
Case Number	22/02691/FUL (Formerly PP-11341647)
Application Type	Full Planning Application
Proposal	Demolition of building and erection of a 40-storey co-living residential tower (Sui Generis) comprising 428 x units with ancillary/communal space (1 x 4-bed cluster, 37 x 5-bed clusters, 37 x 6-bed clusters, 1 x 7-bed cluster and 1 x 10-bed cluster), change of use of basement/ground/first floor and part of second floor of 59-73 High Street to commercial (Use Class E) and co-living residential accommodation (Sui Generis) comprising 20 x studios with ancillary/communal space, and hard and soft landscaping works/reconfiguration of King Street/Angel Street
Location	51-57 High Street and ground and first floor of 59-73 High Street City Centre Sheffield S1 2GD
Date Received	18/07/2022
Team	City Centre and Major Projects
Applicant/Agent	Savills (UK) Limited
Recommendation	Grant Conditionally Subject to 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.

Drawing numbers:

Site plan (red line boundary) job no. 0641, dated July 2021 and published 19.07.2022

L(-)010 rev P6 (proposed site plan) published 14.12.2023
L(-)100_B rev P4 (proposed basement floor plan) published 17.11.2023
L(-)100 rev P6 (proposed ground floor plan) published 17.11.2023
L(-)100_M rev P6 (proposed mezzanine level floor plan) published 17.11.2023
L(-)101 rev P5 (proposed level 01 floor plan) published 30.11.2023
L(-)102 rev P4 (proposed level 02 floor plan) published 17.11.2023
L(-)103 rev P4 (proposed level 03 floor plan) published 17.11.2023
L(-)104 rev P4 (proposed level 04 floor plan) published 17.11.2023
L(-)105 rev P4 (proposed level 05 floor plan) published 17.11.2023
L(-)106 rev P4 (proposed level 06-16 (even floors) floor plan) published 17.11.2023
L(-)107 rev P4 (proposed level 07-17 (odd floors) floor plan) published 17.11.2023
L(-)118 rev P4 (proposed level 18-38 (even floors) floor plan) published 17.11.2023
L(-)119 rev P4 (proposed level 19-37 (odd floors) floor plan) published 17.11.2023
L(-)139 rev P4 (proposed level 39 floor plan) published 17.11.2023
L(-)140 rev P4 (proposed level 40 floor/roof plan) published 17.11.2023
L(-)141 rev P1 (proposed roof plan) published 19.07.2022

L(-)212 rev P5 (proposed south elevation) published 30.11.2023
L(-)210 rev P4 (proposed north elevation) published 30.11.2023
L(-)213 rev P2 (proposed west elevation) published 17.11.2023
L(-)211 rev P1 (proposed east elevation) published 17.11.2023

L(-)250 rev P1 (façade fragment window detail 1) published 19.07.2022
L(-)251 rev P2 (façade fragment window detail 2) published 27.02.2023
L(-)252 rev P2 (façade fragment window podium detail) published 27.02.2023
L(-)253 rev P1 (façade fragment crown detail 1) published 19.07.2022
L(-)254 rev P1 (façade fragment crown detail 2) published 19.07.2022
L(-)255 rev P2 (façade fragment street detail 1) published 27.02.2023
L(-)256 rev P2 (façade fragment street detail 2) published 27.02.2023

Response to HSE Comments (ref: BB-RLW-14135BC-01-A) by BB7, dated 28.06.2023 and published 07.07.2023

Reason: In order to define the permission.

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

3. No development shall commence until the actual or potential land contamination and ground gas contamination at the site have been investigated and an updated or supplementary Phase 1 Preliminary Risk Assessment Report submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).020).

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.

4. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing.

The Report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).

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

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

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

6. 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 and the development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

Notwithstanding the approved plans, a fully detailed public realm scheme covering the entire red line boundary area of the site on King Street, Angel Street and High Street, including:

- (a) Full materials and planting specification, which shall link to the layout, design, material palette and planting of the Grey to Green scheme;
- (b) Full details of street furniture, which shall match the City Centre palette;
- (c) Any required amendments to the design and layout of the vehicular junction between King Street and Angel Street;
- (d) The provision of an appropriate area for the reinstatement of the market on King Street, and the retention of the existing power supply and any other services associated with the operation of the existing market on King Street;
- (e) Arrangements for the provision, ongoing maintenance and retention of the wind mitigation measures within the public highway (liability, responsibility and costs);
- (f) Arrangements for the ongoing maintenance of any soft landscaped areas.

Reason: To enable the above-mentioned highways to accommodate the increase in use, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of pedestrians, cyclists and service vehicles on the public highway.

7. Prior to the improvement works indicated in the preceding condition being carried

out, full details of these improvement works shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the above-mentioned highways to accommodate the increase in use, which, in the opinion of the Local Planning Authority, will be generated by the development.

8. No development (including site preparation in the form of erecting hoardings or undertaking demolition works) shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall include details of the site compound and the impacts on the public highway/tram network, including:
- a) Site compound/accommodation including hoarding/scaffolding arrangements and locations;
 - b) Area(s) for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials;
 - c) Details of the means of ingress and egress for vehicles engaged in the construction of the development;
 - d) All operations, including the use of cranes or other mechanical plant working adjacent to the tramway must at all times be carried out in a "fail-safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 2.75 metres of the nearest rail of the adjacent railway line or overhead electrical equipment or supports;
 - e) A method statement where excavations/piling/buildings are to be located within four meters of the tramway boundary or where vibro-compaction machinery is to be used;
 - f) Where any work is within 2.75 metres of Overhead Line Equipment, this shall only be carried out with an isolation of the equipment in place. This shall be agreed with Stagecoach Supertram at the earliest opportunity (as a minimum 8 weeks in advance);
 - g) Facilities to prevent mud/debris being deposited in the public highway and onto the Supertram network.

The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

Reason: In the interests of the amenities of the locality and the free and safe operation of the highway and Supertram networks. It is essential that this condition is complied with before the development is commenced.

9. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.

- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

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

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

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

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

11. No development (except demolition) shall commence unless full and final details of appropriate wind mitigation measures, including the siting, nature, appearance and design of the measures have been submitted to and approved in writing by the Local Planning Authority. The details shall include a supporting updated wind microclimate assessment, which shall account for any changes to the built environment since the consent, to demonstrate the suitability and effectiveness of the measures. The timescale for the implementation of the measures shall also be agreed in writing with the Local Planning Authority before the above ground works commence. The measures shall thereafter be installed at the agreed phase of the construction, and the building shall not be used unless all mitigation measures are in place and are fully operational. Thereafter the measures shall be retained and maintained for the sole purpose intended for the lifetime of the development.

Reason: In the interests of highway and pedestrian safety.

12. No development (except demolition) 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.

13. No development (except demolition) shall commence until full details of proposed ecological enhancement measures, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the enhancement measures shall be implemented as approved before the development is occupied.

Reason: In the interests of protecting the biodiversity of the site.

14. The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made, evidence that such a contract has been made has been submitted to and approved in writing by the Local Planning Authority and planning permission has been granted for the redevelopment for which the contract provides.

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

15. Notwithstanding the approved basement level floor plan, no development (except demolition) shall commence unless full details of a gym facility (as part of, and primarily for use by the residents of, the Sui Generis co-living scheme hereby approved) have been submitted to and approved in writing by the Local Planning Authority. The details shall include a floor plan demonstrating the layout of the gym, which shall occupy a minimum GIA of 450m² of the basement level. Thereafter, the gym shall be provided and retained in full accordance with the approved details and be fully operational before the residential portion of the development is occupied.

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

16. Unless it can be shown not to be feasible or viable no development (except demolition) shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

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

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

17. The development shall not be used unless the separate bin stores for commercial and residential waste, as indicated on drawing nos. L(-)500 rev P2 and L(-)501 rev P2 (published 17.11.2023) have been provided and thereafter retained for the sole purpose intended. Bins shall not be stored on the highway, except as part of otherwise agreed collection procedures.

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

18. Prior to use of the development hereby permitted commencing, a delivery, servicing and refuse management plan shall be submitted for written approval by the Local Planning Authority. The management plan shall include procedures and timings for deliveries/servicing and associated activities, and set out procedures and controls designed to minimise local amenity impacts from noise, as far as reasonably practicable. All deliveries and servicing then shall be carried out in accordance with the approved plan, including the approved noise mitigation procedures.

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

19. Before any above ground works commence, 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 and the development shall not be used unless 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, in accordance with Unitary Development Plan for Sheffield Development Framework Core Strategy.

20. The residential portion of the building shall not be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living;
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule;
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority;
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Within 3 months of the date of the first residential occupation of the building, 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, in accordance with Unitary Development Plan for Sheffield and the Core Strategy.

21. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter both the tower and retained building shall have been submitted to and approved in writing by the Local Planning Authority and the buildings shall not be used unless such inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

Reason: To ensure ease of access and facilities for disabled persons at all times.

22. 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.

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

- a) All windows and glazing to tower including stair core and shop fronts
- b) All new windows and window openings to existing building (including reveals, lintels/cills and frames etc)
- c) All new entrances and shop fronts to existing building (including reveals, lintels/cills and frames etc)
- d) Soffits
- e) Any existing window infills
- f) All materials/panels including fixings and sizing

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

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

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

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

25. Details of the proposed lighting scheme to the building 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.

26. Details of a proposed signage strategy to the building shall be submitted to and

approved in writing by the Local Planning Authority before any signage is installed. Thereafter, the development shall be carried out in accordance with the approved details.

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

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

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

28. The residential portion of the development shall not be occupied unless a detailed building management plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall demonstrate how the co-living use hereby approved and all associated amenity areas, including gym and co-working space, will operate and be managed. Thereafter, the management of the building shall only be undertaken in full accordance with the approved management plan.

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

29. The residential portion of the development shall not be occupied unless all shared living/dining/amenity areas, as shown on the approved plans, including a gym and co-working space, have been provided. Thereafter, all aforementioned amenity provisions shall be retained in perpetuity for the purposes intended and be available for use by residents of the co-living scheme hereby approved at all times.

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

30. Studio numbers 0.1, 0.8, 0.9, 0.15 and 1.1 hereby approved within the existing building (59-75 High Street) shall not be occupied unless the new window openings, as shown on the approved floor plans (indicated in red), have been provided and thereafter retained for the lifetime of the development.

Reason: In the interests of the amenities of future occupants.

31. 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.

32. No tree planting shall be permitted over or within 5 (five) metres either side of the centre line of the water mains or sewers, which cross the site, unless appropriate

details have been submitted to and approved in writing by the Local Planning Authority for:

- a) the mitigation of potential tree root infestation of the pipework
- b) ensuring access to the public sewerage network for maintenance

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

Reason: In order to protect the structural integrity, and ensure the ongoing maintenance of, the sewerage network.

33. The development hereby approved shall be constructed in accordance with the scheme of works/recommendations set out in the approved Sustainability Statement (Energy Strategy, dated 12.10.2022, revision C, by Watt, published 05.06.2023), unless an alternative but equivalent scheme is otherwise agreed in writing by the Local Planning Authority. Thereafter the scheme of works shall be retained in use and maintained for the lifetime of the development.

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

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

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

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

35. No commercial food use shall commence within the commercial units (use class E) hereby permitted unless a scheme for the installation of equipment to control the emission of fumes and odours from the premises is submitted for written approval by the Local Planning Authority. These details shall include:

- a) Drawings showing the location of the 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 systems 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 use shall not commence until the approved equipment has been installed and is fully operational and shall thereafter be installed, operated, retained and maintained in accordance with the approved details.

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

property it is essential for these works to have been carried out before the use commences.

36. No amplified sound shall be played within the commercial units 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.

37. 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 Environmental Noise Impact Assessment 3351/ENIA by ADT dated 21st June 2022 (published 19/07/2022)

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.

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

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

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

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

39. 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.

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

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

Other Compliance Conditions

41. The development shall drain by gravity unless it can be evidenced to the satisfaction of the Local Planning Authority that it is not possible.

Reason: In the interests of sustainable drainage.

42. Surface water and foul drainage shall drain to separate systems.

Reason: To ensure satisfactory drainage arrangements.

43. No customer shall be permitted within the commercial units outside the following times:

0700 hours to 0030 hours (the following day) on any day.

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

44. The residential units shall only be let as part of the wider co-living (Sui Generis) use hereby approved, and at no time let or sold off separately.

Reason: In the interests of creating mixed communities in accordance with Core Strategy CS41.

45. Notwithstanding the approved plans, no door shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

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

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

Attention is Drawn to the Following Directives:

1. 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.

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

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

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

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

3. The proposed development is located near to the track and overhead line of the South Yorkshire Supertram. The developer is advised that there needs to be close liaison with South Yorkshire Supertram Limited at Nunnery Depot, Woodbourn Road, Sheffield, S9 3LS, (Telephone Sheffield (0114) 2759888). All works carried out on site and within the vicinity of the site need to be in accordance with the "Supertram Code of Practice for Working On or Near the Tramway". This Code of Practice is available both upon request from Supertram, or online at: <http://www.supertram.com/workingonsystem.html>.

The applicant is directed to the formal responses to this planning application on the public planning file from Supertram and SYPT (SYMCA) for further guidance. These items are addressed by the CEMP condition.

4. The applicant is advised that 'Talent Sheffield' is a Sheffield City Council initiative

delivered through the Invest Sheffield and Opportunity Sheffield teams, to ensure that investors and developers in the City receive the support required to meet the commitments in the Inclusive Employment and Development Plan and deliver the maximum possible benefits to Sheffield people and its communities.

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

The notice should be sent to:-

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

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

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

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

6. The approved Phase I Geo-Environmental Appraisal (by Patrick Parsons dated December 2016) identifies that the site is underlain by coal measures, which could have been worked in the past. The site does not lay within a Coal Mining Referral Area and the report states that identified risk is considered to be low, however, the developer is advised that it is their responsibility to ensure any such features are appropriately accounted for and, where necessary, further investigated and remediated, in liaison with the Coal Authority.

Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

7. As the proposed development will involve the closing/diversion of a public path(s) you are advised to contact the Highway Records team as soon as possible with a view to the necessary authority being obtained for the closure/diversion of the path(s) under Section 257 of the Town and Country Planning Act 1990. This process can take several months to complete.

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

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

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

- Reference to permitted standard hours of working:
0730 to 1800 Monday to Friday
0800 to 1300 Saturday
No working on Sundays or Public Holidays
- Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
- A communications strategy for principal sensitive parties close to the site.
- Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:
Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
Vibration.
Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
- A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
- A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
- Details of site access & egress for construction traffic and deliveries.
- A consideration of potential lighting impacts for any overnight security lighting.

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

9. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
10. 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.
11. The applicant is advised that responsibility for the safe development and occupancy of the site rests with the developer. The Local Planning Authority has evaluated the risk assessment and remediation scheme on the basis of the information available to it, but there may be contamination within the land, which has not been discovered by the survey/assessment.
12. 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.

13. Should Doncaster Sheffield Airport reopen, the applicant is advised that any high reach access equipment or 5g communication masts must have the airport's prior permission before use.
14. 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

15. The cycle lane on Angel Street should stay fully operational and free of any obstruction at all times throughout the construction phase of the development where possible.
16. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

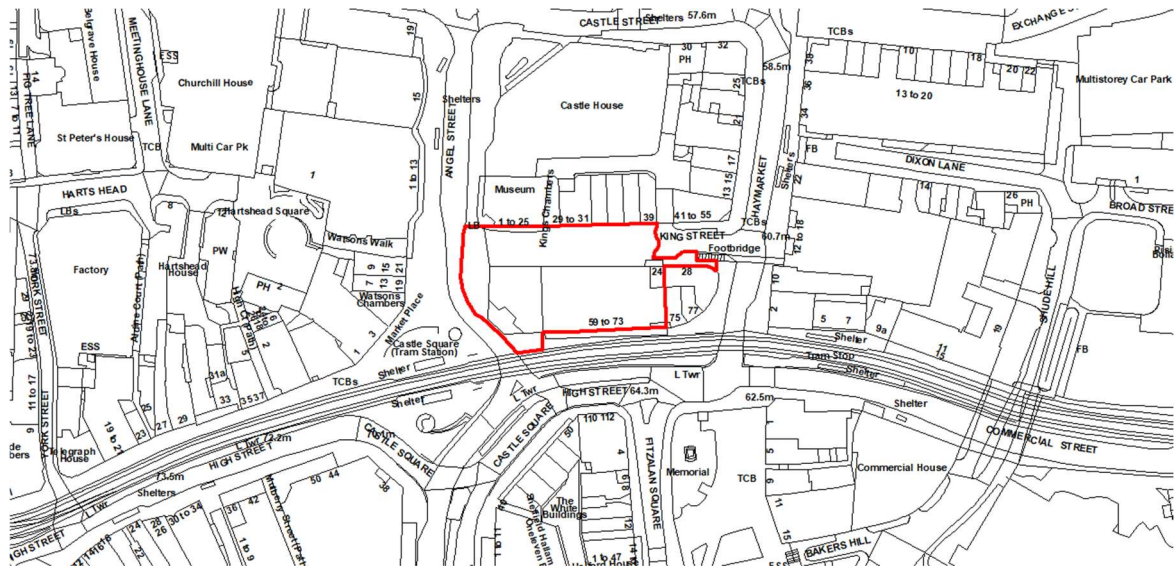
Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

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

The applicant is advised to start discussions early with the Highway Co-ordination Group in this case given the construction of the tower is likely to be problematic from a highways perspective given the severe constraints of the site.

17. The applicant is advised that while some of the wind mitigation measures are indicated on some of the approved plans, these elements are not approved. The use of trees to the westernmost end of King Street in particular raises concern and potential conflict with the Grey to Green scheme, and the wind mitigation measures in this area will require further consideration, and the use of more sculptural elements in this area may be more appropriate.
18. The submitted demolition method statement states that access for vehicles would be gained from King Street, and it is agreed that this is the only feasible option for access during construction works. The statement notes that it is a necessity to contact Supertram in relation to scaffolding etc. The applicant is advised that they will indeed need to contact Supertram and also secure all the necessary approvals from Highway Co-ordination and Regulation prior to any works commencing, including the site compound.

Site Location



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The new National Planning Policy Framework (NPPF) was published on the 19th December 2023 with insufficient time for the revisions to the NPPF to be incorporated into this report. The changes are however relatively limited and a decision will be made in due course whether to defer this matter to enable a new report to be provided at a future committee or whether a supplementary report can be prepared for Members and circulated in advance of the January meeting identifying any important changes that would need to be taken into account in determination of the application.

LOCATION AND PROPOSAL

The application relates to a vacant retail premises at the corner of Angel Street and High Street (no. 51-57 High Street), within the City Centre.

The proposal is for the demolition of the building and the erection of a 40-storey co-living residential tower (use class Sui Generis) with a ground floor commercial unit (use class E – commercial, business and service).

The co-living residential tower would comprise 428 x studio units in the following arrangements:

- 1 x 4-bed cluster
- 37 x 5-bed clusters
- 37 x 6-bed clusters
- 1 x 7-bed cluster
- 1 x 10-bed cluster

The application site also incorporates the majority of the basement, ground and first (referred to as the mezzanine to align with the proposed floors within the tower) floors and a portion of the second floor (referred to as the first floor) of the adjacent building at nos. 59-75 High Street (i.e. the Easy Hotel building). The proposal seeks to change the use of part of the basement and ground floor of nos. 59-75 to commercial (Use Class E) and residential ancillary uses (gym and co-working area), with 20 no. studio units at first and second floor level, for use in connection with the Sui Generis co-living tower.

As part of the works, King Street to the rear and the surrounding public realm would be improved, with the existing King Street market reincorporated, and vehicular access created from King Street onto Angel Street.

RELEVANT PLANNING HISTORY

Regarding the current proposal:

22/01849/EIA - EIA (Environmental Impact Assessment) Screening opinion request for the erection of 41-storey residential building – Environmental Statement Not Required 06.06.2022

Regarding the previous approval of a residential (use class C3) tower:

20/03193/FUL - Demolition of 51-57 High Street and erection of a 39-storey tower plus basement comprising; 206 no. apartments (Use Class C3); plant at basement level; a commercial unit (commercial, business and services (Use Class E) or drinking establishment or hot food takeaway (Sui Generis) with mezzanine and ancillary residential accommodation at ground floor level; use of part of second floor of 59-73 High Street as ancillary residential accommodation; works including hard and soft landscaping to King Street and reconfiguration of access at the King Street/Angel Street junction – Granted conditionally 09.12.2020

The above consent has now lapsed. Nonetheless, such recent lapsed permissions remain a relevant material consideration.

19/01422/EIA - EIA (Environmental Impact Assessment) screening request for a decision as to whether the proposal is EIA Development for the purposes of the EIA Regs (Residential Development) – Environmental Statement Not Required 10.05.2019

Regarding the temporary relocation of King Street market:

21/00262/RG3 - Use of land for temporary siting of market (Application under Regulation 3) – Granted conditionally 30.03.2021

SUMMARY OF REPRESENTATIONS

7 no. objections have been received from neighbours and interested parties (including ChangingSheff - City Centre residents association), in summary raising the following issues:

- Agreement that Castlegate needs investment and redevelopment but queries raised regarding the justification
- Design not in keeping with area, scale/height will dwarf neighbouring buildings, out of scale with its surroundings
- Impact on Listed Buildings and their setting detrimental, the benefit does not outweigh harm
- Impact on natural daylight for neighbours
- Wind microclimate assessment submitted but a more robust analysis of the implications of airflow in the local area would be useful
- Plans block access to the shared entrance/fire exit with the National Video Game Museum on Angel Street and safety concerns regarding access via a construction site
- Proposed through road of King Street onto Angel Street a safety concern and congestion/pollution at the bus gate
- Construction disruption, noise, dust, and debris, loss of revenue for local businesses
- Increase in people in a small area, negative impact on local services, healthcare and parking
- Appears to be for students (marketed as 'co-living'), already enough student accommodation, seasonal economic benefits and not paying Council Tax, buildings will be empty and neglected or require expensive conversion/demolition
- Living conditions substandard, no outdoor amenity space for residents and other

issues associated with living in a tall building i.e. reliance of lifts

- People forced into small living conditions and shared amenities due to pricing out of the housing market and to generate income
- To create mixed communities a better mix of accommodation including family accommodation is needed, of appropriate size
- Single stair and fire safety concerns, compromising neighbouring fire escape arrangements

Cllr Mersereau, on behalf of the City Ward Councillors objected to the proposals, in summary stating that there is no value of another student block in the City Centre, as there is already an over-supply. They query whether there has been consideration that the block could remain largely empty? They state that such accommodation will do nothing to bring population stability to the Ward, which has a very high turnover of residents. The City Centre is rightly being considered as a growing neighbourhood and needs a greater variety of accommodation than shared student and 1 bed flats. A 40-storey tower block would be out of keeping architecturally with the rest of this part of the City Centre, and potentially could mean a loss of light for existing residents living in the area.

In addition to the above objections, Sheffield Conservation Advisory Group commented, in summary stating that whilst an interesting concept, it is outside the Conservation Area. The Group expressed concern over the sheer scale which would dominate the City Centre with a negative impact upon the Conservation Area and the many listed buildings, including Sheffield Cathedral, the spire of which would be dwarfed.

RESPONSE TO REPRESENTATIONS

Issues regarding scale, design, conservation impacts, daylight, wind/microclimate, local services, economic/regeneration issues and fire safety are addressed in the planning statement below. However, the following responses are made in direct response to the more specific concerns raised.

It should be stressed that despite concerns to the contrary, the scheme is not a purpose-built student accommodation (PBSA) development, and the general issue of creating mixed communities is addressed in the report below. It is therefore not possible to draw any meaningful conclusions from the concerns raised regarding the seasonal impact on the economy, or the likelihood of buildings being unoccupied, for example.

Documentation regarding the wind microclimate assessment submitted is considered to be a robust analysis that enables a full assessment of the situation, and is discussed further in the report below.

Landscaping issues are considered in the planning assessment below. In summary, the final design of the public realm works around the site and in proximity to the entrances of neighbouring buildings has not been included for final consideration here, and these works would be secured by condition, where the full impact on access can be considered. Some public realm works on Angel Street have already been undertaken through the Council's Grey to Green extension,

including the creation of the through access vehicular route from King Street onto Angel Street (designed to tie into the public realm works of the previous consent for a 39-storey tower), which would remain in principle as part of any public realm works on King Street for any amended proposal. At present it is therefore not considered that the proposals can be considered to negatively affect access to neighbouring buildings.

Concerns raised regarding access, safety and disturbance during construction would be addressed by the requirement for a Construction and Environmental Management Plan (CEMP) to be submitted by condition before works commence, as discussed below.

The impact on revenue for local businesses during construction work is not a material planning consideration.

Concerns regarding the increase in people in a small area and the negative impact on local services and healthcare is noted. However, the proposal is of City Centre wide significance, which has ample services. The Community Infrastructure Levy also exists to improve services in connection with development proposals, see below.

Maintenance issues with lifts in tall buildings would not be a material planning matter that could justify refusal of a tower. This would be a private maintenance matter for the management of the building.

Concerns raised regarding the small living accommodation being a response to the current housing market conditions and the income of developers are noted. However, the proposed living conditions and the assessment against the local policy intended to create mixed communities (Core Strategy Policy CS41) are considered separately below. Some regard has to also be given to market conditions, as it is in the developer's interests to build a viable scheme that will let.

PLANNING ASSESSMENT

Planning Policy Context

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

The Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in September 2023 (the NPPF) is a material consideration (paras 2 and 218 of the NPPF).

Paragraph 219 of the NPPF provides that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing

policies in a development plan, according to their degree of consistency with the NPPF.

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

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

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

Proposed use

The previous consent for the site (ref 20/03193/FUL) is a 39-storey tower comprising 206 no. apartments (Use Class C3) and a ground floor commercial unit. The proposal in question now primarily seeks to change the scheme to a 40-storey co-living residential tower (Sui Generis), of the same general external design approach and with the same public realm works.

The proposed co-living scheme would comprise self-contained, one-bed studio units with communal living/dining areas. The 428 no. units within the tower would be arranged within clusters of generally 4 or 5 no. studios around a semi-private, shared living/dining space, for use by occupants of that cluster.

20 no. studio units would be included within the existing adjacent (Easy Hotel) building, as part of the wider co-living development. These studios would be larger and not arranged into clusters. The remaining portion of this existing building, outside the scope of the application, would remain in use as a hotel.

In addition to the communal living/dining areas within the clusters discussed above, there would be a co-working area with a ground floor unit fronting High Street and a gym at basement level, primarily for use by the occupants of the development. Both of these elements would be classed as Sui Generis, as a fundamental elements of the co-living use.

While all units would be self-contained, the proposed scheme differs to traditional residential accommodation (use class C3) in the way the accommodation is managed, and with emphasis placed on living, working and socialising within the

communal spaces provided on each floor, rather than within each private residential unit.

There lacks a clear planning definition for co-living schemes, however, nationally and locally these are generally accepted as Sui Generis uses. In this case, the proposed scheme is considered to differ enough from a traditional C3 residential apartment scheme to warrant Sui Generis classification, in a similar way to purpose-built student accommodation (PBSA), which is also generally classed as a Sui Generis use.

The 20 no. studios in the existing building would be larger and fully self-contained with no communal living/dining areas, and therefore could be considered separate C3 units. However, these 20 no. studios would also only represent less than 4.5% of the units within the whole scheme and would operate and be managed as part of the wider co-living use, benefitting from access to the gym and co-working facilities. As such these 20. No studios can be considered as part of the Sui Generis co-living use in this case.

While there is an oversupply of PBSA within the city, as evidenced by the Cushman & Wakefield report (Dec 2021), it should be stressed that the proposal is not a student specific scheme, and would be open to all potential occupiers.

The proposals include 2 no. separate commercial (use class E) units at ground floor level, 1 no. within the tower and 1 no. with the existing Easy Hotel building fronting King Street. The operators and final uses of these units are yet unknown. The general intention indicated by the applicant is that the commercial uses would supplement and support the co-living use. However, use class E would permit a range of uses including shops, cafes/restaurants, financial/professional services, sport/fitness/recreational uses, medical/health services, nurseries/day centres and offices/light industrial uses (which are compatible with residential uses).

Overall, it is accepted that the co-living scheme proposed shares similar characteristics with proposals for schemes that may contain only studios or PBSA, which would be likely to be considered unacceptable in principle due to oversupply and the requirements of Core Strategy Policy CS41 (discussed below). However, assessed on its individual merits, the proposed co-living scheme is considered to be sufficiently different to such other schemes due to its make-up and the level of amenity and internal space standards provided. These elements are assessed in the amenity and other land use consideration sections below. Essentially, while the scheme would comprise only studios, these would be generally arranged into clusters, forming smaller communities throughout the building, and would be open to all occupiers, not just students, with an acceptable level of amenity and space standards. The proposed co-living scheme can therefore be accepted in principle in this case, subject to all other considerations discussed below.

Principle of development

The site lies within the Retail Core of the Central Shopping Area, as designated by the UDP, where Policy S2 identifies shops as the preferred use at ground floor frontages.

UDP Policy S3 lists shops, offices and restaurants (which would now all fall within the new use class E) and residential uses as preferred elsewhere within the Central Shopping Area (i.e. at upper levels in this case).

However, since the introduction of class E, the above policies are considered out of date, as it is not possible to prevent changes from a preferred retail, office or food use to a non-preferred commercial use, now all within the same use class. This prevents the effective implementation of UDP Policy S10(a) which seeks to not prejudice the dominance of preferred uses in the area.

Furthermore, moving forwards there is less emphasis on retail in Castlegate due to the ongoing Heart of the City 2 development, which is nearing completion, and the recent regeneration of the Moor.

The Retail Core designation and identified UDP Policies are also less relevant following the adoption of Core Strategy Policy CS17. Policy CS17(i) seeks to reduce the retail presence in Castlegate by promoting a mix of uses in the area, including housing. As such, a residential tower with the broad range of uses permissible under Class E for the proposed ground floor commercial units (and other ancillary uses) would accord with the aims of CS17.

Generally, the proposal would accord with the aims of Policy CS17 and would assist the wider regeneration of the Castlegate area with a landmark project, which is a significant benefit of the proposal.

Despite CS17 moving the focus away from retail, Core Strategy Policy CS18 does still promote limited new retail uses on the ground floor frontages at the approaches to the Primary Shopping Area, including at High Street and, to a more limited extent, at King Street. The proposal would assist this aim, should the proposed commercial units be taken up for retail purposes. If not, other complementary commercial uses would still support the general vitality of the area without undermining the Primary Shopping Area.

The proposal would assist the aims of Policy CS27(h) which promotes the expansion of City Centre living with a mix of tenures and forming part of a mix of uses, with Castlegate identified as a suitable location. The proposal would introduce a new tenure type to Castlegate, within a mixed-use scheme with commercial uses included. These local policies and the proposals would overall assist the requirements of NPPF Section 5, which seeks to deliver a sufficient supply of homes.

These local policies are also in line with NPPF para. 86, which requires decisions to support the role of town centres by taking a positive approach to their growth, management and adaptation. NPPF para. 86(b) further supports the aims of the UDP and Core Strategy policies to define the extent of town centres and primary shopping areas and make clear the range of uses permitted. This approach is in conjunction with paragraph 86(f), which also recognises the role that residential development can play.

Emerging Local Plan

The emerging Local Plan was submitted to Government for examination in October 2023. The Plan allocates the site (allocation ref: CW11) as a Strategic Housing Site. The site lies within the proposed Central Area Flexible Use Zone, where Policy VC3 identifies housing (including shared HMO type housing) and commercial (E class) uses as acceptable. While co-living residential uses are not specifically mentioned, the overall proposal would not appear to be at odds with this proposed future policy, which generally supports residential (including shared type housing) and commercial uses.

The site lies in the proposed Central Sub-Area (Castlegate Character Area), where Policy CA2 seeks to deliver approximately 1,845 homes (including the full mix of residential types) and 2.1 hectares of employment land (through a combination of existing planning permissions and new site allocations). The proposal would therefore assist this aim of the emerging Local Plan. The policy also promotes improvements to pedestrian routes and opportunities to expand to the Grey to Green scheme, which this proposal would also directly support.

In addition to the above, the site lies in the proposed Castlegate Priority Location, where Policy CA2A seeks to deliver the site allocations (including CW11), which would equate to around 330 new homes and approximately 1 hectare of non-residential development in a truly mixed neighbourhood, integrating a variety of complimentary uses and necessary community facilities.

While limited weight can be attributed to these emerging, unadopted plans at present, they highlight the likely direction of travel. The proposal would clearly assist the future aims of these policies, should they be adopted as drafted, by providing a mixed residential and commercial development. Castlegate does not contain any co-living schemes, and the proposal could therefore be considered to assist with the mix of residential types offered.

It is noted that emerging Policy NC5 would be relevant, which aims to create mixed communities, however, the implications would be similar to those as addressed below in relation to current Policy CS41.

Other land use considerations

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

The site has been previously developed and therefore new homes developed on the site would contribute to meeting the objective of Core Strategy Policy CS24, which seeks to maximise the use of previously developed land for new housing.

Core Strategy Policy CS26 aims to make efficient use of land for new homes and states that the appropriate density for sites in the City Centre is at least 70 dwellings per hectare. The proposed co-living tower would result in a density well in excess of this requirement, which is welcomed in this highly accessible, well serviced City Centre location.

These Core Strategy policies and the proposals put forward are in accordance with NPPF para. 124 which requires decisions to support development that makes effective use of land, and specifically in this case part (c) which requires the availability and capacity of infrastructure and services and the scope to promote sustainable travel modes that limit future car use, and (d) the desirability promoting regeneration, to be all taken into account.

The Core Strategy policies and proposals are also in accordance with NPPF para. 120 which states that decisions should (a) encourage multiple benefits from urban land through mixed use schemes, (c) give substantial weight to the value of using suitable brownfield land within settlements for homes and (d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

Core Strategy Policy CS41(a) seeks to create mixed communities by providing a broad range of smaller households in the City Centre where no more than half the homes in larger developments (60 dwellings or more) consist of a single house type. While the proposal would provide for smaller households in the City Centre, it is acknowledged that the co-living tower would entirely comprise one-bed studio units, although these would be arranged into clusters (of primarily 5 or 6 studios), while some studios would not be arranged into clusters.

However, Policy CS41 also does not specifically address co-living in the policy wording, which is an emerging tenure within the housing market. The interpretation of the policy wording is therefore unclear, as co-living as a concept post-dates the policy, which was adopted in very different housing market conditions. The policy explanatory text states that “a single house type is defined as one with the same number of bedrooms and of the same design or generally similar characteristics (eg 4-bedroom houses, 1-bedroom flats, student cluster flats)”. This could be interpreted both that cluster flats are all a single house type (regardless of bedroom numbers), as they have similar characteristics, or that they are a different house type where they have a different number of bedrooms. For completeness, both scenarios are considered below.

Clusters of 5 and 6 bedrooms/studios make up the vast majority of the scheme. These are split evenly with 37 no. clusters of each. Should these be interpreted as a different house type (due to having a different number of bedrooms), no single house type would be dominant, and the proposal would pass CS41(a).

However, it is acknowledged that there is not a significant difference in a cluster of 5 or 6 no. studios. Should these be interpreted as the same house type (due to having the same characteristics), studio clusters would dominate the proposal and it would fail CS41(a).

However, given Policy CS41 does not specifically address co-living and the interpretation is unclear, it would be difficult to substantiate a refusal on the grounds of the proposal failing to create mixed communities.

Furthermore, a refusal on these grounds is also not considered justified given there are no other co-living schemes within Castlegate. The proposal would introduce a

new tenure type to the area, assisting the creation of mixed communities at a neighbourhood wide level, rather than the site-specific level required by Policy CS41. This would assist the overall creation of mixed communities, albeit not in line with the site-specific method of the policy.

It is nonetheless unfortunate that one-bed studios (generally in similar clusters of 5 or 6) would make up the entire scheme, and a greater mix, including family apartments, would be preferable, to assist mixed communities within the development itself, especially given its size. However, the design of the scheme and its promotion of an increased level of social interaction between tenants would introduce a new and unique community within Castlegate and variety to the tenures within the housing market in this neighbourhood.

Given that weight has been attributed to the fact that this is a co-living scheme in the assessment against Policy CS41(a), a condition would prevent the individual residential units being let or sold off separately as standard C3 apartments.

CS41(d) states that mixed communities will be promoted by limiting new or conversions to hostels, purpose-built student accommodation and Houses in Multiple Occupation where the community is already imbalanced by a concentration of such uses or where the development would create imbalance. The policy states that this objective will be achieved by limiting the forms of housing set out in part (d) where more than 20% of residences within 200 metres of the application site are shared housing.

Again, interpretation of the policy is unclear, although CS41(d) does not list co-living as a form of shared housing, this tenure type post-dates the policy, and there is clearly a shared element to the scheme. Both scenarios are therefore assessed below.

Given that co-living schemes are not explicitly listed as a form of shared housing that should be limited to a 20% density within a 200m radius, and given the fact that this is a hybrid model of accommodation, with all studio units self-contained, CS41(d) could be considered to not be relevant in this case.

However, there is clearly a shared element to this model of accommodation. The density of shared housing within 200m of the site is already over 20% (approx. 33%) and this would therefore increase further with the proposal. Considering the scheme as a form of shared housing, the proposal would fail CS41(d).

However, again, a refusal against CS41(d) would be considered difficult to substantiate, not only due to the fact co-living is not referenced by the policy and the studio units are self-contained, but due to the original purpose of the policy. CS41(d) was introduced to protect existing suburbs, where there is an existing and significant residential population, from the issues associated with a dominance of shared housing. In this case, the site lies within the City Centre and in an area that does not have a significant or well-established residential population. The 33% figure is therefore taken from a low population base. As such, it is not considered justified to refuse the scheme due to an over dominance of shared accommodation, especially as the proposal would introduce a new tenure type to

the area and assist the wider regeneration and promotion of a new residential neighbourhood in Castlegate moving forwards.

Given co-living is a new tenure type, its long-term success remains uncertain. However, an example floor plan (published 07.11.22 on the planning file) has been submitted to demonstrate that a typical floor within the tower could be converted into a range of standard one-bed and two-bed residential units (use class C3), which would accord with the required GIA as per the nationally described space standards. Units within the existing Easy Hotel building could also be easily converted back to other uses given these would be created by installing new partitions within an otherwise open plan floor. This demonstrates future proofing should the co-living model become commercially unviable, which would mitigate against the building standing empty. Any future change would require planning consent.

Five year housing supply

Paragraph 74 of the NPPF requires the Local Planning Authority to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement. At present, Sheffield cannot identify a five year supply (at the base date of 1 April 2023 the supply was 2.87 years for the period 2023/24 to 2027/28).

The "tilted balance" as discussed above therefore applies, and significant weight must be attributed to the benefits of the proposal which would significantly assist Sheffield's required supply of housing (448 no. additional units in total), given this is a key objective of the NPPF.

Commercial and ancillary residential uses

The general intention is for the uses at ground floor and basement levels to be ancillary and support to the wider co-living use, primarily for use by residents. This includes 2 no. E class commercial units and the co-working and gym spaces.

As stated, the 2 no. commercial units would fall within use class E, permitting a range of uses, as listed above. It is noted that not all potential class E uses may be of primary benefit to occupants of the development. However, the applicant has expressed the need for a commercial/market lead element to this part of the scheme to assist viability, and it is considered that occupants would likely generally benefit from the range of most likely commercial uses.

Furthermore, given the scale and prominence of a development of this nature, it is generally expected that retail or other complementary uses would be included on the ground floor of the development, assisting the aims of Core Strategy Policy CS18, as discussed above. In this case, given the location of these units, they would introduce welcome active frontage at the corner of Castle Square and King Street (currently a blank facade), further drawing footfall into this area of the City Centre and increasing the regeneration benefits of the scheme.

The inclusion of 2 no. E class units (as opposed to just Sui Generis residents'

amenity space for example) is therefore considered appropriate, especially as there would be an otherwise good level of amenity space provided within the building for residents (assessed below). The co-working and gym space would be fundamental to this provision, and it is therefore considered that these elements should be classed as part of the wider co-living use under the Sui Generis use class.

The intention is for co-working and gym spaces to also have a commercial focus and be open to the public, again for viability purposes. This is not an unwelcome feature, as it would facilitate public interaction with the scheme, opening the building up to the public and linking the development to the wider community, providing additional amenities for existing residents in the area and retain further active frontage to High Street.

Any concern regarding the ongoing future retention of the co-working and gym could be addressed by a condition to ensure that these spaces would remain as key parts of the co-living scheme, which should be retained for the primary use of occupants of the development. The classification as Sui Generis would also prevent any changes of use being made without planning permission.

The final layout of the basement within the existing Easy Hotel building (approx. 715m²) is as yet unknown, however, the applicant has committed to the majority of the space (450m²) being used as the resident's gym, with the option to utilise the rest of the basement as E class space to supplement the commercial unit above (i.e. as a commercial kitchen space, for example) if required, or as additional Sui Generis amenity space. The final layout can be secured by a condition, which would stipulate a minimum of 450m² gym space.

Regeneration benefits

Castlegate is an area in transition, with recent improvements such as the Grey to Green public realm expansion up Angel Street. However, the area still lacks a significant, established residential population and local services. The area is ideally situated for such a major landmark proposal to act as a catalyst to regeneration in the area, especially given its excellent public transport links with the Castle Square tram stop adjacent and its gateway location, just south of the Wicker.

As discussed above, the proposal would assist the aims of local policies and the NPPF in helping to introduce a significant new population into the area and provide additional local services in the form of the commercial elements of the scheme. This would significantly increase footfall and vitality in this part of the City Centre, which would assist the future regeneration of the area, in accordance with NPPF para. 124(d) which states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of promoting regeneration and change.

The proposal would support the general regeneration aims of the Core Strategy and emerging Local Plan. In particular, the proposals would assist the aims of Core Strategy Policy CS23, which promotes concentrated housing development where it would support urban regeneration and make efficient use of land and

infrastructure, and CS25, which identifies the City Centre as a priority location for new housing where it would involve mixed-use development that would support economic regeneration.

The Sheffield City Centre Strategic Vision (2022) is a document intended to inform the development of the emerging Local Plan. The proposal is in accordance with the aims of the Vision, which promotes Castlegate as City Centre gateway location, a high-density mixed-use area and a new live-work neighbourhood.

In particular, the proposals would assist the Vision's priority for large scale residential growth in Castlegate for a variety of demographics/tenure types and key worker housing. As stated, Castlegate does not have a co-living scheme and this would introduce a new tenure to the area, which may be desirable for key workers, especially young professionals, for example.

The Vision highlights public realm improvements and the expansion the Grey to Green network in Castlegate as an opportunity. The scheme's proposed public realm works around the site and to King Street would connect and complement the existing Grey to Green scheme (discussed below).

The Vision encourages Castlegate's neighbourhood transformation through mixed use, landmark developments, and highlights opportunities for increased height. The proposal represents a direct response to this opportunity.

The Vision discusses the need for retail and community facilities to support the new residential neighbourhood, and also highlights opportunities for new co-working spaces. The proposal includes these elements to support the development of the site and wider area.

As a document to inform the development of the emerging Local Plan, only limited weight can be attributed to the City Centre Vision in decision making. However, it forms an evidence base for the likely future direction of travel for the City Centre and assists in highlighting the significant and appropriate regeneration benefits of the scheme, acting as a catalyst for further regeneration in the Castlegate area and wider City Centre.

Design

The external design approach is generally as previously approved by the lapsed consent, albeit increased in scale by a single additional storey, raising from 39 to 40-storeys. At this scale, the additional storey does not make a material difference to the overall design impact or scale of the approved development, as viewed both in the streetscape and cityscape. Nonetheless, the full assessment is given below.

The site occupies a prominent corner plot, at the junction of High Street and Angel Street, addressing Castle Square, a busy node within the City Centre, with a tram stop and various bus routes converging on High Street, Angel Street and Arundel Gate.

The site comprises a modern, mid 20th Century, 5-storey building, finished in

Portland Stone with a flat roof. The buildings around Castle Square share a relatively consistent scale, and have similar materiality, built around the same period, and therefore have a clear group value that contributes to the formation of a townscape set piece.

That said, the building in question distinguishes itself through its lack of architectural quality (except for the use of Portland Stone cladding). The building occupies a far smaller footprint due to the configuration of the block, resulting in the massing to this corner of the square differing to the other, more substantial buildings. Of all the corners facing the square, the subject site therefore most readily lends itself to a variation in approach, including a departure from the established scale.

The principle of a tall building on the site is considered to be acceptable given the city centre location, the relatively high ground, the frontage onto a major focal point (Castle Square) within the cityscape, the association with transport infrastructure (tram stop), the corner location, and the ability to gain long views of the full tower, particularly from the west down High Street and the south down Arundel Gate.

The proposed 40-storey tower would be of contemporary design. The tower would predominantly comprise a concrete grid form, with vertical emphasis and a curved façade facing south-west and addressing Castle Square, infilled with floor-to-ceiling glazing and metallic (bronze coloured) panelling to the reveals.

The tower would feature a base finished in brick slips (in a tone similar to Portland stone), above a recessed, glazed commercial unit at ground floor and double-height residential lobby. The base would ground the development with brick columns, breaking up the expanse of ground floor glazing.

The base would be separated from the main concrete grid element by a glazed recess, although the brick base would also extend vertically up the northern portion of the tower to the crown, creating an 'L' shaped element, separating the tower into two main, but well-linked component parts, adding design interest. The fenestration to the brick element would be staggered and contemporary in nature, which is considered to complement the design approach and suitably break up the massing of this element, in contrast to the more ordered grid element.

The eastern elevation would feature a recessed stair core in profiled glass. The crown of the tower would be formed by the elongation of the main gridwork and fenestration, with the profiled glass stair core rising above, to be internally lit, acting as a beacon at night.

The tower is considered to be of high architectural design quality. The massing would be broken up into appropriate components, which add design interest and assist in grounding the development and creating an elegant structure in the skyline. The design, scale and form are therefore considered to be appropriate.

The proposed scale has been explored by the submission of a Townscape and Visual Impact Appraisal, with a series of agreed verified views submitted with the proposal. The appropriateness of the scale and the form are related, and the

proposal is considered to be a suitable addition to the cityscape.

By their very nature, tall buildings have a dominant impact on their local context and impose themselves on the wider area to become an enduring image of the city's skyline. Therefore, the requirement is for an exceptional standard of design detailing and materials. Large scale façade study drawings have been submitted, illustrating appropriate quality of detailing and materials, and these would be conditioned.

Portland Stone is the predominant material around Castle Square. The brick and concrete proposed would be in the tone of Portland Stone, which would complement the setting, particularly the adjoining Easy Hotel building. Full sample details of all materials would be conditioned to ensure quality.

Given the design of the tower is well progressed, large scale façade study detailed drawings have been submitted. These are considered to represent a good design quality for elements such as windows, reveals, ground floor detailing to street, podium and crown. As such, these drawings would be listed as approved under condition no. 2, to agree the principles. Nonetheless, samples and full large-scale details of all glazing and windows to the tower would still be required to ensure appropriate quality and would be conditioned.

As per the lapsed consent, full details of lighting and signage strategies for the building would be required by condition to ensure appropriate quality.

The proposal would involve 7 no. new window openings to the front and rear elevations of the existing Easy Hotel building to serve 5 no. of the proposed the studios. These openings would align with the fenestration and design detailing of the windows to the existing building and raise no design concerns. The proposal would also include a new shop fronts and entrances to High Street and King Street, which is welcome as this would add interest and active frontage to this blank ground floor elevation. Full large-scale details of all items mentioned above would be conditioned to ensure appropriate quality.

The proposal is considered to accord with the overall design principles as set out by UDP Policies BE5 and S10(d), and Core Strategy Policy CS74. These design polies are considered up to date an in accordance with the NPPF as a whole and specifically section 12 which seeks to achieve well designed places.

Conservation

The site lies just outside the City Centre Conservation Area, which finishes approx. 35m away to the west, across Castle Square, and includes the Bankers Draft public house (no. 1-3 Market Place), which is a Grade II Listed Building.

Other Grade II Listed Buildings in the vicinity (but outside the City Centre Conservation Area) include; Castle House; no. 2 Haymarket/nos. 5-7 Commercial Street; the statue of King Edward VII in Fitzalan Square; nos. 6-12 Fitzalan Square (the White Buildings); and the former Head Post Office.

A Heritage Statement was submitted given the significant scale of the proposed building and its proximity to the City Centre Conservation Area.

UDP Policy BE16 requires development to preserve or enhance the character or appearance of a conservation area. The policy also relates to developments which would affect the setting of a Conservation Area or significant views into, or out of, the Area, as is the case here.

UDP Policy BE19 states that proposals for development within the curtilage of a building or affecting its setting, will be expected to preserve the character and appearance of the building and its setting.

Chapter 16 of the NPPF (Conserving and Enhancing the Historic Environment) states that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. Paragraphs 194-202 are relevant and advise that the significance of a heritage asset should be considered and that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The NPPF goes on to state that great weight should be given to the heritage asset's conservation and that any harm to the significance of a designated heritage asset needs clear and convincing justification. 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.

It is considered that the principles of the local and national policies in relation to the conservation of heritage assets are somewhat aligned. However, the NPPF provides greater detail on how to assess and consider impact, including introducing the principles of substantial harm and less than substantial harm. As the local policies do not include this detail they carry only limited weight.

The scale of the development is such that it would create a prominent feature that would be visible from views into and out of the Conservation Area. Nevertheless, as previously justified, this is considered to be a suitable location for a tower given its siting at the frontage onto a major focal point, with the ability to gain long views of the full tower, particularly down High Street.

The concerns raised regarding the scale of the tower and the impact on the low scale buildings in the Conservation Area, particularly on High Street and Fargate, and the Listed Buildings previously mentioned, such as the Cathedral's spire, are noted. However, the tower would act as a landmark building in the skyline, and by its very nature, be seen and understood as such, at this appropriate location. The tower would be visible down High Street, but as stated, gaining long views of the full building is considered to be a reason to support a tall building in this location. As such the development would be appropriately viewed in this landmark setting and would not compete in and amongst or overbear the lower scale heritage buildings within the City Centre Conservation Area or detract from the special features of interest of this heritage asset.

It is concluded that the development will not be harmful to nearby heritage assets

and complies with local Policies BE16 and BE19 and the NPPF paras. 194-202.

Public realm, access and landscaping

The proposal seeks to improve the public realm around the site to benefit the setting of a residential tower. This is most welcome, as the majority of the existing public realm is of poor quality. This would include the redesign and resurfacing of the whole of the pedestrianised area of King Street, and the public highway around the base of the tower on Angel Street and High Street.

The works to King Street also need to facilitate the servicing of the tower, the provision of some of the wind mitigation measures (currently shown as 6 no. trees in the highway, the final design and details of which need to be confirmed (see wind mitigation section below), and the reinstatement of the market that operates on King Street, which were all items addressed by conditions attached to the previous consent.

Since this lapsed consent, the Council's own Grey to Green public realm works, including a segregated cycle lane, have been implemented up Angel Street, terminating at King Street. The works were amended to accommodate the requirements of the lapsed consent in terms of access/servicing and the location of wind mitigation features. The works have therefore provided a through route from King Street, turning right onto Angel Street, for the occasional use by service vehicles. The current scheme would continue the proposed use of this turning facility.

The wind mitigation measures are in a fixed position dictated by the microclimate study and cannot be moved, although the design and appearance could, and probably would, need to be varied, as the Local Planning Authority maintain reservations regarding the use of trees for wind mitigation purposes (see wind mitigation section below).

Although the recent Grey to Green works are not reflected on the submitted plans, and the final design of the wind mitigation measures is as yet not confirmed, the fixed positioning of the wind mitigation measures would unlikely create significant conflict with the adjacent cycle lane or turning facilities, as these have been factored into the Grey to Green works. In addition, the wind mitigation measures would maintain a minimum distance of approx. 3m from the Videogame Museum entrance and shop fronts on King Street, which would provide sufficient space for pedestrians.

The renovation and reorganisation of King Street is required to enable the servicing of the tower (discussed further in the highways section below). As per the previous consent, it is envisaged that King Street would operate as a shared vehicular/pedestrian space, with the King Street Market reinstated back on the site. The market operates from demountable gazebo stalls, which would be utilised on the reinstated market. Only refuse vehicles would likely be permitted on King Street, in a one-way system exiting onto Angel Street, the junction for which has now been installed, as discussed above.

In addition to not showing the latest Grey to Green public realm works and junction arrangement onto Angel Street, it is accepted that the landscape works indicated on the plans for the wider public realm are generally basic and lack quality and detail, and would not be acceptable as presented.

The proposals for the public realm works would be expected to use the same palette of materials and to tie in with the design and layout of the Grey to Green scheme. It is also vital for any final scheme to maintain no conflict between the location (and design) of the wind mitigation measures, and the pedestrian environment and cycle lane, and entrances and shop fronts, should any amendments be required to the junction, for example.

Nonetheless, full and final details can be conditioned, as previously required by the lapsed consent. The proposed tower occupies the same footprint as the previous consent and the landscape plans have not progressed or developed since that consent. No landscape plans were previously approved and full details were conditioned as part of Section 278 highway works, as this was not (and still is not) a final, worked up plan.

Other public realm works to be acknowledged by the applicant in the redesign of the scheme are the Council's proposed works to Castle Square. Although these would be entirely separated by the carriageway of Angel St/High Street and would not interact directly with the proposed public realm works, coherency between the schemes would be welcomed.

The proposed public realm works would be secured by a Grampian condition which will require the applicant to enter a Section 278 agreement under the Highways Act to deliver the finally agreed scheme. This is because the full extent of the highway is under the control of the Council and we can therefore ensure an appropriate layout and quality as part of the final design details. As such the development would accord with UDP Policy BE6.

A vital point for consideration would be the arrangements for the ongoing maintenance of the crucial wind mitigation measures. These will clearly need to be retained for the lifetime of the development and any damaged features would need to be replaced as a matter of urgency. Therefore, the aforementioned condition would require the arrangements for this to be agreed with the highway authority (i.e. the Council).

In terms of access to the building itself, while the design and access statement refers to level access being provided at the external doors, the submitted details are unclear. However, as a new building, providing level access would be possible. The accesses would also need to be suitably wide (minimum 1000mm effective clear width) to provide inclusive access. As a new building, level and suitable wide accesses would be expected at all main entrances of the tower, including the residential lobby and commercial unit. If feasible, new entrances to the existing building should be upgraded where necessary to provide a level and suitably wide access. As per the previous consent, full details would be conditioned in order to ensure that the proposal accords with UDP Policy BE7, and NPPF para. 130(f), which requires developments to be inclusive and accessible.

Highways

The site lies within an extremely accessible location, with excellent links to public transport routes, including the Castle Square Supertram stop directly outside. The site is within easy walking distance from services and amenities within the City Centre.

The proposal would not feature any off-street car parking while some parking (or at a minimum some disabled parking) would be desired, this cannot be reasonably accommodated on the site. However, car free schemes are entirely acceptable in the City Centre and parking restrictions would prevent any unsafe parking around the site (and wider City Centre).

It would be the responsibility of any car owner to park legally, and it would be clear that the accommodation does not offer parking before any prospective tenant took on a lease. There would therefore be no on-street parking pressures or highways safety issues created or in the area.

Conditions would require a Travel Plan to be submitted to demonstrate how the developer would promote sustainable transport for residents given the lack of parking. For this reason, it is highly unlikely that residents would be eligible for City Centre parking permits, to avoid on street parking pressures, however, this would be determined by Parking Services and is not a planning consideration.

The South Yorkshire Combined Mayoral Authority stated that the submitted Transport Statement references the Supertram system, and South Yorkshire Passenger Transport Executive would welcome a proportion of investment (circa £75,000.00) in order to provide new and improved facilities at Castle Square tram stop to increase the attractiveness of this public transport option. The LPA consider this to be a justified request, given the size of the development, the close proximity of this tram stop, and the lack of dedicated parking, there would likely be a heavy reliance on public transport, particularly the Castle Square tram stop. The applicant has agreed to make the financial contribution, which is most welcomed, and the development would secure public transport infrastructure improvements.

A bike store would be provided for residents. The proposal does not provide the number of cycle parking spaces required by the current cycle parking guidelines (i.e. 1 space per unit). However, following consultation with the highways department, it is considered that provision of 448 no. cycle parking spaces would be excessive and the cycle store shown (118 no. spaces in a store of approx. 48m²) is more aligned with the current modal split. The cycle storage facilities are therefore acceptable and full details would be conditioned.

It is accepted that the development will generate some additional vehicular movements, primarily servicing, but also potentially taxis etc to the residential element, however, the Transport Statement submitted for the lapsed consent demonstrated that the anticipated additional movements would have a negligible impact on the overall operation (safety and capacity) of the adjacent highway network.

The proposal is now for 448 no. co-living studios, which would generate a higher number of vehicular trips than the previously consented scheme (206 no. apartments) due to the increase in the number of residential units. The submitted Transport Assessment demonstrates that the increase would be in order of an additional 21 no. vehicles in the AM peak and 23 no. vehicles in the PM peak. Given the location of the site, it is not considered that such an increase would have a materially greater impact on the highway network than the lapsed consent, which was concluded to be negligible in any case.

As alluded in the landscaping section above, the proposals for servicing remain as previously approved, with servicing (refuse) to be undertaken from King Street. In principle, refuse vehicles could enter a shared vehicle/pedestrian environment on King Street from the east, service the site from there and exit onto Angel Street. However, as previously stated, the Council's Grey to Green works have facilitated the alterations (as required by the lapsed consent and this proposal) to the King Street and Angel Street junction alongside the Grey to Green scheme. The use of a 'grampian' condition to secure the wider works, plus any minor amendments to the junction should these be required, is reasonable.

Separate commercial and residential bin stores would be provided within the buildings, accessed off King Street to reflect the servicing arrangements discussed above. This is shown on two refuse strategy plans. Amendments have reduced the size of the commercial bin store within the tower due to the location of a substation. According to the applicant, the bin storage facilities within the building are considered to be adequate with a management strategy in place. It is unknown at this stage whether collections would be via the Local Authority or private, however, it would be for the developer to arrange this and the collection frequency could be increased to reflect storage capacity, for example. As such, the above arrangements shown on the refuse strategy plans would be conditioned to secure the provision of the separate bin stores, alongside full details of a management strategy. This would prevent bins being stored in the highway and causing obstruction.

It is noted that there may be safety concerns regarding this pedestrian environment being shared by refuse vehicles, however, waste collections would only be very occasional, and are unlikely to be undertaken during busy times when the market is in operation.

The remaining servicing, including to the E class commercial units, would need to be undertaken from the bottom of King Street. However, given the small scale of these units, this is not considered to be unreasonable. A condition would require details of servicing to be submitted to ensure appropriate arrangements are in place (see noise section below).

It should be noted that as the highway boundary currently abuts the wall of the existing building it would be necessary for a small area of highway to be formally closed. The closure can be implemented under S247 of the Town and Country Planning Act as the land is required for the development to be carried out.

Overall the proposal is not considered to be incompatible with the aims of UDP Policy S10(f), which requires developments to be served adequately by transport facilities and provide safe access to the highway network, appropriate off street parking and not endanger pedestrians. While no off-street parking is provided, this is not considered to be inappropriate.

This is consistent with the NPPF, which also promotes sustainable transport, but clarifies in para. 111 that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case the impact has not been demonstrated to be unacceptable or severe.

Public Art

The development is of a scale to require the inclusion of public art. Rather than standalone artworks, successful public art integrates high quality design, craftwork and materials into the building and/or landscape works. In this case, it is expected that the public art would take the opportunity to add to the pedestrian experience and link to the Grey to Green scheme on Angel Street and Castlegate. There are opportunities for public art in the public realm on King Street and Angel Street and also in elements of the building that have a direct interface with pedestrians. Full details would therefore be conditioned in order to accord with UDP Policy BE12.

Living conditions and amenities of the locality

The following analysis of living conditions and the impact of the development on the amenities of the locality is broken down into the relevant sections and summarised against the policy requirements at the end.

Living conditions

The proposal for a co-living tower is substantially different to the extent consent (for standard residential apartments) in terms of the nature of the internal living conditions provided.

The proposal includes 428 no. self-contained studios arranged into clusters within the tower, with each cluster having a shared additional living/dining area. 20 no. larger, self-contained studios are proposed within the existing building, not arranged into clusters, with no additional living/dining areas.

The Nationally Described Space Standards are not adopted policy in Sheffield, and do not relate to co-living schemes. However, they are used here as a tool to demonstrate whether the general living conditions proposed are of suitable standards overall.

The national standards state that a one-bed one-person dwelling should have a minimum GIA of 37m² where this has a single storey and contains a shower room (as opposed to a separate bathroom), as is the case here.

All 20 no. studios within the existing building (not arranged into clusters) would

have a minimum GIA of approx. 37-38m², according with the standard, with 6 no. studios in excess of the standard (ranging approx. 41m² to 55m²). While these studios do not have access to additional living/dining areas, this can be accepted as they would be entirely self-contained and accord with national space standards. The studios would also have access to the co-working and gym space and would be managed as part of the wider co-living use.

These 20 no. studios were originally proposed as being accessed off shared lounge/amenity areas, which were essentially enlarged corridors/circulation space with no outlook or natural daylight. However, this has been omitted due to fire safety requirements. The omission of this space is accepted as this has improved the internal size of the proposed studios and the amenity space was low quality with no outlook in any case.

It is noted that the majority of these studios show a small mezzanine level, taking advantage of the high head height within the existing building. This space is not included in the space standards given above and is intended for additional storage use.

In terms of the clusters within the tower, each floor of the tower is generally made up of 1 x cluster of five studios and 1 x cluster of six studios, with the layout mirrored on each floor. It is acknowledged that each studio within the cluster arrangement, while being self-contained, would be particularly small. The studios would generally range from approx. 18m² to 20m², with some slightly larger. This is well below the 37m² required by the national space standard. However, each cluster would have a shared living/dining area generally either approx. 27m² (five studio cluster) or 30m² (six studio cluster).

In this case, a six studio cluster would have a total GIA of approx. 181m², and a five studio cluster would have a total GIA of approx. 145m². Comparing each cluster against a standard C3 apartment of equivalent size, the national standard requires the largest 6-bed (8 no. person, single storey) dwelling to have a GIA of 121m², and the largest 5-bed (8 no. person, single storey) dwelling to have a GIA of 125m². In both cases the overall GIA of each cluster would be well in excess of the standard for a C3 dwelling of the equivalent size.

The other 3 no. clusters (1 x four studios, 1 x 7 studios and 1 x 10 studios) would all provide a similar level of internal amenity, exceeding the equivalent national standard, and are also considered acceptable.

Overall, it therefore must be concluded that the proposed co-living scheme generally provides a good level of internal amenity compared to the nationally described requirements for an equivalent C3 scheme.

While the individual studios are accepted as small, what the proposal does do is alter the ratio between private and communal space compared to what would traditionally be expected in a standard C3 or HMO scheme. The national standard states that in order to provide one bedspace, a single bedroom must have a floor area of at least 7.5m². However, in this case, each cluster would offer a small, shared living/dining area and a small, private studio space, but the level of private

studio space would be higher (minimum approx. 18m²) than a typical bedroom in a standard shared dwelling, such as a HMO. With the studio being self-contained, this gives residents flexibility and choice in how to live and socialise. The overall offer is also supplemented further by the co-working and gym space.

While it may remain to be seen how successful co-living schemes will be in the long term, it cannot be concluded in this case that the internal space standards are substandard or unacceptable, utilising the nationally described standards as benchmark to demonstrate this. In addition, as previously stated, it has been demonstrated that the building can be easily converted into another residential arrangement in future if required (which would be subject to planning permission).

All studios would offer an outlook from a proper window and good levels of daylight amenity, as would the shared living/dining areas to each cluster. Where new windows need to be provided to the existing building, this would be conditioned to ensure provision before occupation.

It is noted that no balconies or outdoor amenity space would be provided, which is unfortunate, however, this is not uncommon in City Centre apartment schemes, and there is no policy requirement for this. The development would be in close proximity to various public spaces in and around the City Centre (i.e. Cathedral approx. 3m walk; Peace Gardens approx. 6m walk; South Street Park approx. 7m walk; Devonshire Green approx. 12m walk) and therefore the development can be accepted without such outdoor amenity provision.

The proposed scheme also represents other improvements in the living conditions compared to the previous consent. A small number of consented one-bed/studio apartments had a substandard outlook, which was not ideal but was reluctantly accepted given the small number of units affected. This is not the case here, as all main habitable rooms have an appropriate outlook. Furthermore, the lapsed consent created an internal overlooking issue between neighbouring apartments over the recessed stair core to the eastern elevation. This was reluctantly accepted due to the privacy issue being contained within the development itself. However, this has also been designed out of the scheme, which now presents no internal privacy issues for future occupiers. Both these amendments are welcomed.

Privacy of neighbours

The addition of a 40th storey would not have a material impact on privacy levels compared to the previous consent. The development would maintain a distance of approx. 14.2m away from the façade of the Castle House/Kings Chambers building to the north on King Street. While the development would present main habitable windows facing those of these existing neighbours, again, the separation of 14.2m is considered to maintain acceptable levels of privacy for both existing and proposed neighbours in this City Centre scheme, where suburban levels of privacy cannot be expected.

Noise and odours

The site lies within a busy City Centre location, where background noise levels are

high due to street activities, such as the King Street market, traffic, including buses and trams, and commercial uses in the vicinity.

A noise report has been submitted which is considered satisfactory. A condition would require a scheme of sound attenuation measures to be installed within the residential accommodation, based on the findings of the report, to achieve appropriate noise levels within the accommodation. This would ensure suitably quiet living environment for future occupants of the proposed building in this busy location.

The lapsed consent included a condition that also required sound attenuation measures to be installed within the proposed ground floor commercial unit to limit noise breakout to acceptable levels from potentially noisy commercial uses. However, the previous consent included permission for a drinking establishment or takeaway, which are generally noisier and later uses but no longer included here. A condition limiting amplified music to background levels is considered sufficient in preventing noise breakout from the commercial units in this case.

Any noise from the gym to other portions of the building would entirely affect the applicants own tenants, given the gym is a fundamental part of the co-living use, and this element would therefore be self-regulating, with no further controls required.

Given the commercial units would be directly below residential properties, and given activities in the street, with customers coming and going in the very early hours (when background noise levels are lower potentially causing unreasonable noise disturbance), a condition would limit opening hours from 0700 to 0030 on any day. This is in line with the lapsed consent. This would be reasonable in this City Centre location, but would prevent activity at antisocial hours causing likely disturbance to residents.

Any potential commercial food use (restaurant or cafe) of the ground floor units would require fume extraction equipment to be installed to ensure fugitive cooking fumes and odours do not cause disamenity for residents within the tower or wider area. The applicant has confirmed that riser provision would be available for the commercial unit within the existing Easy Hotel building, which would avoid the need for external flues, which would not be acceptable from a design perspective. Full details of the equipment to control the emission of fumes and odours would therefore be required by condition before any such use were to commence.

There would be no such riser provision for the commercial unit within the tower, although the applicant has acknowledged that this unit is likely to be too small for a commercial kitchen in any case. It is therefore envisaged that any food and drink use of this unit would take the form of a coffee shop, for example. While it is unlikely that a flue could be utilised for this unit, the condition mentioned above would still require details of any equipment to control the emission of fumes and odours before any food use within this unit would commence. The condition would therefore allow the LPA to ensure any equipment and cooking methods would be suitable.

A condition would require a Construction Environmental Management Plan (CEMP) to be submitted to assist in ensuring that all site activities are planned and managed to prevent nuisance and minimise disamenity for existing neighbours during construction, primarily the Kings Chambers accommodation at 1-3 King Street, directly facing the site. This has been amended to include the requirements of SYPTE and Supertram, as the network must remain safe and operational throughout construction, given this runs directly in front of the site.

A condition would require a delivery, servicing and refuse management plan to be submitted for commercial deliveries and associated activities, and set out procedures and controls designed to minimise local amenity impacts from delivery noise, as far as reasonably practicable, in order to ensure the amenities of existing residents, and future residents of the proposed tower are safeguarded.

Microclimate and wind

Given the scale of the building, the development has the potential to have serious implications on the microclimate, including the creation of significant wind, daylight and overshadowing issues. However, the proposed 40-storey tower would take the same form as the 39-storey previous consent, and would only comprise a single additional storey.

In summary, the proposed additional storey would not have a significant impact on daylight and overshadowing or the microclimate at lower levels over that of the lapsed consent, which itself was demonstrated to be acceptable.

Updated documents (overshadowing and daylight report, pedestrian level wind assessment and a microclimate assessment) have been submitted to demonstrate this.

The results of the “Sun on Ground” analysis and the “Transient Shadow” assessments maintain that the proposed development will have little or no impact on levels of direct sunlight to the adjacent pedestrianised areas to the north (King Street) or west/north-west (Market Place/Angel Street) of the application site, which also accounts for an extant planning consent for additional massing at the neighbouring site at 50 High Street. This was the conclusion made regarding the previous consent and demonstrates that the proposed additional storey would not materially alter this assessment.

In terms of daylight, the submitted solar analysis makes the same conclusions as before. It demonstrates that it would be only around midday to 13:00 when the tower would cast a direct shadow onto the whole of this neighbour’s southern elevation (which directly faces the rear elevation of the proposed tower). In the morning and afternoon, the sun would be to the east and west respectively, with direct daylight onto the southern elevation. While there would clearly be transition between these times, casting varying degrees of shadow, it is demonstrated that the tower would not block direct daylight to the most affected neighbour through the whole day. The most significant impact would be limited to the middle of the day. The existing building will also have some overshadowing impact on this neighbour, especially at midday given its close proximity immediately to the south

and similar height. Therefore, overall the impact on daylight and overshadowing to this, the most affected neighbouring property, is not considered to be unacceptable or unreasonable given the setting and existing scenario.

It was concluded that the development of a 39-storey tower would reduce some daylight to, and impact on the outlook of, the Castle House/Kings Cambers residential building to the north. However, the existing 5-storey structure on the subject site is at similar height to this neighbouring property, and it was not considered that the additional vertical massing would result in a significant reduction in outlook compared to existing. The addition of the proposed 40th storey here would not materially change this conclusion regarding neighbouring outlook.

The amended proposal seeks to increase the height of the tower by an additional storey (approximately 6m higher than the lapsed consent). All other parts of the design remain consistent with those previously assessed and the proposed mitigation measures at ground level remain unchanged.

The wind microclimate report from the previous consent has been resubmitted, with an updated statement confirming the previous assessments remain valid. In summary, while an increase in height typically results in an increase in wind speeds being down-washed to ground level, in this case, the development's slender/curved design promotes horizontal flow around the building rather than downwards.

As a result, wind speeds at ground level, in and around the site are not expected to increase (compared to the scenario of the previous consent) due to the relatively minor additional proposed height. All previously proposed wind mitigation measures remain fit for purpose. The assessment from the lapsed consent therefore remains valid, as follows.

Wind tunnel modelling has been undertaken and the microclimate report concludes that when the proposed development is completed, wind speeds would increase (compared to the existing scenario) in and around the site due to the significant difference in height between the proposed development and the surrounding buildings. This would result in several thoroughfare locations, entrances to the proposed development and some to surrounding buildings becoming windier than desired or exceeding the threshold for pedestrian safety.

However, a mitigation strategy was developed through further iterative testing, and this, and the design of the building (a slender tower with a curved south-western corner, where the prevailing south-westerly winds are encouraged to flow around the tower rather than being down-draughted to ground level) would reduce wind speeds at windier than desired locations and eliminate any safety exceedances in accessible areas.

The following measures are proposed:

- 1m canopy around the southern, western and northern elevations
- 1.5m fin at the south-western main entrance

- 1.5m solid fin at the north-western corner with an additional 1m porous extension
- Six 6m tall deciduous trees along Kings Street, on the opposite side of the road
- Three 3m long, 1m high 50% porous screens between the four easternmost deciduous trees

The report notes that despite these measures there would be one surrounding building entrance which would be one category windier than desired wind conditions (in terms of comfort), but this entrance would remain safe for pedestrian use. While not ideal, this can therefore be accepted.

However, as per the lapsed consent, the Local Planning Authority remain concerned regarding the proposed use of trees in the public realm for wind mitigation purposes, mainly due to maintenance issues.

Discussions with the previous developer as part of the lapsed consent demonstrated that it could be possible for mitigation measures to be of a different design (the principle of a sculptured, metal 'tree' was presented, for example), but these have to be in the locations specified. While the applicant here is different, the principle remains an option, and should be explored further by condition.

The Council's Grey to Green scheme was amended to factor in the fixed location of wind mitigation measures, as well as the required junction alterations, and this has largely addressed previous concerns regarding the location of these features causing potential conflict with the cycle lane, for example.

However, the design of the features, given the proximity of the cycle lane, junction and entrance to Castle House requires measures here to be carefully considered to prevent unnecessary obstruction. As such, while the findings of the report can be accepted, the final design of the mitigation measures themselves would require further consideration to demonstrate full compatibility with the Grey to Green scheme and ensure pedestrian and cyclist safety. Full details of the wind mitigation measures would therefore be required by condition, as per the condition attached to previous consent.

This would need to be accompanied by an updated microclimate assessment to demonstrate the suitability and effectiveness of the measures, and the timescale for their implementation, at an agreed phase of construction. The LPA reserve concern that other works in the vicinity of the site, such as planned public realm works to Castle Square, may affect the findings of the wind assessment, and any such changes to the built environment would also need to be addressed in the updated microclimate assessment.

Living conditions and amenities of the locality summary

Overall, as per the assessments above, the development would provide sufficient living conditions for future occupiers of the development and existing neighbours. The proposal for a 40-storey tower would not have a material impact on the issue of privacy, daylight and overshadowing, over and above that of the previous

consent for a 39-storey tower.

Given the proposal would provide sufficient living conditions for future occupiers it would accord with UDP Policy H5(b).

Subject to the controls and conditions listed, the proposal would accord with UDP Policy S10(b) and H5(a) not cause residents or visitors to suffer from unacceptable living conditions, including air pollution, noise, or other nuisance. The proposal would accord with the NPPF para. 185(a), which requires decisions to mitigate and reduce the potential adverse impacts resulting from noise from new developments on quality of life.

Wind mitigation measures would be conditioned, as discussed above, to ensure a comfortable and safe impact on the microclimate in the vicinity of the building at ground level.

Drainage

The site lies within Flood Zone 1 and therefore does not lie in an area at high likelihood of flooding. However, Core Strategy Policy CS67 requires all developments to manage the impact of flooding.

A drainage strategy report has been submitted, reviewed by the LLFA, and it is considered that the principle to discharge to public sewer is acceptable, however, the proposed pumping solution uphill to Angel Street is not accepted and it is noted that the tank calculations are incorrect. It is considered that the site should be possible to drain by gravity due to its elevated position and the range of surface water disposal options available in King Street. Additional surveys are also required to establish existing drainage infrastructure.

It is recommended that the site considers incorporating a blue or green roof and/or rain gardens in public realm, similar to the SuDS provisions on Angel Street.

Nonetheless, despite the shortcomings in the submission, full and final details and calculations can be appropriately secured by condition, in order to ensure the development has an appropriate flood risk and drainage impact in accordance with Core Strategy CS67, which can be afforded substantial weight as it is in line with the NPPF paragraph 169, which requires major developments to incorporate sustainable drainage systems.

Yorkshire Water have objected to the proposed tree planting over the public sewerage system. Yorkshire Water's consider that this could jeopardise their ability to maintain the public sewerage network and is not acceptable. They requested that the site layout is amended to allow for adequate protection of the sewers.

When considering the lapsed consent, Yorkshire Water previously objected but the reason given was in order to protect the structural integrity of the pipework from tree root infestation.

Although, as before, the siting of trees, or any other public realm works, is not

actually to be approved here, with full details secured by condition, it is clear from the information submitted that it remains the intention for trees to be planted within 5m of sewers, and this therefore must be mitigated.

The applicant has provided an additional statement confirming that planting is necessary for wind mitigation purposes, but the risk of damage to the YW asset would be mitigated through the introduction of a root barrier system. Given this, and the fact that the proposal is otherwise no different to the lapsed consent in terms of the impact on the sewers, it is not considered reasonable to refuse the scheme on this basis, with the condition reattached. However, the condition would be amended to address both concerns raised (tree roots and maintenance access) and require full details should trees need to be planted over any sewers.

The previously attached condition requested by Yorkshire Water regarding surface water run-off passing through an interceptor has not been reattached due to LLFA advising that SuDS should be being used instead, and the conditioned details would cover all items in any case, without the need to be overly descriptive.

Ecology

An ecological appraisal is not required on this small urban/built site, which comprises no landscaping, trees or greenery. However, all developments are required to provide net gain for biodiversity, in accordance with the NPPF section 15. No ecological enhancement information has been submitted. Any ecological interventions would provide a net gain. Green roofs, additional tree planting in the public realm, living walls at ground level, bird or bat boxes or a raptor platform could all be ways in which this development could contribute to net gain in this urban setting. Nonetheless, full details would be conditioned in order to ensure the development accords with UDP Policy GE11.

Archaeology

The archaeological submission has thoroughly considered the available evidence and concludes that there is a low likelihood of archaeological evidence surviving under the present structure, although there is the possibility of deeply cut features. As such, it is possible that archaeological evidence could be disturbed during associated groundworks, particularly outside the footprint of the existing building, which could be affected by the proposals. Any such remains would be of archaeological interest, helping us to understand the development of the city from the medieval period onwards.

While a draft Written Scheme of Investigation (WSI) for archaeological investigation has been submitted, the South Yorkshire Archaeology Service require some aspects to be amended, and this would be addressed by condition, to secure an appropriate WSI and archaeological investigation, as per the previous consent.

Land Quality

A Phase 1 Geotechnical report has been resubmitted (Phase 1 Geoenvironmental Appraisal, Patrick Parsons, December 2016) which was originally submitted for the

previous consent.

While the report was previously accepted, following review by the Council's senior land quality officer, the contaminated land risk assessment has not been undertaken in line with LCRM, or its predecessor CLR11. Additional information is therefore required regarding the conceptual site model and risk assessment, including detailed source-pathway-receptor linkages.

It is noted that a Phase 2 Site Investigation is recommended, although this is primarily for geotechnical purposes. As such, the full set of land quality conditions would be required (beginning with an updated Phase 1 report) to ensure that the site is appropriately investigated, and where necessary, remediated, to ensure it is fit for its intended use.

In terms of the geotechnical implications, although the site does not lay within the Coal Authority High Risk Area, the report advises that the site is underlain by coal measures, which could have been worked in the past. The report identifies a 1.3m void at a depth of 43m, which could be abandoned workings, but the report states that this is not considered to be a significant risk to the site.

It is the developer's responsibility to ensure any such features are appropriately accounted for and remediated, in liaison with the Coal Authority. Given the site lies outside a Coal Mining Referral Area and the risk is considered to be low, it would not be proportionate or reasonable to add full conditions requiring coal mining legacy to be investigated, and an advisory directive will be added.

The above considerations would ensure that the proposal accords with the NPPF para. 183 and the site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Sustainability

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

Core Strategy Policy CS65 requires all significant developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. The submitted strategy states that the reductions required by CS65 would be achieved via a fabric first approach, which is acceptable in principle, and full details would be conditioned.

However, document refers to Building Regulations Part L 2013, and there was an uplift to Part L in June 2022, and this will need to be factored into the final calculations as part of the condition, although it is unclear what amendments would be needed to meet the requirements of the condition following the uplift. Nonetheless, the condition would need to be attached for this to be fully explored

and secure the maximum viable reduction.

These Core Strategy policies are consistent with the NPPF, section 14 which requires the planning system to support the transition to a low carbon future in a changing climate, and can therefore be given substantial weight.

Employment and Skills

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

Fire Safety

A statement and amended plans have been submitted in response to concerns and objections raised by the Health and Safety Executive (HSE) to the proposal as initially submitted. Fire safety concerns raised by objectors are also noted in terms of the proposed single access stair.

Amendments now propose two fully separated, interlocking stairs. The applicants statement confirms that although the two stairs are situated within the same footprint, they are effectively two independent, conventional stairs. As a riser outlet would be provided in both, the fire service can choose which stair to use as the firefighting shaft, with the other used as the escape stair. Protected firefighting lobbies, from which both stairs would be accessed, would provide a mechanical smoke ventilation system to maintain both stairs free of smoke.

These arrangements are accepted by the HSE. The floor plans would secure the stair arrangement, however, the applicant's response confirming the above would also be listed as an approved document under condition no. 2 to approve the arrangements.

The proposal is therefore considered to be acceptable from a fire risk and land use planning perspective. The development would also need to accord with all relevant Building Regulations.

Broadband

A condition would be included to secure the provision of gigabit-capable full fibre broadband within the development, in order to ensure that all new major developments provide connectivity to the fastest technically available, as per NPPF para. 114.

Community Infrastructure Levy

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

The site lies within the CIL Residential Charging Zone 4 where the development of residential floor space (Use Classes C3 and C4) is liable for CIL payments at £50.00 per square metre, plus the national All-in Tender Price Index for the calendar year in which planning permission is granted in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

SUMMARY AND RECOMMENDATION

Current UDP Policies S2 and S3 are out of date since the introduction of use class E. There now is less emphasis on retail in Castlegate due to other retail-led developments elsewhere in the City Centre and the adoption Core Strategy Policy CS17(i), which promotes a mix of uses in Castlegate, including housing. As such, a residential tower with a range of possible commercial uses, and other ancillary uses, for the ground floor commercial units (which still could include retail according with Policy CS18) is acceptable in principle.

The emerging Local Plan allocates the site as a Strategic Housing Site, within the proposed Central Area Flexible Use Zone, where shared housing and commercial uses would be acceptable, and within the proposed Central Sub-Area, where homes and employment land would be delivered. While limited weight can be attributed to these unadopted plans, the proposal would assist emerging future aims.

The proposal would assist various other strategic aims. Policy CS27(h) promotes the expansion of City Centre living with a mix of tenures and uses in Castlegate. CS24 seeks to maximise the use of previously developed land for new housing. The proposed density would exceed requirements and accord with CS26 which seeks to make efficient use of land for new homes, which is welcomed in this highly accessible, well serviced City Centre location. NPPF para. 124 requires development to make effective use of land accounting for the availability and capacity of infrastructure and services, sustainable travel and the promotion of regeneration. NPPF para. 120 requires decisions to encourage multiple benefits through mixed use schemes, give substantial weight to using brownfield land for homes and support the development of under-utilised land and buildings to meet housing need.

As Sheffield cannot currently identify a five-year housing supply, the “tilted balance” applies, and significant weight must be attributed to the benefits of the proposal which would significantly assist Sheffield’s required supply of housing (448 no. additional units in total), given this is a key objective of the NPPF and Section 5 which seeks to deliver a sufficient supply of homes.

The proposal accords with the aims of the City Centre Strategic Vision, which demonstrates that a high density, residential-led, mixed use development is appropriate and the area is ideally situated for a major landmark proposal to act as a catalyst to regeneration, especially given its public transport links and gateway location. Policy CS23 promotes housing development where it would support urban regeneration and make efficient use of land and infrastructure, and CS25 identifies the City Centre as a priority location for new housing through mixed-use

developments to support economic regeneration.

The interpretation of Core Strategy Policy CS41 in relation to co-living schemes is unclear and it is unfortunate that one-bed studios (generally in similar clusters of 5 or 6) would make up the entire scheme. However, in terms of CS41(a) the proposal would introduce a new tenure type to the area, assisting the creation of mixed communities at a neighbourhood wide level. The density of shared housing within 200m of the site is already over 20%, and considering the scheme as another form of shared housing, this would increase further. However, a refusal against CS41(d) cannot be reasonably substantiated as co-living is not referenced by the policy, the studio units are self-contained and the site lies within an area of the City Centre that does not have a significant or well-established residential population.

The site occupies a prominent corner plot at a major City Centre node and is an appropriate location for a tall building. The proposed 40-storey contemporary tower is of high architectural design quality. The massing would be broken up into appropriate components, which add interest, ground the development and creating an elegant structure in the skyline. The design, scale and form are therefore considered to be appropriate. The proposal is considered to accord with the overall design principles as set out by Policies BE5 and S10(d), and CS74.

The site lies just outside the City Centre Conservation Area and in proximity to various Grade II Listed Buildings. However, the tower would act as a landmark in the skyline, and be understood as such, at this appropriate location. The tower would therefore not compete amongst or overbear the lower scale heritage buildings within the Conservation Area or other Listed Buildings, or detract from their special features of interest. The development would therefore not harm nearby heritage assets and complies with UDP Policy BE16 and BE19 and NPPF paras. 194-202.

The development would provide welcomed public realm improvements around the site, including the redesign and resurfacing of the whole of the pedestrianised area of King Street, and the public highway around the base of the tower on Angel Street and High Street. This would facilitate access and servicing, reinstate the King Street market, provide wind mitigation measures and tie into the design and materials of the existing Grey to Green scheme on Angel Street.

The findings of the submitted wind mitigation report and the position of the wind mitigation measures can be accepted, to secure a safe impact on the microclimate in the vicinity of the building at ground level.

All 20 no. studios within the existing building would accord with the nationally described space standards. The GIA of each cluster arrangement within the tower would be in excess of the national standard for a C3 dwelling of the equivalent size. Amenity would be supplemented by a communal co-working room and gym. Suitable outlook and daylight would be provided for each studio. The proposal for a 40-storey tower would not have a material impact on the issue of privacy, daylight and overshadowing, over and above that of the lapsed consent for a 39-storey tower.

The principle of a car free development is acceptable in this extremely accessible, City Centre location, with excellent links to public transport. Overall, the impact on highway safety would not be unacceptable or severe, according with NPPF para. 111.

The developer has agreed to contribute £75,000.00 to South Yorkshire Passenger Transport Executive in order to provide new and improved facilities at Castle Square tram stop, which is a welcomed element of the scheme.

Two separated, interlocking stairs with protected firefighting lobbies are proposed to address concerns raised by the HSE in relation to fire safety. The proposal is therefore acceptable from a fire risk perspective in relation to land use planning. The development would also need to accord with all relevant Building Regulations.

Issues relating to servicing and bin storage, noise and sound attenuation, fumes and odours, accessibility, public art, land contamination, drainage, sustainable design and climate change, archaeology, ecology and biodiversity net gain, employment and skills and broadband connectivity can all be addressed by appropriately worded conditions.

It is concluded that the development accords with the aims of the local development plan when considered as a whole, as well as the key principles of the NPPF. It is therefore recommended that planning permission be granted subject to the listed conditions.

Recommendation: grant conditionally subject to legal agreement.

Heads of terms: A contribution of £75,000.00 to South Yorkshire Passenger Transport Executive for new and improved facilities at Castle Square tram stop.

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