
Case Number	20/04543/FUL (Formerly PP-09283426)
Application Type	Full Planning Application
Proposal	Demolition of a building in a Conservation Area to allow future re-development
Location	Avec Building 1 Sidney Street Sheffield S1 4RG
Date Received	21/12/2020
Team	City Centre and East
Applicant/Agent	Capital Delivery Service Sheffield City Council
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:

Demolition and Restoration Plan: PC05942 AL(0)001 rev A (published 21.12.2020)

Location Plan: PC05942 Loc 01 (published 21.12.2020)

Reason: In order to define the permission.

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

3. No demolition shall commence until a Demolition Environmental Management Plan has been submitted to and approved by the local planning authority. The Management Plan 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.

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

4. The proposed timber knee rail indicated in drawing AL(0)001 Rev A, shall be extended to run between the part of the site occupied by the Avec Building and the existing car parking area, in order to effectively prevent parking on the cleared site. The timber rail shall be installed immediately following site clearance.

Reason: In order to define the permission.

Other Compliance Conditions

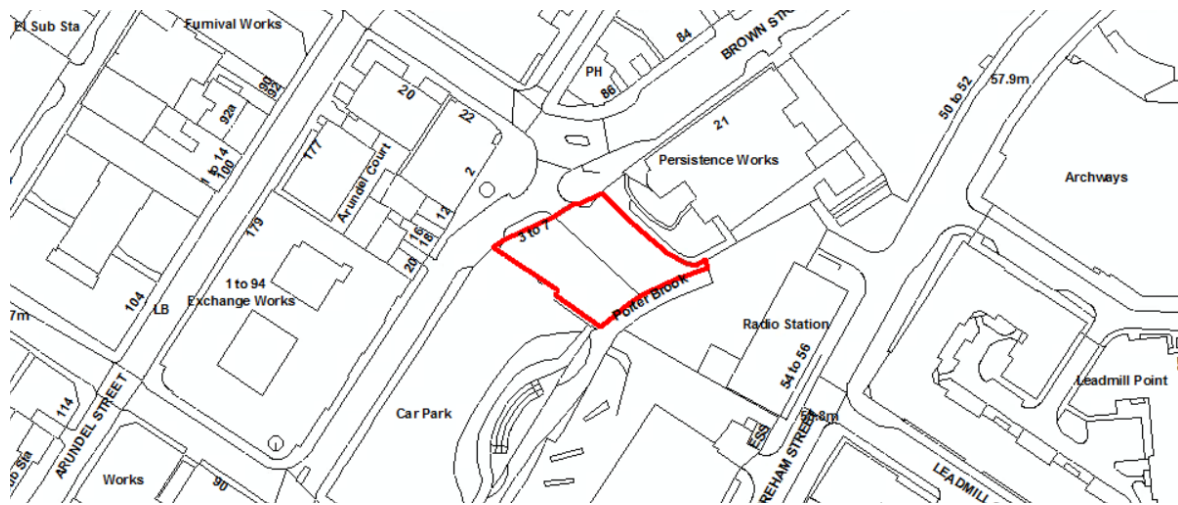
Attention is Drawn to the Following Directives:

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. The required Demolition Environmental Management Plan 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 demolition activities.
 - Vibration.
 - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
 - Details of site access & egress for construction traffic and deliveries.

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

Further advice in 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

Site Location



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LOCATION AND PROPOSAL

The application relates to the vacant Avec building, a 2/3 storey brick/clad flat roof building located close to the junction of Brown Street and Sidney Street.

The building is rectangular in shape with the narrowest elevation fronting the street and the longer sides running the length of the site between the highway to the front and the Porter Brook to the rear. A car parking area associated with the building is located to the side of the site and beyond this lies Persistence Works, a four storey contemporary concrete building. A modern apartment block is located directly opposite the site on the other side of Sidney Street whilst a car park is positioned to the south west and bounds the Porter Brook Pocket Park adjacent to the river.

The site is located within a Fringe Industry and Business Area as allocated in the UDP and is also within the Cultural Industries Quarter Conservation Area.

Permission is sought for the demolition of the building and restoration to allow for the future redevelopment of the site. The applicant has clarified that the site will not be used for additional car parking, with only the current parking area retained for local users. Funding for the demolition has been secured by the Council from the Sheffield City Region (SCR) and is intended to commence in March; following this the site will be marketed for redevelopment in April.

Demolition can often be carried out under a prior notification procedure. However, in this instance the site falls within the Cultural Industries Quarter Conservation Area and so requires a full planning application in accordance with section 196D of the Town and Country Planning Act 1990.

RELEVANT PLANNING HISTORY

There is some limited planning history to the site but none of it particularly relevant to the determination of this application.

SUMMARY OF REPRESENTATIONS

The Sheaf and Porter Rivers Trust has commented on the application, the main points are summarised below:

- Welcome the demolition of the building which does not contribute to the character of the Conservation Area but occupies a key position and offers the opportunity to open up and restore the Porter Brook and linked spaces along Sheffield's Rivers.
- The de-culverting and naturalisation of the Porter Brook on the adjacent NCP site and the creation of the pocket park has transformed the river.
- Improvements to the riverside and an interim footpath could be delivered as part of this application. Improvements include: a temporary footway; a knee rail to separate the footway from the car park; a safety rail adjacent to the river; clearance of overhanging planting; channel naturalisation; remove or cut through concrete boundary wall of Persistence Work; reduce size of substation.

- Ongoing discussions with Yorkshire Artspace may result in their opening their permissive right of way on a 24 hour basis.
- Future redevelopment of the site should extend the riverside park to create a site frontage on to the river.

52 letters of representation have been received; the points raised are detailed below:

- Many representations support the suggestions in the Sheaf and Porter Rivers Trust.
- In recognition of the excellent work already done by the Sheaf and Porter Rivers Trust, the Council is urged to work with them to join up the missing link that is presented by providing a footpath through this site.
- A footpath link is present at either side of this site adjacent to the river, this development provides the opportunity to extend the footpath and provide the missing link.
- Other developments upstream of Matilda Street are at various stages of opening up access and re-naturalisation of the river; this site is a key continuation of the riverside development.
- It would be regrettable for work to have been carried out elsewhere next to the Porter Brook and for it to not be fully completed.
- This would only be a short stretch of path, but key to part of the overall picture.
- Provision of a temporary footway would provide a clear precedent to future developers of the site.
- To build a car park without a riverside path is contrary to the Sheffield Local Plan, City Centre Policies and active travel guidance by Sheffield City Region.
- To build a car park would be a misuse of public funds.
- The footpath would improve natural surveillance and reduce anti-social behaviour.
- Prioritising extra parking over the needs of residents, visitors and workers does not fit with the desire to create active travel.
- Opportunity to improve river biodiversity and habitat.
- Will add to the greening of the City Centre, making a more pleasant environment.
- Additional parking cannot be justified given the climate emergency that the authority has declared.
- The Council should be trying to reduce the City's over reliance on car usage and promote active travel.
- The path will benefit physical and mental health.
- The site represents an opportunity to extend pedestrian and cycling links and increase the size of the pocket park.
- River corridors have great potential in reducing the lack of open space in the City Centre.
- The application does not take into account the interests of the general public, the area or its neighbours.
- The site may never get redeveloped or it may take a long time and the opportunity for the footpath never realised.

- Provision of riverside path will cost very little and there will still be space for parking.
- The planning application for the adjacent site (14/04010/RG3) argued the case for the pocket park on the basis of Core Strategy Policies CS45, CS46 and CS48. These are all relevant to the current application.
- The site is identified in the City Centre Breathing Spaces Strategy (2011) and is part of a long-term proposal to create a green corridor along the Porter Brook through the CIQ.
- Object to the use of site on the basis of increased traffic - if parking is proposed local residents should be allowed permits.
- Footpath would promote equality, sustainability, human health and environmental health.
- The riverside footpath will present a pleasant and preferred route between the Town Centre, Hallam University and a number of local residences.
- Extension of footpath would benefit businesses in and around Brown Street, Matilda Street, Sidney Street and Shoreham Street.

PLANNING ASSESSMENT

The site is located in the Cultural Industries Quarter Conservation Area and in assessing the proposal it is necessary to assess the impact on this designated heritage asset and any nearby listed buildings.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Policy BE15 of the UDP 'Areas and Buildings of Special Architectural or Historic Interest' states that development which would harm the character or appearance of Listed Buildings and Conservation Areas will not be permitted.

UDP Policy BE 16 'Development in Conservation Areas' states that development should preserve or enhance the character or appearance of the conservation area. It also requires that sufficient information is submitted to enable the impact on the area to be properly considered.

Chapter 16 of the National Planning Policy Framework 2019 (NPPF) Conserving and Enhancing the Historic Environment states that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. Paragraph 189 advises that, in determining applications, local planning authorities should require an applicant to describe the significance of an affected asset, including any contribution made by their setting, at a level proportionate to the assets' importance, while paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset requires clear and convincing justification.

Paragraph 190 requires local planning authorities to identify and assess the significance of a heritage asset that may be affected by a proposal and to minimise the conflict between the conservation of the asset and impact of the proposals. Paragraph 192 requires local planning authorities to take account of the desirability

of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 193 states that great weight should be given to the heritage asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to the significance of a designated heritage asset needs clear and convincing justification. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Finally Paragraph 197 states 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.

Impact on Conservation Area

The Conservation Area Appraisal identifies 6 distinct character areas. The Avec building falls within the Matilda Street Central Area. This area is described as being characterised by later development. Paragraph 4.2.3 of the appraisal states 'The area bounded by central Matilda Street, Sidney Street and Shoreham Street has suffered extensive demolition and only a few key remnants of the original character of the area remain; Sidney Works, the 1800s buildings opposite Porter Brook and the Sidney Street west frontage'.

The Avec building is identified as a building with a negative impact on the area in the Conservation Area Appraisal. It is constructed from brickwork and cladding and has a run-down appearance. Given that the building is identified as negative in townscape terms, its loss will not have a harmful impact on the character of the conservation area and will indeed allow for the future redevelopment of the site. Such redevelopment with a carefully considered and well detailed building of suitable scale and massing (subject to a future application) could serve to improve and enhance the character of the conservation area.

Impact on Listed Buildings

The development is not located in close proximity to any listed buildings, its demolition will therefore not have any impact on any listed heritage assets. In summary it is concluded that the existing building does not contribute positively to the character of the conservation area. As such its removal will not be harmful to the character of the conservation area and in fact offers the potential to create a positive new building. The proposed demolition is therefore considered to comply with the relevant development plan policies and Chapter 16 of the NPPF.

Impact on Porter Brook

The Porter Brook River runs to the south-east of the application site. The removal of

the Avec building and redevelopment of the site offers the opportunity to link the pedestrian route along the Porter Brook which currently exists as part of the pocket park to the south-west of the site and the pedestrian footpath to the rear of Persistence Works to the north-east of the site. Indeed, the Informal Planning Advisory Note prepared to support the future redevelopment of the site will detail the requirement to provide a pedestrian link. Any planning application will be required to provide such a pedestrian link adjacent to the river.

It is considered that a request to provide the footpath at this stage, even in a temporary form cannot be justified given that the application is only seeking demolition of the building and the fact that in itself that demolition is acceptable in its own right based on the assessment above. The requirement to provide a footpath is not proportionate to the development proposed through the application, nor is it necessary to make the principle of development acceptable. The Property Services Section of the Council has confirmed that funding for the demolition is from the Sheffield City Region (SCR) and the funding bid did not include any funds to provide a pedestrian link. The demolition of the building will pave the way for a future redevelopment scheme and will make it much more attractive to prospective development partners as the expense of the demolition will have already been undertaken.

Similarly, works to re-naturalise and improve the habitat of the adjacent river cannot be justified as part of the demolition scheme. Such requirements are not considered to be proportionate, reasonable or directly relevant to the application under consideration which is simply the demolition of the building. Such works will be considered as part of any future planning application for the site and are likely to be justifiable as part of the consideration of biodiversity net gain.

It is noted that there is no guarantee in relation to timescales for the future redevelopment of the site. However, the Council are committed to marketing the site and have estimated this to commence in April. Despite the uncertainty over timescales the fact that the provision of a footpath would be disproportionate to the development proposed through the application under consideration here still stands. In light of the above, it is concluded that the provision of a footpath and works to the Porter Brook cannot be justified as part of the current application. The Local Planning Authority does however recognise the opportunity that this site presents for connecting the route adjacent to the river and will seek to ensure that such a link is provided as part of the future redevelopment of the site. Indeed this is specified in the Informal Planning Advice Note that has been prepared to aid the marketing of the site.

Method of Demolition

A brief description of demolition has been provided. In essence the site will be secured with an appropriate boundary treatment, asbestos will then be removed, followed by soft strip of internals. The information submitted at this stage details that the contractor will be required to submit a demolition method statement as part of the tender submission. It is considered necessary to condition a demolition environmental management plan to ensure that the demolition is planned and managed so as to prevent nuisance and minimise disamenity to nearby sensitive

uses.

Highways

The applicant has clarified that it is not proposed to use the site for additional car parking. The existing access and parking area to the north-east of the building will be retained and used for staff of red tape studios as is currently the case. The rest of the site will be covered with compact aggregate and surrounded by a timber knee rail to prevent vehicular access and parking.

RESPONSE TO REPRESENTATIONS

The above report addresses the points raised through neighbour representation.

SUMMARY AND CONCLUSION

The demolition of the Avec Building is acceptable from a heritage aspect and will not have a detrimental impact on the character of the Conservation Area. The importance of the continuation of the footpath adjacent to the Porter Brook is recognised and will be promoted through the redevelopment of the site. Indeed it is expressly included in the Informal Planning Advice Note that will accompany the marketing particulars. However, it is not appropriate to require provision of the footpath at this stage as it is not proportionate to the proposed demolition. The demolition complies with relevant national and local policies as outlined in the above report and is therefore recommended for approval subject to the listed conditions.