
Case Number	21/01102/FUL (Formerly PP-09605102)
Application Type	Full Planning Application
Proposal	Erection of 336 apartments in a 10-23 storey building including provision of communal indoor/outdoor amenity space, car parking spaces, cycle spaces and landscaping works
Location	British Rail Club Sports Ground Farm Road Sheffield S2 2TP
Date Received	11/03/2021
Team	South
Applicant/Agent	Urbana Town Planning
Recommendation	G C 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 must be carried out in complete accordance with the following approved documents:

Location plan Ref: GF-DR-A-0100-S2-PL1 Published Date 11 Mar 2021
Proposed site plan Ref: ZZ-DR-L-0002-S2-P1 Published Date 11 Mar 2021
Ground floor plans Ref: GF-DR-A-2001-S2-PL1 Published Date 11 Mar 2021
First floor plans Ref: 01-DR-A-2002-S2-PL1 Published Date 11 Mar 2021
Levels 2-9 floor plans Ref: ZZ-DR-A-2003-S2-PL1 Published Date 11 Mar 2021
Level 10 floor plans Ref: 10-DR-A-2004-S2-PL3 Published Date 06 Aug 2021
Levels 11-15 floor plans Ref: ZZ-DR-A-2005-S2-PL1 Published Date 11 Mar 2021
Level 16 floor plans Ref: 16-DR-A-2006-S2-PL1 Published Date 11 Mar 2021
Level 17 floor plans Ref: 17-DR-A-2007-S2-PL1 Published Date 11 Mar 2021

Levels 18-22 floor plans Ref: ZZ-DR-A-2008- S2-PL1 Published Date 11 Mar 2021
Level 23 floor plans Ref: RF-DR-A-2009-S2-PL1 Published Date 11 Mar 2021
Elevations A Ref: ZZ-DR-A-3001-S2-PL1 Published Date 11 Mar 2021
Elevations B Ref: ZZ-DR-A-3002-S2-PL1 Published Date 11 Mar 2021
Landscape master plan Ref: ZZ-DR-L-0001 Published Dte 11 March 2021
Sections Ref: ZZ-DR-A-4001-S2-PL1 Published Date 11 Mar 2021
Elevation details Ref: ZZ-DR-A-7701 S2-PL1 Published Date 11 Mar 2021
Wind Assessment updated version Published Date 18 May 2021
Phase I and II Geo Environmental Assessment Reports Published Date 11 Mar 2021
Flood Risk Assessment Ref: C3564/TM/001/June2021/HSP Consulting

Reason: In order to define the permission.

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

3. 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.

4. 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.

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

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

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

6. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. 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 occupiers of adjoining property.

7. No phase of the development (including works of demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Highway Management Plan (HMP) relevant to that particular phase has been submitted to and approved by the Local Planning Authority. The HMP shall assist in ensuring that all Contractor highway / vehicle activities are planned and managed so as to prevent nuisance to occupiers and/or users of the surrounding highway environment. The HMP shall include, as a minimum:
 - a. Details of the means of ingress and egress for vehicles engaged in the relevant phase of the development. 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.
 - b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway; and
 - c. Details of the site accommodation, including compound, contractor car parking, storage, welfare facilities, delivery/service vehicle loading/unloading areas, and material storage areas.

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties and the protection of the free and safe flow of traffic on the public highway.

8. 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 with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority 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 and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

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

9. 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.

10. 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.

11. 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.

12. 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:

- Windows, window reveals and window surrounds
- balconies
- parapets
- brickwork details
- Entrance features including doors and door surrounds
- signage
- Ramps and steps including hand rails
- External boundary walls and gates

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

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

13. 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.

14. No above ground construction work shall commence until full details of proposals for the inclusion of public art within the development 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.

15. Prior to installation, full details of any proposed external lighting associated with the buildings hereby approved shall have been submitted to and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate quality of development.

16. 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.

17. 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.

18. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

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

19. No above ground works shall commence until the highways improvements (which expression shall include pedestrian 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:

- Resurfacing of the adjacent footways, including the provision of servicing facilities on Farm Road

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, 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 traffic on the public highway.

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

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

21. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The means of vehicular access shall be restricted solely to those access points indicated in the approved plans.

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

22. The development shall not be used unless the car parking accommodation for 29 cars as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

23. 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.

24. 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

25. 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.

26. Prior to above ground works details of bat and bird boxes or similar shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall include a time schedule for implementation. Thereafter, the development shall be carried out in accordance with the approved details.

Reason; In the interests of sustainable development.

27. 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.

28. 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 approved noise survey (ref: P4179-R1-V2, dated: 08/03/2021, prepared by: NoiseAir Ltd).

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.

29. 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.

30. 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(s) unless full details thereof have first been submitted to and approved in writing by the Local Planning Authority, and once installed such plant or equipment should not be altered without prior written approval of the Local Planning Authority. All plant shall be specified to have noise output levels in accordance with the Preliminary BS4142 Assessment recommendations of the approved Noise Impact Assessment Report (ref: P4179-R1-V2, dated: 08/03/21, prepared by: NoiseAir Ltd).

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

Other Compliance Conditions

31. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 2 litres per second.

Reason: In order to mitigate against the risk of flooding.

32. The development shall be carried out in accordance with the submitted flood risk assessment (ref C3564/TM/001 / June 2021 / HSP Consulting) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 57.73 m above Ordnance Datum (AOD).

- Compensatory storage shall be provided as stated in the submitted flood risk assessment addendum

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

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

Reason: To ensure satisfactory drainage arrangements.

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. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones
Highways Development Management
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 6136

Email: dawn.jones@sheffield.gov.uk

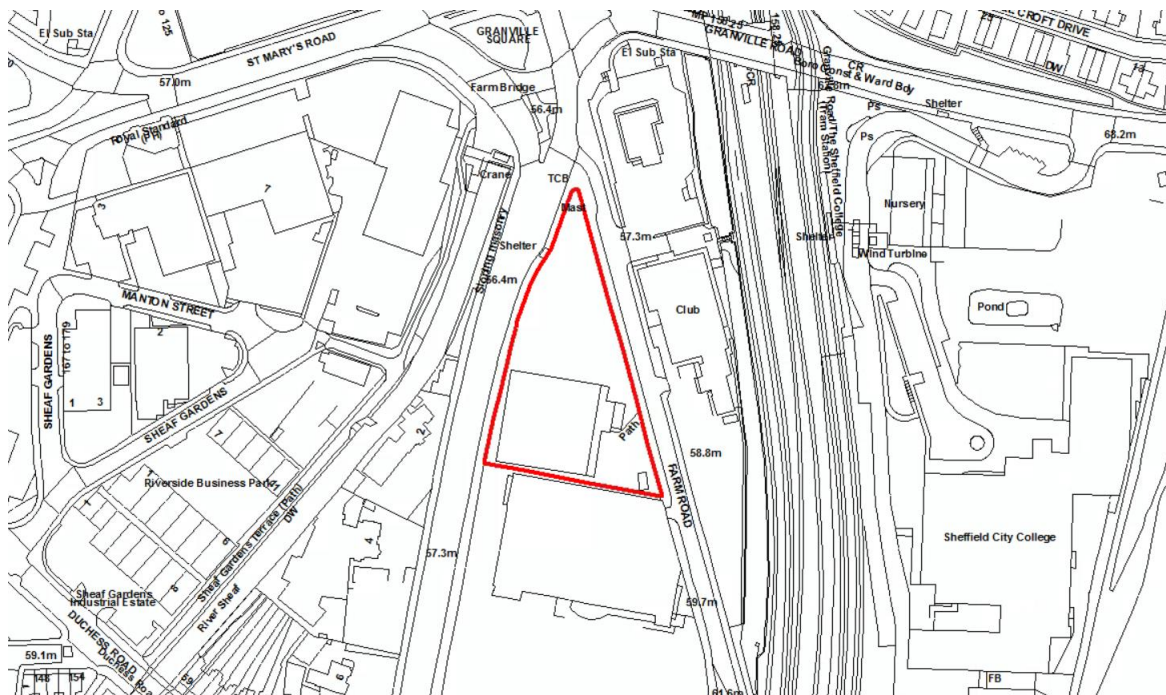
5. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 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 Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
6. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process.

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

7. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
8. 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.
9. 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.
10. 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.
11. 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.

Site Location



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LOCATION AND PROPOSAL

The application relates to a parcel of land of approximately 0.45 hectares which is triangular-shaped and relatively flat. It is bound by a tall stone wall and contains some small structures, trees and shrubs. The site was formerly used as a private bowling green but has not been used for some time now. The parcel of land is bound by Farm Road, Queens Road and the adjacent Casino building.

The surrounding area is characterised by predominately retail, commercial and leisure uses, with residential properties and Sheffield College in the wider area. The site is designated as Open Space in the adopted Sheffield Unitary Development Plan.

Planning permission is sought to clear the site, and erect 336 apartments in a 10-23 storey building including provision of communal indoor/outdoor amenity space, car parking spaces, cycle spaces and landscaping works. Residential accommodation comprises 116 one-bed units, 114 two-bed units, and 28 three-bed units.

The proposal consists of a building spread over an L-shaped footprint which is split into 3 smaller elements which step down. The tallest element (tower) is 23 storeys, with a lower section at 17 storeys, which then drops down to the final element at 10 storeys in height.

The ground floor features ancillary accommodation including a gym, co-working

area, multipurpose area, management suite, plant room and bike store.

A car park is proposed at ground level between the proposed building and the casino providing 29 parking spaces. A large cycle store is provided to the ground floor providing 358 bike spaces in addition to 4 visitor hoops externally.

RELEVANT PLANNING HISTORY

There is no recent formal planning history to this site. However, in 2019 a pre-application enquiry was made for a tall residential building on the site. The advice given was that the proposal could be supported in principle subject to the finer details of the design, and compensation for the loss of the Open Space.

Not relating specifically to this site, planning permission has recently been granted (May 2021) for the erection of a 15-storey residential building on the opposite site of Queens Road (Application No. 19/02484/FUL).

SUMMARY OF REPRESENTATIONS

Following neighbour notification, posting of site notices and publicity in the newspaper, no representations have been received.

Sport England

Sport England have commented on the application. They are aware that negotiations are progressing by way of a legal mechanism to secure a financial contribution, the amount for which is understood to be £180,000 and has already agreed between the Council and the applicant, to mitigate the loss of the bowling green and ancillary facilities. However, Sport England maintains its objection to this application on the basis that it will result in the loss of a sports facility, until a suitable Section 106 agreement, or other legal mechanism is delivered, or arrangements are confirmed on replacement provision.

Sport England have confirmed that once a suitable section 106 agreement or other legal mechanism has been signed, they will withdraw their objection.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets 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 219 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 sub-heading, 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 219.

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 Council has a 5.4 year housing supply. Therefore, the most important policies in the determination of this application are not automatically considered to be out of date. Indeed, the most important policies in the determination of this application, which are discussed in this assessment, do, when considered as a collection, align with the Framework. As such, section d) of paragraph 11 ('the tilted balance') does not apply in this instance. It is, therefore, not considered that there should be an automatic presumption in favour of sustainable housing development that outweighs other material planning issues.

Key Issues

The main issues to be considered in this application are:

- The acceptability of the development in land use policy terms,
- The design of the proposal and its impact on the surrounding area,
- The effect on future and existing occupiers living conditions,
- Whether suitable highways access and off-street parking is provided,

Land Use Principle

The application site is designated as Open Space Area in the Unitary Development Plan (UDP), with the surrounding area on all boundaries designated as a Fringe industry and Business Area.

Core Strategy Policy CS47 "Safeguarding of Open Space" sets out the criteria to be applied to proposals that seek to build upon open space land. The first part of this policy at sections a-d lists where development will not be permitted on open space, and the second part e-g allows for development that would result in the loss of open space providing a number of criteria are met.

NPPF paragraph 99 b) provides for development to be permitted if the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

CS47 is only in part consistent with the NPPF's open space policies, with significant weight given to parts (c) open space serving local people, and (d) cause a break in the city's green network, and less weight given to the other sections of this policy.

This site has not been used for many years and is not publicly accessible. It is not maintained and open views across the site are prevented by tall stone boundary wall on all sides. The land is not considered to be a high quality space or contain any significant heritage, landscape or ecological features that would warrant its protection or retention.

Given the site's inaccessibility for such a long period of time, it cannot be argued that the loss of the land would deny the local people access to it. Furthermore, the loss of the space would not impact upon the City's Green Network.

Therefore the principle of the loss of this area of open space is acceptable subject to it being replaced with an equivalent or better provision in terms of quality and quantity in a suitable location.

The site has been used as a bowling green in the past. It would be hard to find a suitable site to build a new bowling green facility, and a practical approach is to agree an equivalent financial contribution to be used to provide or improve sports provision elsewhere in the city. This arrangement has been agreed following consultation with Parks colleagues and this approach has been taken in other similar scenarios. Matthews Lane cricket facility in Norton would be a priority site, and the contribution would help to complete the new ground.

There is no set criterion within policy CS47 or the NPPF for calculating a financial contribution. The costings have been discussed with colleagues in the Council's

Parks Teams, and a reasonable contribution is considered to be £180,760. The applicant has confirmed that they are agreeable to the provision of a financial contribution of £180,760 to be used to improve sports facilities elsewhere in the city and this is to be secured through a Legal Agreement.

Sport England have commented on the application. They are aware that a financial contribution has been offered to mitigate for the loss of the bowling green, however, until a suitable legal agreement (Section 106) has been signed and sealed they are objecting to the application. They also understand that Sheffield is a Community Infrastructure Levy (CIL) charging authority, and that the issue of future provision of sports facilities within the city for future occupiers of the building could be covered by a significant CIL contribution. Sport England have confirmed that once the legal agreement is finalised, they will withdraw their objections to the application.

Therefore, subject to a Legal Agreement being completed, there is no policy objection to the loss of the open space, meeting the requirements Core Strategy Policy CS47, and paragraph 99 of the NPPF.

Housing Land Supply

Paragraph 74 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, and the NPPF states that the housing requirement must be based on the local housing need figures using the Government's standard methodology.

On 16 December 2020 the Government published an update to planning practice guidance 'Housing and economic needs assessment'. The update introduces a change to the standard method for calculating the local housing need figure.

Paragraph 004 provides the steps used to calculate the local housing need figure as well as the specific data inputs to be used in terms of demographic baseline and adjustment for affordability. The most recent publication now includes an additional step 4 – the 'cities and urban centres uplift'. This requires a 35% uplift to be applied to the local housing need figure for the 20 largest cities and urban centres, including Sheffield.

The effect of the urban centres uplift is to increase Sheffield's local housing need figure for 2021 to 2,923 new homes per annum.

The Council's most recently published position in relation to the deliverable 5 year housing land supply situation is set out in the '5 Year Housing Land Supply

Monitoring Report', December 2020. The monitoring report sets out the position as at 1st April 2020, with respect to the period 2020/21 to 2024/25. The monitoring report provides evidence of a 5.4 year deliverable supply of housing land.

Until an update is produced with a base date of 1st April 2021, the monitoring report remains the Council's stated position.

Therefore, 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 at this time.

Housing Density and Mix

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 paragraph 125 of the NPPF and therefore Policy CS26 is considered to carry substantial weight in determination of this application.

At this location close to the city centre, a minimum density of 70 dwellings per hectare is required as reflected in CS26 (a). This scheme achieves a density which is well above the range set out in the policy. However, exceptions may be made to the policy where the proposal achieves good design and reflects the character of an area. This high density is considered acceptable as a result of this being a tall building within a confined site, in a city centre location, and which is close to other large scale and high density developments.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages development of housing to meet a range of housing needs. Policy CS41 part(a) is relevant to this application and states that a mix of housing types and tenures will be achieved by ensuring that no more than half the homes in larger developments should consist of a single house type. 'Larger developments' are defined as more than 60 new dwellings and a single house type is defined as one with the same number of bedrooms and of the same design or generally similar characteristics.

The property mix proposed in this development is 168 one-bed units (50%) 114 two-bed units (42%), 28 three-bed units (8%), which ensures that no more than half of the units are in one single house type.

Therefore the proposal is considered on balance to meet the requirements of Policies CS26 & CS41 of the Core Strategy.

Design Proposals

Core Strategy Policy CS 74 'Design Principles' seeks to promote high quality development and it says that development should take advantage of and enhance the townscape and landscape character of the city's districts. UDP Policy BE5

'Building Design' says that original architecture will be encouraged but new buildings should complement the scale, form and architectural style of surrounding buildings.

Core Strategy Policy CS76 'Tall Buildings in the City Centre', states tall buildings in the city centre are appropriate in differing circumstances, such as where they; a) help to define identified gateway sites, or c) mark a principal activity node or a key route.

Chapter 12 of the NPPF also requires good design. Paragraph 126 promotes high quality buildings with good design being a key aspect of sustainable development that creates better places to live, work and establish communities.

Paragraph 134 requires that development which is not well designed should be refused. It goes on to say that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally.

It is considered that the NPPF requirements in relation to design closely reflect the aims of the local policies described. Therefore, these local policies can be afforded significant weight in the assessment of this application.

Layout

It is proposed to break through the stone boundary wall onto Queens Road, to create an active street frontage. The remaining boundary wall fronting onto Queens Road is then lowered to 1.2 metres in height with a hedge to be planted behind. On the ground floor, the main entrance, meeting area and gym face towards Queens Road, and it is proposed to have a hard and soft landscape area to provide an attractive entrance into the site. Farm Road is therefore more a secondary façade, containing the plant rooms, bin storage and car parking area, and the boundary wall is to remain in situ at approximately 2.4 metres high.

Areas of soft landscaping including wild flower meadows are proposed towards the casino and Farm Road boundaries, with a more formal area of public realm created onto Queens Road.

Overall, the proposal is considered to respect and complement the existing street pattern in the vicinity and the layout is acceptable.

Scale and Massing

Policy CS75 'Improvements to Gateway Routes into and through the City' lists the Inner Ring Road as a gateway route with priority for improvements. Policy CS76 'Tall Buildings in the City Centre' accepts that elegantly designed and appropriately sited tall buildings creating landmark structures can help to define gateways into the city. This is mirrored in the Sheffield Urban Design Compendium which states that Tall Buildings can play a positive role in the design of the City Centre and act as focal points of activity such as major gateways into the City Centre.

The proposed building features a main tower element which rises to 23 storeys in

total and fronts onto the junction of Farm Road and Queens Road, towards Granville Square. As you then travel along Queens Road, the building steps down to 17 storeys, and finally a 10 storey element.

In respect of the immediate street scene, the Casino sits adjacent which is 3 (generous) storeys in height, with many of the other buildings 2 storey in height including the Sports and Social Club directly opposite on Farm Road. In the wider area, Sheffield College is visible along with a number of taller buildings including New Era Square and Jury's Inn. In addition, planning permission has recently been granted (May 2021) for the erection of a 15 storey building on the site of WFI House on the opposite side of Queens Road.

Therefore on this gateway route into the city, close to the Granville Square junction, a tall, well designed 23 storey landmark building is considered acceptable.

Appearance/ Materials

The development proposes a high quality crisp contemporary design. It is well detailed showing a well-defined fenestration, with a clear hierarchy.

Careful consideration has been given to the materiality of the proposal. It is proposed to use a dark mono-tone brickwork to the ground and first floors to define a well-proportioned plinth to the building. The upper floors are a lighter brick. The 23-storey tower element has the inclusion of projecting masonry piers which will create deep shadow lines and reveals, which are solid and grounding. Horizontal soldier coursing is proposed along intermediate floors with a crown feature to the top. Projecting balconies are proposed to some of the units, to help break up the elevations. The windows and balustrades are to be metal, with a bronze finish to complement the brickwork tone on the tower.

Large scale drawings of the finer details including the window reveals, ground floor entrances, brickwork modelling and other details can be controlled through condition to ensure appropriate high-quality finishes.

Overall it is considered that the development is well designed and complies with Policies BE5 of the UDP, Core Strategy Policy CS74 and CS76, and the principles of Chapter 12 of the NPPF.

Public Art

UDP Policy BE12 states that public art should be provided as an integral part of major developments.

Public art helps to achieve NPPF's requirement of giving a clear design vision and the establishment of a strong sense of place. As a result, the relevant local policy can be afforded significant weight.

Without providing details at this stage the applicant has agreed to the principle of public art, and to the incorporation of a suitably worded condition on any approval. The scheme would therefore be acceptable in this regard.

Wind Study

An Environmental Wind Study was submitted as part of planning submission.

Wind tunnel tests have been conducted on a 1:300 scale model of the proposed development with all surrounding buildings, including the 15 storey building which has recently been granted planning permission on the opposite side of Queens Road.

Measurements were taken at up to 158 locations for 36 wind directions, including ground level locations along the building's facades, pedestrian entrances, walkways, bus stops, terraces and balconies.

The existing scenario was modelled in the wind tunnel model in the worst season conditions, as was testing for both the proposed building and the surrounding area as existing, and taking it account the recently granted permission for the 15 storey building opposite.

The acceptability of windiness is subjective and depends on a number of factors. The Lawson Criteria is used to describe acceptability for particular activities in terms of 'comfort' and 'distress' (or safety). The comfort criteria is listed as:

'Sitting' (reading a newspaper, eating or drinking),
'Standing' (appropriate for bus stops, window shopping and building entrances),
'Strolling' (General areas of walking and sightseeing)
'Walking' (local areas around tall buildings where people are not expected to linger).

Above this, 'Uncomfortable' or (distress) criteria can occur, which are categorised as 'general public areas', 'able-bodied access' and 'restricted access'.

The majority of the areas around the proposed development and the entrances would be suitable for the intended use for all comfort levels, during the summer season. However some of the balconies from Level 12 to 22 on the north-western corner would not be suitable for sitting in the winter season.

Wind mitigation measures have been developed to enhance the proposed landscaping and to protect thoroughfares around the proposed development and along Farm Road and Queens Road. These include planting of deciduous trees, hedging and some 50% porous screen panels to be installed at ground level.

There would be no instances of strong winds exceeding 15m/s for more than 0.025% of the time in areas accessible by pedestrians and occupants for both existing and cumulative surrounding buildings scenarios. In all cases modelled, there were no instances of any uncomfortable criteria within the site or to adjacent sites.

In summary, there is no reason to resist the development owing to the impact it would have on local wind conditions within the site and the adjacent sites.

Sunlight and Daylight Study

NPPF paragraph 125 (c) states that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework. When considering applications for housing, authorities are told to take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, provided that the resulting scheme would provide acceptable living standards.

Whilst at local level there is no specific policy for assessing the acceptability of daylight and sunlight, it is considered reasonable to use the BRE assessment method. Where a new development can block light to existing homes, the BRE's daylight assessment is based a number of factors, including the Average Daylight Factor (ADF) and Vertical Sky Component (VSC).

A daylight and sunlight study has been carried out for the site. The impact on any future users of the recently approved 15 storey tower at WFI house (on Queens Road opposite) shows that should the permission be implemented and built out, the impact on daylight and sunlight to this property is considered acceptable.

Amenity issues

Policy H5 'Flats, Bed-sitters and Shared Housing' of the UDP states that planning permission will be granted only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours.

H15 'Design of New Housing Developments' states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

Paragraph 130 (f) within the NPPF states that the planning system should always seek to secure a high standard of amenity for existing and future users.

The UDP policies are therefore considered to align with the requirement of paragraph 130 so should be given significant weight.

Existing/Surrounding Occupiers

The closest neighbouring buildings to the site are the Sports and Social Club to the east, the Casino building to the south, and the occupants of the recent approval for a 15 storey residential tower at WFI house to the west.

There are two windows in the side of the Sports and Social Club which take their outlook over Farm Road towards the site. The position of the proposed building is not considered to create an unacceptable level of overbearing, overshadowing or overlooking to occupiers/users of the club.

The casino is located to the south and contains several windows and openings in the elevation facing towards the site. These appear to be offices/stores which are ancillary to the casino use. The proposed building is set back from this boundary,

and it will not create an adverse level of overbearing or overlooking to users of the casino building.

Planning permission has recently been granted for the erection of a 15 storey residential tower on the opposite site of Queens Road (WFI House). There is an adequate distance between facing windows on the proposal for this site and this application to ensure no adverse amenity issues are created.

All other properties are sufficient distance away from the proposal, and any residents/occupiers/users will not experience any adverse amenity issues.

Future Occupiers

The proposed units are primarily single aspect, taking an outlook over either the adjacent highways, or towards and over the Casino. All habitable rooms have large window openings and have a reasonable level of outlook and natural day light. Windows are positioned to ensure that there are no unacceptable levels of overlooking between adjacent flats within the scheme.

Sheffield does not have any adopted internal space standards which can be applied to new residential institution development, however there are internal space standards contained within the South Yorkshire Residential Design Guide. This requires space for a 1 bedroom unit to be 47 m², for a two bedroom unit 62 m², and a 3 bedroom unit 77m². The units themselves vary in size, but on average, the 1 bedroom units are 45m², the 2 bedroom units are 61-65 m² and the 3 bedroom units are 88m². Therefore the majority of the proposed units comply with these recommendations, with the exception of the 1 bedroom units, which are approximately 2m² below the Design Guide standards.

External amenity space is proposed within a roof terrace above the 10-storey element, and within the landscaping around the perimeter of the building. In addition, several of the units have an external balcony/terraced area. The ground floor of the proposal is dedicated to ancillary accommodation including a gym, social seating area, co-working area, and a multi-purpose space.

Therefore, despite the minor shortfall in internal space for the 1 bedroom units, it is considered that the proposed development would not adversely impact on the amenities of existing occupiers to an unacceptable level, and would provide appropriate living conditions for occupiers of the proposed new dwellings. Accordingly, the proposal complies with UDP policy H14 and paragraph 130 of the NPPF.

Noise Assessment

A noise assessment has been submitted with the application, with readings taken at various locations around the site. The conclusion is that the main sources of noise are from road traffic, primarily Queens Road and Farm Road, train noise from the nearby railway line, and noise break out from the adjacent fast-food outlet, Sports and Social Club and the Casino. The report established that with a suitable scheme of sound insulation works, internal noise levels and noise levels in external amenity

areas can be rendered acceptable. Therefore it is unlikely that the noise sources would be deemed a nuisance, or be intrusive above existing noise levels. Recommendations are made for glazing, insulation to walls and ventilation to achieve the appropriate internal noise levels.

Subject to relevant conditions, the proposal would not have a detrimental impact on future occupiers from adverse levels of noise.

Highways

UDP Policy BE9 'Design for Vehicles' expects developments to provide a safe, efficient and environmentally acceptable site layout for all vehicles (including cycles) and pedestrians.

Policy CS51 'Transport Priorities' identifies strategic transport priorities for the city, which include containing congestion levels and improving air quality.

The NPPF seeks to focus development in sustainable locations and make the fullest possible use of public transport, walking and cycling. Paragraph 111 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Those local policies broadly align with the aims of Chapter 9 of the NPPF (Promoting Sustainable Transport) although it should be noted that in respect of parking provision, the NPPF at paragraphs 107 and 108 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.

There is an existing access onto the site including dropped crossing from Farm Road. It is proposed to move this access slightly closer to the Casino and away from the existing access serving the Sport and Social Club opposite. Relocating the access slightly is considered acceptable in highway safety terms, with appropriate visibility splays provided.

With regard to parking spaces, the application seeks to provide 29 car parking spaces, 2 of which are accessible, and electric charging points. The Council's revised parking guidelines set out maximum standards in accordance with Core Strategy Policy CS53. In this location within a city centre location, a maximum of 1 space per dwelling is specified.

The site is in a very sustainable location, with access to good transport links. Immediately adjacent to the site is a high frequency bus route, a tram stop is approximately 120 metres walk, and the train station is approximately 600 metres away.

The site is located close to the city centre which offers an extensive range of

facilities and services, which will encourage sustainable travel choices by its occupiers. In addition 358 cycle spaces are proposed within the main fabric of the building at ground floor level, providing a safe and secure store, and a ratio of just more than 1 space per unit. 4 visitor cycle parking stands are proposed close to the main entrance.

Strategies in relation to waste management can again be controlled through a condition. There is a large bin store within the ground floor of the building, with collections from Farm Road.

On this basis, the proposal is considered to comply with UDP, Core Strategy and NPPF policies as listed above, and would not have the level of impact that would justify refusal of permission on highway safety grounds as required by the NPPF.

Air Quality

Policy CS51 (Transport Priorities) of the CS states that one of the strategic priorities for transport is to improve air quality.

Policy CS66 (Air Quality) within the CS states that action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Para 174 (e) of the NPPF states that new development should be prevented from contributing to unacceptable levels of air pollution and developments should wherever possible help to improve air quality.

The local policies align with the NPPF's provisions and are therefore attributed significant weight in this assessment.

The application was submitted with an Air Quality Assessment document. This can be summarised as follows:

During construction phase of the development, there is the potential for air quality impacts. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and track out activities was predicted to be not significant.

During the operational phase of the development there is the potential for air quality impacts as a result of traffic exhaust emissions associated with vehicles travelling to and from the site, however due to the relatively low number of predicted vehicle trips from the proposals, impacts were predicted to be not significant.

It is therefore considered that the impact of the development on air quality will be negligible and a Construction Environmental Management Plan should be required by condition, to ensure that the construction phase is managed so that the implications of the construction are not significant.

Access

The requirements of Policy H7 'Mobility Housing' of the UDP have been superseded by the Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time as these standards are not part of an up to date local plan.

H15 'Design of New Housing Developments' within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

In relation to the general layout, all buildings and approaches will benefit from level access. It is expected that all building entrances, ramps, steps, footpaths, lifts, crossing, mobility car parking spaces are all design to meet current standards.

Based on the above the proposals are considered to offer a suitable response from an access perspective.

Landscaping

UDP Policy GE15 'Trees and Woodlands' within the UDP states that trees and woodlands will be encouraged and protected. 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 130 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.

At present the site is relatively bare, with some self-set shrubs and young trees around the perimeter. It is intended to clear the entire site, and to include a comprehensive soft landscaping scheme for the new development. This includes the planting of native hedgerows and wild meadows along the perimeter of the sites, and a communal lawn near to the main entrance.

A number of trees are required to be planted to satisfy requirements following the wind survey. A condition on any approval can ensure a detailed planting plan, including tree/plant locations, species, size, numbers, planting method, soil depths and future maintenance are all provided.

Therefore the proposal is considered acceptable in terms of Policy's BE6, GE15, CS74 and 130 of the NPPF.

Ecology

UDP Policy GE11 'Nature Conservation and Development' states that the natural

environment should be protected and enhanced and that the design, siting and landscaping of development needs to respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

NPPF paragraph 174 a) and d) identify that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 180 a) identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 180 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Local policy aligns with the NPPF and is therefore relevant to this assessment.

An ecology survey accompanied the planning application and concluded that owing to the intact high boundary walls restricting dispersal through the site, the site being bound by major roads on two sides, the lack of landscaping and the quality of the existing small structures on the site, there would be no adverse impact on any protected species from the proposed development.

In line with paragraph 174 of the NPPF, the application should demonstrate a net gain of biodiversity. In this instance, it is proposed to plant native tree species, a wildflower meadow, to erect bird boxes, and bat boxes to enhance roosting provision over the wider site.

Therefore, the proposal is considered to comply with GE11 and paragraph 174 and 180 of the NPPF.

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 will deliver economic regeneration to an important parcel of the to the city centre.

In social terms, the proposal will be providing variety of house types, and will regenerate the area and provide a vibrant and welcoming environment.

In an environmental sense, the proposal seeks to remove a vacant site which adjoins the Ring Road and is in a prominent position when entering the city, and replace it 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.

In this instance, high levels of natural daylight will be provided to the units, through modern high performance glazing. Solar Photovoltaics are to be installed on the roof of the main tower (23 storey), and on the 17 storey element, along with low energy lighting and appliances. 3 electric vehicle charging points are also proposed to the car parking area. A condition can be attached to any approval to ensure that the minimum 10% of energy needs is provided from those sources.

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

Flood Risk / Drainage

Flood Issues

The proposal is in flood zone 2 - medium probability which means there is between a 1 in 1000 and 1 in 100 annual probability of river flooding on the site. The proposal is for more vulnerable uses in terms of flood risk (Table 2 PPG) which are listed as 'appropriate' in flood zone 2 and 3a subject to a robust flood risk assessment and the sequential test. There is a small section which falls within Zone 3a – high probability.

Policy CS67 'Flood Risk Management' of the Core Strategy states that the extent and impact of flooding should be reduced. Supporting paragraphs states the policy will mainly be delivered through ensuring developers provide the necessary evidence for the Local Planning Authority to undertake the sequential test in order to locate developments in lower probability areas wherever possible.

Whilst the NPPF's main focus is on the sequential and impact tests, policy CS67 is in alignment with the NPPF, and is therefore afforded significant weight.

The NPPF and the relevant PPG require a sequential, risk-based approach to the location of development. In Paragraph 162 states "The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding."

The application was accompanied by a Sequential and Exception Test and Flood Risk Assessment (FRA).

The sequential test considers the availability and suitability of other sites. It

concludes that other sites are either not available or are not suitable. As a result, it is considered that adequate information has been provided and the proposal passes the sequential test.

In addition, an Exception Test has been submitted. This is normally only applicable in high risk flood zones (3a), but technically, there is a small section at the northern end of the site which just falls within flood zone 3a. There are two parts to the Exception Test, the first demands that the proposal demonstrates wider sustainability benefits that outweigh the flood risk. The second part needs to demonstrate through the FRA that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing risk elsewhere. The sustainability arguments and open space compensation are generally accepted to meet the first part of the Exception Test.

The FRA give assurance that the development will be safe for its lifetime. There is no residential accommodation on the ground floor of the building, and the floor plate has been raised by an additional 127mm to ensure that the finished floor levels are based on the 1 in 200 year annual exceedance to take account climate change. Therefore the second part of the Exceptions Test is also satisfied. The Environment Agency confirm that the FRA is acceptable, with it's proposed mitigation measure/s to set residential finished floor levels at a specified height above OS datum. As such, a condition requiring the specified finished floor levels is required to ensure implementation of the proposed mitigation measure.

Overall, the proposal is considered to be satisfactory in flood risk terms.

Drainage

The Council's Lead Local Flood Authority Officer, confirms that the discharge of surface water to the culverted watercourse running through the site is acceptable. This historical culverted watercourse beneath the site is vulnerable in terms of structural integrity and flow characteristics. A new culvert is to be built in a similar position, and it has been confirmed from the agent that this will have a design life of 120 years. Full details of the drainage strategy including additional surface water drainage can be controlled through relevant conditions.

Overall, the requirements of Core Strategy policy CS67, as summarised above, would be considered to be met by the proposal subject to the addition of appropriate conditions.

Affordable Housing

Policy CS40 'Affordable Housing' within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

Within the Community Infrastructure Levy and Planning Obligations Supplementary

Planning Document (2015) the site falls in the City Centre West area. Sites within this area have a target of 10% for affordable housing provision.

The NPPF at Paragraph 63 requires policies to reflect the need for affordable housing provision. The relevant local plan policies and supporting SPD are considered to be in close alignment with these provisions and are therefore afforded significant weight.

In line with the established procedure, the Applicant produced a financial viability appraisal. This was then evaluated by the LPA's appointed independent assessor (CP Viability). Following a series of discussions, the Applicant has offered £495,000 as a commuted sum. This has been considered by CPV and they conclude this to fall within the parameters they had identified in carrying out their assessments. Whilst it was a figure at the lower end of the identified range, it was considered an appropriate sum given the costs, timing, and current uncertainty in the marketplace.

This figure will be secured through a legal agreement (Section 106 agreement). As a result, the scheme is considered to meet the requirements of the relevant local and national policies in this respect.

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'.

Employment & Skills

Substantial major projects give opportunity for the Applicant and the Council's Employment & Skills Service to work together going forwards. This would most obviously cover the construction phase, and also potentially the operational phase.

With this in mind, the Council's Investment Support Manager considers that the developer should agree an Employment and Development Plan, covering the construction phase, (and if applicable, the operational phase) which will be designed to maximise the economic and social benefits for local communities from the proposed development.

Given the scale of the project this is considered reasonable, and therefore an appropriate condition is included within the recommendation.

SUMMARY AND RECOMMENDATION

The application seeks permission to erect a significant residential development comprising of a 336 apartments in a 10-23 storey building. The pursuit of sustainable development is the overriding aim of national planning policy, and this site is within the main urban area, with the proposal being at an appropriate density.

The design of the proposal is of an appropriate scale and massing for this landmark site, featuring high quality materials within a well fenestrated building.

The re-positioned access proposed to the site from Farm Road to the car parking area is considered appropriate and will not cause any highway safety issues. Car parking ratios are not to maximum standards, however in this location, close to the city centre, bus routes, tram routes and the train station this is acceptable. In addition, ample secure cycle parking is proposed.

The proposal will not impact on the amenity and living conditions of existing adjoining in terms of overlooking or overbearing with a good level of amenity afforded to future residents.

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 Members of the Planning Committee approve the application subject to the listed conditions and a legal agreement to secure £495,000 towards an off-site contribution to affordable housing, and £180,760 towards sports facility within the city.

