

**Place Directorate  
City Growth Service**

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Ref: 18/00386/FUL (Formerly PP-06697015)

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S1 4BY

**TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING PERMISSION**

- Proposal:** Demolition of existing building and erection of 7-storey (plus basement) mixed use development comprising 63 no. student bedrooms in 13 clusters over 6 storeys with commercial use on ground/lower ground floor and cycle storage
- Location:** 90 Trippet Lane/8 Bailey Lane, Sheffield, S1 4EL
- Applicant:** Trippet Property Ltd

Planning permission is hereby **GRANTED** for the above-mentioned development in accordance with the application deposited with the Council on 30 January 2018 together with the relevant plans, including any amendments now agreed, subject to the following condition(s), in each case followed by the relevant reason:-

**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 Plan(s)**

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

07) 010 rev PL2 Proposed Basement Plan  
(07) 011 rev PL4 Proposed Ground Floor Plan

Large print versions of this letter are available by telephoning (0114) 273 4791

(07) 012 rev PL4 Proposed first floor plan  
(07) 013 rev PL4 proposed second floor plan  
(07) 014 rev PL4 Proposed third floor plan  
(07) 015 rev PL4 Proposed fourth floor plan  
(07) 016 rev PL4 Proposed fifth floor plan  
(07) 017 rev PL2 Proposed sixth floor plan  
(07) 019 rev PL1 Proposed roof plan  
(08) 003 rev PL1 Proposed Bailey Lane Elevation  
(08) 004 rev PL1 Proposed Bailey Lane Elev 100  
(08) 005 rev PL2 Proposed Trippet Lane elev  
(08) 006 rev PL1 Proposed Rear Elev  
(08) 007 rev PL2 Proposed Car Park North Elev  
(08) 008 rev PL2 Proposed Car Park/North Elev 1

Noise Impact Assessment, referenced NIA/7634/17/7605/V1/90 Trippet Lane, dated 18th December 2018 by ENS Environmental Noise Solutions Limited.

Phase 1 Desk Top Study, reference E414, dated August 2017 by Collins-Hal-Green Ltd.

Carbon Reduction Statement

Reason: In order to define the permission.

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

3. 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.

4. No development , with the exception of demolition works only, shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include:
  - i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
  - ii) the means by which the discharge rate shall be restricted to a maximum rate of 3.6 (three point six) litres per second.

Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

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

5. The development shall proceed in accordance with the recommendations and proposals set out in the Carbon Reduction Statement. Should the final details vary from the proposals set out in this statement then a revised Carbon Reduction Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources shall have been installed before any part of the development is occupied and a post-installation report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed. 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.

6. Before the development is commenced, 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

7. Before the commercial use(s) hereby permitted commences, a scheme of sound attenuation works shall have been installed and thereafter retained. Such a scheme of works shall:
  - a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
  - b) Be capable of restricting noise breakout from the commercial use(s) to the street to levels not exceeding the prevailing ambient noise level when measured:
    - (i) as a 15 minute LAeq, and;
    - (ii) at any one third octave band centre frequency as a 15 minute LZeq.

- c) Be capable of restricting noise breakout from the commercial use(s) to all adjoining residential accommodation to levels complying with the following:
- (i) Bedrooms: Noise Rating Curve NR25 (2300 to 0700 hours);
  - (ii) Living Rooms & Bedrooms: Noise Rating Curve NR30 (0700 to 2300 hours);
  - (iii) Other Habitable Rooms: Noise Rating Curve NR35 (0700 to 2300 hours);
  - (iv) Bedrooms: LAFmax 45dB (2300 to 0700 hours).

Before such scheme of works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.  
[Noise Rating Curves should be measured as an LZeq at octave band centre frequencies 31.5 Hz to 8 kHz.]

Reason: In the interests of the amenities of the locality and of the residential occupiers of the building.

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

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

9. Before the use of the development is commenced, Validation Testing of the sound 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 attenuation works thus far approved, a further scheme of sound attenuation 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.

The required Validation Testing is separate from, and in addition to, any tests required to comply with Building Regulations in relation to Approved Document E; Resistance to the passage of sound.

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

10. 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 the safety of road users.

11. The development shall not be begun until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure the reconstruction of the footways adjoining the site before the development is brought into use. The detailed materials specification shall have first been approved in writing by the Local Planning Authority.

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

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

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

13. The proposed green roof(s) (vegetated roof system) shall be provided on the roof(s) in the locations shown on the approved plans prior to the use of the buildings commencing. Full details of the green roof construction and specification, together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to foundation works commencing on site and unless otherwise agreed in writing shall include a substrate based growing medium of 80mm minimum depth incorporating 15-25% compost or other organic material. Herbaceous plants shall be employed and the plants 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. The Local Planning Authority shall be notified in writing upon completion of the green roof.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

15. 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.

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

- a) Windows inc. to commercial unit
- b) Window reveals (minimum 120mm)
- c) Doors
- d) External wall construction
- e) Brickwork detailing inc. recessed panels
- f) Rainwater goods
- g) Curtain Walling System
- h) Metal Balustrade inc. method of fixing
- i) Louvres and Louvre Gates
- j) Soffits

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

Reason: In order to ensure an appropriate quality of development

17. 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 works and shall be retained for verification purposes until the completion of such works.

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

18. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable inclusive access and facilities for disabled people to enter the building(s) and within the curtilage of 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 inclusive access and facilities have been provided in accordance with the approved plans. Thereafter such inclusive access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

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

### **Other Compliance Conditions**

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

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

20. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried on only between the hours of 0800 to 2100 Mondays to Saturdays and between the hours of 1000 to 1600 on Sundays and Public Holidays.

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

21. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) Plans showing the location of the fume extract terminating 1m above any openable window and including a low resistance cowl.
  - b) Acoustic emissions data.
  - c) Details of any filters or other odour abatement equipment.
  - d) Details of the system's required cleaning and maintenance schedule.
  - e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building.

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

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

22. No customer shall be permitted to be on the premises outside the following times: 1000 to 2300. The use of any outside seating shall only be used between the hours of 1000 and 2100.

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

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

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

Please Note: There may not be conditions under each heading.

### **Date of Decision made by the Council's Planning & Highways Committee**

29 May 2018

Planning Service  
Sheffield City Council

### **Attention is drawn to the following directive(s):**

1. Where conditions require details to be submitted, an Application for Approval of Details Reserved by Condition is required (unless the condition gives the option of implementing the details already submitted). The Local Planning Authority is expected to determine these applications within 8 weeks of being validated, so it is essential to include all the information required. Apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). There are fees, which are also set by the Government.

2. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.
3. 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.
4. Plant and equipment shall be designed to ensure that the total LAeq plant noise rating level (including any character correction for tonality or impulsive noise) does not exceed the LA90 background noise level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
5. 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.
6. Construction and demolition works that are audible at the site boundary shall only take place between 0730 hours and 1800 hours on Monday to Fridays, and between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.





## NOTES

The term 'true conditions precedent' is used to mean a condition that expressly requires that development shall not commence until the condition has been complied with, and is central to the consent. Development commencing without complying with these conditions would be unlawful.

### Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act, 1990.

Enforcement - If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice. If you want to appeal against your Local Planning Authority's decision on our application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Householder - If this is a decision to refuse planning permission for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

Minor Commercial - If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

All Other Applications - If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under a development order.

### Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put

the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

#### Notes Regarding Access for Fire Service

Notwithstanding this planning permission, attention is drawn to Section 55 of the South Yorkshire act 1980 which requires that any application made under the Building Regulations shall be rejected unless, after consultation with the Fire Authority, they are satisfied that the plans show:-

- (a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
- (b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

Any queries in this respect should be directed to:-

South Yorkshire Fire and Rescue, 197 Eyre Street, Sheffield, S1 3FG. Telephone: 0114 2727202

#### Demolition

Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Standards, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 273 4170 email [buildingcontrol@sheffield.gov.uk](mailto:buildingcontrol@sheffield.gov.uk)

Environmental Protection Services can be contacted at DEL, Howden House, 1 Union Street, Sheffield, S1 2SH. Tel (0114) 2734651