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Subject: Sheffield Plan: Publication (Pre-Submission) Draft - Representations in relation to West Bar
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[The Sheffield Plan \(Regulation 19\) Representations West Bar 20022023.pdf](#)

FAO Strategic Planning Team

Thank you for providing an opportunity to comment on the Regulation 19 (Pre-Submission) Publication Version of the Sheffield Local Plan. Asteer Planning LLP acts on behalf of Urbo (West Bar) Ltd in relation to its flagship regeneration project at West Bar in Sheffield City Centre, which is being delivered in partnership with Sheffield City Council via a Development Agreement. These representations have been prepared by Urbo to provide comments on the spatial strategy, character area/neighbourhood policies, detailed policies and the specific site allocation for West Bar in the draft Local Plan. They seek to safeguard and future-proof the regeneration of West Bar, by proposing a policy framework that is sound and fully recognises its potential as a high quality, sustainable and connected mixed-use quarter of Sheffield City Centre. Urbo welcomes ongoing engagement with the Council’s Strategic Planning and Development Management Officers as the Local Plan progresses towards Submission and Examination, to ensure that current and future applications/consents reflect planning policy and vice versa. We would be happy to discuss any feedback in relation to these representations or West Bar as an important regeneration site in the Local Plan.

I would be grateful if you could confirm safe receipt of these representations in due course.

With kind regards

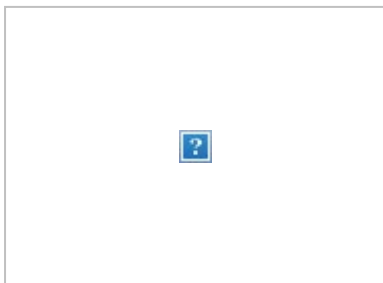
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Response to The Sheffield Plan: Publication Version (Regulation 19)

On behalf of Urbo (West Bar) Limited

In relation to:

West Bar SHEFFIELD

20th February 2023



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Prepared By: Jon Power (Associate Partner)

Asteer Planning LLP, Mynshulls House, 14 Cateaton Street, Manchester, M3 1SQ

Version FINAL

Date: 20th February 2023

INTRODUCTION

- 1.1 Thank you for providing an opportunity to comment on the Sheffield City Council (herein referred to as “SCC” or “the Council”) Regulation 19 Publication Version of the Sheffield Local Plan (“the draft Local Plan”). Asteer Planning LLP (“Asteer”) acts on behalf of Urbo (West Bar) Ltd (“Urbo”) in relation to its flagship regeneration project at West Bar (please note that in the Local Plan policies and other text, it has been agreed that West Bar Square should now be referred to as ‘West Bar’ in all instances) in Sheffield City Centre, which is being delivered in partnership with SCC through a Development Agreement.
- 1.2 These representations seek to ensure that, to be considered sound, the draft Local Plan reflects the potential of West Bar as a mixed use urban regeneration site, that can respond to the requirements of Sheffield and support a robust but flexible planning framework that in turn, can respond to the needs of the City Centre during the next Plan Period (which runs to 2039). These representations build on Urbo’s submission to the City Centre Strategic Vision (“CCSV”), submitted in February 2022, and seek to ensure that statutory and non-statutory policy retains flexibility in how its flagship development sites are brought forward in the City Centre, as the city evaluates the impact of the global COVID-19 pandemic, the cost of living crisis, Brexit and the potential for changing market and student trends during the Plan Period.
- 1.3 These representations have been prepared by Urbo to provide comments on the spatial strategy, character area/neighbourhood policies, detailed policies and the specific site allocation for West Bar in the draft Local Plan. These representations seek to safeguard and future-proof the regeneration of West Bar, by proposing a policy framework that is sound and fully recognises its potential as a high quality, sustainable and connected mixed-use quarter of Sheffield City Centre.
- 1.4 These representations are separated into two parts, which include:

Part 1: Comments on the Spatial Strategy, Strategy Policies and Land Allocations

- 1.5 Providing detailed comments on the strategic approach of Part 1 of the draft Local Plan, based on:
 1. **West Bar in Context** – providing a summary of the site in context, a review of its development history, a synopsis of its extant planning position (including outline consent and reserved matters) and a summary of the opportunity that exists at West Bar during the next Plan Period.

2. **Spatial Strategy and Land Allocations** – providing general comments on the draft Local Plan’s spatial strategy, settlement hierarchy, sub-area approach and land allocations that relate to West Bar.
3. **West Bar Allocation** – providing comments on soundness of the designation of West Bar as a City Centre Office Zone, a Strategic Mixed Use site and the site specific allocation of West Bar for 368 units (and associated detailed land allocations policies); and
4. **The Recommended Policy Approach to West Bar** – setting out Urbo’s recommended approach to a delivering a sound and positively prepared policy framework for West Bar that a) reflects the current extant planning position; and b) which reflects the future aspirations of the site as a mixed use quarter of the city.

Part 2: Comments on the Detailed Development Management Policies

- 1.6 The second part of these representations provides comments on the detailed and development management policies contained within Part 2 of the draft Local Plan, to ensure that these policies retain flexibility and do not impact on the deliverability of major regeneration schemes in the City Centre.
- 1.7 Urbo welcomes ongoing engagement with the Council’s Planning Policy and Development Management Officers as the Local Plan progresses towards Submission and Examination, to ensure that current and future applications/consents reflect planning policy and vice versa. We would be happy to discuss any feedback in relation to these representations or West Bar as an important regeneration site in the Local Plan. Urbo is committed to working with the Council as the regeneration of West Bar is progressed.
- 1.8 Urbo would like to reserve the right to appear in person at the Examination in Public into the Local Plan.

1 WEST BAR IN CONTEXT

Site Context & Accessibility

- 1.1 The West Bar site as a whole has been historically (prior to the start of the on-going Phase 1 redevelopment) characterised primarily by surface car parking and derelict former industrial buildings. It is bound to the West by Corporation Street and to the east by Bridge Street, with the entire site now completely cleared in readiness for re-development. Prior to commencement of the current development works, a series of roads cut across the site and provided access, which have now been formally closed by an SUO; however, Spring Street and Love Street will continue to provide access to the law courts upon completion of the development.
- 1.2 West Bar is located within the Riverside Business District which contains a number of existing corporate occupiers such as Irwin Mitchell lawyers, the Health and Safety Executive (HSE), the UK Visa and Immigration Premium Service Centre and IM Asset Management, alongside several residential developments and a multi-storey 'Q Park' car park.
- 1.3 The site is located directly to the south of Kelham Island, a thriving urban neighbourhood which has seen large scale regeneration within the last decade and boasts many unique businesses and historical and heritage assets such as the Kelham Island Museum, Brewery and Green Lane Works. It is also known for independent eating and drinking establishments, which are extremely popular with students. The area is, however, now predominantly residential in nature as many of the industrial buildings within Kelham and the local surrounding area have been re-purposed to form new apartments and townhouses, creating a new community within the area.
- 1.4 West Bar is a site that is a key connection between Kelham / Castlegate, the more socially deprived Burngreave Ward, and the northern fringe of the City Centre, as well as the city's University campuses. It is highly accessible, with excellent connections and access via public transport and other sustainable modes of travel. Sheffield Railway Station is located approximately 800 – 900m to the south and there are a number of bus routes running along West Bar providing links to retail and leisure uses within the City Centre (some 500m to the south), Sheffield University, Sheffield Railway Station and destinations beyond. In addition, the site is located 7-10 minutes' walk from the Cathedral, Castle Square and Fitzalan Square tram stops. These 3 stops are located at the heart of the Sheffield supertram network and offer direct services on all lines.
- 1.5 **Figure 1** illustrates the connectivity of West Bar to the key locations in the City Centre.

Figure 1: West Bar



1.6 West Bar is also in close proximity to the city’s internationally recognised higher education institutions, and sits at the axis of these campuses and popular student destinations, such as Kelham Island. In summary, West Bar is within close proximity to:

- Sheffield University’s North Campus (within 600m);
- Sheffield Hallam University’s Main Campus at Arundel Gate (within 500m);
- The University of Sheffield Electronic & Electrical Engineering and University of Sheffield International College at 3 Solly Street (within 250m); and
- The Sheffield Hallam University Oneleven Building and Institute of Arts Building, which sit at the Northern edge of the Main Campus (within 350m).

Development & Regeneration History

1.7 West Bar is a longstanding regeneration priority with an extensive planning and development history. In October 2002, SCC approved a Development Framework for the Regeneration Stage of the Inner Ring Road Corridor, which identified West Bar as a major opportunity for redevelopment, and authority was given to seek a private sector development partner for West Bar by Sheffield City Council’s Cabinet.

1.8 In 2004, a Development Brief for the site was published and, following a competitive selection process, Castlemore Securities Limited (“Castlemore”) was selected as the Council’s preferred development partner. A Development Agreement between the Council and Castlemore was signed in 2007.

- 1.9 Castlemore submitted an outline planning application for a comprehensive mixed-use development (LPA ref: 07/03813/OUT) on the site which was granted planning permission in January 2009. The mixed-use development comprised business, retail, financial, leisure and residential uses, with associated car parking and access. This scheme incorporated a much higher density than the current consented West Bar scheme and is considered to be commercially unviable in the present financial climate. This permission was not progressed as a result of Castlemore going into administration, and it expired on 7th January 2014.
- 1.10 Shortly after Castlemore went into administration, Urbo, who had existing land ownership interests within the site, agreed a deal to acquire Castlemore's land and property interests on the site and the Development Agreement with Sheffield City Council was assigned to Urbo by Castlemore's Administrators (with SCC's agreement) in March 2015, which enabled Urbo to progress its development proposals through the preparation of an outline planning application (details of which are set out below).

Extant Planning Context

- 1.11 An outline planning application for the £300m mixed-use regeneration of the wider West Bar site was approved on 16th February 2017 (LPA Ref: 16/02518/OUT), which secured consent for a mix of uses including office, residential, hotel, retail and leisure; alongside new public realm space and car parking provision. The description of development was agreed as follows:

"Demolition of existing buildings and erection of buildings to form a mixed use development (maximum floor space of up to 140,000 sq metres) comprising office (Class B1), residential (Class C3), hotel (Class C1) and retail and leisure (Classes A1, A2, A3, A4, A5, D1 and D2) uses, provision of public realm space and car parking accommodation (Outline application - all matters reserved except for the principal means of access to the site from the junction of Bridge Street/Corporations Street)"

- 1.12 This consent sought to embed flexibility into the permission, in terms of the scale and the location of different uses across the site, in order to allow a development to be brought forward that could respond to changing market conditions and the evolution of the wider City Centre. This flexibility was key to avoiding further delivery failures whilst protecting the original 'mixed-use neighbourhood' proposed in the 2004 Development Brief. The outline consent established a series of parameters, including the quantum of development, which is set out in Table 1 for each land use:

Table 1: West Bar Quantum of Development

Outline Planning Consent
Maximum Quantums of Development

| | MIN GIA (sqm) | MAX GIA (sqm) | MAX Units | MAX Rooms | MAX Spaces |
|--|--------------------------|----------------|------------|------------|------------|
| Grand Total | - | 140,000 | 525 | 500 | 700 |
| Office (Use Class B1) | 51% of total development | 85,000 | - | - | - |
| Hotel (Use Class C2) | - | 20,000 | - | 500 | - |
| Residential (Use Class C3) | - | 50,000 | 525 | - | - |
| Car Parking (Sui Generis) | - | 25,000 | - | - | 700 |
| Retail, Financial Institutions, Drinking Establishments, Cafes and Restaurants, Hot Food Establishments (Use Classes A1, A2, A3, A4 and A5) and Gym, Medical Centre, Dental Surgery and Creche (Use Class D1/D2) | - | 5,000 | - | - | - |

1.13 It is important that the policy framework, as a minimum, reflects the position in the outline consent; however, given that the Local Plan is a framework for the next 20 years, we feel it is important that it provides additional flexibility for any future planning applications to respond to changing circumstances.

1.14 Three reserved matters applications have subsequently been submitted to deliver a first phase of development of West Bar. These proposals are now on-site and when complete in 2024, this first phase of West Bar will deliver:

- **No. 1 West Bar Square (Ref: 21/04263/REM)** - a new £35 million 100,000 sq ft (8 storey) Grade A office building with retail accommodation on the ground floor and roof terrace offering panoramic views. No. 1 West Bar Square will be an impressive and sustainable gateway building to the wider West Bar regeneration project.
- **West Bar Square (Ref: 21/04263/REM)** – as part of the No. 1 West Bar Square consent, a major new business address and landscaped public space for Sheffield and focal point for the West Bar area.
- **Soho Yard (Ref: 21/01999/REM)** – a £78 million development consisting of 368 Build to Rent (“BTR”) apartment units across 2 buildings, owned and operated by Legal & General.
- **MSCP (Ref: 21/04263/REM)** – A 450-space multi-storey car park with around 300 cycle storage spaces and electric car charging points.

1.15 Urbo notes that at the planning committee meetings for application refs: 21/01999/REM and 21/04263/REM, Members highlighted their support in principle for additional residential development, as part of a mixed-use development at West Bar, given its highly

sustainable and accessible location and brownfield status. Members of the committee also noted that following the pandemic, there was likely to be less emphasis in the market for office space, following the move to hybrid and home-working and the change in working practices across all industries.

- 1.16 The ongoing delivery of Phase 1, following the completion of a £160 million funding agreement with Legal and General, will kickstart the development of West Bar and catalyse the future delivery of a transformational project that will tie together the northern fringe of the City Centre and Fargate, with Kelham and Castlegate; removing the physical and psychological barriers that exist between Burngreave and the City Centre. The construction of Phase 1 of West Bar was commenced in Autumn 2022 and is now well underway. This phase also includes a commitment from Legal & General to fund and deliver a further 100,000 sq ft of office space when lettings are achieved at No. 1 West Bar Square.

The Opportunity at West Bar

- 1.17 To support the delivery of Phase 1 and to reflect the flexibility of the outline consent for the wider site, Urbo is seeking to ensure that the future statutory planning framework for the site mirrors this flexibility and allows the development of future phases of West Bar to promote further investment, pro-actively responding to market demand in the changing role and function of City Centre's. This is consistent with the original and long-standing Council objectives for West Bar set out in the 2004 Development Brief and the Development Agreement, to deliver high quality, mixed-use neighbourhood in a number of separate urban blocks with permeability across the area. Delivery was always considered paramount and design and use flexibility key to achieving viable delivery. The mix of uses was always more important than the exact uses provided there is an element of office use, as agreed previously by the Council and Urbo. A review of the policies in the draft Local Plan and the uses which Urbo consider should be supported, are set out in our detailed comments on the Local Plan approach which follow later in this section.
- 1.18 Urbo considers that the Local Plan, to be sound and positively prepared, should not place onerous restrictions on uses at West Bar, nor should it restrict the quantum of development by imposing parameters on the gross floorspace of uses. Urbo considers that, based on changing market demand and in particular the changing role of City Centre's following the pandemic, that a flexible mix of uses should be permitted at West Bar that include:
- **Office** – the scheme is still envisaged to have a significant office element, however, shifting trends including increased remote working could impact on the quantum of

office use that is viable. Given that long term trends are difficult to predict, a Plan Period that extends to 2039 should not set a policy framework that is inflexible in this regard.

- **Residential** – whilst residential is an accepted use on the site, both in policy and through the existing planning consent, there may be an opportunity to deliver increased residential development to meet the demand for City Centre living and to meet housing need on a sustainable brownfield site.
- **Student Accommodation** – as set out earlier, West Bar is in a unique location between two University Campuses and key student destinations such as Kelham Island, making it a highly desirable location for new Purpose-Built Student Accommodation (“PBSA”). We therefore consider that the site offers an opportunity to deliver an element of student residential, subject to demand and in line with other policies in the draft Local Plan, as part of the wider mixed use regeneration of the site to create a new place / neighbourhood.
- **Retail & Leisure** – any element of retail / leisure will be ancillary to office, residential and other uses.
- **Hotel**
- **Car Parking.**
- **Public Realm / Open Space infrastructure.**

1.19 These uses reflect the strategic location of West Bar in the City Centre as a mixed use site. The remainder of these representations seek to set out our comments on the policy framework and the reasons why it should be flexible in order to accommodate this unique opportunity.

2 SPATIAL STRATEGY AND LAND ALLOCATIONS

- 2.1 This section provides a review of Part 1 of the draft Local Plan, including the spatial strategy, character area/neighbourhood policies and the specific site allocations as they relate to West Bar.

Spatial Strategy

Policy SP2 (Spatial Strategy)

- 2.2 Urbo fully supports the spatial strategy and the commitment to deliver *“the majority of future growth will be on previously developed sites within existing urban areas”*, which includes the Central Sub-Area and the City Centre.

Policy SP3 (Hierarchy of Centres)

- 2.3 Urbo support the City Centre at the summit of the settlement hierarchy. However, Policy SP3 states *“the City Centre also includes a number of City Centre Office Zones, a Cultural Zone, a University and College Zone, General Employment Zones, and Central Area Flexible Use Zones (all shown on the Policies Map)”*.
- 2.4 For the reasons set out throughout the remainder of these representations, our view is that the zoning of key regeneration sites such as West Bar in the City Centre into a patchwork of specific uses is too prescriptive and does not provide flexibility in how the range of uses that would be appropriate in a modern City Centre might be brought forward over the next 20 years, nor does it reflect the potential for change which has been so evident in recent history. We consider that prescriptive zoning is contrary to the 2004 Development Brief which remains, through the West Bar Development Agreement, the agreed contractual framework for development of West Bar. Planning policy can enhance or clarify this, but should not become contrary to it.

Sheffield’s Sub-Area Strategy

Policy SA1: Central Sub-Area

- 2.5 Policy SA1 states that development proposals in the Central Sub-Area should have regard to the analysis and guiding principles set out in the City Centre Strategic Vision and the five City Centre Priority Neighbourhood Frameworks.
- 2.6 West Bar is identified in Character Area 2: ‘Castlegate, West Bar, The Wicker and Victoria’. Policy SA1 goes on to state that the Central Sub-Area will be the focus for residential and economic growth, and will:

- a) *Deliver approximately 18,465 new homes (through a combination of existing planning permissions and new site allocations).*
- b) *Focus Purpose Built Student Accommodation in identified parts of three of the Character Areas (Character Areas 3, 4 and 5).*
- c) *Deliver approximately 10.1 hectares of employment land, including being the main focus for new office development through the identified City Centre Office Zones.*
- d) *Be the priority location for any future retail and leisure activity, helping serve a regional catchment, and be the focus for any new comparison goods retail.*

Policy CA2 (Castlegate, West Bar, The Wicker, Victoria)

2.7 Policy CA2 states that development proposals in this Character Area will:

- a) *Deliver approximately 1,845 homes and 2.1 hectares of employment land (through a combination of existing planning permissions and new site allocations).*
- b) *Deliver Site Allocations CW01 to CW23, with a focus on the site allocations defined in Policy CA2A - Priority Location in Castlegate and Policy CA2B - Priority Location in Wicker Riverside.*
- c) *Focus office development within the two identified City Centre Office Zones at West Bar/Riverside Exchange, and Castlegate/Victoria Quays (see Policy EC2).*
- d) *Preserve and retain the area's industrial character and street pattern, but proactively improve accessibility and connectivity. This should capitalise on the Grey to Green route from West Bar to Castlegate, and explore expanding it to other areas, where possible.*
- e) *Enhance pedestrian and cycle environments along main routes and improve the relationship with the river - creating new riverside routes, supported by active building frontages, and proposals that positively interact with the river.*
- f) *Improve connectivity to opportunities in the East Sheffield Sub-Area, especially key development sites in the Lower Don Valley and those related to the Advanced Manufacturing Innovation District.*
- g) *Deliver transport infrastructure improvements, including: incorporating active travel and operational improvements to bus services, including those set out as part of the Connecting Sheffield programme; and highway improvements at Bridgehouses on the Inner Ring Road.*

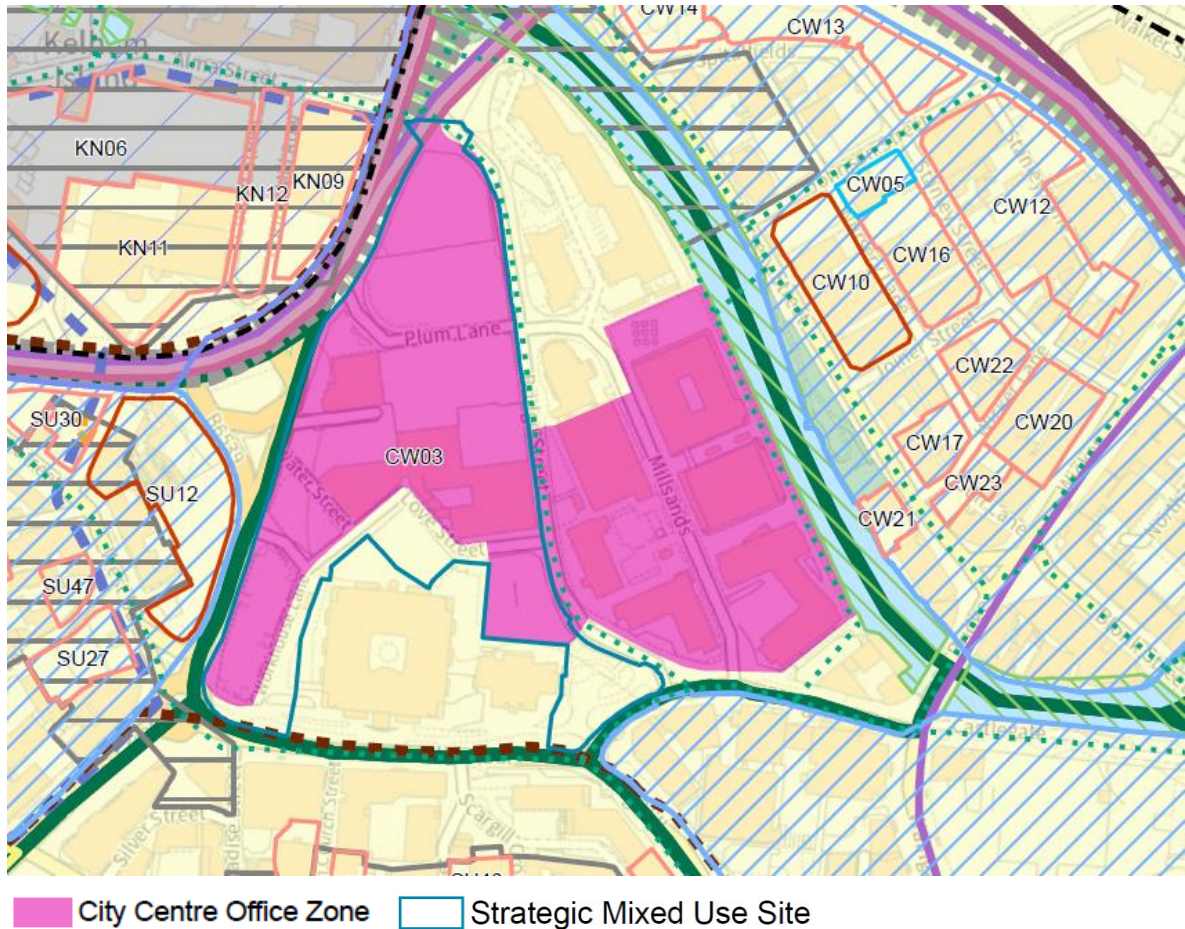
- 2.8 Whilst Urbo has no issue with Parts a) and d) to g) of Policy CA2, which seek to improve the connectivity and accessibility of the Sub-Area and West Bar generally, it has significant concerns in relation to the soundness and accuracy of the West Bar allocation, the conflict between the allocation of West Bar as a Strategic Mixed Use Site and City Centre Office Zone, and the fundamentally prescriptive and restrictive approach of the policy framework as it is currently presented.
- 2.9 The following section sets out details of the draft allocation of West Bar within Character Area 2 and provides detailed comments which articulate Urbo's concerns on the policies to which it relates.

3 COMMENTS ON THE WEST BAR ALLOCATION

3.1 The draft Local Plan Interactive Policies Map for West Bar is illustrated below in **Figure 2**.

Figure 2: Sheffield Draft Local Plan: Interactive Policies Map

(Source: <https://sheffieldcc.maps.arcgis.com>)



3.2 On the proposed Policies Map, West Bar is identified as:

1. A **'Strategic Mixed Use Site'** identified as Site Allocation CW03 (West Bar Square). Annex 3 of the draft Local Plan identifies site allocation CW03 as a mixed use site of 3.13ha, with a housing capacity of 368 units.
2. A **'City Centre Office Zone'** which is governed by detailed Policies AS1 (Development on Allocated Sites) and EC2 (Development in the City Centre Office Zones).

3.3 Urbo's general comments, and specific comments on these allocations and their associated detailed policies, are set out in the remainder of this section.

Overarching Comments

3.4 With regard to the approach to land allocations in the City Centre, we would make the following general comments, which are expanded on in more detail in the remainder of these representations:

- **City Centre policy is too prescriptive** - the draft Local Plan is too prescriptive for the City Centre generally. The City Centre is a diverse location that should be flexible in the location and types of uses it will deliver during the next Plan Period. Restrictive or prescriptive designations for specific uses (such as offices and student accommodation) do not reflect the diversity of the City Centre, the potential for shifting future trends or market demand.
- **Flexibility is required** – building on the above, key regeneration areas in the City Centre should have in-built policy flexibility, to ensure that appropriate main town centre uses are not restricted and to allow uses to be brought forward where a demand can be demonstrated.
- **Inconsistent approach to site allocations and zoning** – the Site Allocation and Zoning approach is confusing and, in our view, contradictory. It is unclear how decision making will be undertaken based on this approach with West Bar, for example, identified as a Strategic Mixed Use Site and a City Centre Office Zone. In particular, it is unclear what the purpose of the Site Allocations serves on some City Centre sites and how the identified capacities and uses will be used in decision making. We feel there should be both flexibility and clarity on this for the plan to be sound.
- **Inaccurate data** – the Site Allocations in relation to West Bar does not reflect the extant outline consent which could cause issues and create negative perceptions where future planning applications do not reflect this, nor the fact that funding is in place to deliver certain elements. Nor does it reflect the Council's own contractual position through the Development Agreement.
- **Referencing** – as set out at the start of these representations, the site should be consistently referred to as West Bar, rather than West Bar Square, as has been agreed with the Council. West Bar Square now refers to the public realm at the heart of the scheme and we request that references are amended to avoid confusion.

3.5 The following provides details of how these general comments relate specifically to the approach to West Bar:

Site Allocation CW03

3.6 Firstly, Urbo **strongly support the identification of West Bar as a ‘Strategic Mixed Use Site’** under Site Allocation CW03. This reflects the flexible extant outline planning permission on the site and supports the ongoing delivery of a multi-faceted regeneration scheme that can respond to market demand to create a diverse mixed quarter of the city

3.7 However, Site Allocation CW03 is both too prescriptive in identifying a site capacity and incorrect in the quantum of development identified. Our detailed comments are as follows:

- **The application of Site Allocations** – it is unclear as to what the purpose or application of the Site Allocations will be in decision making (i.e. are the capacities indicative, minimums or maximums? What do the mixed-use designations allow?). To be found sound and for clarity, modifications should be made to avoid confusion and negative perceptions where either the site capacities are not ultimately delivered as set out, or if alternate schemes are brought forward and capacities are exceeded.
- **The identification of a capacity for West Bar** – West Bar is identified as having a capacity for 368 units only in SW03¹. This only reflects the Phase 1 Reserved Matters consent and does not reflect the quantum of development set out in Table 1, which is already on-site, and allows for a maximum of 525 units under the extant Outline Planning Consent. Indeed the 525 unit figure was mainly set due to ‘lack of more car parking’ which would not now be considered relevant. Moreover, it does not identify the other uses granted under the current consent (office, retail, car parking, hotel), or other uses that may be suitable and deliverable on the site, such as student accommodation. Whilst the identified capacity may not be a maximum or policy requirement, we feel that identifying this could create a lack of clarity for future applications should, for example, further residential development (due to changing trends and market conditions) be considered appropriate. At the very least, we consider the capacity should be corrected and that it should be made clear that any capacities are indicative only and not applicable to decision making.

3.8 Our detailed recommendations in relation to Site Allocation CW03 are provided in the following section.

¹ We understand this is taken from the “Sheffield Central Area Capacity Report” 2020 (p.40)

City Centre Office Zone Designation

- 3.9 The majority of the West Bar site is identified within a City Centre Office Zone (under Policy EC3), as illustrated in Figure 2. Policy EC2 states:

"In City Centre Office Zones the following uses will be:

Preferred

- *Offices (Class E(g)(i))*

Acceptable (provided that they do not harm the dominance* of the preferred use)

- *Residential Uses (Class C)*
- *Other Class E Uses*

Unacceptable

- *General industrial (B2)*
- *Storage and distribution (B8)*
- *Other uses that would be incompatible with residential uses due to the noise, pollution or traffic that they would generate".*

*The policy clarifies that 'Dominance' is defined as *"at least 60% of the total gross floor area"*.

- 3.10 **Urbo strongly object to the both the identification of West Bar as a City Centre Office Zone and the prescriptive nature of Policy EC3**, which will effectively restrict the development of 60% of the gross floorspace to office use, for the following reasons:

1. Firstly, **the policy does not align with the extant outline planning consent** which requires a minimum of 51% of the total development to be office use; and
2. Secondly, notwithstanding the above, we consider that **greater flexibility still should be applied to the policy framework for West Bar**. A prescriptive 'minimum quantum' of development is not an appropriate, positively prepared or sound policy approach (requiring 60% of gross floorspace to be office use) for a site allocated as a 'Strategic Mixed Use Site' and it will not allow the future delivery of the site to respond to market demand.

3.11 Whist Urbo is committed to an office-led scheme at West Bar and its intention is to deliver a quantum of office development in line existing outline consent (51%), it is critical to safeguard the delivery of the scheme against shifting market trends and overall market demand. The policy is contrary to the Council's own contractual agreement which sets out a clear threshold of 51% (variable by agreement) and policy should at the very least be consistent with this.

3.12 There have been a range of studies undertaken by office agents and property firms (which are not quoted or repeated here) analysing the impact of the COVID-19 pandemic on office demand the acceleration of remote working, which has unquestionably, at least in the short term, led to a reduction in the overall demand for City Centre office space. This is reflected in the City Centre Strategic Vision ("CCSV") which recognises this uncertainty, noting:

"In line with many areas of our society, the way we work and the way we use the office is changing, as people adapt to a 'hybrid' working culture, where employees balance some remote working with fewer days in the office. Between Q1-Q4 2021, this change in behaviour had a direct impact on office take-up in Sheffield which fell over 50%".

It is undeniable that the Covid-19 pandemic has reshaped how, where and when people choose to work. Changing working patterns will inevitably change the amount of time individuals spend in City Centre workplaces, but it may also change the way workers use the City Centre²".

3.13 The long-term outlook for offices is unclear, with optimism that the demand for Grade A space in prime locations in the City Centre, such as West Bar, will drive demand. This is however far from certain and parameters within the outline consent were based on a pre-pandemic market, therefore it is important that the policy framework for the City Centre is flexible to be able to respond to future trends and demand. As such, we do not consider that the prescriptive policy in EC3 is sound and could lead to major schemes in the City Centre being undeliverable, in policy terms, if demand does not reflect supply.

3.14 In the context of the above, greater flexibility in the policy framework for West Bar could be applied to allow for different quantum and types of alternative uses to be brought forward, subject to demand/need being demonstrated, including:

² CCSV (p36)

Additional Residential Development

- 3.15 Whilst residential is an accepted use on the site, both in emerging policy and through the existing planning consent, the implementation of Policy EC3 could restrict further residential development, which could meet an identified need. The draft Local Plan does not identify any buffer in its supply of housing (35,558 homes identified in the supply against a requirement of 35,530 homes³) and therefore it is important that sustainable and deliverable brownfield sites, particularly in the City Centre, have in-built flexibility to mitigate against any under-delivery in the proposed supply. West Bar is in a wholly appropriate location for high density residential development on an accessible brownfield site, and the policy framework for the site should reflect the potential for increased residential delivery where market demand (for both office and residential) dictates.

Student Accommodation

- 3.16 West Bar occupies a prime position in close proximity to Sheffield University, Sheffield Hallam University and key student destinations such as Kelham Island, and is therefore a highly suitable and appropriate location for Purpose Built Student Accommodation ("PBSA"). The Council's PBSA Market Study (2021), undertaken by Cushman and Wakefield, recognises the growth of the City's University's, and in particular the University of Sheffield; which has seen a 13% growth in student numbers between 2014/15 and 2019/20⁴.
- 3.17 In addition, the PBSA Market Study acknowledges the changing requirements of students in Sheffield and elsewhere in the UK, with increasing demand for new purpose built, high quality student accommodation in City Centre locations, stating that *"there has been a significant shift towards the City Centre and Park Hill in particular. The move towards the city centre is indicative of a trend Cushman & Wakefield has observed in other cities, such as Manchester, where the development of well-located and competitively priced 'Build to Rent' (BTR) products has seen students who would usually demand a traditional private rented bed opting to live in a similarly appointed 2-bedroom flat in the private rented sector. Evidence shows that students are now starting to move away from traditional HMO areas in the suburbs and into the City Centre (a trend that is also being seen in other UK locations)*⁵".

³ Draft Local Plan Policies SP1 (need) and H1 (supply)

⁴ PBSA Market Study 2021 (p.10)

⁵ PBSA Market Study 2021 (p.11)

3.18 In its recommendations, the PBSA Market Study concludes that areas of the city should be highlighted in which PBSA development should be encouraged, whilst discouraging further development in inappropriate peripheral locations. We consider that, due to its location and desirability as a student destination, student accommodation should not be prohibited and should be identified as an acceptable use at West Bar, subject to demand being demonstrated (in line with Policy NC6: Purpose Built Student Accommodation) as it is neither an 'inappropriate' nor 'peripheral' location for the Universities and its students.

4 RECOMMENDED POLICY APPROACH TO WEST BAR

4.1 In the context of our comments in the previous section, Urbo considers the following recommendations should be considered to support a sound and positively made Local Plan:

Site Allocation CW03

4.2 As set out, Urbo strongly supports the identification of West Bar as a 'Strategic Mixed Use Site' under Site Allocation CW03. However, we propose the following approach to the Site Allocation (CW03) for West Bar to support a sound policy framework for the site:

1. As a general comment, we consider that **the capacity of sites should be removed** to prevent confusion.
2. If the capacity of sites is not removed, **as a minimum the Site Allocation for West Bar should:**
 - a. **Reflect the 525 units allowed on the Outline Planning Consent;** and
 - b. **Be clear in the policy approach that this is indicative only and/or expressed as a minimum,** and that residential development in excess of the stated capacity would be acceptable (without prejudice to and where consistent with other policies in the plan).
3. **The definition of West Bar as a Strategic Mixed Use Site should be clear that this allows for the site to deliver a range of uses** (see comments on the zoning of West Bar below for uses that we consider should be acceptable).

4.3 We consider that the above approach will reflect the flexible extant outline planning permission on the site and support the delivery of a multi-faceted regeneration scheme that can respond to market demand and enhance the creation of a new link between the thriving Kelham Island urban neighbourhood and the City Centre, underpinned by the changing function of the City Centre.

West Bar Zoning

4.4 In overlaying a zonal approach to West Bar, we consider that, to be found sound, this should be consistent with the Site Allocation and the aspirations of West Bar to deliver a mixed-use City Centre scheme that can respond to market pressures. We therefore recommend that:

1. **West Bar is designated as a Flexible Use Zone (Policy VC3)** and not a City Centre Office Zone (Policy EC3), reflecting the mixed use allocation of the site and allowing its future development to retain the flexibility that can respond to market demand.
2. **If West Bar's designation as a City Centre Office Zone is retained, we strongly recommend that the 'minimum use' restriction - with 60% of gross floorspace required to be office use – is removed from Policy EC3.** This policy approach is fundamentally inflexible and does not reflect current office market trends or safeguard against changing future market conditions, nor does it conform to the contractual terms of the Development Agreement between Sheffield City Council and Urbo.
3. **PBSA should be listed an acceptable use under policies VC3 and EC3,** but caveated by being clear that it is acceptable only where the developer can demonstrate demand (in accordance with Policy NC6) and in appropriate locations, and where it is consistent with other policies in the plan.

4.5 Urbo would be happy to discuss these recommendations in more detail, building on the excellent working relationship with the Council, to ensure that the future delivery of West Bar is safeguarded in emerging statutory policy as the Local Plan is progressed to Submission and Examination in Public.

1 DETAILED AND DEVELOPMENT MANAGEMENT POLICIES

- 1.1 Urbo generally supports the detailed policies set out in Part 2 of the draft Local Plan (notwithstanding our comments in relation to Policy EC3), however, as an overarching comment, would seek to ensure that flexibility is retained within the policy framework to ensure that sites can be viably delivered. Low residential and commercial rents in can have a significant impact on the commercial viability of major regeneration sites, particularly given the recent inflation in construction costs; and planning policies should be flexible when considering policy requirements in the context of viability.
- 1.2 The Council’s whole of Plan Viability Assessment, as it is further developed, should be fully cognisant of the impact of a range of policy requirements on the delivery of major regeneration sites and the delivery of the Local Plan overall.
- 1.3 Urbo’s specific comments on relevant detailed Preferred Options policies is provided in the following table:

| Policy | Description | Urbo’s Comments |
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| ES4 – Other Requirements for the Sustainable Design of Buildings | <i>All developments (including changes of use) will be expected to maximise the incorporation of sustainable design features including: a) making the best use of the site’s natural features (including topography to respond to natural surface water flow paths, river water flow paths, elevation, orientation and sun path); and b) use of natural light; and c) passive and active ventilation measures to avoid overheating and maintain good air quality; and d) passive solar design, while ensuring appropriate shading measures are provided where needed; and e) flood resistance and resilience measures with an allowance for climate change are incorporated if located in, or adjacent to, flood risk areas both now and in the future; and</i> | Urbo is supportive in principle of the requirements of Policy ES4 which seek to promote sustainable design. Criterion j which refers to residential developments comprising 10 or more dwellings in a single block providing green, blue or brown roofs which cover at least 80% of the total roof area. Urbo support the flexibility in the wording which requires this provision “where viable and compatible with other design and conservation considerations” however would not support this being a rigid policy requirement and green, blue and brown roofs may not be appropriate or applicable in certain circumstances. |

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| | <p><i>f) requiring the use of Sustainable Drainage Systems in accordance with Policy GS11; and</i></p> <p><i>g) flexibility for alternative future uses and the ability for a building to be adapted, converted or extended in future to meet the changing needs in people’s lifestyles; and</i></p> <p><i>h) requiring compliance with Building Regulations Approved Document G: ‘sanitation, hot water safety and water efficiency’ (and therefore limiting the consumption of wholesome water in new buildings to 110 litres per person per day); and</i></p> <p><i>i) minimising waste and maximising recycling during construction and operation; and</i></p> <p><i>j) where viable and compatible with other design and conservation considerations, providing green, blue or brown roofs which cover at least 80% of the total roof area on:</i></p> <ul style="list-style-type: none"> <i>• residential developments comprising 10 or more dwellings in a single block; and</i> <i>• non-residential developments of more than 1,000 square metres gross internal floorspace</i> | |
| <p>NC4 - Housing for Independent and Supported Living</p> | <p><i>For general needs housing, all new homes should be designed to enable independent living. This means:</i></p> <p><i>a) in developments of fewer than 50 new homes, 100% should be designed to be accessible and adaptable dwellings;</i></p> | <p>Urbo generally support the provision of accessible and adaptable homes to create an inclusive built environment however query the evidence which has underpinned the requirement for 98% provision</p> |

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| | <p><i>b) in developments of 50 or more new homes, 98% should be designed to be accessible and adaptable dwellings and the remaining 2% should be wheelchair adaptable dwellings.</i></p> <p><i>Wheelchair adaptable homes should be located on the flattest part of a site and, where feasible, as close as possible to local facilities. Exceptions to the required gradients for driveways to wheelchair accessible and adaptable dwellings may be made where it can be demonstrated that the topography of the site makes this impractical.</i></p> | <p>of dwellings to accessible and adaptable standards and 2% wheelchair adaptable. In addition, clarity is sought from the Council as to the corresponding building regs that these requirements relate to. We assume they refer to M4(2) and M4(3) however if so, this should be clear in the policy wording.</p> <p>Whilst PPG doesn't explicitly refer to a transitional period in relation to accessibility standards, if the policy requirement is to remain, we suggest a transitional period is included within the policy in relation to the specific requirements. This is because of the significant impact that M4(2) and M4(3) can have on viability and therefore the deliverability of sites.</p> <p>This policy refers to general needs housing and therefore the policy wording should explicitly state that it is not applicable to student accommodation.</p> |
| <p>NC5: Creating Mixed Communities</p> | <p><i>Mixed communities will be created and maintained by encouraging the development of housing to meet a range of needs including providing a mix of values, sizes, types and tenures. This will be achieved by:</i></p> <p><i>a) requiring that, in developments of 30 or more homes in the City Centre and other highly accessible locations, no</i></p> | <p>Urbo is generally supportive of Policy NC5 and its intention to create mixed communities. For criterion a), the wording should clarify that the requirement for no more than half of homes to be 1-bed apartments and studios applies to conventional</p> |

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| | <p><i>more than half the homes consist of one-bedroom apartments and studios; and</i></p> <p><i>b) requiring a greater mix of house types on developments of 30 or more homes in other locations, including homes for larger households; and</i></p> <p><i>c) continuing to apply an Article 4 Direction to the relevant areas where new (or conversions to) Houses in Multiple Occupation (HMOs), hostels and shared housing, will be not be permitted where the combined concentration of these uses, when compared with the number of all residential properties within 200m of the site (as the crow flies), exceeds 20%.</i></p> | <p>housing (C3) and not to student accommodation.</p> |
| <p>NC6: Purpose Built Student Accommodation</p> | <p><i>Purpose-Built Student Accommodation (PBSA) will be permitted where it is within an area identified as being suitable for such accommodation. Developers will also be expected to provide evidence of demand for the specific type of PBSA accommodation that is proposed.</i></p> <p><i>New PBSA should also:</i></p> <p><i>a) provide for active ground floor uses (where appropriate); and</i></p> <p><i>b) provide a significant mix of different bed spaces with sufficient communal spaces for the occupants; and</i></p> <p><i>c) provide access for wheelchair users throughout all communal facilities, circulation areas and accessible bed spaces; and,</i></p> <p><i>d) include 2% wheelchair accessible bed spaces; and</i></p> <p><i>e) be capable of later conversion to other types of residential accommodation.</i></p> | <p>Urbo supports this policy generally but contends that the 'suitable area' should include West Bar. In line with our comments in Part 1 of these representations, we strongly recommend that the strategic policies are flexible to allow PBSA to be delivered in appropriate locations and where demand is evident, such as West Bar.</p> |

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| <p>NC8: Housing Space Standards</p> | <p><i>New housing developments should:</i></p> <p><i>a) comply with the Government’s nationally described space standard and any subsequent updates; and</i></p> <p><i>b) demonstrate adequate living space is provided for any residential accommodation not within the dwellinghouses (C3) Use Class, including Purpose Built Student Accommodation; and</i></p> <p><i>c) be flexible and adaptable to meet the changing needs of occupants during their lifetime; and d) provide appropriate outdoor private amenity or garden space as part of the overall layout, delivering it in a way that uses land efficiently and develops distinctive character areas; and</i></p> <p><i>e) not result in an unacceptable loss of an existing garden or shared outdoor space.</i></p> | <p>Urbo is supportive in principle of the application of Nationally Described Space Standards (‘NDSS’) however Planning Practice Guidance (‘PPG’) (Paragraph: 020 Reference ID: 56-020-20150327) states that “<i>there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.</i>”</p> <p>In accordance with PPG, Urbo request that Policy NC8 is modified to include a transition period for the proposed NDSS requirement. A similar approach was recently reflected in Main Modifications for the recently adopted Cheshire East Site Allocations Development Plan Document (‘SADPD’). In that case, the Inspector proposed a 6-month transition period to allow developers to adjust appropriately. This is primarily due to the impact that the NDSS requirement would have upon land deals which had already taken place prior to this requirement being in place and therefore accounted for.</p> <p>Criterion b) refers to ‘adequate living space’ for student</p> |
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| | | accommodation. Clarity is sought as to what the Council' expectations will be in this regard as we are not aware of any specific national standards for student accommodation. In addition, it would be beneficial if the policy explicitly confirmed that NDSS is not applicable to student accommodation. |
| NC9: Housing Density | <p><i>Housing development will be required to make efficient use of land. Densities will vary according to the accessibility of the location and take into account the need to support development of sustainable, mixed communities. New housing development should be within the following density ranges:</i></p> <ul style="list-style-type: none"> - <i>within or near to the Central Area</i> - <i>at least 70 dwellings per hectare</i> <p><i>Densities outside these ranges will be permitted where the proposals:</i></p> <ul style="list-style-type: none"> <i>a) reflect the character of a Conservation Area or protect a heritage asset; or</i> <i>b) create different density character areas on a larger development site, whilst ensuring that the overall required density is achieved across the whole site; or</i> <i>c) are necessary to protect an environmentally sensitive area, such as a designated ecological site or a rural landscape character area.</i> | Urbo is supportive of Policy NC9 which seeks to maximise density and not prohibit or restrict the maximum density that can be achieved on accessible and sustainable sites. |
| GS7: Trees, Woodlands and Hedgerows | <p><i>Wherever possible, opportunities should be taken to plant new trees woodland and hedgerows as part of new development.</i></p> <p><i>The following criteria will apply when considering development proposals that</i></p> | Urbo is generally supportive of Policy GS7 however consider that criterion e) which requires new trees to be planted at a ratio of at least one tree per dwelling is too prescriptive |

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| | <p><i>affect trees, woodland and hedgerows and when assessing tree planting proposals:</i></p> <p><i>a) Developments should retain and integrate healthy, mature trees and hedgerows, and replace any trees that need to be removed on a basis greater than one for one using trees that are a minimum size of extra heavy standard.</i></p> <p><i>b) Development will not be permitted that would directly or indirectly damage existing mature or ancient woodland, veteran trees, or ancient or species rich hedgerows, other than in wholly exceptional circumstances and where a suitable compensation strategy exists.</i></p> <p><i>c) Where existing trees are within or immediately adjacent to a development site, development proposals should give priority to retaining good quality trees and ensure that trees are adequately protected during the demolition and/or construction phases of the development;</i></p> <p><i>d) Tree planting should take place on site but, where it can be demonstrated that this is not possible, a contribution towards off-site provision will be permitted;</i></p> <p><i>e) New trees should be planted at a ratio of at least 1 tree per dwelling, of which a minimum of 10% should be street trees on all residential developments of 10 or more homes (where new streets are provided) and 1 tree per 100sqm of internal floorspace for non-residential development;</i></p> <p><i>f) Locally native species of local origin should be used and, where appropriate reflect similar habitat(s) of ecological importance and not conflict with other</i></p> | <p>and is not supported by evidence and should therefore be deleted. The policy refers to this requirement being applicable ‘<i>where new streets are provided</i>’ which appears to suggest the requirement relates to standard, lower density housing developments rather than high-density city centre developments. If the requirement is to remain, then this should be clearly specified as a 1 tree per dwelling requirement would not be reasonable or appropriate.</p> |
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| | <p><i>important habitats, natural features or archaeological remains;</i></p> <p><i>g) Street trees and other green infrastructure should be located so that they are integrated into the street scene avoiding potential conflict with other features or activities;</i></p> <p><i>h) Existing street trees should not be removed or pruned excessively to facilitate development;</i></p> <p><i>i) Appropriate provision should be made for ongoing management of any trees, woodland and hedgerows that have been planted and appropriate measures should be put in place to minimise the risk of trees failing.</i></p> | |
| <p>DE8: Public Art</p> | <p><i>Public Art should be provided on all major development and should contribute to the local character and distinctiveness of the development, consisting of high-quality design, craft skills and materials. It should also:</i></p> <p><i>a) be specifically commissioned for the development and undertaken by artists, craftspeople or creative professionals; and</i></p> <p><i>b) be visible to the public, sited in publicly accessible areas of the building or landscape works; and</i></p> <p><i>c) wherever possible, be integrated as part of the development or associated public realm</i></p> | <p>Urbo is generally supportive of the principle of the provision of public art as part of major developments however note that its scope should be appropriate to the scale and nature of the scheme and Urbo would not support a policy on public art which is heavily prescriptive and could threaten the viability of major development schemes.</p> |

SUMMARY

- 1.4 In summary, we consider that the recommendations made in these representations, with regard to the allocation / designation of West Bar, will ensure that the draft Local Plan is sound and positively prepared – and reflects the full potential of West Bar as a mixed use urban regeneration area, conforming to the Council’s own Development Brief and Developer Agreements. These representations seek to ensure that statutory policy is sound by retaining flexibility in how its flagship development sites are brought forward in the City Centre, as the current and future trends change the role and function of City Centres in the UK, such as the impact of the global COVID-19 pandemic, the cost of living crisis, Brexit and the potential for changing market and student living trends during the Plan Period.
- 1.5 Urbo is committed to delivering West Bar alongside the Council and can provide any information or clarifications with regard to the allocation of the site. Urbo welcomes continued collaboration with the Council as the preparation of the Local Plan is progressed and would be happy to discuss any feedback in relation to these representations.
- 1.6 Urbo would like to reserve the right to appear in person at the Examination in Public into the Local Plan.