would be just below or above the Nationally Described Technical Space Standard of 37m². While it is noted that a small number of flats would fall some way short of the standard at closer to 30m², with the studios smaller still, on balance, in absence of any locally adopted space standards, there are limited grounds for refusal on this basis.

Generally, most flats would offer a good outlook and levels of daylight amenity. The south elevation would place a large number of main habitable windows facing the site's rear boundary, comprising an approx. two-storey high retaining wall, approx. 4m away from the base of the building, with dense, mature trees and vegetation above. While this is a limited outlook in terms of views, this south facing outlook onto trees would generally offer acceptable daylight and amenity levels of occupiers at upper levels.

There is concern regarding this outlook onto the retaining wall for the three ground floor flats affected, and similarly, albeit to a much lesser degree, the four first floor flats affected. It is also noted that a first studio flat would also only have an outlook onto the retaining (eastern) boundary wall, around 3.6 to 4m away. However, the three ground floor flats particularly affected would face south, and should receive direct sunlight throughout the day, even if this is limited due to the retaining wall and vegetation above. The outlook from all the above mentioned flats would be onto amenity and planted areas. Overall, on balance, it is not considered that these negative aspects affecting a small number of flats are justifiable grounds for refusal of a scheme of this scale, whereby the vast majority of the 100 no. units would have good outlook.

Communal outdoor amenity space would be provided around the site and a series of semi-private roof terraces for some of the apartments on the seventh and eighth floors. The plans have been amended to clarify that access is directly from the flats adjacent to the roof terraces. It is noted that this amenity provision is limited;

however, the site lies in close proximity to the City Centre with various outdoor public amenity spaces.

The proposal is located in a mixed commercial and residential area with relatively high background levels. The predominant noise source is road traffic - vehicle movements are considered high and include public transport, and the railway network. Therefore, a noise survey would be required by condition in order to ensure appropriate sound attenuation measures are installed and avoid unreasonable noise disturbance to future occupiers.

Overall, subject to these conditions, it is considered that the living conditions for future occupiers would be satisfactory, according with UDP Policy H5(a).

Impact on neighbouring amenity

It is acknowledged that the proposed 8-storey scheme is taller than the extant permission of 5-7-storeys, and this places increased massing and windows facing towards neighbouring properties. The concerns raised by local residents regarding overbearing and privacy are addressed in turn below.

Overshadowing of Bard Street flats

It is acknowledged that the proposed development would present a large mass in proximity to the rear elevation and shared outdoor amenity area of the neighbouring Bard Street flats, specifically the block containing nos. 9-17.

Land levels have been fully appreciated by combination of officer site visits and the submission of section drawings by the applicant's agent. The proposed 8-storey block would be generally to the side (north-west) of these neighbouring flats (where there are no neighbouring windows), positioned approx. 13m away at its nearest point. The development would therefore not affect direct sunlight for these neighbours, including the communal garden area, with the sun rising in the east, travelling across the south and setting in the west.

It is noted that the block would be positioned to splay towards this neighbour; however, the proposed development would not start to encroach across 9-17 Bard Street's rear elevation until it was approx. 20m away, with this distance increasing further as the development progresses to the east.

It would appear that the habitable windows affected to the rear of the Bard Street flats serve an open living area also served by a front window, supplementing daylight into the main habitable room of each flat. The development would not project across the full rear elevation of this block (nos. 9-17), and would not project across habitable windows of any flats in the south-east side of the block.

The rear garden of the Bard Street flats slopes uphill to the rear and features high and dense mature trees and vegetation, partly screening the development. Overall, the arrangements and separation distances discussed above would ensure that the proposed development would not unreasonably overbear or overshadow these neighbours.

Privacy of Bard Street flats

It is acknowledged that the proposal for an 8-storey scheme with primary outlook facing the southern boundary would place a large number of windows in close proximity to the Bard Street flats and their outdoor amenity space.

However, mature trees and vegetation to the boundary, within the curtilage of Bard Street, provides a significant level of screening. Even in winter months when leaf coverage is sparse, the vegetation remains dense and would not allow clear, unrestricted views across the Bard Street flats' useable grassed garden area or directly into neighbouring windows.

At upper levels, the windows serving the main habitable rooms facing south would be in the form of triangular, projecting bays, with the main portion of the window (and therefore main outlook) angled east and away from Bard Street. While a narrow strip window would be angled towards Bard Street, it is not considered that these would permit unreasonable views over or into neighbouring property due to their narrow size and the intervening vegetation.

It is acknowledged that there is a seventh floor roof terrace facing the Bard Street boundary with regular windows serving this, and the eighth floor apartments above. However, at this level, views would be above and over the roofline of the flats, with the vegetation at ground level providing sufficient screening to the shared amenity space.

Some views at height may still be possible over the communal rear garden to the Bard Street flats, and the sheer number of windows facing these neighbours would create some perception of being overlooked, irrespective of primary views being angled away. However, as a shared amenity space, there is mutual overlooking onto this communal garden from the existing flats in any case. It is therefore not considered that the development would represent a severe breach of privacy, or an unreasonable perception of being overlooked, that would warrant refusal.

Privacy and overshadowing of Old Street flats and other neighbours

The development would be in excess of 27m from the front elevation of the nearest block (nos. 1-17) of the Old Street flats, which are in an elevated position to the subject site. The nearest portion of the proposed eighth floor would be only slightly above the ridge line of the Old Street flats.

Given the level of separation, it is not considered that the proposal would unreasonably overbear this neighbour. The Old Street flats are due east of the subject site and the development would not impact on the majority of direct sunlight throughout the day. It would not be reasonable to refuse the application on the grounds that some late evening sunlight may be reduced from the west as it sets given the substantial (27m) separation between the development and Old Street flats.

The eaves line of the Old Street flats would be at a similar height to the development's proposed seventh floor roof terrace and views would be generally above neighbouring windows. Given this, and the level of separation, any views from this terrace, or any other main facing windows, would not represent an unreasonable breach of privacy for these neighbours.

It is noted that the Old Street flats have a communal garden directly adjacent to the proposed development, which would suffer a loss of privacy and some overbearing as a result of the proposal. However, this garden is across the road and to the front of the Old Street flats, and it is not considered that this is a sensitive, private amenity space that would justify refusal of this significant regeneration development, especially given the garden is partly screened by trees and vegetation. The garden would retain sufficient daylight and some privacy and would not become unusable as a result of the development.

No. 8 Bard Street

The proposed development is situated further from the nearest two-storey dwellinghouse at no. 8 Bard Street than the extant permission. A distance of approx. 16.5m would be maintained from the development to the dwelling at no. 8 at its nearest point, and the proposal does not overlook or overbear this neighbour, despite the increase in massing.

Windows would be oriented west and away from this neighbour's rear elevation/garden. While a roof terrace is proposed to the portion of the development closest to no. 8, given the distances and heights involved, it is not considered that the development would unreasonably impact on no. 8's privacy. Views would generally be over rooflines and out over the cityscape, with this neighbour well screened by the brick boundary wall and mature trees at ground level.

Other issues and summary

While the development may attract students, as a residential scheme adjacent to a Housing Area, it is not considered that the proposal could be resisted on grounds of noise disturbance. Any anti-social issues would be a matter for the Police. Overall the proposal would accord with UDP Policies H5(a) and (b) and MU11(b) and would not cause serious nuisance or unacceptable living conditions for to existing residents.

The construction works would take place with sensitive, residential uses in close proximity. There is potential for disamenity, due to noise, vibration, dust and light from site security. A Construction Environmental Management Plan (CEMP) would therefore be required by condition prior to the development commencing, covering all phases of any demolition, site clearance, groundworks and construction etc; planning and managing all site activities to prevent nuisance and minimise disamenity at nearby sensitive uses.

Highways

The only access into the site is via Stepney Street, a short side road across the railway cutting with two narrow footways to either side. The tarmac road surface is in a poor state of repair and has worn through to the original cobbles. The end portion of Stepney Street has been stopped up and incorporated into the ownership of the subject site.

Given the development would create 100 no. flats which would be only accessible via Stepney Street, the poor quality of the existing public realm is not considered to offer an acceptable or safe pedestrian approach to the site.

A Traffic Regulation Order (TRO) to upgrade the public highway would be required. Given the majority of movements will be on foot, with only 7 no. disabled parking spaces provided on site, it is considered that a shared pedestrian/vehicle environment should be created on Stepney Street in new block paving for legibility. Parking restrictions would also be required to keep the highway free for emergency or service vehicles. This would ensure safe access to the highway network from the development for vehicles and pedestrians, according with this element of UDP Policy MU11(f).

The requirements of the adjacent business (Planet Garages) for parking and loading from Stepney Street are noted. The parking restrictions proposed would in part address the concerns raised by the adjacent business and maintain access and loading to their site. Although it is appreciated that the TRO would prevent the adjacent business using Stepney Street for parking; Stepney Street is public highway, and restrictions are essential to create a safe access to the development. The neighbouring business has no right over this on-street parking arrangement. The neighbouring site is small and would not have a significant parking requirement, and parking will have to be accommodated within the site or elsewhere within the locality.

The concerns raised by neighbours regarding the lack of dedicated off-street parking are acknowledged, including the increase in on-street parking in the area exacerbating existing pressures following the development. An increased amount of on-site parking would have been preferred, and has been explored; however, considering the viability argument and the need of the developer to secure a certain number of units, the maximum able to be accommodated is 7 no. spaces, which would primarily be dedicated for disabled users.

Consideration must be given to the fact that here is an extant permission in place establishing the principle of a car free development. In this case, the proposal offers proportionally more parking (7 no. spaces for 100 no. units) than the extent permission (2 no. spaces for 62. No units). However, it is also noted that while proportionally more parking would be provided, there would still be an under provision, and given the significant number of additional units, this under provision would likely be exacerbated over and above the existing consent. The Planning Authority therefore share the concerns raised regarding the displacement of parking onto already busy and congested streets.

While the type of accommodation provided (small one-bed flats and studios), would primarily not be desirable to a demographic with significantly high car ownership levels, it is certainly not expected that no residents will have cars, and it is noted that

these vehicles must be parked on-street or elsewhere in the locality. It is the responsibility of car owners to park safely and legally.

The site is in an accessible location, on the edge of the city centre and in proximity to various public transport routes. The provision of cycle storage is made within the site to promote sustainable transport modes, and would be secured by condition. The proposed development is similar in principle to the permitted scheme. As the principle of a car free scheme is established on the site, and the proposed scheme does offer proportionately more parking than the consented scheme, there are no strong justifications for refusal on parking grounds. As such, while more off-street parking would be desirable, on balance it would be unreasonable to resist the application on parking grounds, and the proposal is not considered to fundamentally conflict with the parking requirements of UDP policies H5(c) and MU11(f).

It is noted that vehicle turning has not been shown on the site plan. It is clear cars would be able to turn in the space provided; however, it is not clear whether service (i.e. refuse lorries) or emergency vehicles would be able to turn within the site without appropriate tracking shown. If larger vehicles cannot turn, they may be required to reverse along the full length of Stepney Street. 22m is usually the accepted maximum reversing distance. In this case the distance is approx. 25.5m from the red line boundary to Broad Street, which is a busy main road. While this is not ideal; given the relatively short distance involved (only approx. 3.5m over 22m), this is not considered sufficient grounds for refusal. Vehicles should reverse into the site rather than onto the main road, and the submission of a servicing management plan would be secured by condition to demonstrate the arrangements have been given appropriate consideration.

In an emergency, should a fire appliance need to access the rear of the site, the typical maximum length of a hose is approx. 45 metres. Given the tender could position itself at the top of Stepney Street, with the hose going around the building, this is achievable, and there would also be more remote emergency service access to the south-east of the site possible from Old Street and the rear of the Bard Street flats.

Provision would be made within the site for the storage of bins. A condition would require this provision to be made in order to ensure bins are suitably stored and do not encroach into the site entrance, areas needed for vehicle manoeuvring or the public highway.

There is only a single street light column on Stepney Street, sited towards the junction with Broad Street. This sufficiently illuminates the public realm; however a condition would require details of additional lighting to be provided within the site. This is considered necessary in order to ensure the entrance and forecourt area is appropriately lit and facilitate a safe shared pedestrian and vehicle environment.

The measures and arrangements discussed above would ensure that the proposal would have an acceptable impact on the highway network, in accordance with UDP policy MU11(f). This can be given substantial weight as it is consistent with the NPPF which also promotes sustainable transport, but clarifies in paragraph 109 that development should only be refused on highway grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Given appropriate accessing arrangements and improvements to Stepney Street would be secured and the principle of a car free scheme is established, with the possibility of service vehicles reversing into the site an acceptable fall back in this case, the impacts could not be argued to be unacceptable or severe.

Land quality

Parts of the site have been identified as potentially contaminated land under Part 2A of EPA 1990. Records show that the site has been previously developed and occupied by commercial works and residential uses. There is therefore a high likelihood of made ground being present with contaminants and demolition residue of former uses.

The site lies within a Coal Mining Referral Area / Coal Authority Development High Risk Area. Therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered, and there exists the potential for mines gases to impact upon the proposed development causing risk to human health. Coal mining legacy may also have created land stability issues.

In order to ensure adequate assessment of potential risks to human health arising from ground contamination and ground gases, a the full set of standard Environmental Protection Service land contamination conditions would be applied to any favourable consent to ensure the site is fully investigated, and where necessary remediated, to be suitable for residential use.

In addition, similar conditions would be required to cover the land stability element, as recommended by the Coal Authority.

The above considerations would ensure that the proposal accords with the NPPF paragraph 178, which requires land quality matters to be taken into account in the decision making process, and the site is suitable for its proposed use, taking account of ground conditions and any risks arising from land instability and contamination.

Flood risk and drainage

The site lies within Flood Zone 1 and therefore does not lie in an area at high likelihood of flooding. However, the proximity to the railway cutting is noted, and Yorkshire Water has raised concern that a public combined sewer is recorded to cross the site, which the development would be situated directly over. This will require diversion / stopping up as part of the development (as was the case with the earlier consent). A condition is recommended requiring details of any alteration/diversion of the sewer.

Conditions would also be attached to ensure no development is commenced until full details of the proposed surface water drainage design have been submitted to and approved by the Local Planning Authority.

The requirement would be the submission of 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. This would ensure the development has an appropriate flood risk and drainage impact in accordance with Core Strategy CS67, which can be afforded substantial weight as it is in line with the NPPF paragraph 165, which requires major developments to incorporate sustainable drainage systems.

Sustainability

The submitted sustainability statement details a number of measures and recommendations that would be incorporated into the build to ensure it accords with Core Strategy Policy CS64 and reduces emissions of greenhouse gases and functions in a changing climate. As such, this statement would be required to be adhered to by condition.

Given PV panels are shown on the roof plan, which would be an approved drawing, it is expected that these would form part of the efforts to ensure the building makes the best use of solar energy and produces renewable energy, as required by CS64(b) and (c).

However, as the statement alludes, detailed energy assessments for the development and design proposals are yet to be undertaken. The statement also rules out a connection to the District Heating Network. It is therefore not yet clear how the proposal will accord with Core Strategy Policy CS65 and provide a minimum of 10% of the predicted energy needs from decentralised and renewable or low carbon energy. Full details and suitable alternative proposals would therefore be required by condition.

These Core Strategy policies are consistent with the NPPF, section 14 which requires the planning system to support the transition to a low carbon future in a changing climate, and can therefore be given substantial weight. With the imposition of the proposed condition the development will accord with the policy requirement.

Ecology

The submitted Ecology Appraisal is considered to be satisfactory. The appraisal concludes that the retaining walls around the site have a low-negligible potential for roosting bats, and recommends a single dusk emergence/dawn return survey is carried out. This is considered satisfactory, and would need to be undertaken as part of the conditioned recommendations of the approved Ecology Appraisal. The results of this survey would inform whether any further mitigation measures for bats are required, and as such will need to be reported back to the Local Planning Authority.

Whilst overall 'net loss' of habitat is not substantial on this site, the development should still seek to provide 'net gain' in biodiversity in line with the principles of the NPPF section 15. Regardless of the results of the bat survey, bat boxes should be installed to provide net gain and would be conditioned, as would the recommendations contained within the submitted Ecology Appraisal as minimum

requirements; bird boxes; tree and shrub planting; and a sensitive lighting scheme, in order to ensure the development accords with UDP policy GE11.

Archaeology

Historic mapping shows this part of Stepney Street to have been mainly terraced and court housing prior to the 1940s. This was replaced by post-war housing, which has in turn been demolished. There are therefore no archaeological implications for the development of the site and no archaeological condition is required.

Employment and Skills

Sheffield City Council requires the developer to deliver employment and skills outcomes as a result of this major development. Prior to the commencement of the development, the developer shall submit an inclusive Employment and Development Plan, covering the construction phase, which will be designed to maximise the economic and social benefits for local communities from the proposed development. This is secured by condition.

Community Infrastructure Levy

CIL is a planning charge introduced as tool to help local authorities deliver infrastructure to support development.

The site lies within the CIL Residential Charging Zone 4 where the development of residential floor space (Use Classes C3 and C4) is liable for CIL payments at £50.00 per m², plus 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

The principle of the proposed residential development on the site is considered acceptable, as this is an area in transition, becoming more residential in character.

The proposals do not accord with Core Strategy Policy CS41(a), and a greater mix of accommodation types would be preferred, given that there is certainly a need for larger homes in this area. The dominance of one-bed units is therefore a negative aspect of the scheme. However, on balance, the viability justification for a high density, one-bed scheme to enable the delivery of this neglected and unused brownfield site to be realised in the build to rent market is accepted.

While the “tilted balance” does not apply, significant weight is still attributed to the wider regeneration benefits of the scheme and realising the site’s contribution to Sheffield’s 5 year housing supply, particularly as the current supply is only just above the 5 year threshold. The scheme accords with the requirements of the NPPF and Core Strategy by utilising previously developed land for new housing and achieving a high density scheme in this sustainable location at the edge of the City Centre. These benefits, on balance, are considered to outweigh the dominance of one-bed units proposed.

While some negative aspects of the design have been identified, it is considered that the scale and massing of the proposal is supportable. The contemporary design approach is appropriate for this edge of centre location. The proposal would improve the physical environment by bringing this derelict, brownfield site back into use and there are other substantially scaled buildings in close proximity.

In most cases the one-bed flats would be around the Nationally Described Technical Space Standard. While a small number of flats would have a limited outlook; daylight levels would remain appropriate given their southern aspect, and this is not a justifiable reason to refuse a scheme of this scale, whereby the vast majority of the 100 no. units would have good outlook.

The impact on neighbouring amenity in terms of overshadowing and privacy has been demonstrated to be acceptable.

Stepney Street would be upgraded as part of the proposals to secure appropriate accessing and a shared pedestrian/vehicle environment. There are concerns regarding the impact on parking in the area, however, as the principle of a car free scheme is established on the site, and the proposed scheme does offer proportionately more parking than the consented scheme, there are no strong justifications for refusal on parking grounds.

While there are a number of negative aspects to the scheme, the need to make the development viable by delivering of a minimum of 100 units is accepted. The site would otherwise continue to lie vacant, and significant weight is given to the regeneration benefits of the scheme and realising the site's housing supply. It is therefore recommended that planning permission be granted subject to the listed conditions.

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