
Case Number	23/01960/FUL (Formerly PP-12222286)
Application Type	Full Planning Application
Proposal	Refurbishment and alterations to the Duke Street block for a mixed-use development comprising 125 residential apartments, two commercial units (Use Class E) with landscaping, car parking and other associated works (AMENDED PROPOSAL)
Location	Park Hill Estate Duke Street Park Hill Sheffield S2 5RQ
Date Received	19/06/2023
Team	City Centre and Major Projects
Applicant/Agent	Mr Andrew Johnston
Recommendation	Grant Conditionally Legal Agreement

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 hereby permitted shall be carried out in complete accordance with the following plans, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

- Landscape General Arrangement - 122018-ASL-00-ZZ-DR-L-0900 - Revision P9 - amended and published 20/10/2023

- Unfolded Elevations - 278 (00) 200 - Revision P05 - amended and published 03/10/2023

- Flank R - Balcony Elevation - 278 (00) 201 - Revision P05 - amended and published 03/10/2023

- Flank S - Balcony & Street Elevations - 278 (00) 203 - Revision P05 -

amended and published 03/10/2023

- Flank R - Street Elevation - 278 (00) 202 - Revision P04 - amended 27/09/2023, published 29/09/2023
- Flank T - Balcony Elevation - 278 (00) 204 - Revision P04 - amended 27/09/2023, published 29/09/2023
- Flank T - Street Elevation - 278 (00) 205 - Revision P04 - amended 27/09/2023, published 29/09/2023
- Proposed Location Plan - 278 (00) 001 - Revision P04 - amended 27/09/2023, published 29/09/2023
- Proposed Site Plan 1/2 - 278 (00) 002 - Revision P04 - amended 27/09/2023, published 29/09/2023
- Proposed Site Plan 2/2 - 278 (00) 003 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 4th Floor - Cellar Plan - 278 (00) 101 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 5th Floor - Lower Ground Plan - 278 (00) 102 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 6th Floor - Lower Hague Street Plan - 278 (00) 103 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 7th Floor - Above Street / Upper Hague Street Plan - 278 (00) 104 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 8th Floor - Below / Above Street Plan - 278 (00) 105 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 9th Floor - Long Henry Street Plan - 278 (00) 106 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 10th Floor - Above Street Plan - 278 (00) 107 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 11th Floor - Below Street Plan - 278 (00) 108 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 12th Floor - Norwich Street Plan - 278 (00) 109 - Revision P04 - amended 27/09/2023, published 29/09/2023
- 13th Floor - Above Street Plan - 278 (00) 110 - Revision P04 - amended 27/09/2023, published 29/09/2023
- Roof Plan - 278 (00) 111 - Revision P04 - amended 27/09/2023, published 29/09/2023
- Flat Type A - Below Street - 278 (00) 400 - Revision P01 - amended 27/09/2023, published 29/09/2023
- Flat Type B - Below Street - 278 (00) 401 - Revision P01 - amended 27/09/2023, published 29/09/2023
- Flat Type C - Above Street - 278 (00) 402 - Revision P01 - amended 27/09/2023, published 29/09/2023
- Flat Type C+ - Above Street - 278 (00) 403 - Revision P01 - amended 27/09/2023, published 29/09/2023
- Flat Type D - Above Street - 278 (00) 404 - Revision P01 - amended 27/09/2023, published 29/09/2023
- Flat Type D+ - Above Street - 278 (00) 405 - Revision P01 - amended 27/09/2023, published 29/09/2023
- Flat Type E - Above Street - 278 (00) 406 - Revision P01 - amended 27/09/2023, published 29/09/2023
- Flat Type E+ - Above Street - 278 (00) 407 - Revision P01 - amended 27/09/2023, published 29/09/2023

27/09/2023, published 29/09/2023
- Flat Type F - Above Street - 278 (00) 408 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type F+ - Above Street - 278 (00) 409 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type G - Below Street - 278 (00) 410 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type G+ - Below Street - 278 (00) 411 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type H - Below Street - 278 (00) 412 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type H2 - Below Street - 278 (00) 413 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type I - Below Street - 278 (00) 414 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type J - Above Street - 278 (00) 415 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type J+ - Above Street - 278 (00) 416 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type K - Above Street - 278 (00) 417 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type K+ - Above Street - 278 (00) 418 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type M2+ - Below Street - 278 (00) 419 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type P - Above Street - 278 (00) 420 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type Q - Above Street - 278 (00) 421 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type Q+ - Above Street - 278 (00) 422 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type T - Below Street - 278 (00) 423 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type U+ - Below Street - 278 (00) 424 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type V - Above Street - 278 (00) 425 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type W - Above Street - 278 (00) 426 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type X+ - Street Level - 278 (00) 427 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type Y - Above Street - 278 (00) 428 - Revision P01 - amended
27/09/2023, published 29/09/2023
- Flat Type Z - Above Street - 278 (00) 438 - Revision P02 - amended
27/09/2023, published 29/09/2023
- House Type TH1 - Townhouse - 278 (00) 429 - Revision P02 - amended
27/09/2023, published 29/09/2023
- House Type TH2 - Townhouse - 278 (00) 430 - Revision P02 - amended
27/09/2023, published 29/09/2023
- House Type TH3 - Townhouse - 278 (00) 431 - Revision P02 - amended

27/09/2023, published 29/09/2023

- House Type TH4 - Townhouse - 278 (00) 432 - Revision P02 - amended
27/09/2023, published 29/09/2023

- House Type TH5 - Townhouse - 278 (00) 433 - Revision P02 - amended
27/09/2023, published 29/09/2023

- House Type TH7 - Townhouse - 278 (00) 435 - Revision P02 - amended
27/09/2023, published 29/09/2023

Reason: In order to define the permission.

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

3. Development shall not commence until a Construction Management Plan (CMP) has been submitted to and approved by the Local Planning Authority. The CMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to traffic, noise, vibration, dust, air quality and pollution control measures. The CMP shall include details of the means of ingress and egress for vehicles engaged in the construction of the development, an area for delivery/service vehicles to load and unload, the parking of associated site vehicles, the storage of materials and measures to prevent or clear mud on the highway. Thereafter the development shall be carried out in accordance with the approved CMP.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, and in the interests of highway safety.

4. Prior to the commencement of the development, a detailed Inclusive Employment and Development Plan, designed to maximise opportunities for employment and training from the construction phase and the operational 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 of the development.

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

5. No development, with the exception of demolition and soft strip works, shall commence until full details of the proposed surface water drainage design,

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

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

6. No development, with the exception of demolition and soft strip works, 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.

7. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details first submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading.

8. No construction works in the relevant areas of the site shall commence until measures to protect the public water supply infrastructure that is laid within

the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times.

Reason: In the interest of public health and maintaining the public water supply.

9. The car parking spaces hereby approved shall not be brought into use unless and until the parking areas of the site have been constructed with permeable/porous surfaces. Thereafter the approved permeable/porous surfacing material shall be retained.

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

10. No development, with the exception of demolition and soft strip works, shall commence until a Biodiversity Monitoring Plan (BMP) has been submitted to and approved in writing by the Local Planning Authority. The BMP shall ensure that the development achieves a minimum 10% net gain in biodiversity, and shall be based on the measures set out in the approved Biodiversity Net Gain Assessment (Estrada Ecology, ref. SQ-1424, amended and published 05/10/2023). The BMP shall include objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports over a 30-year period. The development shall thereafter be undertaken in accordance with the approved BMP and the management and monitoring undertaken in line with its approved phasing.

Reason: To achieve net gains for biodiversity, in line with paragraph 174 of the National Planning Policy Framework (2023).

11. Before the commencement of above-ground works (with the exception of demolition and soft strip works), a comprehensive and detailed hard and soft landscape scheme for the site, based on the indicative measures shown in the approved landscape plan (ref. 122018-ASL-00-ZZ-DR-L-0900 - Revision P9 - amended and published 20/10/2023) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- Topsoil specification and depths
- Details of replacement tree planting to compensate for trees proposed for removal in the approved Arboricultural Report (ref. AWA5691, by AWA Tree Consultants, published 18/10/2023)
- A planting schedule and planting plan, at 1:200 or 1:100 scale
- A comprehensive list of species and stock specification
- A maintenance schedule
- Details and samples of surfacing materials and all fixed outdoor furniture, including any play equipment
- Large-scale details of all boundary treatments and handrails

- Details of tactile paving and level accesses to main entrance points
- Details of artificial lighting to the landscaped areas and the access decks within the building, to include wildlife-sensitive measures where necessary

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

Reason: In the interests of visual amenity and environmental quality.

12. No landscaping, hard surfacing or ground works shall commence until full details of measures to protect the existing trees to be retained have been submitted to and approved in writing by the Local Planning Authority, and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement, a plan showing accurate root protection areas, details of ground levels around the trees, details of no-dig construction methods for any adjacent hard surfacing, and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS: 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

13. Unless demonstrated to be unfeasible due to the constraints of the listed building, details of bat and bird boxes, to deliver ecological enhancements, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby approved. The details shall include proposals for the integration of 'Impeckable' swift boxes or a similar swift nesting product by another manufacturer. Thereafter, the enhancement works shall be undertaken in accordance with the approved details before the first occupation of the development, and shall be maintained for the lifetime of the development.

Reason: To secure environmental gains and promote biodiversity in accordance with paragraph 174 of the National Planning Policy Framework.

14. No development, with the exception of demolition and soft strip works, shall commence until a detailed Air Quality Assessment (AQA) has been submitted to and approved in writing by the Local Planning Authority. The AQA shall include modelling of the air quality impacts of traffic forecasted to be generated by the completed development, compared to existing air quality

conditions in the area, and assessed against legal health-related thresholds. If the AQA concludes that the development would have an adverse impact on air quality, or that future residents would be exposed to noncompliant pollution levels, mitigation measures to protect residents from the adverse effects of air quality shall be put forward, together with a timescale for implementation. Thereafter, the proposed development shall be undertaken in accordance with those mitigation measures in line with the approved implementation timescale.

Reason: To protect residents from air pollution, in line with policy GE23 of the Unitary Development Plan and policy CS66 of the Core Strategy.

15. Unless it can be shown not to be feasible or viable, no development (with the exception of demolition and soft strip works) 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.

16. No development, with the exception of demolition and soft strip works, shall commence until details of measures to facilitate the provision of gigabit-capable full fibre broadband within the development, including a timescale for implementation, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details/timetable thereafter.

Reason: To ensure that all new Major developments provide connectivity to the fastest technically available Broadband network in line with Paragraph 114 of the National Planning Policy Framework.

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

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

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

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

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

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

20. 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.

21. 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.

22. Prior to the first occupation of the development, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

- Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car
- A package of measures to encourage and facilitate less car dependent living
- A time-bound programme of implementation and monitoring
- Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority
- Provisions to use monitoring outcomes to further define targets and inform actions proposed to achieve the approved objectives and modal split targets

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

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

23. The development shall not be occupied until a scheme to promote access to a car club (as detailed below) shall either:

- (a) have 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 ensure the car club scheme is carried out before the development is occupied.

The car club scheme shall include:

i. the provision of at least one publicly accessible car parking bay within the site boundary, to be designated, signed and thereafter retained solely for the use of car club vehicles. In the event that it is impractical to provide such car club parking bays, alternative arrangements to secure an equivalent contribution would be appropriate.

ii. The provision of measures to ensure that all eligible site users are encouraged to sign up as members of the car club scheme for a minimum of one year.

iii. Arrangements to ensure ongoing marketing of the benefits of a car club service to site users for a minimum of three years.

The car club scheme shall thereafter be carried out, marketed and retained in accordance with the approved details.

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

24. Prior to the first occupation of the development, details of electric vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The charging infrastructure shall include no fewer than six fully installed electric vehicle charging points, of which at least one charging point must serve an accessible parking bay. The details shall also include cable routes to enable the future installation of further electric vehicle charging points to serve at least 40% of the total parking spaces. No dwelling shall be occupied until the relevant infrastructure has been provided in accordance with the approved details. The charging infrastructure shall be retained and maintained for the lifetime of the development.

Reason: In order to encourage and facilitate the use of low-carbon vehicles.

25. Prior to the first occupation of the development, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall set out measures to reserve all parking spaces within the application site (with the exception of car club spaces) for the exclusive use of residents. The measures shall thereafter be carried out in accordance with the approved Parking Management Plan for the lifetime of the development.

Reason: To limit the impacts of on-street parking intensification.

26. The development shall not be brought into use unless and until the car parking accommodation shown on the approved plans has been provided in accordance with those plans. Thereafter, such car parking shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality, it is essential for these works to have been carried out before the use commences.

27. Before the first occupation of any part of the development, full details of passenger information facilities displaying live public transport times, to be provided in an appropriate communal location within the building or the landscaped areas, shall have been submitted to and agreed in writing by the Local Planning Authority. The agreed facilities shall be installed within six months of the first occupation of any part of the development, and shall be retained in full working order for the lifetime of the development.

Reason: To promote the use of public transport.

28. Prior to the commencement of any landscaping works, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient cycle parking accommodation within the site shall

have been submitted to and approved in writing by the Local Planning Authority. The details shall include diagrams of strategies for the storage of bicycles within individual dwellings, as well as full details of dedicated cycle stores and cycle stands within the landscape. The development shall not be brought into use unless and until such cycle parking has been provided in accordance with the approved plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport, and to protect the setting of the listed building.

29. No above-ground works 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 development is brought into use. The development shall not be brought into use until such works have been carried out.

Highways Improvements:

- The provision of two service laybys on Duke Street with associated kerbing (lowered kerbs for refuse bins) and footway works broadly in accordance with the approved landscape plan (ref. 122018-ASL-00-ZZ-DR-L-0900 - Revision P9 - amended and published 20/10/2023)
- The promotion of a Traffic Regulation Order (loading/waiting restrictions) within the service laybys and provision of associated road markings and signage, subject to usual procedures
- Accommodation works to street furniture, including street lighting columns, highway drainage and Statutory Undertakers' equipment deemed necessary as a consequence of the development

Reason: To enable the above-mentioned highways to accommodate service vehicles associated with the development, and to prevent any related highway obstructions.

30. 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.

31. The development shall not be used unless the dedicated bin storage areas, as shown on the approved plans, have been provided in accordance with those plans. Thereafter, the bin storage areas shall be retained and used for their intended purpose and bins shall not be stored on the highway at any time

(other than on bin collection days).

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

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

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

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

- Doors and door surrounds
- Windows (including reveals)
- Balconies and balustrades
- Infill panels
- Parapets, eaves and verges

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

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

34. Before the commencement of that part of the development, details of the proposed substation adjacent to Duke Street, as shown on the approved landscape plan (ref. 122018-ASL-00-ZZ-DR-L-0900 - Revision P9 - amended and published 20/10/2023), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and retained thereafter.

Reason: To secure the satisfactory appearance of the development and to ensure that the substation does not harm the setting of the listed building.

35. Prior to the commencement of any above-ground landscaping works, 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 and thereafter be retained.

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.

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

retained. Such scheme of works shall:

a) Be based on the findings of the approved Noise Assessment (ref: Issue 4, prepared by Max Fordham LLP, published 19/06/2023)

b) Be capable of achieving the following noise levels:

- Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours)
- Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours)
- Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours)
- Bedrooms: LAFmax - 45dB (2300 to 0700 hours)

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

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

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

37. Before the commercial uses hereby permitted commence, 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 of the application site, including an approved method statement for the noise survey.

b) Be capable of restricting noise breakout from the commercial uses 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 commercial use(s), and any associated plant or equipment, to all adjoining residential accommodation to levels complying with the following:

- (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours)
- (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours)
- (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours)
- (iv) Bedrooms: LAFmax 45dB (2300 to 0700 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 neighbouring residents.

38. Before the use of any part of the development is commenced, Validation Testing of the sound insulation and attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:
- a) Be carried out in accordance with an approved method statement
 - b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound insulation 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 residents.

39. No amplified sound shall be played within 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 occupiers of adjoining property.

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

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

41. Prior to use of the commercial units hereby permitted commencing, a Delivery Management Plan (DMP) shall be submitted for written approval by the Local Planning Authority. The DMP shall include permitted timings for deliveries and associated activities, and set out procedures and controls designed to minimise local amenity impacts from delivery noise, as far as reasonably practicable. All commercial deliveries then shall be carried out in accordance with the noise mitigation procedures and controls, as set out in the approved DMP.

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

42. 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, which should include a low resistance cowl
- 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.

Other Compliance Conditions

43. No customer shall be permitted to be on the premises of either commercial unit hereby approved outside the hours of 0800 to 2300 on any day.

Reason: In the interests of the amenities of neighbouring residents.

44. Commercial deliveries to and collections from the building shall be carried out only between the hours of 0700 to 2300 on Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

45. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 0700 to 2300 Mondays to Saturdays and between the hours of 0900 to 2300 on Sundays and Public Holidays.

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

46. The fire exit doors shall only be used as an emergency exit and shall not at any other time be left standing open.

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

47. No amplified sound or live music shall be played within the external area(s) of

the commercial use(s) hereby permitted, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time.

Reason: In the interests of neighbouring amenity.

48. The two commercial units hereby approved shall be used only for purposes falling under use class E as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended), or any subsequent Order which supersedes the 1987 Order.

Reason: To ensure the use of the units is appropriate for the character and amenity of the area.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

Please note: You must not start work until you have submitted and had acknowledged a CIL Form 6: Commencement Notice. Failure to do this will result in surcharges and penalties.

3. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
4. The required CMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CMP should include, as a minimum:

- Reference to permitted standard hours of working (0730 to 1800 Monday to Friday, 0800 to 1300 Saturday, no working on Sundays or Public Holidays).
- Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
- A communications strategy for principal sensitive parties close to the site.
- Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;
- Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
- Vibration control measures.
- Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
- A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.

- A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
- Details of site access & egress for construction traffic and deliveries.
- A consideration of potential lighting impacts for any overnight security lighting.

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

5. Applicants seeking to discharge planning conditions relating to the investigation, assessment and remediation/mitigation of potential or confirmed land contamination, including soils contamination and/or ground gases, should refer to the following resources;

- Land Contamination Risk Management (LCRM; EA 2020) published at; <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>;

- Sheffield City Council's, Environmental Protection Service; 'Supporting Guidance' issued for persons dealing with land affected by contamination, published at; <https://www.sheffield.gov.uk/content/sheffield/home/pollution-nuisance/contaminated-land-site-investigation.html>.

6. 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/Cash Deposit required as part of the S278 Agreement.

You should apply for a S278 Agreement at the following webpage: <https://www.sheffield.gov.uk/roads-pavements/apply-s278-agreement> or by emailing highways_dc@sheffield.gov.uk

7. 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.

8. The developer should have regard to the advice provided by Yorkshire Water (published 05/07/2023) in relation to the existing drainage infrastructure on the site. The comments can be viewed in the Documents tab on the planning application file on the Council's Public Access website by searching for application ref. 23/01960/FUL.
9. Plant and equipment shall be designed to ensure that the total LA_r plant noise rating level (i.e. total plant noise LA_{eq} 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.
10. In considering and devising a suitable Delivery Management Plan, useful reference may be made to the Department for Transport 2014 guidance document "Quiet Deliveries Good Practice Guidance - Key Principles and Processes for Freight Operators". Appendix A of the document provides general guidance, along with key points for delivery point controls, and driver controls.
11. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
12. Any felling / pruning / clearance of trees and vegetation should avoid the bird nesting season (March 1st - August 31st), unless a nesting bird check has been carried out by a suitably qualified ecologist. All wild birds, their active nests, eggs and young are protected under the Wildlife & Countryside Act 1981.

A significant number of feral pigeons roost within the upper floors of the derelict block. Unlike many birds, pigeons breed throughout the year so there is always a high chance of finding active nests. Feral pigeons (and their nests) are protected under the Wildlife & Countryside Act 1981 and will need to be dealt with humanely and lawfully.

13. 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>

14. The developer should have regard to the advice provided by South Yorkshire Police's Designing Out Crime Officer (published 30/06/2023) in relation to security standards and recommendations for the development. The comments can be viewed in the Documents tab on the planning application file on the Council's Public Access website by searching for application ref. 23/01960/FUL.
15. Northern Powergrid advise that great care is needed when working in proximity to known Northern Powergrid apparatus in the area. All cables and overhead lines must be assumed to be live. Please contact Northern Powergrid or the Local Planning Authority for Mains Records which show the approximate location of Northern Powergrid apparatus in the vicinity of the site.

The developer is advised to refer to the publications HS(G)47 "Avoiding Danger from Underground Services" and GS6 "Avoidance of Danger from Overhead Electric Lines" by the Health & Safety Executive. Both of these documents provide comprehensive guidance for the observance of statutory duties under the Electricity at Work Regulations 1989 and the Health & Safety at Work Act 1974.

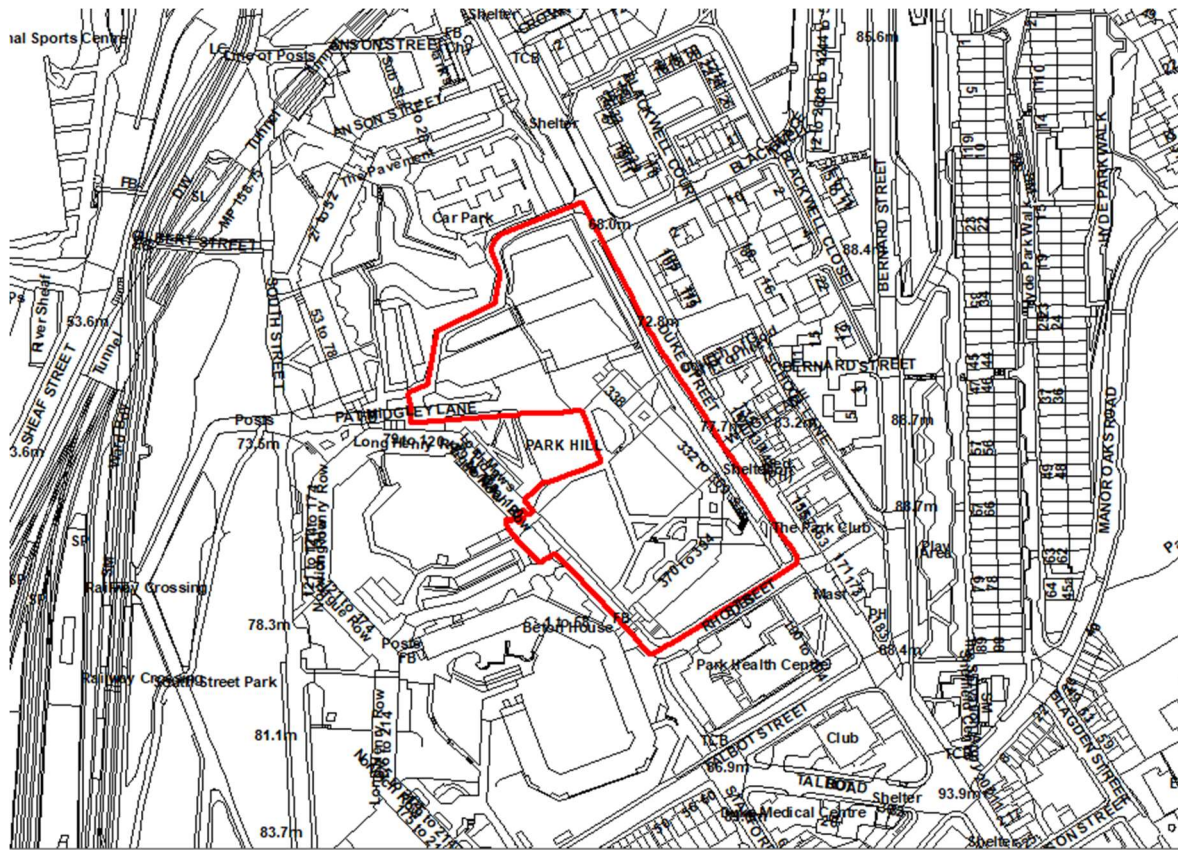
Please note that ground cover must not be altered either above cables or below overhead lines. No trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. All Northern Powergrid apparatus is legally covered by a wayleaves agreement, lease or deed, or is protected under the Electricity Act 1989.

Should any alternation/diversion of Northern Powergrid apparatus be necessary to allow the development to be carried out, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton on Tees, TS18 3TU. Tel: 0800 0113433.

16. The applicant is advised that in order to discharge the above condition relating to gigabit-capable full fibre broadband the following should be provided:
 - A contract or invoice for the installation of the physical infrastructure and the connection to gigabit-capable full fibre broadband.
 - Confirmation of the speed that will be achieved by the gigabit-capable full fibre broadband infrastructure, from the network operator.
 - Relevant plans showing the location/detail of the measures.

For more guidance with respect to addressing this requirement please see the Guidance Note on <https://www.sheffield.gov.uk/content/dam/sheffield/docs/documents-not-in-site-structure/new-build-developer-guidance.pdf> and/or contact hello@superfastsouthyorkshire.co.uk

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

INTRODUCTION

This is a joint report for planning application 23/01960/FUL and listed building consent application 23/01961/LBC. The applications are being presented to Planning & Highways Committee due to significant public interest.

The regeneration of the Park Hill estate has been ongoing for several years. Outline planning permission for the comprehensive redevelopment of the estate was first granted at Planning Committee in August 2006. This permission was for up to 874 refurbished flats across the whole of the existing Grade II* listed complex, together with a total of 13,761 square metres of various non-residential uses in refurbished and new-build spaces, along with landscaping and car parking. A number of matters were reserved by condition including details of design, external appearance, access and landscaping. The 2006 outline consent was subsequently varied three times (see full planning history below).

A reserved matters application for the first of five main phases of the project (the northernmost section) was approved in October 2007. However, as a result of market changes, the designs for Phase 1 evolved and an amended reserved matters application was approved in December 2011. This consent included a reduction in apartment numbers from 321 units to 263 units, and a deferral in the provision of a multi-storey car park to a later phase. The 2011 consent represents the as-built design for Phase 1, which was completed in March 2016.

The reserved matters application for Phase 2 was approved in December 2017. It granted consent for the refurbishment of the horseshoe-shaped block situated in the centre of the site, to provide 199 residential units and 1,963 square metres of commercial space. Phase 2 was completed in 2022.

In a departure from the consented outline scheme, planning permission and listed building consent were granted in July 2018 for the refurbishment of the Phase 3 block at the southern end of the site to provide student accommodation with some commercial space at ground floor level. Phase 3 was completed in 2021.

In a further departure from the consented outline scheme, planning permission and listed building consent were granted in August 2019 for the refurbishment of the Duke Street tower block at the eastern end of the estate for use as 95 residential units, education space, artist studios, flexible workspaces, temporary artist accommodation and heritage flats, plus an extension to form a purpose-built art gallery with ancillary shop and café. The consent for Phase 4 was never implemented and has now lapsed.

These applications seek planning permission and listed building consent for an amended version of the Phase 4 scheme, with the main difference being the omission of the purpose-built art gallery. Further details of the proposals now presented to Planning & Highways Committee are outlined later in this report.

The applications will not be subject to referral to the Secretary of State, as they do not involve the demolition of the principal building, the demolition of a principal

external wall of the principal building, or the demolition of all or a substantial part of the interior of the principal building.

LOCATION AND PROPOSAL

Site Location

The application site is located within the Park Hill estate to the east of the city centre. The estate covers approximately 13 hectares (32 acres) and is comprised of interconnecting wings that vary in scale from four to thirteen storeys. It is bound by Anson Street and the Park Square roundabout to the north, Duke Street to the east, Talbot Street to the south and South Street to the west. Beyond South Street is the Sheaf Valley Park which leads down to Sheffield Midland Station in the valley bottom. The core city centre is located to the west of the Station. To the north-east and south-east, the surrounding areas are predominantly residential in character.

Park Hill was built between 1957 and 1961 by the Corporation of Sheffield as an ambitious social housing project to replace the previous slum housing present on the site. This prominent Grade II* listed brutalist structure is now the largest listed building in Europe. A characteristic feature of Park Hill is the 'streets in the sky' that link all of the blocks with external decks wide enough to accommodate a milk float. These walkways, which were intended to replicate the close community of a terraced street, occur at every third level within the blocks, and all front doors lead onto the decks. The four blocks are served by 13 passenger lifts and two large goods' lifts. Large communal open spaces are located between the blocks, which snake around the landscape in an irregular arrangement. The roof height is consistent across the whole estate, with the number of storeys increasing towards the north as the topography falls.

Flats and maisonettes were designed around a three-bay, three-storey unit system comprising of a one-bed and a two-bed flat below deck level and a three-bed maisonette on and above the deck level. This system allowed for dual-aspect flats with high standards of daylight and, for many flats, spectacular views over the city centre. The rigid grid of flats and maisonettes also ensured that kitchens and bathrooms were stacked in pairs to facilitate servicing. Lifts, stairs, public houses and laundries were set at nodal points. The concrete structure was infilled with brickwork and full-height timber windows. Each of the three-storey bands (with the 'street' in the central storey of those bands) had a different brickwork colour, getting progressively lighter towards the top storey. The deck access shifts to different sides of each block to maximise the orientation of that wing, so that the balconies on the other side can benefit from the best views and sunlight.

Whilst the estate was celebrated by residents and critics in its early days, it gradually declined from the mid-1970s as local and national economic conditions led to widespread unemployment and social problems. By the 1990s the estate was facing huge problems of crime, drugs and lack of maintenance, and its brutalist design had become unpopular with many. Nonetheless, the building was listed in 1998 in recognition of its international importance as an imaginative flagship example of modernist inner-city social housing. At the turn of the 21st century, plans for the regeneration of the estate were put into motion, and three of the five phases are now

complete. Phase 1 involved the replacement of the brickwork infills with brightly coloured spandrel panels, whereas Phases 2 and 3 have restored the original brickwork and instead focused colour on the balcony reveals, being more muted tones in the case of Phase 2.

The Phase 4 site is located at the eastern end of the estate, bound by Duke Street to the east and Rhodes Street to the south. This eastern block ranges from seven to nine storeys, with three flanks, and connects to Phase 3 at the southern end. A detached former garage block sits to the west of the northern flank of Phase 4 and is currently used as an artists' studio and gallery space.

Application Proposal

These applications seek planning permission and listed building consent for an amended refurbishment proposal for the Phase 4 block. The block would be redeveloped in a similar manner to Phase 2, with the brick infills restored and the same colour palette used for the balcony reveals. The main difference from the previously approved Phase 4 proposal is that a new-build art gallery is no longer proposed. The existing garage block (which currently accommodates S1 Artspace and would have been replaced by the new building) is excluded from the application site boundary, and any potential redevelopment of that site would be reserved for a future application.

These applications therefore seek approval for refurbishment, alterations and landscape works only, with no new buildings. There are no longer any proposed workspaces or art studios within the existing building, and the use of the block would be purely residential except for two flexible commercial units (class E) at ground level: one at the northern end of the block, and one at the corner knuckle closest to Duke Street. The rest of the ground floor would be given to service functions (such as bicycle and bin stores) and residential maisonettes in a 'townhouse' typology, with private ground floor entrances and semi-private patios. The proposal was originally for a total of 124 dwellings but, for feasibility reasons, the application has been amended to omit an additional internal residents' stairway that was originally proposed. The resultant internal remodelling results in one additional flat, taking the total to 125.

The external areas would be landscaped in a similar style to the previous phases of the wider project, being mainly publicly accessible other than an area to the west of the northern flank of Phase 4, which would be for residents' use only. Two new car parking areas were originally proposed on the two existing grassed plateaus sitting between Phase 1 and Phase 4. The applications have now been amended to retain the northern plateau as open space, so that only the southern plateau would be hard surfaced for car parking, with the vehicular access being via South Street and Pat Midgley Lane. New servicing bays for bin collections and deliveries would be provided on Duke Street.

RELEVANT PLANNING HISTORY

06/00848/OUT In August 2006, outline planning consent was granted for the refurbishment and partial redevelopment of the Park Hill Estate

to provide residential accommodation (use class C3), multi-storey car park, landscaping, new vehicular and pedestrian access routes and A1, A2, A3, A5, B1 and D1 uses.

- 06/00849/LBC In September 2006, listed building consent was granted for the removal of buildings and structures within the curtilage of Park Hill Flats.
- 07/01962/OUT In July 2007, an application was approved under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 1 imposed by outline permission 06/00848/OUT, allowing for the phased development of the site.
- 07/02476/REM & 07/02475/LBC Partial demolitions, refurbishment and reconfiguration of existing flats, erection of multi-storey car park with ancillary A1 (retail), A3 (cafes/restaurants), A4 (bars), A5 (takeaways), D1 (health/education) and B1 (offices) uses and landscaping (reserved matters in accordance with 06/00848/OUT) were approved in October 2007. This resulted in full planning permission and listed building consent being secured for Phase 1.
- 08/02793/OUT In October 2008, an application to vary condition 7 (details of multi-storey car park) and condition 12 (car parking strategy) of outline planning permission 06/00848/OUT was approved under Section 73.
- 11/02801/REM & 11/03197/LBC A revised reserved matters submission for Phase 1 was approved in December 2011, including a reduction in apartment numbers from 321 units to 263 units, and a deferral in the provision of a multi-storey car park to a later phase.
- 12/01758/OUT An application under Section 73 to vary conditions 9 and 10 of outline planning permission ref. 06/00848/OUT, to allow landscaping, the creation of public access routes and highways improvement works to be delayed until Phase 2 of the development, was approved in September 2012.
- 12/01800/REM An application under Section 73 to vary condition 5 of reserved matters permission ref. 07/02476/REM, allowing highways improvement works to be delayed until Phase 2 of the development, was also approved in September 2012.
- 13/00794/RG3 Planning permission was granted for the provision of a pedestrian link path/cycleway in May 2013.
- 17/00743/FUL Planning permission was granted for the use of the garage block as an art studio, with alterations including the installation of a skylight, replacement windows and a fire escape, in April 2017.

17/03486/REM & 17/03686/LBC	In December 2017, reserved matters consent (in accordance with outline consents 06/00848/OUT, 07/01962/OUT, 08/02793/OUT and 12/01758/OUT) was granted for the central block, to provide 199 residential units and 1,963 square metres of commercial space (A1, A2, A3, A4, B1, D1 and D2 uses), landscaping, car parking and associated works. These applications formed the detailed consent for Phase 2.
18/01699/FUL & 18/01700/LBC	In July 2018, full planning permission and listed building consent were granted for external and internal alterations to the southern block (Phase 3) for use as student accommodation (Sui Generis), including use of part of the ground floor as use classes A1, A2, A3, A4 and/or D2, erection of cycle store and provision of landscaping, car parking and service areas, a sub-station and boundary treatments. These Phase 3 consents represent the first departure from the original outline scheme.
18/04469/NMA	A non-material amendment (NMA) to planning approval 18/01699/FUL to allow for the relocation of the substation was granted in December 2018.
19/00548/NMA & 19/00556/LBC	In March 2019, an NMA and listed building consent were granted to allow alterations to the approved shared bathroom arrangements in Phase 3, in order to provide en-suite bathrooms.
19/00302/REM	In May 2019, consent was granted under Section 73 to allow amendments to the wording of condition 7 of 17/03486/REM (internal subdivision of commercial unit).
19/00253/OUT	An application under Section 73 to remove conditions 10 and 28 (highway improvements), and to vary the wording of conditions 7 (external details of multi-storey carpark) and 15 (cycle parking accommodation) of planning permission 12/01758/OUT was approved in October 2019.
19/00523/FUL & 19/00902/LBC	Full planning permission and listed building consent were granted in August 2019 for the refurbishment of the Duke Street tower block for a mixed-use development comprising of 95 residential units, education space, artist studios, flexible workspaces, temporary artist accommodations and heritage flats, and an extension to form a new purpose-built art gallery with ancillary shop and cafe, landscaping, car parking and associated works (use classes B1, C1, C3 and D1), forming Phase 4 of Park Hill's regeneration.

19/01850/NMA	An NMA to allow the removal of a steel entrance canopy (amendment to planning approval 18/01699/FUL) was granted in May 2019.
19/04090/FUL	Planning permission was granted in February 2020 for the relocation of an existing substation to create a new public route through to Phases 2 and 3.
21/01217/NMA	An NMA to allow a variation to the original description of reserved matters approval 17/03486/REM to remove reference to the apartment numbers for Phase 2 was granted in April 2021.
21/04319/REM & 21/04417/LBC	Applications to vary the wording of condition 6 of outline permission 12/01758/OUT (under Section 73 of the Town and Country Planning Act) and listed building consent 17/03686/LBC (under section 19 of the Listed Buildings and Conservation Areas Act) to remove reference to car park screening were approved in November 2021.
22/02659/NMA	An NMA to allow amendments to the trigger points of conditions 3, 4, 6, 7, 8 and 26 of planning approval 19/00523/FUL was granted in July 2022 (although the permission eventually lapsed in August 2022 regardless).

SUMMARY OF REPRESENTATIONS

Initial Advertisement Period

The application has been advertised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Neighbour consultation letters were sent out to neighbouring properties with an adjoining boundary. Notices were displayed around the site location. A press notice was displayed in the Sheffield Telegraph.

Across both the planning application and the listed building consent application, objections were received from 142 households, including comments from Cycle Sheffield, Sheffield District Cyclists' Touring Club (CTC), South Yorkshire Climate Alliance, the Trans Pennine Trail Partnership & Sustrans, and City Ward Councillors. Two supportive comments were also received.

The objections can be summarised as follows:

- The green space in the existing layout is one of the best aspects of living at Park Hill.
- Losing green spaces to accommodate car parking would be detrimental to mental health.

- Creating extra space for cars will encourage an increase in the number of cars.
- The area has excellent public transport connections, and the site is within walking distance of all major facilities in the city centre, so the use of cars by new residents should be discouraged.
- The proposal is incompatible with Sheffield's aims to be a green city.
- Private cars should be eliminated altogether in urban areas.
- The applicant has not been upfront with existing residents.
- The Transport Committee recently rejected a scheme for permit parking in the area because there isn't pressure on the streets around the scheme. This shows that the limited parking needs of the new development could be accommodated through existing on-street parking.
- The applicant wants more off-street parking so that it can sell the properties with higher values.
- The destruction of green space goes against Sheffield's aims to be an Outdoor City.
- The applicant would not attempt to eradicate green space in a wealthier part of the city.
- The existing parkland is used regularly and supports physical and mental health, as well as regulating flooding and extreme temperatures.
- The proposed parking provision is contrary to the promotion of active travel.
- Residents enjoy the existing views of green space, which would become ugly if filled with parked cars.
- Other parking options should be explored, such as providing parking on Rhodes Street or using the garage block currently used by S1 Artspace.
- The car parks will destroy nature and biodiversity.
- Additional parking will create an unsafe environment.
- Social events are held on the existing green spaces, and their loss will be harmful to the community.
- The quantity of parking is excessive compared to previous phases.
- Commercial tenants should not be given parking permits, and parking should be for residents only, with no pay-and-display.
- Cycle parking provision should be increased, and more detail should be provided. It is not acceptable for bicycles to be stored on balconies or within homes.
- Pat Midgley Lane and South Street should have no on-street parking and should be enforced as appropriate.
- Additional parking will increase pollution and is contrary to the climate emergency declaration.
- Parking for electric vehicles should be shown on the site plan.
- The submission makes no reference to the Trans Pennine Trail or other cycle routes.
- The car park should be adequately screened with greenery.
- Before work begins on Phase 4, issues with Phase 2 should be resolved.
- Insufficient cycle parking has been provided as part of Phase 2.
- Residents pay management charges towards the green spaces, and this should be taken into account.
- The additional parking will result in a huge increase in traffic and a deterioration in pedestrian and cycle safety. South Street has no pavement but will no longer have low volumes of car traffic.

- Approving more parking would be contrary to the aims of the Clean Air Zone.
- Additional traffic would create noise disturbance.
- There is no protected space for not-for-profit car-sharing vehicles.
- There should be dependable car club provision, and one space for the whole of Park Hill is insufficient.
- The modal share set out in the Transport Statement suggests that there is no requirement for the amount of car parking proposed.
- The need for car parking should be reviewed.
- The developer should enhance the cycle network, including changing the access route to the Phase 1 car park, providing a signalised crossing at Talbot Street, pedestrianisation of South Street, and funding improvements to the Sheaf Valley Cycling Route, as well as cycle provision between Angel Street and Fargate.
- The loss of green space will devalue the existing apartments.
- Green spaces are well used by residents for sports and leisure.
- Following the street trees scandal, the Council should not approve the loss of green space.
- The loss of green space would be harmful to the setting of the Grade II* listed building, and Park Hill would lose its identity.
- Solar panels should be provided on the roof.
- A plan for the development of the S1 Artspace building should be part of the Phase 4 scheme.

The comments in support of the development can be summarised as follows:

- This further phase of conservation and refurbishment is welcomed.
- Suitable standards and methods appear to be proposed from looking at the drawings.
- The car parking provision is accepted and seems fairly hidden away, and there are some people who need cars.
- The surrounding area is currently experiencing insufficient parking, which has led to drivers using the kerbs on South Street and overparking on Rhodes Street.
- The proposed car park would prevent further overparking.
- A good compromise would be to integrate the green space into the car park.

The protection of a particular view from a private dwelling is not a material consideration. The conduct of the applicant, and the ways in which they have chosen to engage with existing residents, are not material planning considerations. The motives of the applicant (such as supposed desires to achieve higher prices for the new flats) are also not a material planning consideration. Issues around Phase 2 are not directly related to the Phase 4 proposal, and management charges paid by existing residents are also not relevant. The effect of a development on local property values cannot be considered. Hypothetical alternative development proposals cannot be taken into account. The proposal must be assessed on its own merits.

All other comments relate to material planning considerations which are discussed in detail in the Planning Assessment below.

Re-advertisement Period

The applications were re-advertised in full in September 2023 to reflect amendments to the proposal: most significantly, the omission of one of the car parking areas, and the addition of one flat.

To date, the Council has received 11 further objections to the amended proposals. Eight objections were from people who had already commented on the scheme initially submitted, and two were from new commenters, taking the total number of objectors over both advertising periods to 143. The objections to the amended proposal can be summarised as follows:

- There is still too much parking, and too much green space would be lost.
- The reduction in car parking is welcome but doesn't go far enough.
- New parking should be provided within the courtyard of Phase 4 rather than on existing space which has been maintained through residents' service charges.
- There should not be further gated and exclusionary spaces, as the public is already excluded from the Phase 2 gardens.
- It is accepted that some car parking is needed, as public transport is not always adequate, but this should not be at the expense of green space.
- The survey of existing residents, which was undertaken by the applicant to re-assess parking demand, was biased with leading questions and insufficient meaningful consultation with residents.
- The car park isn't needed, as the existing car parks are not full in the evenings when commuters leave.
- There is still not enough cycle parking provision, and storage within flats is not suitable.
- Secure cycle storage across Phases 1 and 2 is sparse, and the applicant should address this across the whole estate.
- Access to the car park via South Street would lead to increased traffic, and there should be a new pedestrian crossing to Norfolk Road.
- Frequent dangerous parking on Pat Midgley Lane needs to be sorted out, and customers at the newly opened bar in Phase 2 are adding to this pressure.
- The developer has not engaged with alternative routes to the car park.
- The area at the top of South Street at the amphitheatre frequently experiences anti-social behaviour and should be developed to discourage this.
- There are not enough car club spaces or electric vehicle charging points across the estates.
- There should be more consideration of low and zero carbon technologies, such as photovoltaic panels and heat recovery.

As was the case for the original comments, objections relating to residents' service charge arrangements, other phases outside the application site boundary, and hypothetical proposals for alternative parking arrangements cannot be taken into account – the application must be judged on its own merits. Any anti-social behaviour around the amphitheatre is not reasonably related to the Phase 4 site (which is on the other side of the estate) and cannot be resolved through this application. The parking behaviour of existing drivers, and issues relating to previous

phases outside the application site, are not relevant to this planning application. All other comments on the amended proposal are reasonably related to material planning considerations which are discussed in detail within the Planning Assessment below.

RESPONSES TO DIRECT EXTERNAL CONSULTATION

Key statutory and advisory consultees from external bodies have been invited to provide comments on technical and other matters to inform the Local Planning Authority's eventual decision. External consultees' comments are referred to where relevant in the Planning Assessment below, but are also summarised here for clarity:

Northern Powergrid

Guidance is provided in relation to working near electricity apparatus. This can be communicated to the developer through an informative note on the decision notice.

Superfast South Yorkshire

Condition requested in relation to the provision of full-fibre broadband for the dwellings permitted.

Health and Safety Executive (Fire Safety)

No response received.

South Yorkshire Police

Advice provided in relation to security standards for the development. This can be communicated to the developer through an informative note on the decision notice.

Historic England

No advice offered.

South Yorkshire Mayoral Combined Authority

Further details of cycle parking are requested. This can be secured through condition. The site is well located in relation to bus infrastructure, and there are opportunities for the proposed development to promote the use of travel by bus, including by improving the quality and convenience of bus stop infrastructure. Bus stop 37023081, on Duke Street, currently has a flagged pole only and is a priority for upgrading. A developer contribution is requested for a shelter and real-time passenger display for this stop. If not feasible or viable due to the requirement to extend into the adjacent grassed area to achieve sufficient footway width, an alternative proposal for a pole-mounted battery-powered display of live bus times would be supported. It is also requested that a passenger travel information screen be displayed in a relevant area of the building (e.g. the main entrance lobby) to display real-time information on bus and tram departures. This can be secured through condition.

Sheffield & Rotherham Wildlife Trust

Roosting opportunities for bats and birds, including swift bricks, should be provided. Boundaries should remain porous to hedgehogs. The proposals show a modest biodiversity net gain despite the loss of some green space, but the proposal is objected to due to the amenity value of that space for residents. If car parking is to be provided, it should focus on blue badge spaces, electric vehicle charging points, car clubs and deliveries.

PLANNING ASSESSMENT

Policy Context

National policies are contained in the National Planning Policy Framework 2023 (NPPF). The following sections of the NPPF are relevant:

- Chapter 2: Achieving sustainable development.
- Chapter 4: Decision-making.
- Chapter 5: Delivering a sufficient supply of homes.
- Chapter 6: Building a strong, competitive economy.
- Chapter 7: Ensuring the vitality of town centres.
- Chapter 8: Promoting healthy and safe communities.
- Chapter 9: Promoting sustainable transport.
- Chapter 11: Making effective use of land.
- Chapter 12: Achieving well-designed places.
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change.
- Chapter 15: Conserving and enhancing the natural environment.
- Chapter 16: Conserving and enhancing the historic environment.

Further national policies can be found in the Planning Practice Guidance (PPG) and the National Design Guide (2019).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Sheffield comprises the Sheffield Core Strategy (adopted March 2009) (formerly called the Sheffield Development Framework Core Strategy) and 'saved' policies from the Sheffield Unitary Development Plan (1998) (UDP).

The site is identified on the UDP Proposals Map as being within a Housing Area.

The application of Sheffield's development plan policies must take account of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (including where they are inconsistent with the NPPF or where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), planning permission

should be granted unless:

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

This is referred to as the 'tilted balance'. As Sheffield is currently unable to demonstrate a five-year housing land supply, the tilted balance is engaged for all housing development proposals, although listed buildings are designated heritage assets and refusal could still be justified if NPPF policies relating to their protection provide a clear reason not to grant permission.

Paragraph 219 of the NPPF states that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the NPPF. The appropriate level of weight afforded to Sheffield's relevant development plan policies is set out below, based on their degree of conformity with the provisions of the NPPF.

The following Core Strategy policies are relevant in this case:

- CS14: City-wide Distribution of Shopping and Leisure Development (moderate weight)
- CS23: Locations for New Housing (moderate weight)
- CS24: Maximising the Use of Previously Developed Land for Housing (moderate weight)
- CS26: Efficient Use of Housing Land and Accessibility (significant weight)
- CS40: Affordable Housing (significant weight)
- CS41: Creating Mixed Communities (moderate weight)
- CS46: Quantity of Open Space (significant weight)
- CS47: Safeguarding Open Space (limited weight)
- CS51: Transport Priorities (significant weight)
- CS53: Management of Demand for Travel (moderate weight)
- CS54: Pedestrian Routes (significant weight)
- CS55: Cycling Routes (significant weight)
- CS63: Responses to Climate Change (significant weight)
- CS64: Climate Change, Resources and Sustainable Design of Developments (significant weight)
- CS65: Renewable Energy and Carbon Reduction (significant weight)
- CS66: Air Quality (significant weight)
- CS67: Flood Risk Management (significant weight)
- CS73: The Strategic Green Network (moderate weight)
- CS74: Design Principles (significant weight)

The following UDP policies are relevant:

- BE5: Building Design and Siting (significant weight)
- BE6: Landscape Design (significant weight)
- BE9: Design for Vehicles (moderate weight)
- BE10: Design of Streets, Pedestrian Routes, Cycleways and Public Spaces (significant weight)
- BE12: Public Art (significant weight)
- BE19: Development affecting Listed Buildings (limited weight)
- BE22: Archaeological Sites and Monuments (significant weight)
- GE10: Green Network (significant weight)
- GE11: Nature Conservation and Development (moderate weight)
- GE15: Trees and Woodland (moderate weight)
- GE22: Pollution (significant weight)
- GE23: Air Pollution (significant weight)
- GE24: Noise Pollution (significant weight)
- GE25: Contaminated Land (significant weight)
- H10: Development in Housing Areas (significant weight)
- H14: Conditions on Development in Housing Areas (significant weight)
- H15: Design of New Housing Developments (significant weight)
- H16: Open Space in New Housing Developments (very limited weight)
- LR5: Development in Open Space Areas (moderate weight)
- S5: Shop Development Outside the Central Shopping Area and District Centres (moderate weight)
- T8: Pedestrian Routes (moderate weight)
- T10: Cycle Routes (moderate weight)
- T21: Car Parking (moderate weight)
- T28: Transport Infrastructure and Development (significant weight)

The following additional local policy and guidance documents are relevant:

- Climate Change and Design SPD
- CIL and Planning Obligations SPD
- City Centre Strategic Vision
- Highways Adoption and Information Sheets

Sheffield City Council is preparing a new draft local plan (the Sheffield Plan) to supersede the Core Strategy and UDP. Following public consultation, the draft Sheffield Plan has now been submitted for examination. At this stage in the adoption process, the draft Sheffield Plan has limited weight in decision-making, but it is referred to in the below appraisal as an indication of the anticipated future direction of travel in terms of planning policy, where relevant.

The key planning issues in this case are discussed in full below, and are summarised as follows:

- Land Use
- Density and Mixed Communities
- Design and Conservation
- Residential Amenity

- Highway Safety, Parking and Accessibility
- Ecology, Trees and Landscaping
- Flood Risk and Drainage
- Pollution and Contamination
- Energy and Sustainability
- Archaeology
- Employment and Skills
- Community Infrastructure

Land Use

Housing

The Park Hill estate lies within a designated Housing Area as shown on the UDP Proposals Map. Policy H10 of the UDP has significant weight and describes housing as the preferred use of land. Policies CS23 and CS24 of the Core Strategy support the efficient use of brownfield land to meet housing needs, and the City Centre Strategic Vision (March 2022) identifies Park Hill as a major regeneration project to bring in a vibrant residential population. The Vision, though not an adopted planning policy document, is a background paper for the draft Sheffield Plan, which specifically allocates the remainder of Park Hill for residential development.

In chapter 5 of the NPPF, the Government sets out objectives for significantly boosting the supply of homes. Paragraph 119 of the NPPF also states that planning decisions should promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 11 sets out the ‘tilted balance’, lending extra support to housing proposals where local authorities are unable to demonstrate a five-year deliverable supply of housing sites in line with the requirement in paragraph 74.

As set out in Sheffield’s latest five-year housing land supply monitoring report (December 2022), according to the standard calculation method set out in the PPG, Sheffield’s annual local housing requirement is 3018 homes, taking into account projected household growth, local affordability ratios and the 35% uplift for England’s largest towns and cities. The total net five-year requirement, allowing for a 5% buffer to ensure competition and choice, is 15,845 homes. Sheffield is able to demonstrate a net deliverable supply of 11,506 homes, equating to only 3.63 years and thereby engaging the tilted balance in favour of housing development proposals.

In line with paragraph 11(d) of the NPPF, planning permission must be granted unless assets of particular importance are affected, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. As such, and with regard to adopted and emerging local land use policies, the principle of residential development in this location is acceptable. Re-use of the block as residential accommodation is welcome and has already been established by previous permissions.

Commercial Uses

The previous permission for Phase 4 included artists' studios, flats and workspaces, along with a new-build art gallery. These plans have now been abandoned in favour of a more straightforward residential refurbishment. Whilst the previous plans for an art gallery would have provided an exciting cultural offer to Sheffield and South Yorkshire, there is no planning policy requirement to provide an art gallery at Park Hill, and this application must be assessed on its own merits. The loss of the art gallery cannot represent a reason for refusal when the proposed land uses are in accordance with policy designations for Housing Areas.

This new Phase 4 proposal does introduce two flexible commercial units at ground floor level, with a cumulative total of 450 square metres of floorspace. These units would fall within class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and would represent a "main town centre use" as described in the NPPF.

Alongside housing, policy H10 allows for small shops, food and drink, and business uses in Housing Areas. However, paragraph 87 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. This sequential approach is in place to protect the vitality and viability of town centres, and also reflects the requirements of policy CS14 of the Core Strategy and policy S5 of the UDP. However, these policies have only moderate weight as the boundaries of the Central/Primary Shopping Area are out of date, and parts of the policies equate edge-of-centre development with development within the defined centres. Nonetheless, the application site is not in a retail centre and a sequential test is required.

A sequential assessment was submitted with the planning application, identifying that the nearby Local Centre shown on the UDP Proposals Map is now occupied by Phase 1 of Park Hill and its car park. As such, the designation is out of date and there is no availability. The assessment acknowledged a proposed new Local Centre in the draft Sheffield Plan, focused around Duke Street and Talbot Road, but dismissed this centre due to the Sheffield Plan not being adopted, and stated that it had no availability.

Officers felt that this submission did not satisfactorily address the sequential test requirement, as there was not a robust search for available sites in either the proposed new Local Centre or in the Central Shopping Area. An amended retail sequential assessment has since been submitted. It identifies that there are three vacant terraced units in the new Local Centre, but these are not being actively marketed and are too small to accommodate the level of floorspace proposed at Park Hill. Four sites are identified in the nearest quarters of the city centre, but these are either too small, too large, or unavailable. The submission also highlights the PPG, which states that certain main town centre uses may have "locational requirements which mean that they may only be accommodated in specific locations".

Officers felt that more of the core shopping area in the city centre should have been included within the area of search, but a recent review of vacant properties of that scale in the city core has shown that those units either have reoccupation proposals

or are being refurbished, so are not currently available. Furthermore, it must be acknowledged that the proposed units are small-scale and unlikely to have a significant regional catchment to draw trade away from the Central Shopping Area. The units are a key element of the development, providing services for local residents and street activation at key nodes. Taking a proportionate approach, the light-touch sequential test must be balanced against the overall regeneration benefits of the proposal, and the commercial spaces can be accepted on balance.

Density and Mixed Communities

Density

Policy CS26 of the Core Strategy sets out density standards for new residential developments, being in conformity with paragraph 125 of the NPPF. The policy states that schemes near to a Supertram stop should have a density of between 40 and 60 dwellings per hectare. However, whilst the site is not shown within the city centre on the Core Strategy Key Diagram, it is shown within the Central Area in the draft Sheffield Plan. As such, it would be reasonable to also consider the minimum density criterion for the city centre, being 70 dwellings per hectare as set out in policy CS26.

As amended, the proposal would deliver 125 dwellings on a site of approximately 1.86 hectares, representing a density of 67.2 dwellings per hectare. This sits between the requirements for the city centre and for well-located sites outside the city centre and is therefore appropriate for the application site. The proposal is driven by the character of the existing building and is not considered to represent an overdevelopment.

Affordable Housing

Policy CS40 of the Core Strategy seeks the provision of affordable housing where this is practicable and financially viable. However, the site falls within the City Centre Affordable Housing Market Area as set out in the CIL and Planning Obligations SPD, where affordable housing is generally considered to be unviable, and no affordable housing contribution is sought. As such, there is no policy requirement to secure affordable housing through the planning system in this case.

Whilst no affordable housing is secured through this planning application, it should be noted that 96 affordable units were delivered within Phase 1 of the Park Hill regeneration project. This equates to 21% of the units that form Phases 1 and 2, which were built under the original outline consent (which included a condition requiring no less than 20% affordable housing). As this is a full application which must be considered on its own merits with regard to current planning policies, there would be no justification to refuse this standalone Phase 4 proposal based on a lack of affordable housing.

Housing Mix

Policy CS41 aims to ensure the development of mixed communities, where “no more than half the new homes in larger developments should consist of a single house

type” in the city centre and requiring a “greater mix” in other locations, including “homes for larger households”.

As amended, the proposed residential accommodation would comprise 27 one-bedroom units, 77 two-bedroom units, 20 three-bedroom units, and one four-bedroom unit. Two-bedroom units would account for 62% of the accommodation delivered. Whilst representing more than half of the homes, there would be a large range of different two-bedroom flat types within the scheme. For a development on the edge of the city centre, it is positive that the substantial majority of homes would have more than one bedroom, and the proposal would thereby increase the number of family homes in the city centre. The housing mix is considered to be acceptable.

Design and Conservation

Policy CS74 of the Core Strategy sets out design principles for new development, including requirements for developments to respect and enhance the townscape character of the city’s districts, neighbourhoods and quarters, with their associated scale, and the distinctive heritage of the city. Policy BE5 of the UDP also puts forward design policy, including requiring developments to complement the scale, form and style of surrounding buildings and, in the case of extensions and alterations, the detail and materials of the original building. Policy H14(a) also states that buildings and extensions in Housing Areas must be well designed. These policies are considered to fully accord with the design principles in paragraph 130 of the NPPF which, among other requirements, states that developments should be sympathetic to local character and history.

Policy BE19 of the UDP states that internal or external alterations to a listed building will be expected to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest. Proposals for changes of use will be expected to preserve the character of the building. Proposals for development within the curtilage of a building will be expected to preserve the character and appearance of the building and its setting. The original use of the listed building will be preferred but other uses will be considered where they would enable the future of the building to be secured. However, heritage policies in the UDP are not considered to conform with the NPPF, as they do not allow for an assessment of the level of harm, and its balancing against the public benefits of a development proposal.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 201 states that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

A similar duty is prescribed by section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended), which states that that the Local Planning Authority shall have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

Alterations to the Listed Building

The general approach to the residential refurbishment follows that previously undertaken for Phase 2, and latterly approved under the previous Phase 4 scheme. The approach is light-touch, based on retaining and repairing (where required) the concrete frame, brickwork, and party walls, retaining the full width of the ‘streets in the sky’, and applying colour in a restrained manner. Colour would be focused on the balcony reveals and individual apartment entrance door surrounds, with different colours being used for different apartments to aid external legibility and provide personality. All existing windows would be replaced with double-glazed aluminium units and sliding glass doors to the balconies. The pattern of the proposed windows picks up on the rhythm of the existing windows, but removes the multiple horizontal transoms to create large, full height openings. There would be some limited enlargements of window openings to improve daylight provision to some of the one-bedroom flats.

The design approach is again supported, striking the right balance between celebrating the building’s characteristic features and modernising the block for contemporary living. Similar interventions have been seen to work successfully at Phase 2, and the Heritage Statement demonstrates that the applicant has understood and respected the significant elements of the listed building. Compared to the expired Phase 4 permission, this new scheme is less interventionist, as it abandons the art gallery extension, allowing for more of the original elevations to be retained. In conservation terms, this lessens the harm to the listed building, although there are some other new elements introduced.

New lobbies would be created at the base of the lift and stair cores at either end. At the main northern entrance to the Duke Street block, the previously open core would be enclosed with glazing, with the main entrance being in between the stairs and the lift, with a projecting aluminium reveal. At first floor level, the ‘street in the sky’ would be extended above the entrance to improve the visibility of the entrance. These interventions are supported for safety and legibility reasons. Inside the lobby, mosaics would be used for feature walls to reference the mosaics used nearby for the ‘ladies’ and ‘gentlemen’ toilet signs in the former Link pub. The Conservation Officer suggests that there is an opportunity to differentiate between new interventions and the original fabric via utilisation of a different size, colour or texture of mosaic, and the same would apply to the setts on the floor. Details of the mosaics and setts can be secured through a condition of the listed building consent.

The balconies at the corner ‘knuckle’ between the northern and middle flanks of the block are now proposed to be extended to provide a more generous outdoor space for residents. This is supported in principle, but the case officer and Conservation Officer initially had concerns that this would create an overly uniform appearance and would have little reference to the historic fabric. The proposal has now been

amended so that metal balustrades would be provided in the location of original eyelet balconies, with the remainder of the balustrade being glazed, providing additional visual interest and legibility of the original layout. Further details of the balconies can be secured through condition.

With artists' facilities no longer forming part of the proposal, much of the ground floor would now be given to duplex 'townhouses' with individual entrances. The principle of this has previously been accepted at Phase 2. The townhouse typology is changed slightly in this new proposal, with an additional brick panel on the ground floor to provide further privacy, rather than being almost entirely glazed. This is supported, as it would retain to a greater extent the rhythm of the original solid-to-void ratio.

Other ground floor areas would become commercial units (class E), including the former Link public house at the northern end, whose zig-zag frontage to Duke Street would be retained with replacement glazing and aluminium frames. The zig-zag bays to the courtyard can be removed, as these are a later intervention of a poorer quality. The commercial unit at the northern end would occupy a larger area than the original pub and, as amended, louvres to the top of the openings on the courtyard side where the pub was previously located would provide some differentiation from the other ground floor openings, which would be fully glazed. Again, this would aid the legibility of the original layout. Mosaics would be retained in the location of the gentlemen's toilet block, but it is accepted that they are in too poor condition to retain elsewhere.

Overall, the cumulative impact of various interventions to the listed building would have less than substantial harm in terms of retaining its original character and features, as acknowledged in the Heritage Statement. However, bringing the listed building back into use, primarily for its original purpose, and restoring public access to the external spaces around it, would be significant benefits of the proposal, along with the substantial weight given to housing delivery. The alterations, whilst changing the character of the building to a minor degree, would serve to modernise and enhance its most significant features, making it habitable for contemporary living and improving public appreciation of the building. Any less than substantial harm to the fabric of the listed building is therefore clearly outweighed.

Site Layout, Public Realm and Landscaping

Policy BE6 of the UDP advises that good quality landscape design is expected in all new developments and that this should provide an interesting and attractive environment which integrates existing landscape features into the development. The key concept for this phase of the Park Hill external works is to bring a sense of the wider landscape into the heart of the site, effectively bringing the 'park' back into Park Hill. Original concrete walls would be restored, with later facings removed where relevant. Later brick walls would be re-faced with corten steel to give a rough aesthetic, contrasting with the soft landscaping, which would be inspired by native heathlands. New boundary treatments (including around the semi-private residents' amenity area) would include lightweight steel fencing finished in black, being 1.2 metres in height to avoid appearing visually oppressive. Hard surfacing would

include a range of block paving and plank paving types, bound gravel and grasscrete. The landscape approach is considered to be acceptable in principle, but further details of hard and soft landscape features are required, to be secured through condition.

The car parking strategy originally included two fairly large areas of parking within the existing grassed plateaus between Phase 1 and Phase 4. Using both of these spaces for parking was considered to be discordant with the wider setting, given their prominent location on Duke Street and the otherwise sensitive incorporation of parking around the rest of the site. This proposal would have resulted in three adjacent car parks sitting along Duke Street, with the expanse of cars being harmful to the setting of the listed building. The amended proposal retains the northern plateau as green space, providing an improved sense of spaciousness and a meaningful green buffer between the parking areas. The revised parking proposals are no longer considered to unacceptably harm the setting of the listed building.

The application site boundary for this application is drawn such that the existing garage block, and the land between that block and the Phase 2 wing of the main building, are excluded from the proposal. As such, the proposal would not create a new connection up to Rhodes Street from Pat Midgley Lane in this position, as was a benefit of the previous Phase 4 scheme. The case officer has requested a link to be added, but the applicant has clarified that this would need to be considered in conjunction with any future proposals for the redevelopment and repurposing of the existing garage block, which are uncertain at this point in time. Whilst it would have been desirable for a link to be introduced through this proposal, the ramped route to the east of the garage block would still increase connectivity compared to the existing situation, and it would be unreasonable to insist upon improvements to the land to the west of the garage block when this could potentially prejudice future development.

Public Art

Policy BE12 states that the provision of public art in places which can be readily seen by the public will be encouraged as an integral part of the design of major developments. Details of public art can be secured through condition.

Residential Amenity

Paragraph 130(f) of the NPPF requires developments to provide a high standard of amenity for existing and future users. Policy GE24 of the UDP also states that development must not create noise levels which would cause a nuisance, nor locate sensitive uses and sources of noise pollution close together. Policy H14 states that new development in Housing Areas must not deprive residents of light, privacy or security, and must not suffer from unacceptable air or noise pollution. Policy H15 requires adequate private gardens or communal open space in new housing developments. The relevant sections of these UDP policies are considered to accord with the provisions of the NPPF and are therefore afforded significant weight.

Noise

A Noise Assessment has been submitted, considering the noise environment for new residents (with particular regard to traffic noise), and setting out indicative acoustic specifications for windows and insulation. The Environmental Protection Officer considers this Assessment to be mainly satisfactory, and has requested conditions relating to sound insulation, including validation testing to ensure that the stated noise levels are achieved. Noise from the construction period can be dealt with through a Construction Management Plan, secured through condition.

The Noise Assessment does, however, fail to consider the impact of noise (and potential kitchen odours) from the commercial units. As such, conditions relating to sound attenuation and the control of plant, equipment, amplified sound, opening hours, kitchen extraction equipment, deliveries and servicing are requested to ensure that the commercial uses do not negatively impact upon the amenity of residents above. Subject to these conditions, it is considered that noise can be adequately controlled.

Daylight, Outlook and Privacy

The proposal would not create any problems in terms of overlooking or overshadowing of neighbouring dwellings. The existing building is separated from the nearest dwellings on the Park Hill estate (in Phase 2) by over 60 metres and is separated from buildings on the opposite side of Duke Street by approximately 21 metres. No new buildings or extensions would be erected which might harm neighbouring amenity. As per the original designs for Park Hill, the refurbished apartments would be dual-aspect, with high standards of daylight and sunlight.

Space Standards

Compliance with the Nationally Described Space Standard (NDSS) is expected to form a policy requirement following the eventual adoption of the draft Sheffield Plan, but under the current adopted development plan there are no policies which specifically require dwellings to exceed a prescribed minimum internal area. Nonetheless, the NDSS forms a useful benchmark for assessing internal spaciousness as part of the overall consideration of residential amenity under paragraph 130(f) of the NPPF.

When assessing the dwelling types against the NDSS, the case officer found that 13 out of the 36 flat types would fall slightly below the NDSS standards, equating to 52 dwellings in total (42% of the flats delivered through this phase). However, in many cases, the shortfall in overall floor area is as small as 1 or 2 square metres. In other cases, the overall floor area greatly exceeds the NDSS minimum, and it is only the bedroom sizes that fall short. Of the flat types that do exceed the NDSS minima, some are larger by a significant degree, providing a very generous standard of accommodation. Considering that the floor plans are constrained by the existing layout of the listed building, and that the NDSS is not yet an adopted policy requirement, the proposal is acceptable in terms of internal space standards. In terms of private outdoor space, every flat type has at least one balcony, with some of those balconies being very generous in size, and with an excellent outlook. This adds to the high overall living standards provided by the development.

Public Open Space

Policy H16 of the UDP requires sites of over 1 hectare to be laid out as 10% public open space, but this policy is out of date. Policy CS46 of the Core Strategy simply states that new open space will be created where there is a quantitative shortage of open space per head of population, and where required for extending the city's Green Network. The CIL and Planning Obligations SPD adds more detail, and only seeks 10% open space on sites of 4 hectares or more. Nonetheless, despite the initial proposal containing two fairly substantial car parks on existing green space, and delineating some of the outdoor space for residents' use only, that proposal did include approximately 0.19 hectares of publicly accessible open space: the grassed area to the immediate south of the garage block (which is currently fenced off), and a smaller area to the west of the southern plateau and the northern entrance to Phase 4 (which is already accessible). This amounts to 10.2% of the total site area of 1.86 hectares.

Whilst the initial proposal clearly exceeded current policy requirements for open space within a development of this scale, it must be acknowledged that the areas to the north of the site represent existing green space which is already publicly accessible. By far the most common objection to this application has been a feeling amongst existing residents that this green space should be retained rather than being surfaced for car parking. Although the existing green spaces are not allocated as Open Space Areas in either the UDP or the draft Sheffield Plan, they still meet the definition of "open space" in the NPPF, which describes "all open space of public value" which offers "important opportunities for sport and recreation and can act as a visual amenity". Paragraph 99 of the NPPF states that existing open space should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy LR5 of the UDP sets out similar exceptional circumstances where development in Open Space Areas may be permitted, including where "it would harm open space which forms the setting for a listed building", but this policy has only moderate weight, as it frequently conflates open space amenity value with ecological and visual amenity, which are separate policy considerations in the NPPF. Furthermore, policy LR5 is only relevant to sites shown as Open Space Areas on the Proposals Map, so is not applicable in this case.

Policy CS47 of the Core Strategy further sets out local open space policy, including stating that development of open space will not be permitted where "(a) it would result in a quantitative shortage of either informal or formal open space in the local area". The NPPF does not refer to quantitative shortages and allows open space to

be developed where the loss is replaced by equivalent or better provision, so this part of the policy has limited weight. Nonetheless, the discussion of quantitative shortages has a diametric relation to paragraph 99(a) of the NPPF, which allows for assessments of where open space is “surplus to requirements” (which is broadly equivalent to a quantitative oversupply). As such, an appropriate starting point for considering the acceptability of the loss of open space is to analyse the existing quantity of open space in the local area. Given that the existing grassed areas are informal open space rather than formal sports or play facilities, this assessment can focus on informal open space only.

The Strategic Planning team has undertaken an assessment of existing open space within a 400-metre radius of the existing grassed areas proposed for car parking. The Core Strategy defines this radius as the “local area” and sets out a target for at least 2.7 hectares of informal open space per 1000 people. The open space assessment identifies that the existing population in this area is 3662 people, and that there are 10.34 hectares of allocated informal open space. This amounts to 2.82 hectares per 1000 people, therefore representing a surplus compared to the target. The allocated open spaces within the radius include South Street Park, Sky Edge Playing Fields and Park Square.

These figures do not include any of the existing publicly accessible green spaces within the Park Hill estate, which are estimated to amount to approximately 0.47 hectares. This accounts for the existing plateaus within the application site as well as other grassed areas around Phase 1 but excluding the amenity areas in Phases 2 and 3 which are mainly for residents’ use only and excluding grassed areas in Phases 4 and 5 which are currently inaccessible to the public. When adding the existing amenity areas in Park Hill to the allocated open spaces in the buffer area, there is a total of around 10.81 hectares of informal open space, representing 2.95 hectares per 1000 people.

When looking at the impact of the proposed development (as originally submitted), it can be seen that the loss of the two grassed plateaus for car parking would result in a reduction of 0.17 hectares of informal open space, but the restored access to the green space to the south of the garage block would add a further 0.12 hectares, representing a net loss of 0.05 hectares. The average household size in England and Wales is 2.4 residents according to Census 2021 data, so the population increase from this development of 125 dwellings is estimated at 300. This is a relatively high estimate, given that the proposal is for flats rather than houses, and with Sheffield known to have a higher-than-average proportion of one-person households. Based on this high population estimate, the impact of the development, as originally proposed, would be to reduce the ratio to 2.71 hectares of informal open space per 1000 population. This would still marginally exceed the Core Strategy target, meaning that despite a net loss of public open space, the initial proposal was still in accordance with paragraph 99(a) of the NPPF and policy CS47(a) of the Core Strategy.

Whilst the initial proposal did not raise a significant quantitative concern, the high volume of objections to the proposal demonstrates that the existing green plateaus are highly valued by residents. Policy CS47(c) does not permit development of open space where “people in the local area would be denied easy or safe access to a local

park or to smaller informal open space that is valued or well used by people living or working in the local area". Paragraph 98 of the NPPF identifies the importance of open space for "the health and well-being of communities", as well as its "wider benefits for nature". Additionally, as discussed above, it was felt that the quantity of car parking in the original proposal would cause harm to the setting of the listed building, and as discussed below, the Council's transport priorities include aims to transition to more sustainable methods of travel, discouraging private car use. For these reasons, officers felt that, despite the loss of open space being permissible in quantitative terms, the amount of car parking should be reduced in favour of further green space retention, if demonstrated to be acceptable from a highway safety perspective.

With the Highways Officer's agreement, the application has now been amended to omit the car parking on the lower (northern) plateau, so that this would remain as open space. The southern plateau is still proposed for car parking, but with the proposal restoring access to the grassed area south of the garage block, the amended scheme would now result in a net increase of 0.04 hectares in open space, and a ratio of 2.74 hectares per 1000 population. Accordingly, the amended proposal meets both exception (a) and exception (b) as set out in paragraph 99 of the NPPF. Whilst the amended proposal would eradicate one of the much-valued green space areas, local people would still have access to the other plateau and a larger amenity space in the Phase 4 courtyard. When balanced with a proportionate approach to car parking (as discussed below), the loss of one of the two green plateaus is considered to be acceptable.

It should also be noted that, in the originally approved masterplan for the wider outline permission for Park Hill, a multi-storey car park was proposed on the land between Phases 1 and 4. The previous full planning permission for Phase 4, whilst abandoning the multi-storey car park, still included 76 parking spaces, concentrated on the lower plateau and Pat Midgley lane, so this amended proposal (with 65 spaces) represents a reduction. In this context, it can be seen that the loss of green space has been minimised compared to previous consents.

Highway Safety, Parking and Accessibility

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112 states that development should give priority first to pedestrian and cycle movements, and that development should minimise the scope for conflicts between pedestrians, cyclists and vehicles, as well as allowing for the efficient delivery of goods and access by service and emergency vehicles.

The Council's transport priorities are set out in policy CS51 of the Core Strategy as follows:

- a) promoting choice by developing alternatives to the car
- b) maximising accessibility
- c) containing congestion levels

- d) improving air quality
- e) improving road safety
- f) supporting economic objectives through demand management measures and sustainable travel initiatives.

Policy CS53 of the Core Strategy requires travel demand to be managed to meet the needs of different areas of the city, including promoting public and active transport, implementing Travel Plans, and applying parking standards. Policy BE9 of the UDP requires developments to provide a safe, efficient and environmentally acceptable site layout, including a clear definition of vehicle access and exit, adequate manoeuvring and parking space (including for service and emergency vehicles and for people with disabilities) and adequate safeguards from traffic fumes, noise or risk of accident. These policies are afforded moderate weight, as paragraph 105 of the NPPF goes further in seeking to actively limit travel demand.

Policy H14(d) states that developments in Housing Areas must provide safe access to the highway network and appropriate off-street parking, and not endanger pedestrians. Policy CS54 seeks to improve the pedestrian environment, and policy CS55 seeks improvements to the cycle network. Policy BE10 sets out design requirements for streets, pedestrian routes, cycleways and public spaces, including maximising safety, reducing the effects of traffic, and minimising the conflict between pedestrians, cyclists and motorised traffic. These policies all have significant weight based on their degree of conformity with the NPPF.

Policy T28 of the UDP states that new development which would generate high levels of travel will be permitted only where it could be served adequately by existing or additional/extended public transport and by the existing highway network, and development will be promoted where its location would reduce the need for car travel, being in conformity with the spirit of the NPPF. The UDP parking guidelines promoted in policy T21 have been superseded by parking guidelines in the Council's Highway Development and Adoptions information sheets. In the city centre, there should be up to one car parking space per dwelling, with no lower limit. Outside the city centre, there should be one space per one-bedroom dwelling and two spaces per dwelling of two or more bedrooms. There should be a minimum of one covered cycle parking space per dwelling.

Parking Provision

The proposal, as originally submitted, included parking spaces for 85 vehicles, including four disabled spaces. This represented a ratio of 0.69 parking spaces per dwelling. According to current policy maps, Park Hill falls outside of the city centre boundary, and so this represents a reduced parking provision compared to the normal parking standards outside the city centre. However, in the draft Sheffield Plan, Park Hill falls within the Central Area boundary, so there is also an argument that a low-parking development is appropriate in this location.

The site is a short walk from the Central Shopping Area and is well served by national rail services from Sheffield Midland Station, the Station tram stop, and bus stops on Duke Street, representing a sustainable site where car usage can be discouraged. Furthermore, despite the original Park Hill masterplan including a multi-

storey car park, the phases delivered to date have all been granted with reduced parking – there are around 192 spaces across Phases 1 and 2 (including pay-and-display parking), with an average ratio of approximately 0.42 spaces per dwelling, and Phase 3 is essentially car-free, with only disabled parking (though this is a student accommodation development and not directly comparable). Many objectors to the application have identified the well-connected nature of the site, highlighting that a development with limited or no car parking would be more aligned with aims to combat the effects of climate change.

On the other hand, it must also be noted that there was previously an intention to implement a permit zone in the Park Hill area which would introduce residents' permits and pay-and-display charges on the surrounding streets, designed to limit the impact of on-street commuter parking. Should the permit scheme have been introduced, it would have been more straightforward to designate new developments as 'car-free', whereby those residents would not be eligible for parking permits. The Transport, Regeneration and Climate Policy Committee has recently voted not to implement the permit scheme, following local objections. As such, with on-street parking now remaining free of charge, there is a chance that, should sufficient parking not be provided within the curtilage of the development, residents may be more likely to have private vehicles parked on surrounding roads, thereby adding to congestion. A proportionate and evidence-based approach to parking is required, balancing the sustainable location of the site with the need to avoid harmful on-street parking intensification.

The Transport Statement submitted with the planning application did not provide a robust explanation for the quantum of car parking proposed. Parking and traffic surveys dated back to 2017, at which point only Phase 1 had been completed. Furthermore, based on the 2017 survey of Phase 1 residents, a target transport modal split is identified for the development, comprising only 18% vehicle driver trips, with a further 2% being vehicle passenger trips. The remaining 80% of trips are expected to be via active travel or public transport, indicating that there could be potential to further reduce the parking provision. It was felt by the case officer and Highways Officer that an up-to-date survey of residents in Phases 1 and 2 (excluding the student accommodation in Phase 3) was needed to establish current levels of car ownership and usage, as well as patterns of on-street and off-street car parking. This would help to inform the likely parking demand generated by Phase 4.

The applicant undertook an online survey running from 3 August to 25 August 2023, with all Phase 1 and 2 residents and commercial occupiers being hand-delivered details of the survey. 80 residents and 9 business owners responded. 41% of respondents stated that their household did not have any vehicles, with 59% having one or more vehicles. Of those that did own a vehicle, 74% stated that they primarily parked their vehicle in the Park Hill car parks, with the remainder using surrounding streets or other locations. A majority stated that guests would visit them by car. When asked for their opinions about parking provision for the completed phases, 19% of respondents felt that there was too much parking, 45% felt that there was enough parking, 29% felt that there was not enough parking, and the remainder were unsure. When asked whether they felt current levels of parking would be sufficient to accommodate the future residents and businesses of the remaining phases of Park Hill, 38% answered 'Yes', 49% answered 'No', and the remainder were unsure.

Following the survey, the application was amended to omit the parking area on the northern grassed plateau between Phases 1 and 4, reducing the total provision for Phase 4 to 65 spaces, spread across the southern plateau, the existing area to the north of the garage block, and a small parking area serving the townhouses at the southern flank. This reduces the ratio to 0.52 parking spaces per dwelling and is considered to represent an appropriate balance between supporting sustainable transport and also preventing on-street parking intensification. Based on the newer evidence collected in the residents' survey, the Highways Officer is satisfied with the further reduced parking provision. The removal of parking from the lower plateau also allows for greater green space retention, being beneficial for residential amenity, the impact on the setting of the listed building, and ecological value.

Many objectors to the application have expressed that any parking should be for residents only, with no further pay-and-display provision. The residents' survey revealed that 37% of respondents felt there should be no pay-and-display provision within Park Hill, 52% felt that there should be some pay-and-display areas, and only 11% felt that all areas should be pay-and-display. Officers consider that, in order to minimise residents parking on the street given the reduced parking levels, all new Phase 4 car parks should be reserved for residents' use only. The revised Design & Access Statement confirms that the car parks will be managed for residents' use only. A Parking Management Plan can be secured through condition, in order to ensure that there is an effective residents' permitting system in place for the off-street car parks.

A revised Travel Plan is required, setting out measures to encourage sustainable methods of transport, which is necessary given the low levels of parking on the estate. Whilst a Travel Plan has been submitted with the application and subsequently amended to reflect the reduced parking provision, it still does not reflect all sustainable transport initiatives as set out below and will require further updating and monitoring. The Highways Officer also considers that whilst the aims and objectives of the Travel Plan are reasonable, there is little detail on specific targets and measures to achieve those targets. A more detailed Travel Plan can be secured through condition.

Electric Vehicles and Car Clubs

Electric vehicle charging infrastructure is a key element in facilitating the transition to low-carbon transport, and objectors have identified that no charging points for electric vehicles are shown on the site plan. Current adopted planning policies and parking standards do not explicitly request electric vehicle charging, but the Parking Guidelines in the draft Sheffield Plan request charging points to be installed in 10% of parking spaces for residential developments with shared parking provision, as well as the necessary infrastructure to enable the future installation of charging points to 40% of parking spaces. The amended Travel Plan states that six charging points would be installed, amounting to just under 10% of spaces, which is considered to be positive given that the draft Sheffield Plan has only limited weight. Details of these charging points, as well as cable routes for future charging points, can be secured through condition.

Car clubs are short-term car rental services that give members access to cars parked in convenient locations, so that they can access a vehicle for occasional use without needing to own a private car. Several objections have requested increased car club provision, and this is recognised as an important element in discouraging private car use. The Travel Plan refers to a car club space on South Street, which will be promoted through the measures set out in the Travel Plan. However, given the low parking levels in the Park Hill estate, it is considered that the estate would benefit from more than one car club space, and it is reasonable to secure an additional space within the Phase 4 car park through condition.

Cycle Infrastructure

As originally proposed, the scheme included secure cycle parking for 38 bicycles, including a cargo-sized space, adjacent to the commercial unit in the northern flank of Phase 4. The remainder of the cycle parking provision was proposed to be within individual demises: either in the generously proportioned townhouse entrance areas, under the stairs in ‘+’ flat types with larger entrance halls, in the entrance halls of ‘below street’ flat types, or on the larger balconies at entrance level in certain ‘above street’ flat types. The dedicated cycle store was intended to cater primarily for those residents whose flat type lacks sufficient space for bicycle storage.

Several objections have raised concerns about the lack of existing cycle parking at Park Hill, and the inadequacy of cycle parking within the flats rather than in dedicated stores. Officers have also requested an increase in dedicated cycle parking as part of the overall sustainable transport strategy. The amended plans show an additional cycle store adjoining the substation adjacent to Duke Street, with capacity for 15 additional bicycles. An additional 12 bicycle stands (24 spaces) are also proposed within the landscape, of which 5 stands (10 spaces) would be covered.

Cycle parking within individual flats still forms a major element of the cycle strategy, but the additional spaces do improve upon the original proposal. Further details of cycle parking can be secured through condition, including details of the dedicated cycle stores as well as further plans and diagrams of how bicycles could be effectively stored in the entranceways to the dwellings. The condition will enable the Local Planning Authority to ensure that this approach properly secures the equivalent of at least one cycle parking space per dwelling, or that additional dedicated cycle stores are integrated into the landscape should the cycle parking within flats be found to be inadequate.

Objectors to the application, including local cycling and sustainable transport groups, have suggested that enhancements to the cycle network in the local area should be secured through the Phase 4 development, including improvements to access routes, new crossings, and financial contributions to local active travel schemes. Whilst such enhancements may be desirable, it would not be reasonable to insist upon the delivery of cycle infrastructure improvements outside the site boundary, as these proposals are not reasonably related to the proposed development or its impacts, thereby failing to meet the tests for conditions or legal agreements set out in the NPPF. The proposal would not result in any worsening of the local cycle network and is acceptable on that basis.

Public Transport

As discussed above, the site is in a sustainable location with excellent public transport links. As part of the strategy to encourage the use of sustainable transport modes, the developer has agreed to fund the installation of a pole-mounted LED display of live bus times adjacent to the existing bus stop on Duke Street, secured through a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended). This has been agreed with South Yorkshire Mayoral Combined Authority (SYMCA), who have highlighted that convenience is a key element in people's travel choices, and that easy access to live departure times will make public transport more attractive. SYMCA originally requested a new bus shelter and seating, but have agreed that the live times display can be more easily delivered (the shelter would require developing into the grassed area adjacent to the pavement on Duke Street, and could threaten the mature street trees) and would still go some way to improving the quality of bus facilities in the area.

Additionally, SYMCA have requested that the developer install a passenger information display in a prominent location, such as the lobby area. This would involve the installation of a web-enabled screen, with SYMCA providing a link to a customised web page displaying bus and tram times. This can be secured through condition and can further promote the use of public transport. These interventions should also be referred to in the detailed Travel Plan, to be similarly secured through condition.

Traffic, Layout and Safety

The submitted Transport Statement estimates that, based on the expected transport modal split, the proposal will generate 15 vehicle trips during the morning peak hour and 17 vehicle trips during the evening peak. This level of traffic, equivalent to less than one vehicle every three minutes, is unlikely to be discernible compared with day-to-day fluctuations in traffic. The proposal (as amended) does not include any new vehicular accesses, simply utilising the existing accesses from South Street and Pat Midgley Lane, and from Rhodes Street.

Several residents have expressed concerns about having the main parking area accessed from South Street and Pat Midgley Lane, which are low-traffic tarmacked streets with no pavements and no separate delineation between the areas to be used by different road users, essentially operating as a 'shared surface'. Objectors are worried that further vehicle movements on this route could threaten pedestrian and cyclist safety. The Highways Officer also asked for further justification to demonstrate that the increase in vehicular movements would not give rise to a greater potential for conflict between road users.

The applicant's transport consultant has referred to the Department for Transport's Manual for Streets, which notes research demonstrating that people will treat a street as a space to be occupied and not a road to be crossed when traffic flows are not more than about 100 vehicles per hour. The transport consultant states that the additional vehicle trips are unlikely to push traffic levels on South Street above this level. This, together with the existing irregular kerb lines and feature lighting,

sufficiently indicates to drivers that they are travelling through a shared space and must drive slowly. There are already 22 parking spaces on Pat Midgley Lane, so the proposal (as amended) would only introduce 38 additional spaces accessed via this route. The residential parking spaces would have a less frequent parking turnover than the previously consented art gallery scheme, as residents would be expected to park for longer periods than gallery visitors. Therefore, whilst the number of parking spaces accessed via this route would be greater, the frequency of vehicle movements is unlikely to be significantly higher, so there would be little threat to pedestrian or cycle safety.

The Highways Officer has accepted this justification and is satisfied that the car park accessed from South Street and Pat Midgley Lane will not cause any highway safety issues. It is also acknowledged that there are benefits to locating the main car park on the southern plateau rather than the northern plateau, as the spaces would be closer to the Phase 4 entrance, being better suited to disabled parking. Furthermore, positioning the parking closer to Phase 4 allows for the lower plateau to act as a green buffer between the Phase 1 and Phase 4 car parks, breaking up the visual impact of parked cars and mitigating the impact on the setting of the listed building.

In terms of servicing strategies, fire access and refuse collection would be via Duke Street. Two new servicing bays are proposed on Duke Street, in close proximity to the main refuse stores adjacent to the commercial units in the northern flank and at the corner nearest to the junction between Duke Street and Rhodes Street. These can be secured through a Grampian condition, whereby no development can commence until arrangements have been entered into which will secure the alterations to the public highway.

Accessibility

The proposal sets out acceptable arrangements for level access to all main entrances and around the landscaped areas. Further details of level thresholds, handrails and tactile paving can be secured through condition as part of the hard landscaping scheme. Due to the original layout of the Park Hill flats, which are either maisonettes or accessed via a staircase from the 'street' level, it is not possible to achieve accessible and adaptable standards to individual dwellings without compromising the special character of the listed building.

Ecology, Trees and Landscaping

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment, including by protecting and enhancing sites of biodiversity, recognising the economic and other benefits of trees and woodland, and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks.

Policy GE10 of the UDP provides for the protection and enhancement of a network of green corridors and green links. Policy GE11 states that the natural environment will be protected and enhanced, and that the design, siting and landscaping of development should respect and promote nature conservation. Policy CS73 states

that a Strategic Green Network will be maintained and where possible enhanced. Policies GE11 and CS73 have moderate weight, as whilst the strategic aims for nature conservation and ecology are aligned with the NPPF, there is less of a focus on biodiversity net gain and specific measures to enhance biodiversity.

Policy BE6 of the UDP promotes good quality landscape design, with applications expected to support nature conservation and native species. Policy GE15 states that trees and woodlands will be protected by planting, managing and establishing trees and woodland, requiring developers to retain mature trees and hedgerows, and not permitting development which would damage existing mature and ancient woodlands. As discussed in the 'Design and Conservation' section of this report above, the proposed landscaping strategy is considered to be acceptable. Further details of the landscaping scheme, including planting specifications and wildlife-sensitive lighting details, can be secured through condition.

Surveys of trees within the site and along Duke Street were provided with the application, but these surveys did not include details of the trees surrounding the areas proposed for car parking, which would likely be affected by the car parking proposals. Following the amendment of the application to omit the parking on the lower grassed plateau, the tree survey was updated to include the groups surrounding the plateaus. The survey identified 58 individual trees and two tree groups. None are currently covered by Tree Protection Orders.

The proposal includes the removal of six individual trees, of which five are category C (low or average quality and value) and one is category B (good quality and value). Two of the category C trees are assessed to be of low amenity value, and the other three are showing signs of fungal disease which limits their expected longevity. The category B tree is a beech tree on Duke Street, to be removed to improve access to the building. It is felt that its loss can be adequately compensated for through the landscaping scheme. Partial removal of a category C silver birch group is required to deliver the car parking on the southern plateau, but these removals are not expected to significantly impact upon the group's overall health, amenity and screening value. Details of replacement tree planting, as well as protection measures for the existing trees (including fencing and no-dig construction methods for hard surfacing), can be secured through condition.

A Preliminary Ecological Appraisal has been carried out and provides sufficient detail on the habitats and species found within the site. Following further bat activity surveys, the Biodiversity Officer is satisfied that no protected species form a constraint to the development. Feral pigeons roosting in the upper floors of the derelict block must be removed humanely, and this can be communicated to the developer through a directive on the decision notice.

A Biodiversity Net Gain Assessment was submitted with the application, identifying a baseline value of 13.54 habitat units (comprising amenity grassland, plantation woodland and scattered trees) and 0.15 hedgerow units. The proposed landscaping scheme, including new tree and shrub planting, was calculated to deliver a post-development score of 14.99 habitat units and 0.31 hedgerow units, representing net gains of 10.68% and 108.24% respectively, with biodiversity trading rules satisfied.

The Biodiversity Net Gain Assessment was resubmitted when the proposal was amended to omit the parking on the lower grassed plateau. As there were no longer any interventions proposed to the lower plateau, the amended Assessment was constrained to cover only the land which would be newly landscaped and surfaced. The amended Assessment, covering a smaller site area, identified a baseline value of 6.98 habitat units and no hedgerow units. The post-development score was calculated at 7.92 habitat units and 0.14 hedgerow units, delivering a 13.49% net gain in habitat units, with the introduced hedgerows being immeasurable due to the lack of existing hedgerows in the assessed area. Proportionally, this represents an improved score, and is supported by the Biodiversity Officer. The net gain set out in the Assessment can be secured through condition. Habitat boxes to support nesting bats and birds, including swift bricks, can also be secured through condition to deliver further enhancement.

Flood Risk and Drainage

Policy CS67 of the Core Strategy sets out the Council's flood risk management policies, including limiting surface water run-off and promoting sustainable drainage. This policy is considered to be broadly in conformity with the NPPF, although the NPPF also sets out requirements for sequential and exception tests to direct developments to areas of lower flood risk.

The application site is located in Flood Zone 1, being at low risk of flooding. Nonetheless, as the site is over 1 hectare in overall area, a Flood Risk Assessment (FRA) is required. An FRA has been submitted, identifying low risks of flooding from all sources. Only the new parking areas would have an impact on the impermeable areas of the site. The amended landscape plan shows that permeable surfacing would be used for the parking spaces and that rain gardens and swales would be utilised to reduce surface water run-off. Full details of the sustainable drainage (SuDS) strategy can be secured through condition. It is understood that the existing site drains into public sewers in Pat Midgley Lane and Duke Street, but the drainage strategy must demonstrate how SuDS principles would be utilised to limit the discharge rate.

Pollution and Land Contamination

Paragraph 174(e) of the NPPF requires planning decisions to prevent development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Policy GE22 of the UDP states that development should be sited so as to prevent or minimise the effect of any pollution on neighbouring land uses or the quality of the environment and people's appreciation of it.

In relation to air pollution, policy GE23 states that development will be permitted only where it would not locate sensitive uses where they would be adversely affected by sources of air pollution. Policy CS66 of the Core Strategy states that actions to protect air quality will be taken in all areas of the city. In particular, further action will be taken where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

The development is along a B-road east of the city centre and near a major roundabout at Park Square. The nearest existing air quality monitoring location is 178 metres to the north of the site at the junction between Duke Street and the Park Square roundabout. At this location, annual concentrations of nitrogen dioxide were found to be 44µg/m³ in 2022, being 10% above the objective of 40µg/m³. An Air Quality Assessment is required to allow for a full understanding of exposure levels and any additional impact of traffic introduced by the development, so as to determine any necessary mitigation measures to locally reduce the impact on new and existing Park Hill residents. However, it should be noted that the amended proposal includes fewer parking spaces than the previous consent for Phase 4 (which had 76 spaces), and that pollutant concentrations are likely to be lower at the application site than at the monitoring location adjacent to Park Square. For these reasons, the Air Quality Assessment can be left to a pre-commencement condition in this case, as it is not likely that the proposal would have an air quality impact of such severity that it could not be mitigated.

In relation to land contamination, policy GE25 states that where contaminated land is identified, development will not be permitted on, or next to, the affected land unless the contamination problems can be effectively treated so as to remove any threats to human health or the environment.

The Environmental Protection Officer considers that, as the site has been subject to former development, there is potential for made ground to be present, and highlights that previous site investigations within other areas of Park Hill have identified contaminants requiring remedial works. In order to ensure that the site is fully investigated and, where necessary, remediated, ground investigation reports must be undertaken. These can be secured through condition.

Energy and Sustainability

Policy CS63 of the Core Strategy sets out the Council's responses to climate change, including (d) designing developments to increase energy efficiency and reduce energy consumption and carbon emissions, and (e) promoting developments that generate renewable energy. Policy CS64 requires new buildings to be designed to reduce emissions and function in a changing climate, and to use resources sustainably, including re-using existing buildings wherever possible.

Policy CS65 requires all significant developments to (a) provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy and (b) reduce the development's overall predicted carbon dioxide emissions by 20%. However, the Climate Change and Design SPD assesses this requirement to be unviable in the wake of changes to Part L of the Building Regulations, and so only requirement (a) of policy CS65 applies.

A brief Energy Statement was submitted within the Design & Access Statement for this application, setting out aims to achieve an enhanced building fabric specification, with central demand-controlled ventilation systems to reduce heat losses and energy demand. A new insulated internal leaf to the existing brickwork is proposed in order to improve thermal performance. However, the Energy Statement does not set out a

calculation of predicted energy needs, nor a detailed strategy for how the thermal performance measures would save the equivalent of 10% of baseline energy needs, or any commitment to renewable or decentralised energy. As such, a more detailed strategy for carbon reduction must be secured through a pre-commencement condition, which will ensure that the Local Planning Authority is satisfied that the requirements of policy CS65(a) have been met before works begin.

Archaeology

Policy BE22 of the UDP states that sites of archaeological interest will be preserved, protected and enhanced. Development will not normally be allowed which would damage or destroy significant archaeological sites. Where disturbance of an archaeological site is unavoidable, the development will be permitted only if an adequate archaeological record of the site is made.

An Archaeological Desk-Based Assessment was submitted with the application, being the same report that was submitted for the previous Phase 4 proposal in 2019. Whilst that development included a new-build art gallery, this proposal does not include any new buildings requiring substantial groundworks. South Yorkshire Archaeology Service have concluded that there are no archaeological constraints to development. No investigation is required.

Employment and Skills

An Inclusive Employment and Development Plan (IEDP) can be secured through condition. The IEDP would ensure that opportunities to train and provide employment for local people are capitalised upon during the construction process, and during the operational phase in relation to the commercial units. This would be developed in collaboration with Talent Sheffield (a Council initiative delivered through the Invest Sheffield and Opportunity Sheffield teams, to ensure that investors and developers in the city receive the support required to deliver benefits to Sheffield people). This condition would improve the scheme's social sustainability and economic sustainability, in accordance with paragraph 8 of the NPPF.

Community Infrastructure

In terms of infrastructure needs arising from the development, as discussed above, any necessary works within the highway can be secured through condition, and sufficient public open space to meet the needs of the community is secured within the site layout.

The Council's Education Commissioning Team has provided comments, highlighting that, based on the number of proposed dwellings with two or more bedrooms, the development will generate an estimated demand for 21 primary school places and 15 secondary school places. There is existing pressure on local schools, and no spare capacity to accommodate additional secondary pupils, in particular, yielded by this development. However, the CIL and Planning Obligations SPD sets out a minimum threshold of 500 homes for which the Local Planning Authority can seek a planning contribution for primary school expansions, and 1000 homes for secondary school contributions. As such, education funding associated with smaller

developments is expected to be through the Community Infrastructure Levy (CIL). Similarly, any health infrastructure such as GP surgery expansions will be funded through CIL unless the development exceeds 1000 homes.

The application site is located in CIL Zone 4, where residential development is charged a CIL rate of £50 per square metre of new floorspace, plus indexation since the introduction of the CIL in 2015. CIL payments assist in funding essential infrastructure resulting from development growth in the city, and all residential developments are liable, unless granted relief by the Local Planning Authority through a post-consent application process (such as Discretionary Exceptional Circumstances Relief).

SUMMARY AND RECOMMENDATION

These applications seek planning permission and listed building consent for refurbishment and alterations to the Duke Street block at Park Hill (Phase 4) to provide 125 apartments and two commercial units, together with landscaping and car parking. As Sheffield is unable to demonstrate a five-year housing supply at present, the tilted balance in favour of housing proposals is engaged, as set out in paragraph 11(d) of the NPPF. Planning permission must be granted unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Part (i) is considered to be relevant in this case, as the proposal affects a Grade II* listed building. However, the proposal is considered to enhance the listed building and its setting, with any less than substantial harm to its original character being outweighed by the substantial regeneration and housing delivery benefits of the scheme.

For part (ii) of paragraph 11(d), an assessment of the proposal against “the Framework taken as a whole” must be undertaken. The presumption in favour of sustainable development can be seen as the golden thread running through the NPPF, comprised of the economic, social and environmental objectives as set out in paragraph 8. In terms of the economic objective, there would be benefits in terms of employment opportunities during the construction phase and through the creation of new commercial units, as well as bringing new residents into Park Hill and the wider city centre to support its regeneration.

In assessing social sustainability, the main benefit of the proposal would be the contribution to the city’s housing supply, which is given significant weight through the tilted balance. The proposed 125 dwellings would represent a substantial contribution to the city’s housing stock and are considered to be of a high quality in terms of indoor and outdoor space, as well as achieving a positive mix of unit types.

Turning lastly to environmental sustainability, the proposal would bring substantial benefits in rejuvenating a derelict section of the listed building, achieving a

biodiversity net gain through new landscaping, and delivering substantial housing growth in a sustainable location with reduced reliance upon the private car. Public transport usage would be further encouraged through the delivery of a live bus times display on Duke Street, funded through a section 106 legal agreement.

In summary, the amended proposal represents sustainable development overall, and it is therefore recommended that planning permission and listed building consent be granted, subject to suitable conditions and the signing of the section 106 agreement, for which the heads of terms are set out below:

Heads of Terms

- The payment of £10,100.14 (index-linked) for the supply and installation of a pole-mounted real time passenger information display for bus stop 37023081 (Duke Street / Weigh Lane)

This page is intentionally left blank