
Case Number	20/03663/FUL (Formerly PP-09160482)
Application Type	Full Planning Application
Proposal	Erection of 15 storey tower containing 103 no. 1-3 bed apartments with swimming pool and gym at ground floor level, landscaped podium deck at level 1, vehicle parking beneath and associated landscaping
Location	Site Of Former Forte Posthouse Hotel Manchester Road Crosspool Sheffield S10 5DX
Date Received	20/10/2020
Team	South
Applicant/Agent	Axis Architecture
Recommendation	Grant Conditionally Legal Agreement

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

24072-000-RevA (Location Plan) published 11 Feb 2021
24072-(01)03-RevJ (Site Plan) published 11 Feb 2021
24072-(02)00-RevR (Site plan of Level 0) published Oct 2020
24072-(02)00-01-RevH (Site plan of Level 0) published Oct 2020
24072-(02)00-02-RevG (Tower Car Park) published Oct 2020
24072_(02)01-01-REVG (Site plan of Level 0) published Oct 2020
24072_(02)01-02-REVG (Tower car park) published Oct 2020
24072_(02)T0-PL-RevG (Floor plan level 0) published Oct 2020
24072_(02)T1-PL-RevF (Floor plan level 1) published Oct 2020
24072_(02)T2-PL-RevE (Floor plan level 2) published Oct 2020

24072_(02)T3-PL-RevB (Floor plan level 3) published Oct 2020
24072_(02)T4-PL-RevB (Floor plan level 4) published Oct 2020
24072_(02)T5-PL-RevB (Floor plan level 5) published Oct 2020
24072_(02)T6-13-PL-RevD (Floor plan level 6-13) published Oct 2020
24072_(02)T14-PL-RevA (Floor plan level 14) published Oct 2020
24072_(03)01.02-RevF (GA Sections) published Oct 2020
24072_(03)02.02-RevF (GA Sections) published Oct 2020
24072_(03)03.02-RevC (GA Sections) published Oct 2020
24072(04)01-RevZ (NE-Elevation) published Oct 2020
24072(04)02-RevY (SW-Elevation) published Oct 2020
24072(04)03-RevW (SE-Elevation) published Oct 2020
24072(04)04-RevX (NW-Elevation) published Oct 2020

Reason: In order to define the permission.

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

3. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

4. No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

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

Reason: In the interests of protecting the free and safe flow of traffic on the

public highway it is essential that this condition is complied with before any works on site commence.

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

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

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

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

8. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface

water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

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

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

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

10. Full details of the acoustic fencing and planting scheme to the site boundary 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 and the development shall not be used unless such means of acoustic boundary treatment and planting has been provided in accordance with the approved details and thereafter such acoustic fencing and planting shall be retained.

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

11. 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.

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

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

13. The proposed green/biodiverse roof (vegetated roof surface) shall be installed on the roof(s) in the locations shown on the approved plans. Details of the specification and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site. The green/biodiverse roof(s) shall be installed prior to the use of the building commencing and thereafter retained. The plant sward shall be maintained for a period of 5 years from the date of implementation and any failures within that period shall be replaced.

Reason: In the interests of biodiversity.

14. 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.

15. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists. The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations 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/or Core

Strategy) Policies

16. 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 the commencement of development:
- (i) Windows
 - (ii) Window reveals
 - (iii) Doors
 - (vii) Brickwork/Cladding detailing
 - (viii) Balconies/railings
 - (ix) Entrance canopies

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

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

17. Samples of all proposed external materials and finishes, including windows, shall be submitted to and approved in writing by the Local Planning Authority before 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.

18. 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 prior to the commencement of the building of any external walls and shall be retained for verification purposes until the completion of such works.

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

19. Prior to any landscaping or external works being commenced, full details of all hard surfaced areas within the site shall have been submitted to and approved by the Local Planning Authority. Such details shall consist of porous materials, or shall direct surface water run off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. Thereafter the hard surfacing shall be implemented in accordance with approved details.

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

20. Prior to completion of the superstructure frame, full details of the electric car charging points within the site shall have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied unless such electric car charging points have been provided in accordance with the approved plans and, thereafter, 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.

Other Compliance Conditions

21. 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.

22. The gradient of shared pedestrian/vehicular access shall not exceed 1:12 .

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

23. The residential units shall not be occupied until details of a scheme have been submitted to and approved by the Local Planning Authority to ensure that future occupiers of the residential units will not be eligible for resident parking permits within the designated Permit Parking Zone. The future occupation of the residential units shall then occur in accordance with the approved details.

Reason: In the interests of highway safety and the amenities of the locality it is essential for this scheme to be in place before the use commences.

24. The swimming pool shall remain for the use of residents only, and shall not be used by non-residents.

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

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. 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.

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

To arrange the dilapidation survey, you should contact:

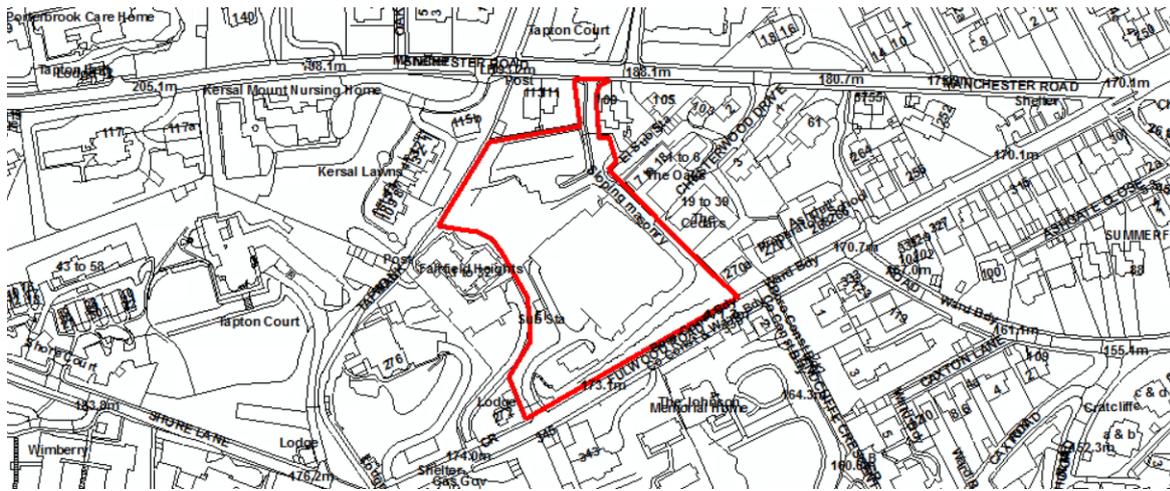
Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

4. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
5. The applicant should be aware that a legal agreement has been completed in respect of this proposal.

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The application site relates to the former Forte Posthouse Hotel (Hallam Tower) which is located within a Housing Area, and both the Endcliffe Conservation Area to the south of the site and the Broomhill Conservation Area to the north of the site as identified in the Unitary Development Plan (UDP).

The site is characterised by the steep topography of its location, rising from Fulwood Road up to Manchester Road, with two separate entrances, one from each of these roads. The site has been left vacant now for more than 10 years.

Planning permission has previously been granted (most recently in 2019) for the rebuilding of the former tower up to 13 storeys in total. This development has commenced on site through the demolition of the existing buildings, the discharging and/or varying of all pre-commencement conditions, and ground preparations taking place.

Permission has also been granted in 2020 to allow an alternative scheme to the car park and main block, to just allow for a revised underground car park, with podium above and ancillary building for use as a management suite, and alterations to the swimming pool complex, thereby omitting the 'main block' from the scheme.

This new application seeks full planning permission for the erection of a 15-storey tower containing 103 No. 1-3 bed apartments with swimming pool and gym at ground floor level, landscaped podium deck at level 1, vehicle parking beneath and associated landscaping.

PLANNING HISTORY

There is an extensive planning history relating to this site. The most relevant of applications include:

In 2020, an application was granted for the formation of car park with landscaped podium deck above, erection of a single storey building above podium deck containing management suite and swimming pool. Application No. 19/03655/FUL.

In 2019, a Section 73 application was granted to allow the reduction of basement car park to 1 level, omission of lower car park entrance ramp, reconfiguration of main entrance, revisions to surface car parking and landscaping, addition of residents swimming pool at level 0, omission of continuous balconies and glazed façade, amended materials and new cladding to all elevations incorporating recessed balconies and alterations to external spaces (Application under Section 73 to vary condition 33 (Approved Drawings) as imposed by planning permission 17/01438/FUL). Application No. 18/01814/FUL.

In 2017, a Section 73 application was granted for the demolition of the tower above floor 3, and the rebuilding of the tower between 0.3 metres and 0.5 metres taller the previously approved scheme. Application No. 17/01438/FUL.

In 2009 permission was granted for the partial demolition, retention, extension and conversion of tower, and erection of 2 x 4 storey blocks to create 122 units, and 11 x 3 storey townhouses in grounds, with associated basement car parking (Application No. 06/00836/FUL). This application was subject to a separate Section 73 application to vary the wording of a number of conditions and the legal agreement which was granted in 2013 under Application No. 12/03386/FUL.

REPRESENTATIONS

Conservation Advisory Group (CAG)

Although the Group recognised that the proposal to increase in height of the tower was not a major addition to the development, members nevertheless concluded that because it neither preserved nor enhanced the conservation area, it should be rejected.

Historic England

Historic England do not wish to offer any comments. They suggest seeking the views of the Councils specialist conservation advisers.

Objections

In total, 9 individual letters have been received objecting to proposal. In addition, 1 letter from a management company which is on behalf of 38 residents living in Fulwood Park Mansions has been received. Issues raised include:

- The original building was a hotel, which was occupied in a transitory manner. Having individually owned flats, lived in full time, will cause loss of privacy to immediate neighbours. This is further exacerbated by the additional two storeys.
- The existing physical bulk of the building was large, adding an extra two storeys will make this worse.
- The proposal is completely out of character with the green suburb of Broomhill which is mostly Victorian/Edwardian buildings. The final demolition of the tower should now restrict any high-rise development. Any additional height will make it worse.
- There will be an increase in traffic onto the already congested roads which will result in standing traffic in tailbacks and increased pollution.
- The construction works will be unbearable to the high-density apartments within the surrounding apartment schemes.
- The 15-storey tower will reduce light to neighbouring buildings, including apartments within Kersal Lodge and Fulwood Park Mansions.
- We supported the last application as it was an improvement over the existing derelict buildings, but this is squeezing 50% extra when nobody's looking.
- The advertisement hoardings outside the property reflect the previous approval for a 10-storey block and not this application.
- The density ratio of units per hectare will be beyond that level which is acceptable and will be out of character with the surrounding properties.

- The access is close to the boundary with side of No 109 Manchester Road, with significant noise from traffic, which will be exacerbated by stopping and starting at the access gates, which themselves will be noisy. This is a particular problem as 109 Manchester Road has 5 main habitable windows in the side with no buffer or mitigation measures.
- The site plan is incorrect with the lay-by parking area shown extending into the rear garden of 109 Manchester Road.
- Acoustic fencing needs to be provided for the full length of the property boundary to 109 Manchester Road to ensure the amenities are occupiers of 109 are protected.
- The proposal would be too much a burden on the community with the extra people.
- The existing large mature trees towards the Fulwood Road frontage should be retained, providing an acoustic barrier.
- There will be an extra strain on local resources including drainage, and the water table.
- Why were we not informed directly?
- The proposal is close to boundary with Fulwood Park Mansions are it could affect the stability of the building.
- There will be a lowering of property values through a loss of existing panoramic views from neighbouring sites.
- No information from the developer about start and finish times for construction, or noise and dust.
- The site should be developed for low rise residential development.

A petition with 16 signatures from people living in Kersal Mount has also been received objecting to the proposal. Comments raised include:

- All residents are retirees and the proposal will impact on their wellbeing, during construction and once completed.
- There is a limited amount of light as a result of the trees around the site and increasing the height will have a further negative impact.
- The addition of a larger building will have more dwellings and increase traffic and footfall around the flats.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) set's out the Government's planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Policy Context

The Council's development plan comprises the Core Strategy (CS) 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 revised in February 2019 (NPPF) is a material consideration.

The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The relevant policies of the statutory Development Plan are set out below under each subheading, along with an assessment of their degree of consistency with the policies in the NPPF. Conclusions are then drawn as to how much weight can be given to each policy in the decision-making process in line with the requirements of NPPF paragraph 213.

The assessment of this development proposal also needs to be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- (i) The application of policies in the NPPF which relate to protection of certain areas or assets of particular importance provides a clear reason for refusing the development proposed or
- (ii) Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The 'certain areas or assets' referred to in (i) includes Conservation Areas.

BBEST Neighbourhood Plan

Para 48 of the NPPF states: 'Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)'

The BBEST Neighbourhood Plan has reached the Examination (Reg 17) Stage. The appointment of an examiner is now being progressed. The policy weight will only change once the examiner's report has been issued. Policies are considered to have limited weight if there is no inconsistency with the NPPF, and no unresolved significant objections. Reference is made to the policies in the relevant sections below.

Land Use Principle

The application site falls within a Housing Area as identified in the Unitary Development Plan (UDP) for Sheffield. Redeveloping the site for housing (Use Class C3) is in line with the preferred use identified within UDP policy H10 'Development in Housing Areas'. It is therefore acceptable in principle.

However, it should be noted that whilst the principle is acceptable in terms of policy H10, the policy also states that any proposal would also be subject to the provisions of Policy H14 'Conditions on Development in Housing Areas' and BE5 'Building Design and Siting' being met. Furthermore, the principle of housing on this parcel of land is also subject to the more recent Core Strategy policy CS74.

Policy CS23 of the Core Strategy 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' prioritises the development of previously developed (brownfield) sites. Housing on greenfield sites should not exceed more than 12% completions, and part (b) be on small sites within the existing urban areas, where it can be justified on sustainability grounds.

The weight to be given to policies CS23 and CS24 is open to question as they are restrictive policies, however the broad principle is reflected in paragraph 117 of the Framework, which promotes the effective use of land and the need to make use of previously developed or 'brownfield land'.

In this instance, in accordance with the NPPF definition, the site is classed as brownfield. In this regard CS23 and CS24 can be offered some weight, and the principle of developing this site within an existing urban area, in a sustainable location close to local facilities is supported in policy terms.

Housing Land Supply

Paragraph 73 of the NPPF requires LPA's to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirements.

Policy CS22 'Scale of the Requirement for New Housing' of the Core Strategy is the most up to date development plan policy in relation to delivering a sufficient supply of housing for Sheffield, stating that a 5-year supply of deliverable sites will be maintained at all times.

This policy is only partly in conformity with the NPPF, as the Core Strategy is now more than 5 years old, the NPPF states that the housing requirement must be based on the local housing need figures using the Governments standard methodology.

The Five-Year Housing Land Supply Monitoring Report (updated Dec 2020) sets out Sheffield's net housing requirement for the 5-year period 2020/21 to 2024/25.

The current housing need figure over the 5 years is 10,655 (2,131 per year) with a 5% buffer of 533, giving a total net 5-year requirement of 11,188.

The report identifies a gross supply of 12,381 new homes over the 5-year period from sites with full or outline planning permission, development plan allocations, sites with permission in principle and sites identified on the brownfield register. Estimated losses of 250 are deducted from this figure producing a net supply of 12,131 additional homes over the 5-year period compared. Sheffield can therefore demonstrate a 5.4-year housing land supply.

When considering housing land supply, the presumption in favour of sustainable development as set out in paragraph 11 is not applied to the tilted balance in this case, as Sheffield demonstrates a deliverable 5+ year land supply.

Efficient Use of Land/Density

Policy CS26 'Efficient Use of Housing Land and Accessibility' of the Core Strategy encourages making efficient use of land to deliver new homes at a density appropriate to location depending on relative accessibility. The density requirements are a gradation flowing from highest density in the most accessible locations down to lower densities in suburban locations with less accessibility. This is reflected in para 123 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

Paragraph 122 of the NPPF promotes making efficient use of land taking account of a number of factors including identified housing needs; market conditions and viability; the availability of infrastructure; the desirability of maintaining the prevailing character of the area, or of promoting regeneration; and the importance of securing well designed places.

The application site is approximately 1.3 hectares. This would give a density of approximately 79 dwellings per hectare. In this location, the suggested range within the CS26 (b) is 50-80 dwellings, based on the site being within easy walking distance of Broomhill District Shopping Centre. Local and national policies seek to encourage efficient use of land and it considered that the proposed density, is within the spirit of Policies CS26 of the Core Strategy and paragraph 122 of the NPPF in relation to densities and efficient use of land.

Design and Impact on Character of Conservation Area(s)

The Council has a statutory duty contained under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving heritage assets and their setting or any features of special architectural or historic interest which they possess.

The Core Strategy policy CS74 'Design Principles' requires development to enhance distinctive features of the area, which is backed up through UDP policies H14 'Conditions on Development in Housing Areas' and BE5 'Building and Design Siting' which expect good quality design in keeping with the scale and character of the surrounding area.

Chapter 12 of the NPPF requires good design, whereby paragraph 124 states that good design is a key aspect of sustainable development and should contribute positively towards making places better for people. Paragraph 130 requires that planning permission should not be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Paragraph 131 goes on to say that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, so long as they fit in with the overall form and layout of their surroundings.

The application site itself falls within both Endcliffe and Broomhill Conservation Areas which are heritage assets. Policies BE16 'Development in Conservation Areas' and BE17 'Design and Materials in Areas of Special Architectural or Historic Interest' of the UDP are relevant. These seek to ensure that development would preserve or enhance the character or appearance of the Conservation Area, and that traditional materials are used.

Chapter 16 of the NPPF considers the conservation and enhancement of the historic environment and states that when considering the impact of a development on the significance of a heritage asset, great weight should be given to the asset's conservation, and (para 194) that any harm to the asset from development within its setting should require clear and convincing justification.

It is considered that the design and conservation policies within the UDP and Core Strategy reflect and align with the guidance in the NPPF, and therefore are considered consistent with the NPPF and so can be afforded significant weight.

Policy DDHM1 of the BBEST Neighbourhood Plan applies to this development proposal. This policy relates to 'Key Design Principles' and sets out 8-character areas and general design principles. Policy DDHM6 also relates to 'Development within the North East and North West Character Area' and seeks to preserve the residential character of these areas and any development should preserve the existing scale, grain and layout. Policy DDHM7 relates to 'Development within the Endcliffe Character Area' and seeks to preserve the landscape character and sense of openness. These policies can be afforded limited weight as they are considered consistent with the NPPF if there are no significant unresolved objection policies following consultation.

Works have commenced on site to implement the previous approval which relates to a 13-storey tower (18/01814/FUL). (3 storeys within the plinth, 9 storeys above, and then a setback top floor storey). This has an overall height from the base of the ground floor to the top of the roof of approximately 40 metres. This new application essentially seeks to add 2 main storeys to the building, with the setback storey remaining on the top. This amounts to an increase in height over and above the 18/01814/FUL approval of approximately 5.7 metres, taking the height of the building to approximately 45.7 metres. The original tower on site before demolition was approximately 39.5 metres in height.

The application also removes the previously approved 3 to 5 storey block of development which was positioned to the east of the tower, facing Fulwood Park Mansions, and replaces this with an under-croft car park with a landscaped podium above.

The tower will clearly have an impact visually and will be visible from long range views, with the previously approved 13 storey scheme rising above the tree line and horizon from certain vantage points. The proposals result in an increase in overall height of approximately 12%. However, it is considered that the additional two storeys will not impact on the long-range views significantly. The building will still read as a tall building in the Conservation Area, the principle of which is established, and the visual impact of this from longer distance views will be limited. Close up views of the extra two storeys essentially at level 13 and 14, with the top floor remaining set back will again, not impact significantly on the appearance of the tower from ground level, owing to the limited increase and angle of view from, for instance, Fulwood Road.

Materials have been approved on the previous scheme as large cladding panels in two colours, with a brick plinth, and this is to be replicated on this application. These remain acceptable.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset (Broomhill and Endcliffe Conservation Areas in this instance), greater weight should be given to the asset's conservation. Paragraph 194 specifically states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

Paragraph 196 requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered in this instance that the proposal would lead to less than substantial harm to the heritage assets, and the balancing exercise is conveyed in the summary and recommendation section at the end of this report.

Subject to conditions on any approval, the application complies with policies BE5, BE15, BE16, and H14 of the UDP, Core Strategy Policy CS74, sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and

paragraph 130 of the NPPF.

Living Conditions

Policy H14 'Conditions on Development in Housing Areas' part (c) requires that new development in housing areas should not cause harm to the amenities of existing residents. This is further supported by Supplementary Planning Guidance 'Designing House Extensions' (SPG) which whilst strictly relevant to house extensions, does lay out good practice detailed guidelines and principles for new build structures and their relationship to existing houses.

The NPPF at paragraph 127 Part (f) requires a high standard of amenity for existing and future users.

The UDP policy is therefore considered to align with the requirement of paragraph 127 so should be given significant weight.

Nearby neighbouring properties include the apartments within Fulwood Park Mansions which are to the east of the site, approximately 55 metres from the tower to the blank gable end, and approximately 75 metres where main habitable windows face directly towards the tower. Fairfield Heights is located to the north west of the tower and is approximately 22 metres to the corner of the building. The apartments within Kersal Mount are approximately 75 metres away, with the houses along Manchester Road approximately 70 metres to the north. Close to the access from Fulwood Road is a small lodge building at 272 Fulwood Road

This application seeks to erect the building on the footprint of the original tower. The previous approval extended up 13 storeys in total and included recessed balconies. This permission is being implemented currently, so this assessment concentrates on the addition of a further two storeys to the building.

It is considered that the addition of two extra storeys, which are essentially at the top of the building, will not create any additional adverse overlooking, nor any adverse overbearing or shadowing. Whilst it is acknowledged that the tower has been demolished for some time, and neighbouring properties do have an outlook over this vacant site at present, there is an extant permission which is currently being built on site for the 13-storey tower.

Furthermore, this application does remove the main block which had previously been approved and was between 3 and 5 storeys, which was joined to the tower and extended out to the east and was much closer to the occupants of Fulwood Park Mansions. In this respect, this new scheme significantly improves the amenities afforded to occupiers of Fulwood Park Mansions.

Acoustic fencing is proposed along the east boundary onto Fulwood Park Mansions, and this should be extended to run up to 109 Manchester Road. This is to reduce any noise generated from vehicles accessing the car parking and moving around the site.

Regarding the amenities of future occupiers, the vast majority of the units have a private balcony or terrace area. A large area of amenity space is created to the top of the podium above the car parking. Each unit has a good outlook from all windows, and each unit is of a reasonable size.

It is considered that the proposal meets the requirements of Policy H14 of the UDP and paragraph 127 of the NPPF in providing and maintaining appropriate living conditions.

Highways

UDP Policy H14 'Conditions on Developments in Housing Areas' part (d) states that permission will be granted where there would be appropriate off-street parking for the needs of the people living there.

Policy CS53 'Management of Demand for Travel' of the Core Strategy seeks to make the best use of the road network, promote good quality public transport, walking and cycling and use travel plans to maximise use of sustainable forms of travel and mitigate the negative impacts of transport.

The NPPF seeks in Chapter 9 (Promoting Sustainable Transport) to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. It is important to note that paragraph 109 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The UDP and Core Strategy policies broadly align with the aims of the NPPF, although it should be noted that in respect of parking provision, the NPPF at paragraphs 105 and 106 requires consideration to be given to accessibility of the development, the development type, availability of public transport, local car ownership levels and states that maximum standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising density in locations well served by public transport.

The Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53, and for a 2-3 bedroom house outside of the city centre, 2 spaces are required as a maximum.

This application proposes 126 parking spaces (plus 3 spaces for management) for the 103 units. Whilst this is not at maximum standards, 1 space per unit is considered acceptable in this location, with some of the larger units having a tandem/double parking space, and 16 visitor car parking spaces included.

Furthermore, the site is in a very sustainable location, with access to good transport links, and within easy walking distance of Broomhill District Shopping Centre which offers a wide range of facilities and services. In addition, secure cycle storage is provided within the lower section of the tower also and area under the podium.

The site is accessed via the existing entrances on Manchester Road and Fulwood Road, which have good visibility splays, with entrance gates positioned well into the site.

The proposal is considered to not pose a severe impact on the surrounding highway network, or highway safety, complying with UDP, Core Strategy and NPPF policies as listed above.

Sustainability

The NPPF advises that there is a presumption in favour of sustainable development. This comprises of three dimensions which must be considered together. These are an economic role, a social role and an environmental role.

In this instance, the site is a large vacant parcel of land and will deliver economic regeneration to this part of the city.

On a social role, the proposal will be providing private flats regenerating the area and provide a vibrant and welcoming environment.

In an environmental role, the proposal seeks to remove a vacant brownfield site which is within two conservations areas, with a high quality development. The proposal will take the opportunity to introduce soft landscaping features which will help to improve biodiversity.

Policy CS63 of the Core Strategy 'Responses to Climate Change' gives priority to developments that are well served by sustainable forms of transport, that increase energy efficiency, reduce energy consumption and carbon emissions and that generate renewable energy. Policy CS64 'Climate Change, Resources and Sustainable Design of Development' sets out a suite of requirements in order for all new development to be designed to reduce emissions. Policy CS65 'Renewable Energy and Carbon Reduction' sets out objectives to support renewable and low carbon energy generation and further reduces carbon emissions.

New developments are expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach where this is deemed to be feasible and viable.

A fabric first approach is to be implemented, in this instance. In addition, there is a large landscaped roof to the podium which will retain rainfall, and electric vehicle charging points are proposed. This includes 5no dedicated electric vehicle rapid-charging points being provided, which all occupants will be able to book and use and which are to be placed in the visitor spaces on the roadway adjacent the existing sub-station / bin store access. In addition, the power supply has been designed with infrastructure in place to allow individual apartment owners to have their own electric vehicle charging point allocated to their parking space as and when required. Relevant conditions can be attached to any approval to ensure that these features are provided.

Overall, it is considered that the proposal meets the local sustainability policy requirements, CS63, CS64 and CS65.

Trees/Landscaping

UDP Policy BE6 'Landscape Design' expects good quality design in new developments in order to provide interesting and attractive environments, integrate existing landscape features, and enhance nature conservation. CS74 'Design Principles' part (a). requires high-quality development that will respect, take advantage of and enhance natural features of the City's neighbourhoods.

These policies are considered to align with the NPPF and therefore be relevant to this assessment – on the basis that paragraph 127 c) expects new development to be sympathetic to local character, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

There are a number of mature trees within the site, which are concentrated towards the Fulwood Road boundary. Tree protection measures for retained trees and a comprehensive landscape scheme have been submitted and approved in relation to the previous application, which will significantly improve the overall appearance of the site.

Flood Risk/Drainage

Core Strategy Policy CS67 'Flood Risk Management' states that the extent and impact of flooding should be reduced by incorporating mitigation measures in developments. The site itself is located within Flood Zone 1 and therefore not at any significant risk of flooding.

The previous application had a requirement to reduce the existing surface water run-off. This condition has been discharged, following the submission of satisfactory proposals and calculations have been submitted allowing for the 1 in 100-year event plus +30% for climate change, which include large attenuation tanks.

Affordable Housing

Core Strategy Policy CS40 'Affordable Housing' requires that all new housing developments over and including 15 units to contribute towards the provision of affordable housing where this is practicable and financially viable.

The Council's Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (December 2015) includes guidance on affordable housing and is based on gross internal floor space. The proposed development exceeds the 15 or more dwellings threshold and lies within an area where there is a required level of contribution of 10% identified in Guidelines GAH1 and GAH2 of the Planning Obligations document.

In this instance, the applicant has provided a full viability assessment to the valuer, who has independently assessed the proposal.

The applicant's original viability appraisal suggested that they did not consider any affordable housing to be viable as part of this development. Following assessment of the applicant's viability appraisal by the Council's consultant, it was considered that the scheme could provide a contribution of £128,000, whilst maintaining reasonable developer profit. The applicant has agreed to pay this sum, which will be secured by legal agreement.

Community Infrastructure Levy (CIL)

CIL has now been formally introduced; it applies to all new floor space and places a levy on all new development. The money raised will be put towards essential infrastructure needed across the city as a result of new development which could provide transport movements, school places, open space etc. 'In this instance the proposal falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with 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 CONCLUSION

Planning permission has been granted previously for the erection of a 13-storey tower which sits on the same footprint as the former Hallam Tower. This permission is being implemented on site at present. This scheme proposes to add an additional two storeys to the height of the tower, and to replace the existing 3 to 5 storey block of development which was originally proposed to the east of the tower, with undercroft car parking and landscaped podium above.

The proposal will deliver a high-density development, on a brownfield site in a sustainable location which will bring positive regeneration benefits, including the provision of 103 residential units in a manner which provides good quality living accommodation and has no significant adverse impact upon living conditions of neighbouring occupiers.

The proposal is acceptable in highway terms, providing sufficient off street car parking, cycle parking and servicing arrangements, and will not adversely impact on the surrounding highway network.

The scheme proposes a high-quality contemporary scheme, which is considered overall to result in less than substantial harm to the heritage asset (Broomhill and Endcliffe Conservation Areas). The public benefits of the proposal are that it would deliver 103 units to the housing market, which would provide employment opportunities during construction. In addition, the proposal would develop a brown field site, which has been left vacant and is currently an eyesore within two conservation areas, proposing a high quality scheme which would improve the appearance of the site.

Therefore it has been demonstrated that although less than substantial harm is identified to heritage assets, even when considerable importance and weight is given to this less than substantial harm, this is outweighed by the public benefits that this

proposal will deliver and the heritage requirements of the NPPF are satisfied. Paragraph 11 of the NPPF says that there is a presumption in favour of sustainable development.

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 of the NPPF says that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

The application lies within a Housing Area, is of an appropriate density on a brown field site, within a sustainable location. The associated policies are not considered to be out of date.

The site is also within two conservations areas, Broomhill and Endcliffe, and the heritage and design policies are the most important policies for determining this application and these policies are not considered to be out of date, with the heritage requirements of the NPPF satisfied.

It is concluded that the proposals accord with the provisions of the Development Plan when considered as a whole and that the policies which are most important in the determination of this application are consistent with the aims and objectives of the National Planning Policy Framework.

It is therefore recommended that planning permission be granted subject to the listed conditions.

This page is intentionally left blank