
Case Number	22/01617/FUL (Formerly PP-11208512)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of 6-storey office building (Use Class E) with ground floor commercial unit (flexible retail and/or other Use Class E), with associated cycle parking (Resubmission of 21/02206/FUL)
Location	39-43 Charles Street and 186-194 Norfolk Street Sheffield S1 2HU
Date Received	25/04/2022
Team	City Centre and Major Projects
Applicant/Agent	Urbana
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:

EXISTING SITE PLAN 2937-CDA-00-SL-DR-A-090100 G Published 25.04.2022
PROPOSED SITE PLAN 2937-CDA-00-XX-DR-A-090500 J Published 06.10.2022
BASEMENT PLAN 2937-CDA-00-B1-DR-A-090600 J Published 06.10.2022
GROUND FLOOR PLAN 2937-CDA-00-00-DR-A-090601 J Published 06.10.2022
FIRST FLOOR PLAN 2937-CDA-00-01-DR-A-090602 J Published 06.10.2022
SECOND FLOOR PLAN 2937-CDA-00-03-DR-A-090603 J Published 06.10.2022
THIRD FLOOR PLAN 2937-CDA-00-03-DR-A-090604 J Published 06.10.2022
FOURTH FLOOR PLAN 2937-CDA-00-05-DR-A-090605 J Published 06.10.2022
FIFTH FLOOR PLAN 2937-CDA-00-05-DR-A-090606 J Published 06.10.2022
ROOF PLAN 2937-CDA-00-07-DR-A-090607 J Published 06.10.2022
EAST ELEVATION 2937-CDA-00-XX-DR-A-090700 J Published 06.10.2022
SOUTH ELEVATION 2937-CDA-00-XX-DR-A-090701 J Published 06.10.2022

WEST ELEVATION 2937-CDA-00-XX-DR-A-090702 J Published 06.10.2022
NORTH ELEVATION 2937-CDA-00-XX-DR-A-090703 J Published 06.10.2022
CONTEXT ELEVATIONS 2937-CDA-00-XX-DR-A-090704 J Published
06.10.2022
CONTEXT ELEVATIONS 2937-CDA-00-XX-DR-A-090705 J Published
06.10.2022
TRAVEL PLAN P1642_20220407_190 Norfolk Street, Sheffield - Travel Plan
Revision 3 07/04/2022 Published 25.04.2022
TPS Transport Consultants Ltd Technical Note P1642 April 2022 Published
25.04.2022

Reason: In order to define the permission.

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

3. No demolition hereby authorised shall be carried out before a contract for carrying out the construction of the new building hereby approved has been made. Evidence that such a contract has been made shall be submitted to and approved in writing by the Local Planning Authority before demolition commences.

Reason: To ensure that premature demolition does not take place and result in an undeveloped site, some time before rebuilding, which would be detrimental to the visual character of the Conservation Area.

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

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

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

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

that damage to archaeological remains is irreversible.

5. Any intrusive investigation recommended in the submitted Phase I Preliminary Risk Assessment Report (by Arup, dated 6 April 2022) 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 on the new building commencing. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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

6. 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 on the new building commencing. The Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

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

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

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

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

8. No development (except demolition) shall commence until:

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the

development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of the safety and stability of the development in accordance with paragraph 183 of the National Planning Policy Framework.

9. No above ground works (except demolition) shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the building is brought into use and the building shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

i) Reconstruction of the footway along Charles Street with new kerbs, pedestrian drop-crossing and tactile paving where necessary (and possibly bollards along the Charles Street front of footway) all in accordance with the Primary Palette of the Urban Design Compendium.

ii) Any accommodation works to street lighting, highway drainage, traffic signs, road markings, statutory undertaker's equipment and general street furniture because of the development proposal.

Reason: In the interests of pedestrian and highway safety and to ensure the development contributes positively to the character of the conservation area and is consistent with the higher quality public realm being delivered in the primary zone of the city centre.

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

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

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

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

12. No development (including demolition) shall commence until details of the site accommodation including an area for delivery/service vehicles to load and

unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

13. 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.

14. No demolition of existing basement walls, construction of additional basement areas, or construction of the new building, shall take place until Approval in Principle (AIP) for the basement walls and floor, which will be permanently supporting the adjacent public highway, has been submitted to and approved in writing by the Local Planning Authority.

As a minimum, the AIP submission shall cover:

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

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

Reason: In the interests of highway safety.

15. Prior to the construction (excluding demolition) of the new building 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.

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

16. Details of all proposed external materials including fixings 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 construction of 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.

17. 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 construction of that part of the development commences:

- Plant screens
- Ventilation grills and extracts
- Glazing system
- Balustrades
- External doors

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

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

18. A sample panel of the proposed masonry and cladding panels 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.

19. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) Drawings showing the location of the external flue ducting and termination.
 - b) Acoustic emissions data for the system.
 - c) Details of any filters or other odour abatement equipment.
 - d) Details of the system's required cleaning and maintenance schedule.
 - e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

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

20. The cycle changing facilities, lockers and showers shall be provided before the building is brought into use and thereafter retained.

Reason: In the interests of encouraging sustainable travel to and from the site.

21. Notwithstanding the submitted plans, full details of the door operation on the route to the cycle parking provisions shall be submitted to and approved in writing by the Local Planning Authority. These approved details shall have been provided prior to occupation of the development.

Reason: In the interests of encouraging sustainable travel to and from the site.

22. The cycle parking accommodation indicated on the submitted plans is not approved. Before the development is commenced, or in accordance with an alternative timeframe to be submitted to and approved in writing by the Local Planning Authority, full details shall have been submitted to and approved in writing by the Local Planning Authority of arrangements that increase the amount of internal cycle parking provision from that originally indicated. This overall increased amount of cycle parking provision shall have been provided prior to occupation of the development, and be retained and maintained thereafter.

Reason: In the interests of encouraging sustainable travel to and from the site.

23. Unless it can be shown not to be feasible or viable no development (except demolition) 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.

24. The building shall be designed, constructed and operated in accordance with the LETI Net Zero Carbon Framework as set out in Paragraph 3.62 of the sustainability statement and to achieve a wired score-minium gold, EPC score-

minimum A certification, as set out in Paragraph 7.1.9 of the planning statement. Prior to the occupation of the building a report incorporating an audit of the performance of the building against the above targets including the measures to ensure delivery of these elements to be provided during the operational phase, shall be submitted to and approved by the Local Planning Authority. Thereafter the approved measures shall be maintained and implemented.

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64 and in order to ensure a highly sustainable building is delivered as proposed, as these benefits have been taken into account when considering the planning balance for this development.

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

Reason: In the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS64 and in order to ensure a highly sustainable building is delivered as these benefits have been taken into account when considering the planning balance for this development.

26. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority. All plant shall be specified in accordance with recommendations of the approved Noise Impact Assessment (ref: DC3543-R2v2, dated: 08/04/2022, prepared by: Dragonfly Consulting), and with a cumulative rating level not exceeding those stipulated in Section 6.1 at the façade of the nearest sensitive receptors.

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

27. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of the safety and stability of the development in accordance with paragraph 183 of the National Planning Policy Framework.

28. Before the playing of any live music or amplified sound in the ground floor commercial units commences and before the office use commences, Validation Testing of the relevant sound insulation 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 relevant specified noise levels set out in Condition 28 for the office accommodation and Condition 33 for the ground floor commercial uses have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound insulation works thus far approved, a further scheme of works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

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

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

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

30. The office accommodation shall not be brought into use unless a scheme of sound insulation works has been implemented and is thereafter retained. Such works shall:

- a) Be based on the findings of approved noise survey (ref: DC3543-R3v4, dated: 06/04/2022, prepared by: Dragonfly Consulting).
- b) Be capable of achieving the following noise level: Noise Rating Curve NR40 (0700 to 2300 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilations.
[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz)

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

31. Before any work on the green walls commences full details of the design, planting, growing medium, irrigation, and maintenance schedule shall be submitted to and approved by the Local Planning Authority. Thereafter the green walls shall be implemented and maintained in accordance with the approved details.

Reason: In the interests of the amenities of adjoining residential occupiers.

32. The green walls shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing by the

Local Planning Authority. Thereafter the green walls shall be retained and they shall be cultivated and maintained and any plant failures shall be replaced.

Reason: In the interests of the visual amenities of adjoining residential occupiers.

33. The windows labelled as having non-vision glazing on the hereby approved drawings shall be incorporate obscure glazing to a minimum level 4 obscurity and be permanently retained as such thereafter.

Reason: In the interests of protecting the adjacent residents from excessive overlooking and loss of privacy.

34. 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.

35. No live music or amplified sound shall be played within the ground floor commercial use unless a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:

a) Be based on the findings of an approved noise survey (ref: DC3543-R2v2, dated: 08/04/2022, prepared by: Dragonfly Consulting).

b) Be capable of restricting noise breakout from the commercial use to the street to levels not exceeding the prevailing ambient noise level when measured:

(i) as a 15 minute LAeq, and;

(ii) at any one third octave band centre frequency as a 15 minute LZeq.

c) Be capable of restricting noise breakout and transmission from the ground floor commercial use and any associated plant or equipment, to all adjoining office accommodation to levels complying with the following:

(i) Office: Noise Rating Curve NR40 (0700 to 2300 hours);

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

[Noise Rating Curves should be measured as a 15 minute LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

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

36. No amplified sound shall be played within ground floor commercial use of the building except through an in-house amplified sound system fitted with a sound limiting facility capable of limiting the sound level output of the system to a pre-set level which may then be secured in a tamper resistant manner, the design and settings of which shall have received the prior written approval of the Local Planning Authority.

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

Other Compliance Conditions

37. No customer of the class E unit shall be permitted to be on the premises outside the following times: 07:30 and 00:00 hours on any day.

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

38. No doors (except sub-station doors or emergency exit doors) are to open into the adjoining public realm or adopted highway.

Reason: In the interests of pedestrian safety.

39. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage.

40. The demolition and construction works shall be carried out in accordance with the measures set out in the Construction Environment Management Plan unless alternative arrangements are approved by the Local Planning Authority.

Reason: In the interests of the amenities of adjoining occupiers.

41. 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.

42. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 08:00 to 23:00 Mondays to Saturdays and between the hours of 09:00 to 21:00 on Sundays and Public Holidays.

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

43. Commercial deliveries to and collections from the building shall be carried out only between the hours of 08:00 and 23:00 hours Monday to Saturday and not on Sundays and Public Holidays.

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

44. The Travel Plan shall be implemented in accordance with the details and timescales contained within it for the lifetime of the development.

Reason: In the interests of encouraging sustainable travel to the site.

45. The submitted/approved Servicing Management Plan (SMP) shall be operated for the lifetime of the development unless alternative agreement are approved by the Local Planning Authority.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner in accordance with the requirements of the National Planning Policy Framework. The Local Planning Authority considered that it wasn't necessary to have detailed discussions in this case.
2. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received 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

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

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

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

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

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

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

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

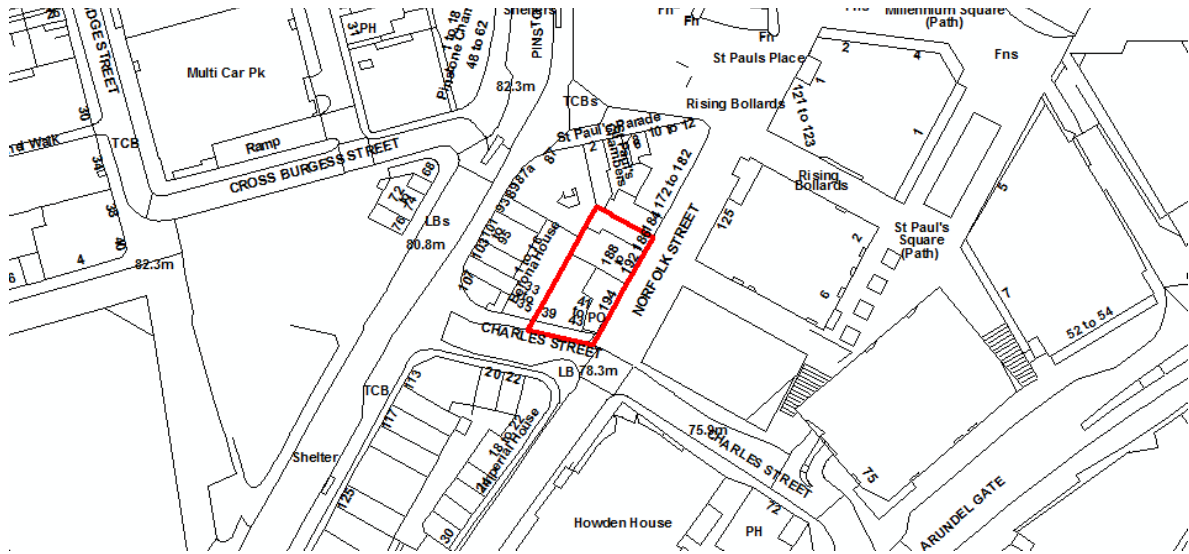
6. As the Charles Street frontage projects into the public highway, you are required to contact (highways@sheffield.gov.uk; 0114 273 6677) in order to secure an over-sailing licence.
7. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2020 "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.
8. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
9. For larger commercial kitchens or cooking types where odour and noise risk is higher, reference should be made to the updated guidance document; 'Control of odour and noise from commercial kitchen exhaust systems' (EMAQ; 05/09/2018). Appendix 2 of the document provides guidance on the information required to support a planning application for a commercial kitchen.

10. The applicant is advised that, as per the attached condition, details of public art need to be agreed with the local planning authority prior to being implemented on site. Advice can be sought in advance of the submission of details from the Council's Public Art Officer. Please note there is an hourly charge for this advice.

You can contact the Public Art Officer at: publicart@sheffield.gov.uk

Further details on the Council's public art projects can be found at <https://www.sheffield.gov.uk/planning-development/public-art-projects>

Site Location



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BACKGROUND

Members may recall dealing with an application at this site as part of the Committee meeting on 18 January 2022. Whilst Officers recommended that the application be approved, following detailed consideration including a visit to the site, Members voted to refuse the application (see refusal reasons in the Planning History section later in this report).

The current application is a re-submission following that refusal, with the applicant seeking to address the previous refusal reasons as far as they consider possible.

LOCATION AND PROPOSAL

The application site is in the heart of the city centre and is bound by Norfolk Street to the east and Charles Street to the south. It forms part of a perimeter block which also faces on to St Paul's Parade and the Peace Gardens to the north and Pinstone Street to the west, with a central courtyard between. It is located within the City Centre Conservation Area.

The site is positioned at the Charles Street and Norfolk Street corner of the block and is occupied by 3-storey buildings formerly used for office purposes and as a yoga studio. A retail activity currently takes place on the ground floor. The existing buildings probably date from the 1950/60s and are of no architectural merit. The rest of the block comprises of heritage buildings including the grade II listed Prudential House to the north.

On the opposite side of Norfolk St there is the St Paul's Place development consisting of 3 contemporary office blocks between 8 and 11 storeys in height. Opposite the site on Charles Street there is 3 storey retail and office development dating from the 1950/60s and the 6/7 storey Howden House office block.

The applicant is seeking permission to demolish the existing buildings and replace them with a 6-storey building comprising of a basement incorporating plant and facilities, ground floor retail uses (approximately 206m²) and grade A offices above (approximately 1812m²). The building's ground floor level will cover almost the whole footprint of the site and the development is proposed as a net zero carbon building with no car parking.

The proposed retail unit is located on the corner of Charles Street and Norfolk Street with entrances on both frontages. The offices will be accessed from Norfolk Street with a reception lobby, staff changing spaces on the ground floor, and bike and bin stores at basement level.

The application proposes a 6-storey building, representing a reduction from the 7-storey building previously refused. Since the submission of the application, the proposal has been further amended to reduce the extent of the floor plan of the upper storey, and to make changes to the street facing elevations. The building continues to be faced in anodised aluminium cladding and curtain wall glazing on the upper floors and natural red sandstone columns, framing double height glazed openings on the ground floor. The footprint follows the existing buildings except on the Charles Street/Norfolk Street corner where a glazed cantilevered curved corner is proposed for the upper floors.

The north and west facing elevations are more solid with glazing commencing at fourth

floor level and a full height green wall on to the courtyard elevation facing north and west.

RELEVANT PLANNING HISTORY

21/02206/FUL - Demolition of existing buildings and erection of 7-storey office building (Use Class E) with ground floor commercial unit (flexible retail and/or other Use Class E), with associated cycle parking - REFUSED - 20.01.2022 for the following reasons:

1. The Local Planning Authority considers that, due to its scale, mass and siting the proposed development will significantly reduce light/sunlight, appear overbearing and adversely affect the outlook for the residents of Berona House, St Paul's Chambers and Waterhouse, whose apartments face on to the courtyard space adjoining the development and also for users of the amenity space at the rear of St Paul's Chambers. This will reduce the attractiveness of the apartments and the courtyard amenity space serving St Paul's Chambers and lead to increased reliance on artificial light. As a consequence, there will be an unacceptable impact on living standards resulting in a significant adverse impact on residential amenity and health and well-being. This is contrary to Policy S10 b) of the Unitary Development Plan and Paragraphs 119, 124 e) and 130 f) of the National Planning Policy Framework. This harmful amenity impact is not outweighed by the benefits of the proposal.
2. The Local Planning Authority considers that, due to the unsympathetic scale and massing of the proposed development it will detract from the setting of the Grade II listed Prudential Assurance building and the City Centre Conservation Area. The impact will be less than substantial but there is no clear and convincing justification and the public benefits of the proposal do not outweigh the harm to the significance of the heritage assets. As a result, the proposal is considered to be contrary to Unitary Development Plan policies BE5, BE15, BE16 and BE19; Core Strategy Policy CS74; and Paragraphs 130 c), 189, 200, and 202 of the National Planning Policy Framework.

This applicant has appealed against the refusal of planning permission but the outcome of the appeal is not yet determined. The appeal is being dealt with by the Planning Inspectorate.

SUMMARY OF REPRESENTATIONS

HISTORIC ENGLAND (HE)

HE has commented on the original proposals as follows:

- Further height reduction (compared to previous scheme) is recognised. This minimises the height difference with Berona House, which they commend. Essentially, they comment the proposed scale is considered acceptable.
- They add, however, that the glazed bay abutting the frontage of the New Central Hall has been increased to the detriment of the relationship between existing building and proposed development.
- Additionally, they refer to the failure of the two-storey shopfront to open up to the key junction, with a wide brick column positioned at its centre. This stands in contrast to the heavily glazed cantilever above, which alienates the shopfront from the upper portions of the building. As a result, it's added that more work is

required to the corner of the shopfront to continue the prominence characterising the upper floors.

- In conclusion they add they are broadly comfortable with the height and mass of the new development, though they consider that the scheme does not complement the area's rich architectural heritage through its appearance and design. They do not consider that the scheme adds positively to the local distinctiveness and sense of place of the City Centre Conservation Area and isn't entirely sympathetic to its character and history.
- Their conclusion is that the scheme would cause a degree of harm to the conservation area; the harm would be less than substantial, and on the lower scale, but nonetheless material mainly given the contextually incongruous appearance and design of the new building.
- They say that if the Council is minded to approve the application in its current form, it should be satisfied that the public benefits of the proposal outweigh the harm to the conservation area.

CONSERVATION ADVISORY GROUP (CAG)

- The CAG recognised the reduction in height but considered that this did little to address previous concerns.
- They added that the proposal would create a dominant building affecting the block and would neither preserve nor enhance the Conservation Area.
- It was also added that proposed materials and colours would need to better reflect those of the surrounding 19th century buildings.

CITY COUNCILLORS

The City Ward Councillors, Martin Phipps, Douglas Johnson and Ruth Mersereau submitted a joint objection. They confirm they still hold concerns about the impacts on adjacent residents, and they support their objections.

- The loss of light impacts are notable, with the submitted reports stating that 67% of windows in Berona House would not meet the Vertical Sky component (VSC) daylight guidelines and 67% of the rooms not meeting the No Sky Line requirement.
- References that these properties were once used as offices, or they have balconies do not justify the level of proposed loss of light and its impacts to health and wellbeing. Previous concerns around impacts on living standards remain. There has not been a material change in the number of windows affected.
- Light forms part of the fitness for habitation of a home, under the Housing Health and Safety Rating System. The Council mustn't approve developments which will result in existing properties being no longer suitable for good quality, healthy residential use.
- Report states 0% of courtyard would receive 2 hours of sun on 21st March, where this is recommended to be 50%.
- The windows from 4th and 5th floors facing Berona House, would represent privacy concerns.
- To make the city centre a desirable place to live, it must be allowed to develop in a way suitable to a residential area and residents' concerns heard.

- As per Historic England's concerns, the proposed building does not make the area more attractive to residents and visitors and downgrades the conservation area and potential heritage tourist area.
- Any approval would need to seriously consider construction management, with controls set on reasonable hours of work which minimise disruption to residents.

RESIDENTS

40 representations were received regarding the initially submitted scheme with 18 of these from occupiers of properties neighbouring the site and the remaining 22 from addresses elsewhere in Sheffield and further afield. The comments can be summarised as follows:

Daylight and Sunlight

- Amendments do not address daylight loss. Removal of one storey does not address impacts on light and massing which led to previous refusal.
- Loss of daylight to courtyard for over half the year. Space used for relaxing, socialising and growing vegetables. Its value became clear during lockdown. Proposal would place courtyard in practically permanent shadow. Space represents a reason for living in apartments.
- There would continue to be significant loss of light, especially to Berona House. These effects may constitute a housing hazard on the basis of wellbeing and mental health. Some apartments still face light losses of 90%. Increased use of artificial lighting will lead to increasing energy bills.
- Effects on mental health. Wellbeing report connects natural light and quality of life.
- Lack of daylight will cause dampness and building deterioration.
- Queried how light and space criteria can be a design requirement for new housing and disregarded for existing residents. The importance of natural light for proposed office users is highlighted, but at residents' expense.
- Sunlight assessment documents misrepresentative, and not in accordance with BR209 (which recognises 21st March as assessment date). Makes subjective interpretations. Use of GLA guidance is not relevant. Attributing loss of light to existing balconies is questionable. Light assessment document should be independently checked.
- Day & Sun light report is incomplete, and so conclusions cannot be drawn
- Light impacts to Peace Gardens, affecting footfall and business.

Privacy

- Overlooking to 3 windows of neighbouring flat (2 to kitchen and 1 to a bedroom).

Ecology

- No effort to reduce ecological impact.

Design and Heritage Issues

- Inappropriate scale and massing. Insufficient alterations to scheme's massing or design, not addressing previous reason for refusal. Building height is excessive, and profit led.

- Out of context with surrounding historic buildings and area. Older architecture is being dwarfed by soulless, overwhelming and unattractive buildings. No enhancement. Historic England have objected, as they previously did.
- Tall buildings create unsafe places and unwelcoming environments.
- Sheffield is not Manchester or Liverpool.

Sustainability

- Previously clear that building wasn't net zero, but there would be carbon off-setting via woodland planting. Therefore, current claims should be closely assessed.
- Existing building could be refurbished and retro-fitted.
- Net zero claims are not supported by appropriate documentation. Sustainability report states scheme is "aiming to achieve" net zero. Proposal represents 'greenwashing'.
- No details are given about off-setting the carbon in its construction.
- No energy modelling has been carried out.
- Without tight control, building would be no more sustainable than regular buildings.
- Not possible to ensure users will select eco-friendly energy suppliers. Recycling of materials at end of building's life is also unknown, so shouldn't be considered.
- Building seems to have no sustainability features.
- Proposal will trap air pollution. Queried what investigation of this has been done.

Other Issues

- Parking pollution
- There is said to be 80,000sqft of office space available in City Centre (effects of home working), so this development is not needed. Will likely remain vacant.
- Housing shortages and desire to increase city living mean residential would be preferable. Proposal will discourage occupation of surrounding residential properties.
- Will discourage people from visiting and/or living in city centre. St Paul's Parade, The Waterhouse Building and Berona House form a key part of 'Heart of the City 1' aim to encourage more people to live in the city centre
- Priority should be supporting leisure experiences
- Inadequate consultation (specifically to Berona House).
- Previously stated objections should be taken into account.
- Unpleasant wind conditions.
- Applicants have not maintained building, and they treat tenants and neighbours poorly.
- Privacy and noise/pollution impacts during construction. People will move out because of this. How will landlords be compensated? Query safety and health implications during demolition
- Responding to applications is time-consuming and taxing.

CHANGINGSHEFF, a City Centre Resident's Association, makes the following comments:

- The objection to and refusal of the previous application stemmed from light reduction from traditional residential buildings, and creation of a building that undermined residents' amenities. Current scheme does not deal with these

issues; Loss of light to Berona House and significant reduction to other residents around courtyard.

- Proposal will counter the aim of increasing the residential population in the City Centre.
- Net zero claims are highly dubious, and amount to green-washing.

PLANNING ASSESSMENT

Policy

The site lies within the Retail Core of the Central Shopping Area. Unitary Development Plan (UDP) Policy S2 says that on ground floor frontages new retail and complementary uses which add to the vitality and viability of the Central Shopping Area will be encouraged. Outside the Fargate Area this means that shops are preferred; offices used by the public, food and drink outlets and amusement centres are acceptable; with all other uses being unacceptable. In the Central Shopping Area other than on the ground floor frontages offices are acceptable along with a range of other uses (Policy S3).

Office uses now fall within Class E which includes a range of uses such as shops, cafes, restaurants, offices used by the public, professional services and other uses such as indoor sport and recreation, medical services, nursery, research and development and light industry. The E class of uses are considered to meet the requirement in Policy S2 as they would add to the vitality and viability of the City Centre.

Offices are acceptable on the upper floors and therefore the proposal is supported by Policy S3.

Core Strategy Policy CS17a says the distinctive and fundamental roles of different 'quarters' of the City Centre will be consolidated and strengthened. The site lies within the Heart of City where shopping, office uses, civic uses, arts and cultural uses are appropriate. Policy CS3 promotes the City Centre as a location for office development and Policy CS4 identifies the Heart of the City for new large and high-density office development. The proposal is therefore supported by these Core Strategy policies.

The National Planning Policy Framework (NPPF) paragraph 81 says that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. As the development will support economic growth by delivering high quality business space the principle is supported by the NPPF.

Paragraph 86 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management, and adaptation. It goes on to say that town centres should meet anticipated needs for retail, leisure, office, and other main town centre uses. The proposal will support the city centre role as a major centre for offices.

Demand For Offices

Many of the representations state there is no demand for additional offices, particularly given the levels of increased home working due to the pandemic.

The applicant has submitted a Supply and Demand report from a commercial property consultant. This makes the case that the site is very well located in terms of accessibility, prominence, and surrounding amenities.

Office take-up in 2020 was 28% less than the long-term average. Whilst lockdown restriction remained for the 1st half of 2021, total take up in 2021 exceeded the 10-year average. The average transaction size in 2020/21 reduced significantly, which was thought to be due to the pandemic, with companies requiring smaller but higher quality offices as companies adapt to flexible working. It is added that demand has returned to pre-pandemic trends.

The report notes that there is a relatively low supply of office accommodation across all grades and a specific lack of Grade A space in the city centre. It is added that the current Grade A space available is fragmented in each building, such that any demand for space above approximately 6,000ft² would not be able to be accommodated in continuous suites. Also, were existing deals in hand to proceed, Grade A accommodation would reduce to approximately 20,000ft² by the end of 2022. This is said to not offer potential occupiers sufficient choice, resulting in the city being discounted by potential corporate occupiers.

The report argues that there is now an appetite to return to the workplace. The challenge facing businesses is about increased staff expectations on their working environment. This means that employers are looking to improve their office environment to encourage staff to return and to facilitate recruitment and retention. It says that some companies will increase office space and others will cut back and the companies that rationalise space will look to take smaller spaces of better quality and that this will be important in attracting and retaining talent, particularly younger people.

The report describes the design considerations that are likely to be important for future offices; for example, maximising external spaces, provision of active travel facilities, high energy performance, health and wellbeing and connectivity.

Separately, an on-line article has been submitted covering the recovery of the regional office market from the pandemic. The main summary points are that in Half 1 of 2022 take-up represented an increase of 22% on Half 1 in 2021, and a 26% increase from 2020. In regional markets Grade A take up accounted for 46% of this overall total, representing a resilience. In the five-year period prior to the pandemic, take up for under 5,000ft² accounted for 26% of total take up and in 2022 Half 1 36%, showing a growing demand for smaller Grade A office space. It is also concluded that there is currently less than 2 years of Grade A supply in all the UK Big 6 markets.

It is therefore considered that there is a clear need for targeted office space, particularly Grade A provision of the type proposed.

Heritage Issues

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. In addition, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

National Planning Policy Framework Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

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

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

Paragraph 200 says that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 says 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 including, where appropriate, securing its optimum viable use.

Paragraph 206 says local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

UDP Policy BE15 'Areas and Buildings of Special Architectural or Historic Interest' says that buildings and areas of special architectural or historic interest which are an important part of Sheffield's heritage will be preserved or enhanced. Development which would harm the character or appearance of Listed Buildings, Conservation Areas or Areas of Special Character will not be permitted.

UDP Policy BE16 'Development in Conservation Areas' says permission will only be given for proposals which would preserve or enhance the character or appearance of the Conservation Area. These principles will also be material considerations in considering proposals which would affect the setting of a Conservation Area or significant views into, or out of, the Area. Redevelopment of sites which detract from a Conservation Area will be encouraged where it would enhance the character or appearance of the Area.

UDP Policy BE19 'Development Affecting Listed Buildings' says that proposals for development within the curtilage of a building or affecting its setting, will be expected to preserve the character and appearance of the building and its setting.

Significance of Heritage Assets Affected

The buildings to be demolished have no heritage significance. The heritage assets that have the potential to be affected by the new development are the Town Hall, Prudential Building, other character buildings in the same block and the City Centre Conservation Area. There is also the potential for archaeological interest to be affected by the building works.

The setting of the Grade I listed Town Hall is encompassed by the buildings along Surrey Street, Pinstone Street and the buildings across the Peace Gardens, including the Prudential Assurance Building, St Paul's Chambers (which form part of the same block as the application site) and the more contemporary buildings on the south-east side of Norfolk Street. The Peace Gardens open space and the broadly contemporary buildings contribute positively to the Town Hall's heritage interest by allowing its civic importance, and architectural and historic interest to be appreciated in the context of similar period buildings.

The Grade II Listed Prudential Building is a late 19th century ornate red sandstone building with an interesting roof scape. Its setting is defined by the adjacent broadly contemporary buildings. Its increased scale gives it prominence within the block and at the corner of the Peace Gardens and Pinstone Street. The similar period buildings on the opposite side of Pinstone Street and within the same block contribute positively to its setting allowing its historic and architectural interest to be appreciated within the 19th century townscape.

The non-designated heritage assets of St Paul's Chambers and Berona House derive their significance from their architectural interest and their visual cohesion as part of 19th century townscape contributing positively to the setting of the listed buildings and the character of the conservation area.

The City Centre Conservation Area includes a large part of the grand Victorian architecture which exists in the centre, defining the growth Sheffield experienced through the second half of the 19th century. The site is at the southern end of the conservation area where it abuts the larger scale contemporary development surrounding St Paul's Place. The whole of the block of which the application site is part, except for the application site, is identified as either unlisted buildings that contribute to the character of the conservation area or listed buildings. The Conservation Area Statement of Special Interest says that the visual cohesion of the townscape of the Conservation Area depends on the combination of characteristics, particularly the density of the streets and buildings, the fairly consistent height of buildings and the use of local sandstone or red brick building materials. It says that buildings are predominantly no more than four storeys to eaves lines and that this homogeneity of scale has allowed functionally important buildings to stand out as landmarks such as the towers of the Town Hall. It says that gables, towers, turrets, chimneys and balustraded parapets all add to the interest of the townscape.

The potential archaeological interest relates to former buildings from the early 19th century and from the early 20th century which may contribute to the understanding of the post-medieval and 19th century development of Sheffield at a local level.

Assessment of Heritage Impact

The buildings to be demolished are of no special heritage interest and therefore their loss will not detrimentally affect the significance of heritage assets.

The setting of the Town Hall is enhanced by the 19th century buildings on Pinstone Street and by the Prudential Assurance Building plus non-designated heritage assets within the application block. The proposed development will closely adjoin the rear of these buildings. The current scheme is one storey less in its overall height (2.9 metres) than the previously refused version. This results in its height being approximately

equivalent to the eaves level/s of the Prudential Assurance building.

Its 5th floor layout plan is also setback from the site's northern boundary such that there would be only limited visibility of the building from the Peace Gardens. As such and, given that the Town Hall's context incorporates the much taller buildings of St Paul's Place, it is considered that the proposal would not have an adverse impact on the setting of the Town Hall. The previous scheme was not resisted because of any implications on the Town Hall's setting, and it would be unreasonable and not logical to conclude that the current proposal in its reduced size would have detrimental impacts.

The significance of the Grade II listed Prudential Assurance Building is enhanced by its dominance at the corner of the Peace Gardens and the point where Pinstone Street bends south-west. This allows the architectural interest including the varied roof profile to be fully appreciated. The current proposal is now approximately equal to the eaves level of the Prudential Assurance building. As a result of this reduction in height from the refused scheme, and because of the reduced extent of the 5th floor layout, the proposed building will no longer be visible in the backdrop of views of the Prudential Assurance building from Pinstone Street to the north. As such, there is not considered to be an impact on the setting of the listed building, addressing the previous refusal reason.

The impact of the development on the non-designated heritage asset of St Paul's Parade from the Peace Gardens should be given lesser weight given that it is a non-designated heritage asset. This building complements Prudential House and creates a strong frontage of historic 19th century buildings defining the southern edge of the Peace Gardens open space. The proposed building will be located in close proximity to the rear of this building and will be seen to a very slight extent in views over the top of it from the Peace Gardens. The previously refused scheme was considered to be acceptable in this regard because of the proximity to the taller buildings at St Paul's Place's. Therefore, the reduced size of the current proposal would have a lesser impact and continue to be considered acceptable in this respect.

The proposed building abuts St Paul's Chambers and Berona House on the Norfolk Street and Charles Street frontages. These buildings are three to four storeys high, faced in traditional materials, and St Paul's Chambers is characterised by rich detailing. The massing of these buildings is broken down by bays and stepped levels. These are the buildings which most closely define the context for the development. Whilst the modern taller development on the east side of Norfolk Street also provides context, it is secondary to the attached 19th century buildings within the same block as the application site.

The existing buildings to be demolished do not enhance the setting of these non-designated heritage assets.

Whilst the scale of the proposed scheme is taller than the attached buildings, its design provides an acceptable transition in scale. The lower height / glazed treatment and smaller footprint of the upper floor, together with the setback at 2nd floor (and upwards) at the attachment to St Paul's Chambers and the more solid elevational treatments to Charles Street help to secure a stepping down in the scale towards the attached heritage buildings and to show a sympathy to the rhythm of the buildings within the conservation area. Additionally, it references the heritage buildings' traditional architecture in a contemporary way with the use of stone columns and large window openings at ground floor.

Historic England raised a concern about the amount of glazing abutting the frontage of New Central Hall (St Paul's Chambers). The amended proposals include increased solid treatment at this connection point, and officers consider this to help form a more successful transition and relationship between the two buildings.

Overall, a successful transition between the proposal building and its attached neighbouring buildings is considered to be achieved.

The block which the site forms part of (except for the application building/s) is a visually cohesive block of heritage buildings which make an important positive contribution to the character of the conservation area. Whilst the buildings to be demolished do not make a positive contribution to the character of the conservation area their scale is sympathetic to the heritage buildings and they are mildly mannered. The current proposal sees a reduction in one storey compared to the previously refused scheme. This is considered to address the concerns that the refused scheme had a detrimental impact upon the conservation area due to it undermining the contribution made by the block to the wider heritage asset. As such, these variations to the refused application are considered to result in a scheme which has an acceptable impact upon the conservation area as a whole.

It continues to be accepted that there is no evidence to suggest that the below ground archaeological interest will be so significant that it would preclude the redevelopment of this site as proposed. A condition will ensure that any archaeological interest is properly investigated and recorded as part the site redevelopment.

Heritage Impact Conclusion

The proposed development will continue to not harm the setting and significance of the Town Hall. The current scheme, in its revised form, would avoid the minor harmful impact/s on the setting of Prudential House, as its reduced height will no longer be visible in the backdrop of views from Pinstone Street. The proposed building will provide a successful transition to the non-designated heritage assets at Berona House and St Paul's Chambers, thereby avoiding a detrimental impact on the character of the conservation area. The proposal will replace tired and dilapidated buildings, which are of no special townscape merit, with a higher quality building which will, in officers' judgement, enhance the conservation area.

Overall, the impacts on the setting of Prudential House and the character of the conservation area are not considered to be detrimental, such that national policy does not require there to be a clear and convincing justification for the heritage harm.

Notwithstanding this conclusion, the proposal is considered to bring the following public benefits:

- the provision of a highly efficient net zero carbon building with sustainability credentials in excess of the standards required by the Council's sustainable design policies.
- the provision of Grade A office space of which there is a low supply, which will support the local economy
- the provision of a high travel generating use in a highly sustainable location able to benefit from sustainable travel modes and linked trips which will help to reduce carbon emissions and support shopping and leisure uses in the City Centre.

- employment benefits during the construction phase and from the future office employment.
- the high-quality design will also improve the appearance of the site.

Overall, there is not considered to be reason to resist the current proposal on heritage grounds given that the conclusion reached is that the revised scheme does not result in a harmful impact on any heritage assets.

Design Issues

Core Strategy Policy CS74 is concerned with design principles. It says that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including:

- c. the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials;
- d. the distinctive heritage of the city, particularly the buildings and settlement forms associated with:
 - i. the metal trades (including workshops, mills and board schools)
 - ii. the City Centre
 - iii. Victorian, Edwardian and Garden City suburbs
 - iv. historic village centres and the city's rural setting.

Development should also:

- e. contribute to place-making, be of a high quality, that contributes to a healthy, safe and sustainable environment, that promotes the city's transformation;
- f. help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- g. enable all people to gain access safely and conveniently, providing, in particular, for the needs of families and children, and of disabled people and older people;
- h. contribute towards creating attractive, sustainable and successful neighbourhoods.

UDP Policy BE5 is concerned with building design and siting. It says the use of good design and use of good quality materials will be expected in all new and refurbished buildings and extensions. The following principles will apply:

Physical Design

- (a) original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings;
- (d) in all new developments, design should be on a human scale wherever possible, and, particularly in large-scale developments, the materials should be varied and the overall mass of buildings broken down;
- (e) special architectural treatment should be given to corner sites in order to create a lively and interesting environment;
- (g) the design, orientation and layout of developments should encourage the conservation of energy and other natural resources.

User Requirements

- (h) the design of buildings, landscaping and lighting should promote all aspects of personal safety and security, particularly at night time;
- (i) designs should meet the needs of users, particularly people with disabilities, elderly people, people with children, and women;

Policy BE11 is concerned with public spaces and says that public spaces will be protected and enhanced where they make an important contribution to the character or appearance of an area or provide spaces for people to walk or relax. Development within or adjacent to the following Public Spaces will only be permitted where it would respect:

- (a) The character of the space in terms of function, scale proportions and views; and
- (b) The contribution surrounding buildings make to the character of the space in terms of scale, massing and proportions.

The Peace Gardens is one of the identified spaces.

Paragraph 126 of the NPPF says that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 says that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The existing buildings are 3 storeys high and match, or are of lesser scale, than the other heritage buildings that make up the block. They are faced in dark grey brickwork, tiles, stone, concrete and metal cladding with a 1950/60s design character. There is a strong horizontality to the design which contrasts with the heritage buildings in the same block. There are shopfronts on the ground floor. They do not complement the conservation area, although they are unassuming.

The proposed development continues to maintain the existing back edge of pavement development but increases the scale from 3 to 6 storeys. Therefore, despite the increase in scale from existing, the proposed building is smaller than the previously refused proposal, which was originally concluded as acceptable in respect of its design and visual appearance. Therefore, the latest proposal is considered to be appropriate to the site and the surroundings. The contemporary design is finished in high quality materials, which would be consistent with the design policies encouraging original

architecture. The use of more modern materials than the more ornate heritage buildings in the same block was previously considered to be acceptable, and this remains the case. Stone columns continue to be included with large, glazed openings providing a similar rhythm to St Paul's Parade.

The proposed increase in height and curved cantilevered glazing at the Norflok Street and Charles Street corner will help mark the corner and create a sense of place and provide a comfortable transition to the taller buildings opposite. It is considered that the proposal will help to deliver the special treatment at corner locations required by the aforementioned design policies.

Historic England raised a concern that the two-storey shopfront didn't open up to the key junction. However, your officers consider that the wider block includes a series of subtle entrances and therefore the proposal is not uncharacteristic of the block in this respect. The glazing at the ground floor level will be supplemented with active uses and a welcoming frontage which will promote a safe environment.

The proposed design and materials are high quality, and the scale and design are considered to strike a reasonable balance between respecting existing character and delivering a contemporary design which will contribute positively to the streetscape. It is concluded that scale and design is consistent with the key design policies outlined above.

Residential Amenity

The National Planning Practice Guidance 'Effective Use of Land' says "where a planning application is submitted, local planning authorities will need to consider whether the proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, as well as assessing whether daylight and sunlight within the development itself will provide satisfactory living conditions for future occupants."

It also asks the question "What are the wider planning considerations in assessing appropriate levels of sunlight and daylight?" It provides the following guidance in relation to this: "All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example, in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings". Therefore, it is accepted in national planning guidance that lower daylight and sunlight levels at some windows may be acceptable if new developments are to be in keeping with their surroundings.

The application site is located at the south-east corner of a perimeter block. The internal courtyard space between these buildings provides outlook and natural light together with some limited outdoor space for the residents of the adjoining perimeter block surrounding the courtyard.

The upper floors of all the buildings within the same block, except the application site, have been converted to flats. Objections have been received from residents on the basis of overlooking/loss of privacy, loss of light/sunlight and loss of outlook. Berona House is situated on the south-west corner of the block with frontages to

Pinstone Street and Charles Street. There are flats across 3 floors of which 3 face south-east towards the site and 3 face north, perpendicular to the site. They all have bedrooms and combined living rooms and kitchen/dining (L/K/D) areas that face into the courtyard. The ones facing towards the site have small balconies. The ones perpendicular to the site that serve L/K/D spaces have windows facing on to Charles Street as well as the courtyard.

St Paul's Chambers is located at the north-east corner of the block with frontages to St Paul's Parade and Norfolk Street. There are flats across 3 floors with 8 units that have habitable room windows facing on to the courtyard. There are both combined L/K/Ds and bedrooms facing on to the courtyard. The combined L/K/Ds have windows facing on to the street as well as the courtyard. Those units in the Norfolk Street block do not look towards the site as they are orientated north-west. Those in the St Paul's Parade block face south-east towards the site and the Norfolk Street wing of the building.

The Prudential Assurance Building is located at the north-west corner of the block and has frontages to St Paul's Parade and Pinstone Street with a rear wing extending back into the courtyard. Of the flats facing into the courtyard those in the rear wing face north-east away from the site and contain L/K/D room windows. The flats in the rear elevation of the main building contain bedroom windows which face south-east towards the site and also towards the existing rear wing of the Prudential building which is much closer than the proposed building. Some of the original plans for this building are missing from the planning application file so it is assumed that the first-floor layout is replicated on the upper floors.

Amenity Impact

Residents living in a dense city centre cannot expect the same level of amenity as those living in suburban locations. Lower privacy distances, less private amenity space, reduced outlook and greater overshadowing are frequently accepted to achieve townscape objectives and more density in highly sustainable locations. Indeed, within the existing blocks surrounding the courtyard there are substandard outlook distances between existing flats. Balanced judgements need to be made, weighing the overall benefits of the scheme against harmful amenity impacts.

Privacy

The existing building has first and second floor office type windows which face into the courtyard.

In terms of Berona House, windows are not present on the proposed scheme until the 4th and 5th floor levels. These are sited in the side face of the part of the building immediately adjacent to Charles Street, and largely look onto the roof of Berona House. Views across the open area to the east facing windows of Berona House will be separated by a minimum of approximately 12 metres from the proposed 4th/5th floor windows and be separated by a minimum of 1 storey in height terms. So, whilst users of the proposed office space would be able to look down to the Berona House flats, their main aspect would be over the top of the flats. The current proposals resemble the previous scheme in this respect, which also included sideward glazing facing Berona House, at the 4th to 6th floor levels. Therefore, the current proposal would have a reduced impact in this respect than the previous proposal, given the reduction in height (which correspondingly reduces the amount of glazing). It should also be noted that in other high-rise developments in the city centre, 12 metre separation distances have

been accepted between courtyard windows and across a street.

In respect of Prudential House, there are no windows in the relevant part of the proposed elevation facing westward. Therefore, there are no potential / perceived overlooking implications in this respect. The 5th floor level windows facing northwards are obliquely angled in relation to Prudential House, which will essentially preclude overlooking opportunities to the existing neighbouring building. The terrace space at 5th floor level will allow views towards Prudential House and its rear facing bedroom spaces. However, the terrace is likely to be used relatively infrequently, during working hours, and will not present a significant overlooking concern. Particularly in comparison to the relationship with the existing rear wing of the Prudential building which is already much closer than the proposed building.

In relation to St. Paul's Chambers, the proposed building has some windows at the 4th and 5th floor levels. Additionally, there is the 5th floor level terrace space. Windows at 1st to 4th floor levels are obscure glazed, serving WC areas and do not provide an outlook. The 4th floor glazing is in the portion of the building adjacent to Norfolk Street and so will not have privacy implications. At 5th floor level the windows cover a portion narrower than the terrace space, with the terrace set across approximately the front-most two thirds of the area. From the terrace space there would be a minimum separation of 13.5 metres increasing to approximately 17.6 metres to facing windows. This is greater than the minimum 10 metres which featured in the refused scheme, where the most adjacent part of the proposal was internal space rather than the external terrace space proposed here.

Loss of light

A daylight and sunlight assessment has been submitted in support of the application. A technical analysis has been undertaken using the Building Research Establishment Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'. The applicant's consultants conclude that the overall impact of the scheme on the surrounding residential properties is entirely acceptable.

The applicant points out that the guidelines are not mandatory and that the guide recommends a more contextual approach and setting alternative target values for city centres, urban environments and historic locations. They also say that it is well established that the guidelines are based on low rise suburban development.

The National Planning Policy Practice Guidance under the Effective Use of Land says that where a planning application is submitted, local planning authorities will need to consider whether the proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, as well as assessing whether daylight and sunlight within the development itself will provide satisfactory conditions for future occupants.

It goes on to say that all developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example, in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings.

The guidelines include two methods for assessing daylight and one for sunlight. Daylight is assessed by the Vertical Sky Component (VSC) and the No Sky Line (NSL). Sunlight is assessed by the Annual Probable Sunlight Hours (APSH).

VSC gives an assessment of how much of the sky is unobstructed from an outward facing window. The guidelines have a 27% VSC target which is based on a suburban type environment. The diffuse daylighting may be affected if the VSC is less than 27% or less than 0.8 times its former value.

The applicant's consultant points out that the Greater London Authority produced a report in 2013 which is largely in agreement with the guidance but states that in an inner-city urban environment VSC values in excess of 20% should be considered as reasonably good and that VSC in the mid-teens should be acceptable.

The NSL methodology is a measure of the distribution of daylight on a desktop plane within a room. If a significant part of the working plane (normally more than 20%) receives no direct skylight then the distribution of daylight in the room will be poor and supplementary electric light may be required. The guideline says that daylight may be adversely affected if the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.

APSH provides a percentage of the annual probable sunlight hours for the whole year and for the winter period. The most important rooms are living rooms whilst kitchens and bedrooms are less important. The guidance says that a window may be adversely affected if a point at the centre of the window receives:

- Less than 25% of the APSH during the whole year, of which 5% APSH must be in the winter period; and
- Receives less than 0.8 times its former sunlight hours in either time period; and
- Has a reduction in sunlight for the whole year more than 4% APSH.

In terms of overshadowing of amenity areas, the BRE guidelines provides two methods of calculation.

Sun on the ground identifies areas that receive direct sunlight. The guidelines recommend that at least half of an amenity space should receive at least 2 hours of direct sunlight on March 21st. For existing spaces where the sunlit area is less than half of the area, the area which receives 2 hours of sunlight should not be reduced by more than 20% (it should retain 0.8 times its former value).

The second method is transient overshadowing where a shadow plan is produced for these different times of the day and year:

21st March (spring equinox)
21st June (summer solstice)
21st December (winter solstice)

For each of these days the overshadowing is calculated at hourly intervals. Professional judgement is required to compare the shadow resulting from the proposed development with the existing situation.

Berona House

The latest results show:

19 of the 33 windows do not meet the VSC guidance
10 of the 15 rooms do not meet the NSL guidance
2 of the 13 windows do not meet the APSH guidance

The report says that eight of the windows which do not meet the criteria for VSC daylight, and seven of the rooms which do not meet the NSL daylight criteria, are bedrooms, which are considered to have a lesser requirement for daylight by the BRE. This means that 11 windows serving L/K/D spaces do not meet the BRE criteria for VSC daylight, and three living kitchen diners do not meet the criteria for NSL daylight.

A further Average Daylight Factor Assessment is carried out, which is a significantly more detailed method of daylight assessment. Of the 15 rooms assessed for ADF, 12 will meet or be within 20% of the BRE target criteria. The baseline ADF figures for the rooms which do not meet the criteria are low, and none currently meet the ADF criteria, which places a significant burden on the development site to maintain already poor daylight levels.

In Berona House all of these L/K/D rooms (6 in total) are served by more than one window. In these circumstances the BRE guidance states that a mean VSC can be calculated. Based on this mean calculation, 4 of the L/K/D spaces meet the VSC room target. The 2 which do not are currently provided with balconies, which overhang the windows below and prevent light from reaching the windows and into the room. A direct view of the sky is therefore limited in the existing scenario, and the aspect and view within the 2 L/K/D spaces is said to be comparable with the proposed development in place.

The amendments included in the current proposal therefore result in acceptable impacts to the occupiers of Berona House with the exception of 2 L/K/D spaces, with windows facing south-eastward toward the proposal. These spaces each have their own balconies and L/K/D windows which sit underneath the balcony of the above flat. The current amendments secure lesser loss of light impacts to these two apartments than the previous scheme, but not sufficient to meet the relevant guidance requirements.

Given that these L/K/D spaces are currently compromised in terms of light penetration due to the existing balcony structures and that this aspect of the design of Berona House is considered to be as much a determining factor in the amount of daylight received to these rooms as is the proposed development it is concluded that the positive aspects of the development scheme outweigh the harm to these spaces and that the impacts on sun/day light to Berona House are therefore considered to be acceptable in this specific context.

Prudential House

The latest results show:

0 of the 29 windows do not meet the VSC guidance
3 of 11 rooms do not meet the NSL guidance

BRE suggests that all main living rooms which face within 90 degrees of due south should be assessed for APSH sunlight. None of the rooms in this property face within 90 degrees of due south and as such, an APSH sunlight assessment has not been

undertaken.

The 3 rooms which do not meet the NSL daylight criteria are all bedrooms. As discussed above, bedrooms' daylight requirements are considered to be less critical. Two of the rooms are reduced by 23.4% and 21.5%, so very nearly meet the target reduction of 20% and result in minor impacts. This leaves just one bedroom which experiences a moderate impact (34.8%). Given the room's use as a bedroom this is considered to be acceptable in this dense urban environment.

Given the limited extent of impact and/or the use of the 3 rooms affected being bedrooms, the sunlight and daylight impacts to Prudential House are considered as acceptable.

St Paul's Chambers

The latest results show:

6 of the 60 windows do not meet the VSC guidance
1 of the 14 rooms does not meet the NSL guidance
4 of the 26 windows do not meet the APSH guidance

Of the 6 windows not achieving VSC guidance compliance, 2 of the windows serve bedrooms (one of these serves the room not achieving NSL guidance). Given the lesser requirement of bedrooms for daylight, this is considered acceptable.

The remaining four windows serve L/K/D spaces, which are served by multiple windows. When the mean VSC is calculated all rooms meet the VSC daylight criteria.

Four of the windows do not meet the APSH criteria, and the layout of the building is such that these windows face out onto the courtyard, and the baseline (existing) levels are generally low, thus placing a high burden on the development site to maintain existing levels. The worst-case impact will be a fall of 40% annual sunlight hours, with the other reductions ranging between 20 and 24%.

These impacts are judged to be acceptable in the context of this dense urban environment.

Overshadowing of Amenity Space

There is a shared hard surfaced amenity space at first floor level of approximately 100m² to the rear of the St Paul's Chambers apartments. The method of overshadowing assessment uses the sun on ground indicator to determine the areas which receive direct sunlight and those which do not. The BRE guidelines recommend that at least half of an amenity space should receive at least 2 hours of direct sunlight on March 21st. Regarding existing spaces where the existing sunlit area is less than half of the area, the area which receives 2 hours of sunlight should not be reduced by more than 20% (it should retain 0.8 times its former value).

In the existing, pre-development scenario, the amenity area will receive 2 hours of sunlight to 32.50% of its area. With the proposed development in place, no part of the amenity area will receive 2 hours of sunlight on March 21st. The Applicant points out that the pre-existing sunlight level to the amenity area is low, and below the recommended 50%. It is argued that any viable development at the site would result in

similar impacts. Additionally, it is restated that the area that receives 2 hours+ of sunlight is located on the space's north-eastern corner and is an area which is used as a thoroughfare to access apartments and the staircase serving the upper floor apartments, and so the space most likely to be used as an amenity space receives sunlight below the target criteria in both the existing and proposed situations.

To complement this, an assessment has been done using June 21st, as a point in the year when the space is most likely to be used by residents, which is an approach accepted by the BRE. The results are that 97.44% of the area would receive 2 hours+ of sunlight currently, whilst 92.20% of the area would receive 2 hours+ sunlight post development. Therefore, at the point when the sun is at its highest, the proposal would result in only a marginal reduction in the area receiving over 2 hours of sunlight. This far exceeds the BRE's 50% target and is considered to be a good provision given the city centre location.

Overshadowing (pre and post development) images have been provided using the June 21st date. These images are closely comparable and reflect the negligible reduction from 97.44% to 92.20% referred to above.

Whilst the details focusing on March 21st mirror those included in the previous officer report, the information about June 21st is additional and confirms that at the height of summer the amenity space will not suffer from reduced sunlight. This means that during the period of the year when the space is most attractive and likely to be most used it would continue to receive good levels of daylight provision.

As a result of the above analysis, the proposal is considered to be acceptable in this respect.

Outlook

The proposal will be 3 storeys higher than the existing building and the footprint of the development is deeper at its upper floors such that there will be effects on outlook from rearward facing windows of flats looking toward the courtyard / open space. As highlighted above, this is more of an issue for living spaces than for bedrooms.

The 3 flats at Berona House with L/K/D spaces with external balconies facing the application site are single aspect. Also, there are another 3 flats oriented at right angles to the site, which are dual aspect with windows facing on to Charles Street as well as the courtyard. It was previously stated in the Officer report that the new building would appear significantly more imposing from these properties due to increased scale, and despite the 1-storey reduction in height this would continue to be the case to a reduced extent. The reduced overall height is accompanied by a reduction in the footprint at the upper floors. The westward facing elevation features staggering, such that the elevation is separated by an additional 1.6 metres (approx.) compared to the refused scheme. This additional setback and the height reduction is considered to be critical in this respect, representing a less immediate and reduced presence than the refused proposal.

It continues to be relevant that the occupiers currently look out on to an elevation containing multiple large office windows, with banks of air conditioning units and external staircases, which are currently visually unattractive. There will therefore be a measure of visual enhancement arising from the proposal. Additionally, there will also be less overlooking. The proposed outlook will feature a large expanse of living walling,

which will represent a visual enhancement when compared with the existing situation.

The amendments are considered to be critical in addressing the relevant aspects of the reason for refusal of the previous scheme.

With respect to St Paul's Parade, there are 4 flats with L/K/D room windows facing towards the site. Additionally, these are dual aspect rooms, with primary windows facing the Peace Gardens.

As well as the proposal being one storey less in height, the reduced footprint means that there is no development at the north-western corner and the 5th floor layout features a terrace at the northern section (resulting in a 2-storey height reduction in the northern most component of the building). In combination, these reductions mean that the proposal will represent a much lesser presence from the internal living spaces at St Paul's Chambers. The proposed building will appear more imposing than the existing building and this will affect amenity. However, the amendments are considered to be significant, and to result in substantially reduced impacts compared with the refused version. The reduction in height of 1 storey (or 2 storeys, given the terrace component) and the setback from the site's north-western corner point result in acceptable impacts on visual outlook.

The reduction in the height and footprint/floorplan layouts of the proposal will prevent the amenity space from feeling excessively enclosed. As discussed above, during the summer months the amount of sunlight loss is not considered to be significant. Given that the primary function of the amenity space appears to be as a pleasant setting for the flats with only limited use for outdoor seating, and due to the reductions in the scale of the development it is now considered to be acceptable when viewed from this space. It is concluded that the attractiveness of this area will not be unduly reduced to a point which would warrant a refusal of this latest application.

Sustainable Development

The site is located in a highly sustainable position in the heart of the city centre where it is well served by public transport and there is a high propensity for linked trips with other city centre uses.

The applicant is aiming for the first net zero carbon building in Sheffield. There is no formal net zero certification process. It is therefore proposed that the building does not burn fossil fuels, that all electricity used is renewable, the building services design is optimised to achieve above energy intensity target and that solar generation at roof level is maximised. It will also involve limited embodied carbon in numerous ways, such as by setting ambitious targets for all primary components, and any residual emissions are achieved using residual offsets. Condition/s securing this will be incorporated into the recommendation to secure delivery of these sustainability benefits.

The applicant states the developer proposes to connect to the district heating system. Solar-thermal and PV panels are being considered, as well as ground source and air source heat pumps. Additionally, there is a commitment to buying only 100% renewable energy for the building.

There have been some concerns raised about the reliability and permanency of the stated intentions of achieving a net zero scheme. To ensure that the intention is secured and that this remains the case, a suitably worded condition is included in the

recommendation requiring submission and agreement, along with the ongoing implementation. This is considered to address these concerns.

Policy CS65 requires new developments such as this to meet a minimum of 10% of their predicted energy needs from de-centralised and renewable or low carbon energy. As mentioned, it is the intention to connect to the District Heating System, which is a low carbon energy source. In addition, options such as an efficient building, PV roof panels and air source heat pumps are proposed to achieve compliance /exceedance with this policy requirement.

Policy CS64 requires developments to achieve a BREEAM 'Very Good' rating. The building is to be designed to achieve an 'Excellent' rating, which will be in excess of this policy requirement.

Conditions requiring CS64 and CS65 compliance are included in the recommendation. Overall, the proposal is considered to meet, and moreover exceed, the relevant policy requirements in this respect.

Access Issues

The City's transport priorities are promoting choice by alternatives to the car, maximising accessibility, containing congestions levels, improving air quality, improving road safety and supporting economic objectives through demand management measures and sustainable travel initiatives.

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

Paragraph 112 says that first priority should be given to pedestrian and cycle movements and second to facilitating access to high quality public transport. Applications should address the needs of people with disabilities and reduced mobility and create places that are safe, secure and attractive. All developments which generate significant amounts of movement should be required to provide a travel plan.

The application site is in a highly accessible location and is well served by public transport, pedestrian and cycle facilities and close to a number of public car parks and car club facilities. Norfolk Street is a pedestrian zone except for permit holders and loading between 18.30 and 10.00. The development will be car free and indeed there is no realistic way of providing off street parking without compromising the active frontage of the site. The submitted documents and plans include some uncertainty on cycle storage capacity, with there being scope to include more spaces than indicated, and so a condition requiring submission of further details on this item is recommended. Cyclist's changing facilities are also proposed. It is expected that most trips to the site will be by sustainable modes with car visitors utilising the public car parks. The proximity of shops and services to the site means that there is high likelihood that the development will facilitate linked trips.

The amount of floor space will increase over that which currently exists, however, it is expected that any increased demand for parking can be accommodated in the existing public car parks.

A travel plan has been submitted in support of the application which incorporates the

normal travel plan measures such as appointing a travel plan co-ordinator, promoting up to date travel information, offering personalised journey plans, encouraging occupiers to take part in the cycle to work scheme, and promoting car sharing. The travel plan sets targets for reducing the proportion of journeys by car.

The servicing for the retail space should not be significantly different from that required to serve the previous retail uses on the site. It is accepted that servicing movements associated with the development will have a negligible impact on the operation of the highway network. A Construction Environment Management Plan proposes wheel washing facilities to minimise the risk of mud being brought on to the highway. The construction traffic routing is proposed via Charles Street and exiting via Union Street on to Furnival Gate.

The elevations show level entrances to the retail and office entrances together with lift access to the upper floors and disabled toilets; therefore the development will provide for inclusive access.

The proposal is supported by the Development Plan and NPPF transport policies and will not have any significant highway or pedestrian safety impacts.

Noise/Dust

The applicant has undertaken a noise assessment which includes a noise survey to establish the existing noise climate. The results of this show that the internal noise climate would be as follows; noise from fixed plant would result in a low risk of significant adverse impact, noise from patrons (of the retail space) would be none / not significant and limits on noise from amplified music are given to ensure acceptable noise levels.

The Environmental Protection Officer has reviewed the noise survey, and recommended conditions which require a scheme of noise insulation to be submitted to achieve appropriate internal noise levels and validation testing of this before uses commence.

Noise from plant has the potential to cause dis-amenity for local residents living close by. The proposed Use Class allows for food and drink uses as well as office uses and there is the potential for cooking odours to cause dis-amenity for local residents and office occupiers. There is also the potential for noise breakout from commercial uses and noise from deliveries. Given this the EHO has recommended conditions to control these potential impacts.

The Construction Environment Management Plan (CEMP) proposes a series of measures to minimise the escape of dust during construction. Construction hours will be limited to 07.30 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturday with no working on Sundays or public holidays. The contractor will employ "best practical means" to minimise noise and vibration resulting from construction operations and shall comply with the recommendations detailed in the Code of Practice for noise and vibration control on construction and open sites (BS 5228-1: 2009 + A1: 2014 & BS 5228-2:2009 + A1: 2014). The Environmental Health Officer is satisfied that the submitted CEMP has proposed reasonable measures to minimise the amenity impacts during construction.

Microclimate

Under the Council's guidance, a 6-storey building does not need to be subject to a microclimate assessment. As such no details have hereby been provided.

However, the previous application was accompanied by a qualitative desk study to assess the wind conditions around the development for the original scheme featuring 10-storeys. The implications were concluded to be within acceptable limits for the intended uses of the surrounding spaces, and so no mitigation was proposed.

The currently proposed building's impacts would be less than described in relation to the 10-storey structure subject to the assessment.

Land Quality

The site lies within a Coal Mining High Risk Area. The applicant has submitted a Phase 1 land contamination assessment, this recommends further ground investigations to assess the mining history, ground gas, and unexploded ordnance. The Coal Authority has also recommended conditions to ensure the coal mining legacy is investigated and mitigated if appropriate.

Additionally, the Environmental Protection Officer has recommended conditions for investigating and mitigating ground conditions.

Drainage

The drainage submission states infiltration is unlikely to be viable, and that there are no nearby watercourses. As such, surface water will be discharged to the public sewer network, subject to appropriate reduction/s in discharge levels. To achieve the required reductions the installation of a blue roof is proposed.

The Lead Local Flood Authority is satisfied with the submitted proposals. Yorkshire Water has no objections to surface water being connected to the public sewer subject to conditions which require the applicant to demonstrate that infiltration is not practical, provide evidence of a restricted discharge to the existing rate, less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

Therefore, it is concluded that drainage can be satisfactorily dealt with by way of conditions whilst delivering reduced surface water run-off.

RESPONSE TO REPRESENTATIONS

The above assessment covers the issues raised within representations.

SUMMARY AND RECOMMENDATION

The proposed use aligns with the Development Plan and will also help to support employment and economic growth and the regeneration of the city centre, which remains consistent and closely aligned with NPPF policy. There are concerns about the demand for office space given increased home working following the pandemic, and in this respect the applicant has submitted evidence of the returning demand for office space and especially Grade A space of the type proposed.

Compared to the earlier refusal, the proposed scheme represents a 1 storey height reduction and a reduction in the floor layout/s of the upper storeys. Further amendments to the floor layouts have been submitted during the course of the assessment of the application to increase setback from the nearby residential occupiers. In the view of your officers', it is considered that the amended proposals will not appear unacceptably overbearing and that they address the concerns which resulted in the previous refusal. It remains the case that the proposal will be similar to other relationships approved in the City Centre to facilitate delivery of viable development.

The impacts upon day/sun light provisions in the surrounding residential apartments are considered to be at acceptable levels, such that the development will not lead to unacceptable dis-amenity impacts which would be sufficient to warrant refusal of the amended scheme.

It is acknowledged that the external courtyard amenity space will experience some reduced sunlight, and the proposal will be visible from the space. However, at the times of year when this space is most likely to be used by residents for sitting out, the sunlight impacts are very negligible. Additionally, the variations to the proposed scheme markedly reduce the potential overbearing impacts and it is a much less prominent structure compared to the previously refused scheme.

The proposal in its latest form is concluded to have acceptable impacts upon amenities of surrounding occupiers and the courtyard amenity space.

The reduction in the proposed building height is considered to address the concerns within the refusal about detrimental impacts upon the setting of the listed Prudential House building and the City Centre Conservation Area. The building will not be apparent within the key views of the Prudential Building, and the reduced height is considered to ensure that the proposal will be of appropriate scale within the block and avoid negative impacts upon the character of the conservation area.

The building will be evidently of a high-quality contemporary design which, following amendments, is considered to complement the character of the street scene and the conservation area. It will also transition appropriately to its neighbouring buildings. Overall, it is considered that the proposal will not have harmful impacts to the designated heritage assets. As such, there is no requirement to balance any harmful impacts against the public benefits, even though the public benefits have been highlighted earlier in the report.

Overall, the proposal is considered to comply with the relevant local and national planning policies when considered as a whole. It is therefore recommended that planning permission is granted subject to the listed conditions.