

Planning and Highways Committee

Tuesday 4 June 2019 at 2.00 pm

**To be held at the Town Hall, Pinstone
Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

**Please Note: The Hollin Busk Item and the Sandygate Road Item
have been deferred and will not be discussed.**

Membership

Councillors Jayne Dunn (Chair), Peter Rippon (Chair), Dianne Hurst, Jack Clarkson, Tony Damms, Roger Davison, Alan Law, Zahira Naz, Peter Price, Chris Rosling-Josephs, Andrew Sangar, Bob McCann and Peter Garbutt

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.

PUBLIC ACCESS TO THE MEETING

The Planning and Highways Committee is responsible for planning applications, Tree Preservation Orders, enforcement action and some highway, footpath, road safety and traffic management issues.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Recording is allowed at Planning and Highways Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

Planning and Highways Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

Further information on this or any of the agenda items can be obtained by speaking to Simon Hughes on 0114 273 4014 or email simon.hughes@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**PLANNING AND HIGHWAYS COMMITTEE AGENDA
4 JUNE 2019**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 8)
Minutes of the meeting of the Committee held on 23 April 2019.
- 6. Tree Preservation Order No. 421: Site of NHS Health and Social Care, Fulwood House, Woofindin Road, Sheffield** (Pages 9 - 30)
Report of the Director of City Growth.
- 7. Tree Preservation Order No. 428: 12 Woodvale Road, Sheffield** (Pages 31 - 42)
Report of the Director of City Growth.
- 8. Tree Preservation Order No. 429: 1 Sale Hill, Sheffield, S10 5BX** (Pages 43 - 48)
Report of the Director of City Growth.
- 9. Tree Preservation Order No. 431: 47 Collegiate Crescent, Sheffield, S10 2BR** (Pages 49 - 64)
Report of the Director of City Growth.
- 10. Site Visit**
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 11. Applications Under Various Acts/Regulations** (Pages 65 - 66)
Report of the Director of City Growth
- 11.1 Land At Junction With Carr Road Hollin Busk Lane, Sheffield, S36 1GH (Case No: 17/04673/OUT) – DEFERRED** (Pages 67 - 132)
- 11.2 20 Creswick Lane, Sheffield, S35 8NL (Case No: 18/04123/FUL)** (Pages 133 - 140)

- 11.3 Land Adjacent 1 Sandygate Grange Drive, Sandygate Road, Sheffield, S10 5NH (Case No: 19/00405/TEL) – DEFERRED** (Pages 141 - 150)
- 11.4 Damons Restaurant, 2 Sevenairs Road, Sheffield, S20 1NZ (Case No: 19/00638/FUL)** (Pages 151 - 164)
- 12. Record of Planning Appeal Submissions and Decisions** (Pages 165 - 170)
Report of the Director of City Growth
- 13. Date of Next Meeting**
The next meeting of the Committee will be held on 25 June 2019.

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Planning and Highways Committee

Meeting held 23 April 2019

PRESENT: Councillors Dianne Hurst (Chair), Peter Rippon, Michelle Cook, Tony Damms, Roger Davison, Alan Law, Robert Murphy, Zahira Naz, Chris Rosling-Josephs and Andrew Sangar

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors David Baker and Peter Price.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

3.1 Councillor Alan Law declared a personal interest as a Member of Stocksbridge Town Council in an application for planning permission for land at the rear of 13 and 42 Coppice Close, Sheffield, S36 1LS (Case No. 18/03869/FUL). Councillor Law declared that he had not given an opinion or declared his position on the application prior to the meeting and would therefore take part in the discussion and vote thereon.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee, held on 2nd April 2019, were approved as a correct record.

5. SITE VISIT

5.1 **RESOLVED:** That the Chief Planning Officer, in liaison with a Co-Chair, be authorised to make arrangements for a site visit, in connection with any planning applications requiring a visit by Members, prior to the next meeting of the Committee.

6. TREE PRESERVATION ORDER NO. 426: 36 THORNSETT ROAD, SHEFFIELD, S7 1NB

6.1 This item was withdrawn.

7. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS

7.1 **RESOLVED:** That the applications now submitted for permission to develop land under the Town and Country Planning Act 1990 and the Regulations made thereunder, be decided, granted or refused as stated in the report to this Committee for this date and as amended in the minutes of this meeting, and the requisite notices issued; the granting of any permission or consent shall not constitute approval, permission or consent by this Committee or the Council for any other purpose.

7a. PURDY'S KITCHENS, 103 FURNACE LANE, SHEFFIELD, S13 9XD (CASE NO: 19/00161/FUL)

7a.1 An application for planning permission be granted, conditionally, for use of retail unit (Use Class A1) as a micro-pub (Use Class A4) at Purdy's Kitchens, 103 Furnace Lane, Sheffield, S13 9XD (Case No. 19/00161/FUL).

7b. ON THE BRINK CO-HOUSING COMMUNITY LTD, BRINCLIFFE HOUSE, 90 OSBORNE ROAD, SHEFFIELD, S11 9BB (CASE NO: 18/04599/FUL)

7b.1 Having noted that there were currently 12 dwellings on the site and not 13, as detailed in the supplementary report circulated at the meeting, an application for planning permission be granted, conditionally, for the erection of 3 townhouses and detached dwellinghouse and extension to two existing flats at On The Brink Co-housing Community Ltd, Brincliffe House, 90 Osbourne Road, Sheffield, S11 9BB (Case No. 18/04599/FUL).

7c. SYTNER SHEFFIELD LTD, HOLLIS CROFT AND BROAD LANE, CITY CENTRE, SHEFFIELD, S1 4BU (CASE NO: 18/03977/FUL)

7c.1 It was noted that the proposed development contained 444 apartments, including 20 (not 21) co-living cluster apartments and amended conditions, plus additional directives, as detailed in the supplementary report circulated at the meeting.

7c.2 Having heard representations from the applicant's representative speaking in support of the application, an application for planning permission be granted, conditionally, for demolition of existing buildings and erection of mixed use development in two blocks (Plot A – 7-13 storeys and Plot B – 8-24 storeys) comprising flexible commercial uses at ground floor level (Use Classes A1, A2, A3, A4, B1(a), D1 (restricted uses) and D2 (restricted uses)) and residential accommodation comprising 444 apartments, including 20 co-living cluster apartments, with associated facilities, servicing, access and landscaping at Sytner Sheffield Ltd, Hollis Croft and Broad Lane, City Centre, Sheffield, S1 4BU (Case No. 18/03977/FUL).

7d. LAND AT THE REAR OF 13 AND 42 COPPICE CLOSE, SHEFFIELD, S36 1LS (CASE NO: 18/03869/FUL)

7d.1 It was noted that further representations had been received and that the application was for 26 dwellings, not 27, and further corrections and an additional condition as detailed in the supplementary report circulated at the meeting. It was further noted that the scheme would be adopted by Yorkshire Water and a condition would be added to ensure maintenance of the site by a management company, in perpetuity. Details of landscaping, buffer and bank to be agreed by the Local Planning Authority. It was also reported that the proposal had been assessed in light of the relevant Leisure and Recreation policies in the Unitary Development Plan and was considered acceptable in this respect.

7d.2 Having heard representations from the applicant's representative speaking in support of the application, an application for planning permission be granted, conditionally, for the erection of 26 dwellinghouses including provision of access, associated parking and landscaping works (as per amended drawings received on 28th February 2019, 19th March 2019 and 21st March 2019) at land at the rear of 13 and 42 Coppice Close, Sheffield, S36 1LS (Case No. 18/03869/FUL).

7e. LAND TO THE REAR OF 21 TO 87 BEACON ROAD AND ADJACENT 131 SANDSTONE ROAD, BEACON ROAD, SHEFFIELD, S9 1AB (CASE NO: 18/00146/OUT)

7e.1 This item was withdrawn.

8. RECORD OF PLANNING APPEAL SUBMISSIONS AND DECISIONS

8.1 The Committee received and noted a report of the Chief Planning Officer detailing a new planning appeal received by the Secretary of State.

9. DATE OF NEXT MEETING

9.1 It was noted that the next meeting of the Committee would be held at 2.00pm on Tuesday 14th May 2019 at the Town Hall.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 4th June 2019

Subject: Tree Preservation Order No. 421
Site of NHS Health and Social Care, Fulwood House,
Woofindin Road, Sheffield

Author of Report: Jack Foxall, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Order
Nr. 421

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order Nr. 421 should be confirmed

Background Papers: A) Tree Preservation Order Nr. 421 and map attached
B) TEMPO assessment attached

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE

4th JUNE 2019

TREE PRESERVATION ORDER NR.421

Site of NHS Health and Social Care, Fulwood House, Woofindin Road, Sheffield

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order Nr. 421.

2.0 BACKGROUND

2.1 Tree Preservation Order Nr. 421 was made on 21st February 2019, to protect trees at the site of NHS Health and Social Care, Fulwood House, Woofindin Road, Sheffield. A copy of the order with its accompanying map is attached as Appendix A.

2.2 Trees at this site are considered to be under possible threat because of potential future development works.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to making the Order, and trees were inspected by an Arboriculturist from the Parks and Countryside Trees and Woodlands service for general condition and suitability for protection. A copy of the TEMPO assessment is attached as Appendix B. These trees were found to be in good order and of significant amenity value to the local area. Officers therefore considered it expedient in the interests of amenity to make the Tree Preservation Order.

3.0 OBJECTIONS

3.1 No objections to the Order have been received.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no property implications.

5.2 Protection of the trees detailed in Tree Preservation Order Nr. 421 will benefit the visual amenity of the local environment.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7.0 LEGAL IMPLICATIONS

- 7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area. In addition, where it appears to the local authority to be necessary in connection with granting planning permission, it shall be its duty to make a TPO to either give effect to those conditions or otherwise (sections 197 and 198, Town and Country Planning Act 1990).
- 7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.
- 7.3 A local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 7.4 A local authority may only confirm an order after considering any representations made in respect of that order. No such representations have been received in respect of Tree Preservation Order No.421.
- 8.0 RECOMMENDATION
- 8.1 Recommend Tree Preservation Order Nr. 421 be confirmed.

Colin Walker
Chief Planning Officer

4th June 2019

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TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxell / Nathan McWilliamie

Tree details
 TPO Ref (if applicable): Tree/Group No: T1 Species: Pinus nigra
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes Close to hard surfaces and buildings, but good vigour and health

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes No obvious defects or health issues

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes Limited public visibility at present. But very visible within sit of developed

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes Probable housing development

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
18

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Nathan McWilliamie

Tree details
 TPO Ref (if applicable): Tree/Group No: T2 Species: Pinus nigra
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes Exceptionally good specimen, very close to hard surfacing, but growing well.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes No obvious defects

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes Limited public visibility at present, but very visible within site if developed

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes Excellent form.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes Probable housing development.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
19

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Nocton McWilliam

Tree details
 TPO Ref (if applicable): Tree/Group No: T3 Species: Oak
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes Fistulina in one location at base. Canopy has been heavily pruned.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes Should develop into veteran tree in time.

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes Visible from wider road on boundary. Very visible within site if developed.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes High habitat value as ageing oak.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes Probable housing development.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
17

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Nathan McWilliamie

Tree details
 TPO Ref (if applicable): Tree/Group No: T4 Species: Sycamore
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes Multi-stemmed at base, tight included union, minor dead wood in crown.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes Visible from wider valley on boundary. Very visible within site of developed.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes Probable housing development

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
18

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Nathan McWhinnie

Tree details
 TPO Ref (if applicable): Tree/Group No: TS Species: oak
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes
 mature oak growing in open situation.

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes
 should develop into veteran tree.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes
 Visible from wider valley on boundary. Very visible within site if developed.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes
 High habitat value mature oak.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
 Probable housing development.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
 21

Decision:
 TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Nathan McWhinnie

Tree details
 TPO Ref (if applicable): Tree/Group No: T6 Species: Oak
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes Mature oak. Minor canopy suppression by adjacent building. Minor dead wood.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes should develop into veteran tree.

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes Visible from wider valley on boundary. Very visible within site if developed.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes Mature oak - high habitat value.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes Probable housing development

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
20

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Noctian McWilliamie

Tree details
 TPO Ref (if applicable): Tree/Group No: T7 Species: Ash
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes
 Some historic pruning.
 One large dead limb.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
 Visible from wider valley on boundary. Very visible within site of developed.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
 Probable housing development.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
 17

Decision:
 TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018		Surveyor: Jack Foxall/Nathan McWilliam	
Tree details		TPO Ref (if applicable):	
Owner (if known): NHS		Tree/Group No: G1	Species: 7 Nr Pinus nigra
		Location:	

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| ③) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

Score & Notes: Some canopy suppression in group. Sparse canopies in places, some included nurses. One tree lost leader so poor form, growing close to hard surfacing.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| ④) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

Score & Notes

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| ⑤) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes: Highly visible from adjacent highway and within site of developed.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | |
|--|--|
| 5) Principal components of arboricultural features, or veteran trees | Score & Notes: Group forms prominent landscape feature on site boundary. |
| ④) Tree groups, or members of groups important for their cohesion | |
| 3) Trees with identifiable historic, commemorative or habitat importance | |
| 2) Trees of particularly good form, especially if rare or unusual | |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) | |

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | | |
|-------------------------------|--|
| 5) Immediate threat to tree | Score & Notes: Probable housing development. |
| ③) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:	Decision:
19	TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018		Surveyor: Jack Foxall / Nathan McWhinnie	
Tree details		3	Nr Copper Beech
TPO Ref (if applicable):	Tree/Group No: G2	3	Nr Pinus nigra
Owner (if known): NHS	Location:	1	Nr Lime

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

Score & Notes: Lime has small leaves, some dieback, dead wood and epicormic growth. Central pine leaning but appears stable. End pine very close to walls

* Relates to existing context and is intended to apply to severe irremediable defects only and hard surfaces, but growing well.

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|---------------|
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

Score & Notes: Prominent on highway junction on boundary and framing site entrance.

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | |
|--|
| 5) Principal components of arboricultural features, or veteran trees |
| 4) Tree groups, or members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |

Score & Notes: Prominent landscape feature as boundary group.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | |
|-------------------------------|
| 5) Immediate threat to tree |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes: Probable housing development.

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:
20

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018		Surveyor: Jack Foxall / Nathan McWilliam	
Tree details		Tree/Group No: T8	
TPO Ref (if applicable):	Owner (if known): NHS	Species: Oak	Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

Score & Notes

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

Score & Notes
Should develop into veteran tree.

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

- | |
|---------------------|
| Highly suitable |
| Suitable |
| Suitable |
| Barely suitable |
| Probably unsuitable |

Score & Notes
Adjacent to public right of way and very visible within site if developed.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | |
|--|---------------------|
| 5) Principal components of arboricultural features, or veteran trees | Highly suitable |
| 4) Tree groups, or members of groups important for their cohesion | Suitable |
| 3) Trees with identifiable historic, commemorative or habitat importance | Suitable |
| 2) Trees of particularly good form, especially if rare or unusual | Barely suitable |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) | Probably unsuitable |

Score & Notes
Forms boundary of larger woodland group.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | | |
|-------------------------------|-----------------|
| 5) Immediate threat to tree | Highly suitable |
| 3) Foreseeable threat to tree | Suitable |
| 2) Perceived threat to tree | Suitable |
| 1) Precautionary only | Barely suitable |

Score & Notes
Probable housing development

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:
22

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Nathan McWhinnie

Tree details
 TPO Ref (if applicable): Tree/Group No: T9 Species: Sycamore
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes: Historic suppression on one side now gone. Tight canopy, some historic pruning. Close to hard surfacing.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes: Prominent adjacent to public route, side road and within site.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes: Probable housing development

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
18

Decision:
TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018 Surveyor: Jack Foxall / Nathan McWhinnie

Tree details
 TPO Ref (if applicable): Tree/Group No: T10 Species: Horse chestnut
 Owner (if known): NHS Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes Some evidence of leaf miners

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes
 Prominent adjacent to public route and road, and within open area of site.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes
 Very good form for this species.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
 Probable housing development.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
 17

Decision:
 TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/07/2018	Surveyor: Jack Foxall / Nathan MacIntyre
Tree details	
TPO Ref (if applicable):	Tree/Group No: W1
Owner (if known): NHS	Species: Sycamore, oak, beech, ash, cherry.
	Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes Some dieback in tips of at least one beech.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes Prominent feature on bank above site visible from local area and wider valley.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes Prominent landscape feature on exposed bank.

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes Probable housing development

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
22

Decision:
TPO

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Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order No 421 (2019)

Site of NHS Health and Social Care, Fulwood House, Woofindin Road, Sheffield

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order —

Citation

1. This Order may be cited as Tree Preservation Order No 421 (2019) – Site of NHS Health and Social Care, Fulwood House, Woofindin Road, Sheffield

Interpretation

2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(aa) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(bb) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 21st February 2019

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)



David Jellicoe
Duly Authorised Signatory



SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Pinus nigra (Black Pine)	OS Grid Reference: SK309853
T2	Pinus nigra (Black Pine)	
T3	Quercus species (Oak)	
T4	Acer pseudoplatanus (Sycamore)	
T5	Quercus species (Oak)	
T6	Quercus species (Oak)	
T7	Fraxinus excelsior (Ash)	
T8	Quercus species (Oak)	
T9	Acer pseudoplatanus (Sycamore)	
T10	Aesculus hippocastanum (Horse Chestnut)	

Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
G1	7Nr Pinus nigra (Black Pine)	OS Grid Reference: SK309853
G2	3Nr Fagus sylvatica Atropurpurea (Copper Beech) 3Nr Pinus nigra (Black Pine) 1Nr Tilia species (Lime)	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
W1	Trees of whatever species contained therein	OS Grid Reference: SK309853



TREE SCHEDULE

TREES SPECIFIED INDIVIDUALLY
(Encircled in black on the map)

- T1 Pinus nigra (Black Pine)
- T2 Pinus nigra (Black Pine)
- T3 Quercus species (Oak)
- T4 Acer pseudoplatanus (Sycamore)
- T5 Quercus species (Oak)
- T6 Quercus species (Oak)
- T7 Fraxinus excelsior (Ash)
- T8 Quercus species (Oak)
- T9 Acer pseudoplatanus (Sycamore)
- T10 Aesculus hippocastanum (Horse Chestnut)

TREES SPECIFIED BY REFERENCE TO A GROUP:
(Within a broken black line on the map)

- G1 7Nr Pinus nigra (Black Pine)
- G2 3Nr Fagus sylvatica Atropurpurea (Copper Beech)
- 3Nr Pinus nigra (Black Pine)
- 1Nr Tilia species (Lime)

TREES SPECIFIED BY REFERENCE TO AN AREA:
None

TREES SPECIFIED BY REFERENCE TO WOODLAND:
(Within a continuous black line on the map)

- W1 Trees of whatever species contained therein

TREES EXCLUDED FROM ORDER
(Shown with a cross on the map)

OS Grid Reference SK 309 853

SHEFFIELD CITY COUNCIL				
DEVELOPMENT SERVICES				
SCHEME:				
TREE PRESERVATION ORDER No. 808/421				
TITLE:				
NHS SITE, FULWOOD HOUSE WOOFINDIN ROAD				
PORTFOLIO:				
PLACE				
SCALE:				
1:500@A1				
DR	TR	CD	DATE:	MEMO:
JF			JUL. 2018	
DRAWING NO:				
A1/UED/808/421				
CAD FILE NAME:				

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SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 18/2/19

Subject: Tree Preservation Order No. 428 (12 Woodvale Road, Sheffield, OS Grid Reference SK 432612 386395)

Author of Report: Nathan McWhinnie, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Orders No. 428

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 428 should be confirmed unmodified.

Background Papers:

A) Tree Preservation Order No. and map attached.
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

Category of Report: OPEN

TREE PRESERVATION ORDER NO. 428
12 WOODVALE ROAD, SHEFFIELD S10 3EX

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 428

2.0 BACKGROUND

2.1 Tree Preservation Order No.428 was made on 10th January 2019 to protect a mature cedar in the front garden of the property. A copy of the order with its accompanying map is attached as Appendix A.

2.2 The tree at the site was under threat because of a section 211 notice received from the householder. A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to making the Order. This assessment is attached as Appendix B. The tree was found to be in good order, despite the opinion of a tree surgeon contacted by Mr Stone that the union at the base of the tree meant that it was dangerous. The union has no growth increments at either side, indicating that there is no stress on the union, probably due to natural bracing in the crown. It was therefore considered expedient to make a Tree Preservation Order to protect the tree in the interests of amenity.

2.3 The site is located in a leafy suburb of the city, on a busy cut-through between Fulwood Road and Endcliffe Vale Road. The tree is tall and prominent, particularly in winter. Recent excessive tree work in neighbouring properties (seemingly without notice) has opened up the street and made the cedar more visible.

2.4 An objection to the order has been received from the owner of the property, Mr Mark Stone. The letter of objection is attached as Appendix C.

2.5 The objection is summarised as follows:

- The tree has grown too large and is dangerous as it is too close to the house. It has become very top heavy, slopes towards the house and may at some point break and fall towards the house.
- The tree is not a particularly good specimen. Only the top section of the tree has branches on both sides and is visible from the road.

2.6 An officer response to the objection was sent by letter dated ##th February 2019. This letter is attached as Appendix D. It addressed the point made in respect of the union at the base of the tree, in that it is not inherently dangerous (as described in paragraph 2.2), with a low probability of failure. Officers also disagree with the assessment of the tree as being “not a

particularly good specimen”, the TEMPO assessment having produced a clear recommendation that the tree is suitable for protection.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The tree is a well-established specimen, providing significant visual amenity and maturity to the site. Its value is in preserving the treescape of the area.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no environmental and property implications based on the information provided.

5.2 Protection of the trees detailed in Tree Preservation Order No.428 will benefit the visual amenity of the local environment.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7.0 LEGAL IMPLICATIONS

7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).

7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.

7.3 The local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.

7.4 A local authority may only confirm an order after considering any representations made in respect of that order. One such representation has been received and is attached as Appendix C.

8.0 RECOMMENDATION

8.1 Recommend Tree Preservation Order No.428 be confirmed.

Chief Planning Officer

18th February 2019

Tree Preservation Order

**Town and Country Planning Act 1990
The Tree Preservation Order No 428 (2019)
12 Woodvale Road, Sheffield S10 3EX**

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

- 1. This Order may be cited as Tree Preservation Order No 428 (2019) – 12 Woodvale Road, Sheffield S10 3EX

Interpretation

- 2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

- 3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

- 4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 10th January 2019

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)

[Signature]
David Sellers
Duly Authorised Signatory



19.102.5937

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Cedrus sp. (Cedar)	OS Grid Reference: SK432612 386395

Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
-------------------------	---	------------------

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

NOTES / REVISIONS:

Notes:

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TREE SCHEDULE

⊙ Trees specified individually.
 (Circled in black on the plan)

T1 Cedrus sp.

Trees specified by reference to an area - None

Trees specified by reference to a group - None

Trees specified by reference to a woodland - None

SK 432812 386395

Measurements shown approximate

**SHEFFIELD CITY COUNCIL
 PLACE**

PLANNING SERVICE CITY GROWTH

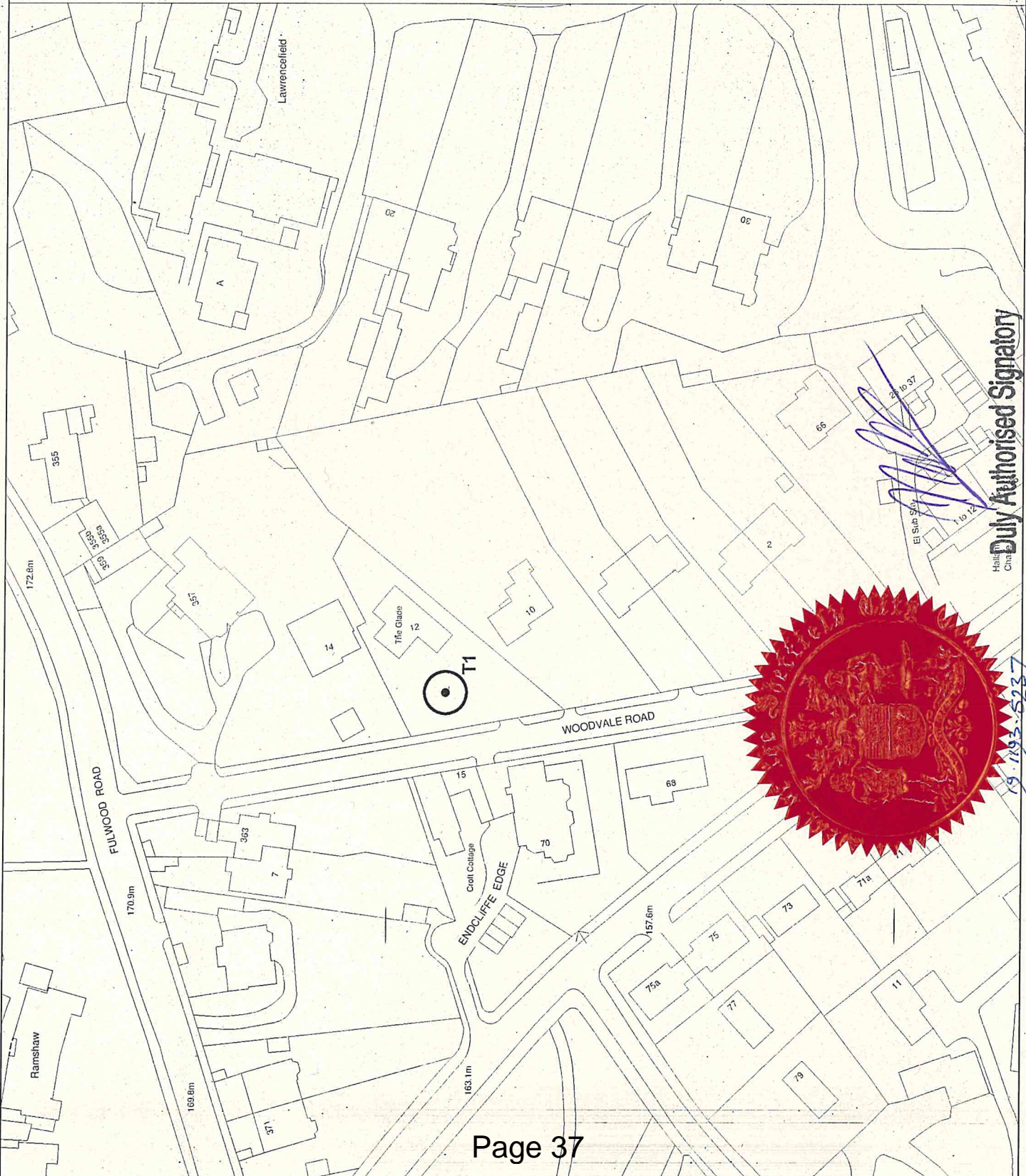
**TREE PRESERVATION ORDER
 No. 428**

**12 WOODVALE ROAD
 SHEFFIELD**

SCALE: 1:1250 @ A4

Drawn by: KH
 Checked by: [Signature]
 Date: 12/12/2018

Drawing No: A4/JUED/808/428



Duly Authorised Signatory
 Halliwell
 Clerk



19.11.23.5237

политическая партия



TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: 27/11/18	Surveyor: Nathan McWhinnie
----------------	----------------------------

Tree details		
TPO Ref: 428	Tree/Group No: 1	Species: Cedrus sp.
Owner (if known): Mr Mark Stone		
Location: 12 Woodvale Road, S10 3EX		

Part 1: Amenity assessment

a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/Dying?Dangerous Unsuitable

<p>Score & Notes: 3 – Very good vitality and condition. Has a union at the very base, which has been flagged up as dangerous by a local tree surgeon. In my opinion this is not a significant hazard: the lack of any increment growth around the union indicates that there is no stress on it, most likely due to natural bracing in the crown. But due to this form I have only scored it fair. The larger stem is towards the house.</p>

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Remaining longevity (in years) & suitability for TPO:

Refer to 'Species Guide' section in Guidance Note

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10 Unsuitable

<p>Score & Notes 2 – a cautious 2, and more towards the upper end of the category</p>
--

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO:

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- 5) Very large trees, or large trees that are prominent landscape features Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or larger trees with limited view only Just suitable
- 2) Small trees, or larger trees visible only with difficulty Unlikely to be suitable
- 1) Young, v. small, or trees not visible to the public, regardless of size Probably unsuitable

<p>Score & Notes 3 – busy road, used as a cut through</p>
--

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Members of groups of trees important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features

<p>Score & Notes 1</p>

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- 5) Known threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only
- 0) Tree known to be an actionable nuisance

<p>Score & Notes 5 – section 211 notice of felling received</p>
--

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-10 Does not merit TPO
- 11-14 TPO defensible
- 15+ Definitely merits TPO

<p>Add Scores for Total: 14</p>
--

<p>Decision: TPO defensible</p>
--

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Reference "LS/RC/86094

12, Woodvale Rd
Sheffield S10 3EX
5/1/19

Dear Sir,

I would like to object to the proposal to place a preservation order on a Cedar tree in my front garden at 12, Woodvale Rd.

I am very concerned that the tree has grown too large and is a danger, as it's too close to my house.

The tree has grown as two stems, the larger one, which has become very top heavy, slopes towards my house. It sways a lot when there is strong wind. I am worried that this will at some point, break from the other, more upright stem and fall towards the house. The garden also slopes where the tree is rooted.

The tree is not a particularly good specimen; it grows 'through' a larger Hornbeam, and all the branches are on one side, growing towards my house. Only the top section of the tree has

②

branches both sides and is visible from the road. The tree is at least eighteen metres high and the sloping, larger stem is about sixty three inches circumference, where it splits from the other stem.

The tree Surgeons comments who inspected the tree, were that it had a 'co dominant stem of very light union, with the largest leaning towards the house in close proximity, and could cause major damage if it fails.

This tree should not be given a preservation order as it is a potential danger to my house and our safety.

yours Sincerely



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 2nd May 2019

Subject: Tree Preservation Order No.429
1 Sale Hill, Sheffield S10 5BX

Author of Report: Jez Platts, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Orders No. 429

Reasons for Recommendation

To protect a tree of visual amenity value to the locality

Recommendations Tree Preservation Orders No. 429 should be confirmed.

Background Papers: A) Tree Preservation Orders No. 429 and map attached
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment for TPO 429.

TREE PRESERVATION ORDER NO. 429
1 SALE HILL, SHEFFIELD, S10 5BX

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 429.

2.0 BACKGROUND

2.1 Tree Preservation Order No.429 was made on 4th December 2018 to protect a Lombardy Poplar tree located in the front garden of 1 Sale Hill. A copy of the order with its accompanying map is attached as Appendix A.

2.2 The tree was under possible threat of removal as a section 211 Notice proposing works to remove the tree, was received.

2.3 A condition inspection of the tree was carried out and found the tree to be in normal health. No significant defects and obvious health and safety reasons requiring major intervention were found. A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out following the inspection and supported the protection of the tree. It was therefore considered expedient to make a Tree Preservation Order to protect the tree in the interests of amenity.

2.4 No objections to the order have been received.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The Lombardy Poplar tree is seen as being visually prominent and of significant amenity value when viewed from Manchester Road and Sale Hill. It is considered to contribute to the visual amenity value of the Broomhill Conservation Area.

3.2 A TEMPO assessment was carried out by the Planning Tree Officer and is attached as Appendix B. The assessment produced a clear recommendation for protection.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no environmental and property implications based on the information provided.

5.2 Protection of the trees detailed in Tree Preservation Order No.429 will benefit the visual amenity of the local environment.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7.0 LEGAL IMPLICATIONS

7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).

7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.

7.3 The local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.

7.4 A local authority may only confirm an order after considering any representations made in respect of that order. No such representations have been received in respect of Tree Preservation Order No.429.

8.0 RECOMMENDATION

8.1 Recommend Provisional Tree Preservation Order No.429 be confirmed.

Colin Walker, Chief Planning Officer

2nd May 2019

NOTES / REVISIONS:

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TREE SCHEDULE

• Trees specified individually.
 (Encircled in black on the plan)

T1 Lombardy Poplar

Trees specified by reference to an area - None

Trees specified by reference to an group - None

Trees specified by reference to a woodland - None

SK 431086 385515

(Measurements shown approximate)

SHEFFIELD CITY COUNCIL	
PLACE	
PLANNING SERVICE CITY GROWTH	
TREE PRESERVATION ORDER	
No. 429	
TITLE	
1 SALE HILL SHEFFIELD S10	
SCALE:	
1:1250@A4	
Drawn by:	Checked by:
HT	Date: 04/12/2018
Drawing No:	
A4/JED/808/429	





SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 08/04/19

Subject: Tree Preservation Order No. 431 (47 Collegiate Crescent, Sheffield, S10 2BR. OS Grid Reference SK 34034 86184)

Author of Report: Leonie Kapadia, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Orders No. 431.

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 431 should be confirmed unmodified.

Background Papers:

A) Tree Preservation Order No. and map attached.
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

Category of Report: OPEN

TREE PRESERVATION ORDER NO. 431
47 COLLEGIATE CRESCENT, SHEFFIELD, S10 2BR

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 431

2.0 BACKGROUND

2.1 Tree Preservation Order No.431 was made on 17th January 2019 to protect a mature hornbeam in the front garden of the property. A copy of the order with its accompanying map is attached as Appendix A.

2.2 The tree at the site was under threat because of a section 211 notice received from the householder. The householder wished to remove all trees on the property citing damage to the drive-way, side wall and front wall. Following a visit from myself and a Building Surveyor from the Building Control Team, we established that several of the trees were, indeed, causing damage. These were subsequently felled with no objection from ourselves.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out in respect of the hornbeam. The tree was found to be in good order with no safety issues and has high visibility in the conservation area. It was therefore considered expedient to make a Tree Preservation Order to protect the tree in the interests of amenity.

2.5 The objections from the owner, and our responses are as follows:

- i. Work started to the tree has caused the tree to be “heavy on one side and leaning towards the road”.
Response: This is not a safety issue. It can be remedied with minor pruning and will also regrow.
- ii. The tree is causing damage to boundary wall.
Response: SCC building surveyor found “very minimal deflection of the wall” and this is not considered to be a safety issue. There is room between the tree and the wall for the tree to grow in the immediate future.
- iii. The tree is causing damage to garden dividing wall.
Response: No evidence has been supplied to substantiate this.
- iv. The tree is potentially affecting house foundations.
Response: No evidence has been supplied to substantiate this.

A second objection to the order has been received from a G. P. Fee stating they are the owner of 45 Collegiate Crescent, next-door. It reiterates the objections concerning the boundary wall and house foundations, which have been addressed above, but also includes:

- i. The tree is causing damage to the driveway.
SCC Response: No evidence has been supplied to substantiate this.
- ii. The tree has significantly diminished the amount of light that enters my living area.
SCC Response: As described above at paragraph 2.1, several other trees at this site were felled and officers do not consider the amount of shading leftover to be considerable.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The tree is clearly visible from Ecclesall Road and from the Sheffield Hallam University Collegiate Campus as it is at the first residential dwelling on Collegiate Crescent. The tree is tall and prominent, particularly in winter and is of a similar age and stature to other hornbeams located close by on neighbouring Broomgrove Road. Following the removal of all the other mature trees on this site, this tree is now even more visually prominent from the neighbouring streets. The tree is a well-established specimen, providing significant visual amenity and maturity to the site. Its value is in preserving the treescape of the area.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no environmental and property implications based on the information provided.

5.2 Protection of the trees detailed in Tree Preservation Order No.431 will benefit the visual amenity of the local environment.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7.0 LEGAL IMPLICATIONS

7.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).

- 7.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.
- 7.3 The local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.
- 7.4 A local authority may only confirm an order after considering any representations made in respect of that order. Two such representations have been received and are attached as appendices.
- 8.0 RECOMMENDATION
- 8.1 Recommend Tree Preservation Order No.431 be confirmed.

Chief Planning Officer

8th April 2019

Encl. See Photos



View from Ecclesall Road showing tree (from Google streetview).



View of tree from Collegiate Crescent towards Ecclesall Road



View showing pruning works to tree.



View showing pruning works to the tree (2)

Reference: LS/RC/6152

6th February 2019

Proposed Tree Preservation Order – Large Hornbeam; 47 Collegiate Crescent

Dear sir/madam,

I am writing in reference to the proposed TPO order you have placed on the large Hornbeam tree on my property on the 17th January 2019 reference LS/RC/86152

As you will be aware, this proposed TPO was not communicated to me until part way through the morning of the 18th January which was the 6 week target decision date given to me by your team, and works had already begun on the removal of this tree having had no communication from you during the 6 week period following my application to remove this and other trees on my property. This has now left the tree heavy on one side leaning towards the road. I have since taken advice from my tree surgeon on how best to move forward with this, and due to the weight being taken out of one side, I have been advised I should appeal the decision to keep the tree (and the impending TPO) in order to protect the property and the risk of strong winds which could result in the tree coming down onto the main busy road.

I would also like to point out that the tree roots are above kerb level on my side which is affecting the wall and if the tree was to fall, would potentially bring the wall down.

Also, the main reason why we wanted this tree removing from the outset, this tree is potentially affecting my house foundations as well as next doors, due to the close proximity of the tree to the house. There is also evident root damage to the small garden wall between our houses and we are both concerned it could collapse resulting in potential liability if this hurt a passer-by. (See attached structural engineers report). Whist I take on board your point that this tree species is slow growing, I am keen to not wait until there are specific issues with drains or foundations as clearly this will be too late!

I would therefore like you to now reconsider the removal of this tree based on the above and the fact the tree is now unfortunately unsafe.

Kind regards,



Paula Shaw.



JKM Building Design Ltd
59 Longley Farm View SHEFFIELD. S5 7JX
Telephone: 01142430197- M 07940700604
E- Mail: jkmlimited@virginmedia.com

Date: 13 October 2018

Mr. Mark Mccammon

Dear Mr. Mccammon

RE: 47 COLLEGIATE CRESCENT SHEFFIELD S10 2BR

In accordance with instructions received from Alpine Projects our engineer attended the above property on 11 October 2018 to undertake a structural inspection of the ground floor suspended timber joists.

The floor joists inspected in the cellar span in between the party and side walls. At some time in the past the joist ends have been cut and replaced.

The joist overlap and they are supported by a 75mmx75mm beam and timber posts. We consider this arrangement is unsatisfactory as the overlap length is inadequate and the new joists are not connected to the original joists.

We recommend that steel beams are provided to support the floor joists at their overlap. 203x102x23UB boxed in 12.5mm thick fire line boarding will be adequate.

The property is also suffering from differential foundations settlement as evidenced by the observed internal cracks in the plasterwork. The damage has been caused by volumetric changes in the subsoil. Tree root action and leaking drains may have also contributed to the settlement damage.

We understand that arrangements are in place to remove the tree under the direction of a tree surgeon.

We also recommend that the house drainage system (foul & surface water) should be traced, for leaks using CCTV. Rectify any defects identified such as displaced joints, perished seals, root penetrations etc. as necessary.

Please contact Jamal Mahmud as necessary to discuss any queries.

Yours Sincerely

JamalMAHMUD

Jamal Mahmud
For & On Behalf of JKM Building Design Limited

Reference: LS/RC/86152

20th February 2019

Proposed Tree Preservation Order – Large Hornbeam; 47 Collegiate Crescent

Dear Sir/Madam,

I am writing in reference to the proposed TPO order you have placed on the large Hornbeam tree on my neighboring property at 47 Collegiate Crescent, Sheffield. S10 2BR

I am the owner of 45 Collegiate Crescent and this tree has caused significant damage to the wall which borders my property and that of 47 Collegiate Crescent. Furthermore, it is severely affecting my drive way due to the root growth and it has also diminished significantly the amount of light that enters my living area.

Furthermore, the root growth is affecting the wall which forms the boundary with Collegiate Crescent. If allowed to grow, the tree will cause the wall to collapse and this could result in significant injury to pedestrians using Collegiate Crescent. I am also worried about root growth affecting the foundations to my property.

In partnership with my neighbor, and in the interests of health and safety, it is our intention to remove this tree. If necessary we would be willing to plant a substitute tree which would be less invasive and create less damage with roots.

Due to the above I would greatly appreciate it if you would refrain from placing the TPO on the tree and allow us to remove it as planned.

I thank you in anticipation.

Yours faithfully,



G P Fee

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TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: 10/01/2019	Surveyor: Leonie Kapadia
------------------	--------------------------

Tree details TPO Ref: 431 Tree/Group No: 1 Species: Carpinus betulus (Hornbeam). Owner (if known): Miss Paula Shaw Location: 47 Collegiate Crescent, Sheffield, S10 2BR

Part 1: Amenity assessment

a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- | | | |
|-------------------------|-------------------------|--|
| 5) Good | Highly suitable | |
| 3) Fair | Suitable | |
| 1) Poor | Unlikely to be suitable | |
| 0) Dead/Dying/Dangerous | Unsuitable | |

Score & Notes: 5 – Good. Tree in good overall health, form and vitality with no visible defects.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Remaining longevity (in years) & suitability for TPO:

Refer to 'Species Guide' section in Guidance Note

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10 | Unsuitable |

Score & Notes 2 – 20-40 years is a conservative estimate for this species at its current age, however the urban environment may shorten its longevity.
--

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO:

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- | | |
|--|-------------------------|
| 5) Very large trees, or large trees that are prominent landscape features | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or larger trees with limited view only | Just suitable |
| 2) Small trees, or larger trees visible only with difficulty | Unlikely to be suitable |
| 1) Young, v. small, or trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes 4 – Clearly visible on a busy road as well as being visible from Ecclesall Road which is one of the main arterial routes into and out of the city.
--

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | | |
|--|---|-------------------------------|
| 5) Principal components of arboricultural features, or veteran trees | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"> Score & Notes
 1 </td> </tr> </table> | Score & Notes
1 |
| Score & Notes
1 | | |
| 4) Members of groups of trees important for their cohesion | | |
| 3) Trees with identifiable historic, commemorative or habitat importance | | |
| 2) Trees of particularly good form, especially if rare or unusual | | |
| 1) Trees with none of the above additional redeeming features | | |

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- | | | |
|--|--|--|
| 5) Known threat to tree | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"> Score & Notes
 5 – section 211 notice of felling received </td> </tr> </table> | Score & Notes
5 – section 211 notice of felling received |
| Score & Notes
5 – section 211 notice of felling received | | |
| 3) Foreseeable threat to tree | | |
| 2) Perceived threat to tree | | |
| 1) Precautionary only | | |
| 0) Tree known to be an actionable nuisance | | |

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-10 | Does not merit TPO |
| 11-14 | TPO defensible |
| 15+ | Definitely merits TPO |

Add Scores for Total: 17

Decision: TPO defensible

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SHEFFIELD CITY COUNCIL Planning and Highways Committee

Report of: Director of City Growth Department

Date: 04/06/2019

Subject: Applications under various acts/regulations

Author of Report: Lucy Bond and John Williamson 2039183

Summary:

Reasons for Recommendations

(Reports should include a statement of the reasons for the decisions proposed)

Recommendations:

Background Papers:

Under the heading "Representations" a Brief Summary of Representations received up to a week before the Committee date is given (later representations will be reported verbally). The main points only are given for ease of reference. The full letters are on the application file, which is available to members and the public and will be at the meeting.

Category of Report: OPEN

Application No.	Location	Page No.
17/04673/OUT (Formerly PP-06524621)	Land At Junction With Carr Road Hollin Busk Lane Sheffield S36 1GH	
18/04123/FUL	20 Creswick Lane Sheffield S35 8NL	
19/00405/TEL	Land Adjacent 1 Sandygate Grange Drive Sandygate Road Sheffield S10 5NH	
19/00638/FUL (Formerly PP-07619105)	Damons Restaurant 2 Sevenairs Road Sheffield S20 1NZ	

Case Number	17/04673/OUT (Formerly PP-06524621)
Application Type	Outline Planning Application
Proposal	Outline application for up to 93 residential dwellings including open space
Location	Land At Junction With Carr Road Hollin Busk Lane Sheffield S36 1GH
Date Received	14/11/2017
Team	West and North
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally Subject to Legal Agreement

Time Limit for Commencement of Development

1. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) appearance, (b) landscaping, (c) layout and (d) scale (matters reserved by this permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

2. Application for approval in respect of any matter reserved by this permission must be made 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.

3. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

Approved/Refused Plan(s)

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

1701:01 - Location Plan received on 5.3.18;
3421 SK001 004 Revision B Proposed Access Arrangement onto Carr Road received on 29.11.17

Reason: In order to define the permission.

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

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

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

6. 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.

7. The Landscape and Ecological Management Plan required by Condition no. 6 shall include details of the mitigations and enhancements described in Section 5.0 and in paragraphs 6.3 and 7.5 of the Ecology: Additional Information Document (rev A) dated October 2018 prepared by FPCR, and Section 6.0 of

the Water Framework Directive Assessment dated October 2018 prepared by FPCR and the details of the following matters:

- (i) a plan showing site boundary treatment and details of hedgehog friendly treatment which allows hedgehogs to traverse the site;
- (ii) external lighting design within the site.
- (iii) details of arrangements for sequentially addressing potential impacts of the proposed drainage outfall from the balancing facility to the Clough Dyke during the construction phase including details of the timeline between works commencing on site and the establishment of a managed surface water input to Clough Dyke.

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

8. Before any works commence on site, or an alternative timeframe to be agreed by the Local Planning Authority, full details of the proposed Sustainable Drainage System drainage design (construction drawings), including calculations, design and operational details of any flow control structures and appropriate whole system model results, shall have been submitted to and approved by the Local Planning Authority. This should 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 surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of the development 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, including the control of surface water run-off and mitigate against the risk of flooding.

9. No development shall commence unless the intrusive site investigation works described in the coal mining risk assessment produced by Stage 1 Geo-Environmental Desk Study Report (Report No. HLT/09r1) dated June 2016 prepared by ARP Geotechnical Engineers Ltd have been carried out as recommended and a report of the findings arising from the intrusive site investigations is submitted to and approved by the Local Planning Authority. Where the investigations indicate that remedial works are required, a scheme of remedial works shall be submitted to and approved by the Local Planning Authority before the development commences and thereafter the remedial works shall be carried out in accordance with the approved details.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

10. No development shall commence until a scheme for the delivery of affordable housing equivalent to no less than 10% of the gross internal area to be provided as part of the development, or an alternative percentage figure agreed with the Local Planning Authority following an independent viability assessment has been submitted to and approved by the Local Planning Authority. The affordable housing shall be provided for sale to a Registered Provider at a transfer price stipulated by the Council as part of the approved scheme.

The scheme shall include details of:

- a) The number, type, tenure and location of the affordable housing;
- b) The timing for the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) The arrangements to ensure that such provision is affordable for both first and future occupiers of the affordable housing or if not possible for the subsidy to be recycled for alternative affordable housing provision;

The affordable housing shall be provided in accordance with the approved scheme.

Reason: To ensure the provision of affordable housing to meet local housing need.

11. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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.

12. 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 the development being commenced. 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.

13. No development (including demolition, construction, or other enabling, engineering or preparatory works) shall take place until a Highway

Management Plan (HMP) 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 all phases of the development.
- 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 compound, contractor car parking, storage, welfare facilities and delivery/service vehicle loading/unloading areas, and temporary security fencing.

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

Reason: To provide for appropriate on-site facilities during construction, 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.

14. No development (including demolition, construction, or other enabling, engineering or preparatory works), shall take place 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 such activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and damage to key assets/infrastructure within and adjacent to the site. It will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust and light nuisance as well as the proposed means of heritage and infrastructure protection.

As a minimum, the CEMP shall include:

1. Strategies to mitigate any residual effects from noise, vibration, and light that cannot be managed to comply with acceptable levels at source;
2. Details relating to the permitted working hours on site, and include a fugitive dust management plan;

The works 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 in the interests of protecting the site's valuable heritage assets.

15. 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.

16. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use and the dwellings shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

1. Review/promotion of Traffic Regulation Orders in the vicinity of the development site that are deemed necessary as a consequence of the development (waiting/loading restrictions) entailing advertising, making and implementing the Order in accordance with Traffic Signs Regulations & General Directions 2002 (with provision of signs/lines as necessary).
2. Any other accommodation works to traffic signs, road markings, lighting columns, and general street furniture deemed necessary as a consequence of development.
3. The upgrade of the nearest outbound and inbound bus stops to the site on Wood Royd Road to a specification to be confirmed by South Yorkshire Passenger Transport Executive including any raised footway and tactile paving to assist boarding/alighting.

4. Provision of improvements to the management of the Manchester Road/Vaughton Hill/Carr Road junction including provision of additional sensors on Manchester Road and Carr Road and MOVA software to detect when there is queuing, and upgrade of the MOVA system to provide bus priority on all the approaches to the junction including Carr Road.
5. Footway improvements to Carr Road to tie into the existing network.
6. Improvements to walking routes to join to existing network including provision of a pedestrian crossing point on Carr 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.

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

Reason: To enable the above-mentioned highways to accommodate the increase in 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.

18. 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.

19. No development shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar based on the area of the development. 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.

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.

20. Prior to the submission of any reserved matters application, an archaeological evaluation of the application area will be undertaken in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority. Drawing upon the results of this field evaluation stage, a mitigation strategy for preservation in situ and/or further archaeological works will be approved in writing with the Local Planning Authority and then implemented.

Reason: To ensure that the site is archaeologically evaluated in accordance with an approved written scheme and that sufficient information on any archaeological remains is gathered to help determine any reserved matters applications.

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

21. 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

22. The detailed Travel Plan required by condition no. 21 shall include the arrangements for provision of a scheme to provide a yearly travel pass for each householder of the development for the first year of occupation.

Reason: In the interests of delivering sustainable forms of transport.

23. 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.

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

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

25. No dwellings within any phase of development shall be occupied until the vehicular site access has been implemented in accordance with the details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Other Compliance Conditions

26. The development shall be carried out in accordance with the details shown on the submitted Flood Risk Assessment and Drainage Strategy prepared by ARP Associates (Report 1265/10r1 dated 19/04/2017), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of satisfactory and sustainable drainage.

27. 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.

28. The details of reserved matters required by condition no. 1 shall include details of the provision of car charging points for each dwelling. No dwelling shall be occupied unless the approved car charging points related to that dwelling have been provided in accordance with the approved details. Once installed the car charging points shall be maintained and retained for the lifetime of the development.

Reason: In the interests of mitigating the effects of climate change and to ensure sustainable development is achieved.

29. The details of reserved matters required by condition no. 1 shall be designed in general accordance with the Design Code and Parameter Plans described in Section 9.0 of the submitted Design and Access Statement Issue 6 dated December 2018 prepared by STEN Architecture.

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

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

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

Mr J Burdett

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

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

3. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

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

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

4. 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.

5. 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

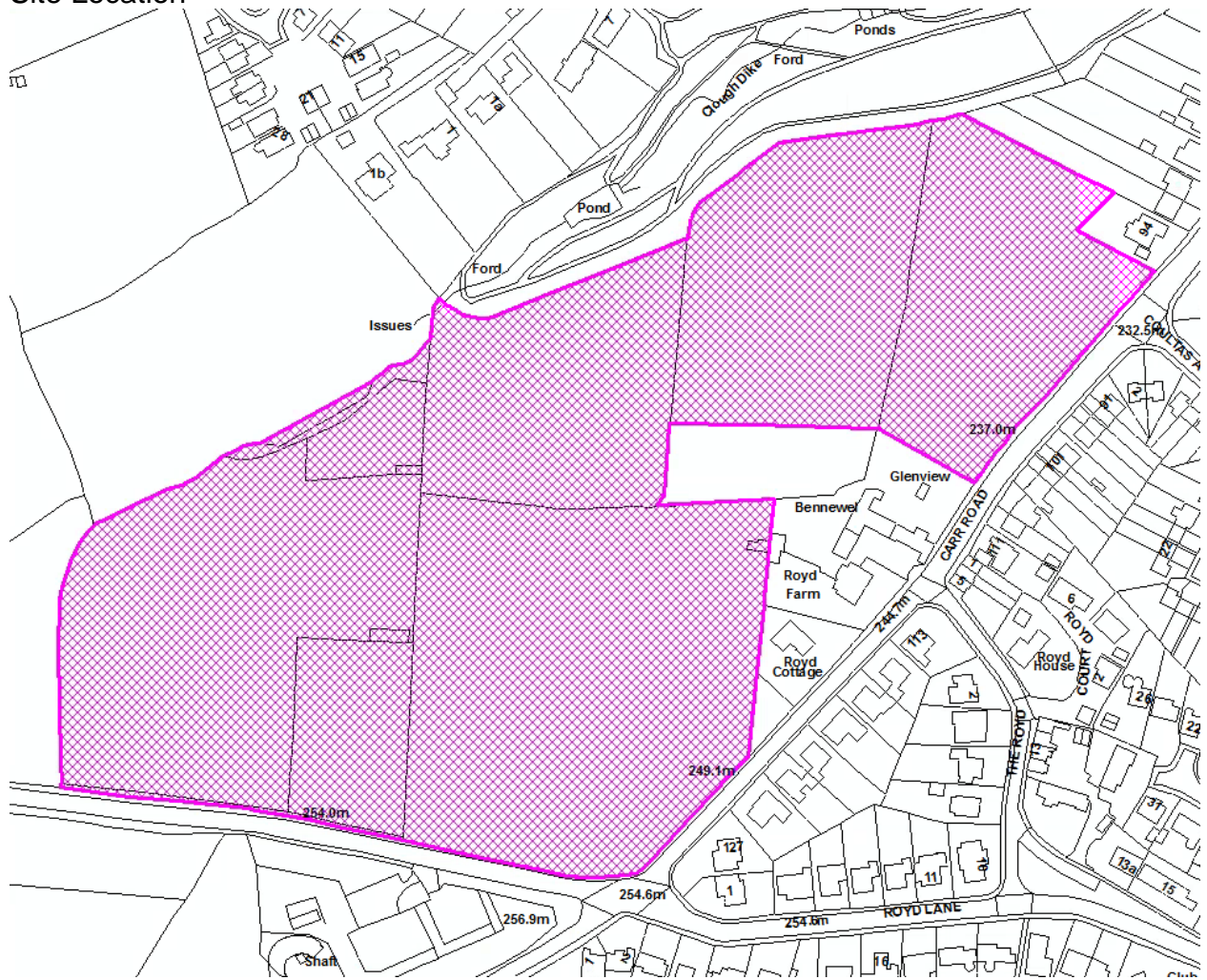
6. You are advised that any information which is subject to the Environmental Information Regulations and is contained in the ecological reports will be held

on the Local Records Centre database, and will be dealt with according to the Environmental Information Regulations (EIR). This will be subject to the removal of economically sensitive data. Information regarding protected species will be dealt with in compliance with the EIR. Should you have any queries concerning the above, please contact:

Ecology Unit
Sheffield City Council
West Wing, Level 3
Moorfoot
Sheffield
S1 4PL
Tel: 0114 2734481/2053618
E-mail: parksandcountryside@sheffield.gov.uk

7. 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.

Site Location



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LOCATION

The application site comprises approximately 6.5 hectares of land on the west side of Carr Road in Deepcar.

The site comprises a number of open fields used as grazing land. The land has a shallow gradient generally falling from south to north.

The eastern boundary of the site partly fronts onto Carr Road and partly wraps around the rear boundaries of a group of four properties and land at and alongside Royd Farm (Glenview, Boskins, Bennewell, Royd Farm and Royd Cottage).

The site adjoins Hollin Busk Lane to the south, more open fields and Fox Glen wood to the west, and the side gardens of nos. 92 and 94 Carr Road to the north.

PROPOSAL

The proposal seeks outline planning permission for the erection of up to 93 dwellings with details of access (shown on the submitted drawings as being off Carr Road) included for approval at this outline stage.

Matters of appearance, landscaping, layout and scale are reserved for subsequent approval.

The applicant has submitted an indicative layout in support of the application which shows a single main spine road into the site, accessed from the northern end of the site's frontage to Carr Road, which then runs through the northern and eastern parts of the site to serve the proposed residential development.

Three public open spaces are shown on the western and southern fringes of the proposed housing, and two additional larger areas of open space are proposed at the northern and western ends of the site. The open space at the northern end of the site would incorporate a sustainable urban drainage basin, whilst the open space at the western end of the site would provide an area of species rich grassland. The indicative layout includes existing dry stone walls to be retained, and proposed hedge and tree planting.

ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 specifies the type of developments which require an Environmental Impact Assessment (EIA) to be carried out.

In October 2017, the Secretary of State for the Department for Communities and Local Government made a screening direction that the proposed development [which is now the subject of this planning application] is not EIA development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Consequently an Environmental Impact Assessment is not required to accompany this planning application.

RELEVANT PLANNING HISTORY

In 1990 outline planning permission was refused for the residential development and construction of new roads and sewers on 17.4 hectares of land [which included the current planning application site] at Carr Road, Hollin Busk Lane and Broomfield Lane (application no. 89/3037P refers).

The reasons for the refusal were: (1) the proposal would result in significant environmental intrusion and damage to the ecology of the area, particularly Fox Glen, thereby representing a serious reduction in the amenities currently enjoyed by a large number of people; and (2) the proposal is contrary to policy 3.2.8 of the adopted Stocksbridge District Plan and it is considered that there are other sites in the locality which are suitable for residential development involving considerably less environmental intrusion and ecological damage.

An appeal against this refusal was dismissed in August 1991. The appeal Inspector concluded that in the context of the statutory plan for the area (the Stocksbridge District Plan) there was no justification for release of the site for housing development at that time, and that the appeal proposal would be severely detrimental to the character of the area and to the quality of the environment of local residents.

This appeal decision has very limited weight in the determination of the current planning application given the age of the decision and subsequent change in national and local policy context.

SUMMARY OF REPRESENTATIONS

The application has been publicised by newspaper advert, display of site notices, and by letters of notification to nearby occupiers.

A petition containing 23 signatures has been received objecting to the planning application on the following grounds:

- Significant new housing developments are taking place on brownfield sites at Fox Valley, off Station Road and planned in Oughtibridge, it would appear particularly inappropriate at this time to consider further development on a highly visible and scenic rural green field site;
- Fox Glen would be surrounded by housing not fields, wood contains many species of birds, special project to protect the threatened habitats of an increasingly rare bird the willow tit;
- Entrance to proposed site very close to Royd nursery and infant school an area already particularly busy with pedestrians and car driving parents at both ends of the school day;
- Hollin Busk classified as an Open Space to safeguard it from development. This is a further indication of its vital importance as open countryside and a green space between existing built-up areas of Deepcar and Stocksbridge;

- Recent resulting increase in traffic already creates problems at the Carr Road/Manchester Road junction particularly at peak times, the only alternative route into Sheffield is the narrow winding Morehall Lane or a longer rural route through Bradfield.

1 letter of support has been received relating to the following matters:

- Fully support the building of these dwellings.

1 neutral representation expressing the following comments:

- As owner of properties under which clough dyke is culverted, concerned if the proposed development water run-off is at a faster rate for which culverts are not designed, suggest that run off water either needs to be diverted into the sewage system on Carr Road or that some system is put in place on the proposed development to ensure that the rate of run off remains as it is now.

511 representations of objection including representations from Stocksbridge Community Forum, Bolsterstone Community Group, Deepcar and Stocksbridge Walking Group, Upper Don Action Group, and Friends of Hollin Busk, have been received, relating to the following matters:

Need

- Whilst there is a national need for more houses open space should not be considered while there are brownfield sites available, this proposal tips the balance the wrong way;

- No shortage of housing, more than enough houses being built in this area, plans to build over 500 properties in local area on brown site land, there are 90+ houses on the Fox Valley development and 400+ to go on the old brickworks site at Deepcar, around 1000 homes including Oughtibridge mill and infill developments, 20 homes at the Peggy Tub site, 159 homes planned on greenfield sites in Stocksbridge and Deepcar that is a significant share;

- There are still sufficient sites on the Sheffield Brownfield Register within the Stocksbridge area to accommodate future development needs (old Stein Brickworks, Steelworks Site A), derelict land opposite the Venue, valley from Oughtibridge to Stocksbridge contains a number of brownfield sites with good access to main routes and local shops;

- Not identified in house building plan for Stocksbridge;

- Too many developments in the area;

- Low level of new house building over last five years in Stocksbridge and Deepcar area are obsolete;

- Numerous attempts over the years to develop this land have been rejected for good reason, previous reasons still stand true;

- Would create a precedent, how long before 93 becomes a few hundred;

- Unnecessary, unwanted;

- Only 10% of houses being affordable will not tackle need;

- Note that in planning committee reports the declared housing land supply figure is currently 5.04 years, as Sheffield has a housing supply of over five years there is no

obligation to abandon policy of brownfield development first or allow building on green fields in protected open countryside;

Land Banking

- Land banking has been identified as one of the causes of the housing crisis, the outline planning permission is solely to increase the financial value of the agricultural land and will at some unknown point in future sell the land, highlighted in 2017 Government housing white paper and in statement to Parliament at launch of NPPF in March 2018 which promised a crackdown on land banking developers;
- Local planning authorities should not be condoning the activities of land speculators;

Services

- Impact on services, strain on local schools, medical services, drainage, and infrastructure cannot sustain all current applications, unknown consequences of completed brownfield developments in Fox Valley and on Station Road;
- Existing infrastructure cannot cope, no available spaces at NHS dentists within Stocksbridge and Deepcar, the bank closed in 2018;
- The development does not have a balance of land uses, residents have to leave the site for employment, shopping, leisure, recreation and other activities, main local shops are a mile away, brings no new amenities to the area;

Open/Green Space

- Immediate location is rural, would be exact opposite if developed, no amount of screening and sympathetic design will alter this;
- Ignores Government pledges to protect green space, area is a designated open space and should be kept, inappropriate development in a protected rural location;
- Open space is taken to mean all open space of public value;
- Not sustainable to build in areas that should remain green;
- Stocksbridge and Deepcar are mainly below eye level and therefore not seen;
- Ruin rural feel of area, local community place a high value on its current high amenity value, highly values for its rural character;
- Much used for walking along and enjoying the views and rural aspect;
- Proposal would not protect and enhance the character of the existing rural open countryside, ruin beautiful countryside;
- Should remain a green corridor;
- Intrude in natural green division between Deepcar and Stocksbridge, Hollin Busk is an open space between Deepcar and Stocksbridge, a break between the two areas, part of a green corridor, closes off the top of Fox Glen and a green link, the proposed development would sever green finger running up valley sides, would sever the locally designated strategically important Green Link running up Fox Glen/Clough Dyke to open countryside;
- Natural buffer, important boundary land between Deepcar, Stocksbridge and Bolsterstone;
- The site fulfils the purpose of the green belt, site should be granted green belt status;

- The proposal is not rounding off or urban infill, it is entirely urban expansion, will be another case of urban sprawl, housing development would not achieve distinctiveness of neighbourhood, unnecessary encroachment on open space;
- Without SUDS the available public open space would be down to 34%;
- Need more green space not less;
- Need farm land;
- Negative effect on green belt, spoil green belt land, land should be re-designated green belt;
- Any development of 93 dwellings would in effect create a new village at Royd Farm and would have detrimental impact on the Green Belt on the other side of Hollin Busk Lane, the Green Belt is a core feature of the local environment;
- Object to encroachment towards Bolsterstone one of only two remaining hill top villages in Sheffield;
- Close to Peak District National Park and would add an additional urban development on the edge of the PDNP, proximity to the PDNP is a defining feature of this location, no positive tangible benefit;

Ecology

- Land always been grazing and a place for wildlife, diverse range of species present in the fields, land is resource for wildlife including species under threat such as lapwings and curlew, many on 'red list', bat colonies, provides shelter for wildlife;
- Loss of wildlife habitat and wildlife corridor, insensitive to wildlife, the wildlife using these fields to forage would be decimated, impact could not be reversed;
- Publically accessible open space would conflict with dual role as a new habitat for wildlife;
- Fox Glen is a much valued Local Wildlife Site, would have a serious impact on biodiversity of the site and adjoining green spaces including Fox Glen, impact on current project to encourage willow tits in Fox Glen, proposed drainage into Clough Dyke in periods of heavy rainfall would destroy the habitat which is being created in the local wildlife reserve of Fox Glen, local concern that changes to surface and underground water flow into Fox Glen not adequately addressed, adverse influences of noise, flooding, pollution, litter, increased footfall, potential vandalism and disturbance from increased presence of dogs and cats are incompatible with the continued success of the local wildlife reserve;
- Would cause significant harm to the Fox Glen Wildlife site and the project to create a habitat for rare willow tits, would effectively close off access to local wildlife site of Fox Glen;
- Adverse effect on natural environment and recorded bird species;
- Mine investigations will involve intrusive work which will damage wildlife in the area;
- Insufficient assessment of impact on species using the woodland or on effects of lighting and dumping, should be more detail on habitat provision, full ecology survey should be completed;
- Relying on householders bordering the Glen to look after wildlife does not enhance the natural environment;

Recreation

- Hollin Busk Lane used recreationally by walkers, ramblers, dog walkers, horse riders, cyclists, school children and others enjoying countryside setting, recreational

benefit is already satisfied by walking along Hollin Busk Lane without a housing estate, much valued local amenity;

- Part of one of the ten national best walking neighbourhoods;
- Reduce physical and mental wellbeing of local residents who enjoy living with countryside views;
- No environmental benefits from any increased public access to the site, harm cannot be mitigated by the layout;
- Fox Glen already has three access points;

Landscape

- Too near Peak District boundary, the site is visible from the Peak Park, the site is in full view from Salter Hills onwards and remains a view from a further 0.6 km along the boundary of the Peak Park to the west;
- Proposed housing development will be highly visible due to lie of the land, will significantly affect the scenic value of the area;
- Obscure views from Carr Road;
- Site could be categorised as upland hay meadow which are in fast decline and should be protected;
- Proposals impacts on landscape greater than applicant has stated;

Traffic

- Not easy access to main road network, roads over capacity, only viable route to travel is via Carr Road;
- Increase in traffic at peak times and through the day, Carr Road is already busy without the addition of potentially 200 more cars, blind bend, major increase to traffic onto Carr Road particularly in the mornings when small children will be going to school, entrance to the site too near to school to be safe, access and traffic increasing would have a detrimental effect on road safety and Royd nursery and infant school, danger to pedestrians, young people and their parents;
- Parking is critical in the morning, occasional attendance of traffic wardens to deal with the problem, incidence of coaches parked outside school;
- Parking problems on Royd housing estate where on off road parking options;
- Smell and toxic pollution from vehicles, NIHCE guidelines suggest new homes should be built away from roads to prevent high volumes of airborne pollutions;
- There has been an increase in large articulated HGVs passing the school visiting the nearby forest land;
- Increase traffic flow on Townend Lane;
- HGV construction traffic, construction site will be intolerable at peak times;
- Carr Road/Manchester Road junction already a bottle neck, junction is at capacity, already at saturation levels, road is narrow, 486 cars an hour using Carr Road, create unacceptable additional contribution to congestion at the Carr Road/Manchester Road junction especially at commuting times, drivers exiting Carr Road already dependant on drivers along Manchester Road letting them in, drivers will look for short cuts through the estates causing road safety issues, houses at Fox Valley, Deepcar brickworks, Oughtibridge mill and Hollin Busk will total 944/1000 vehicles accessing Manchester Road, increase of 1500 vehicles, any traffic surveys on Carr Road will not give a true picture of congestion these houses will create;

- Instance of queues of cars extend for a distance up Carr Road, road blocked on both carriageways due to parked cars and queuing traffic, causes vehicles to weave in and out, some cars turn down St John's Road to avoid congestion, entry into Manchester Road relies on good will, Carr Road is a courtesy junction normal occurrence no motorists give way to cars waiting to pull out;
- Topography makes it unlikely there could be any road improvement system, traffic sensors on the road to hold up the traffic will cause problems up Carr Road and along Manchester Road, the problem is road capacity not sequencing of traffic lights;
- The one way bridge at Vaughton Hill slows traffic down;
- The traffic assessment acknowledges that Carr Road/Manchester Road traffic light junction exceeds capacity at peak times, the problem is road capacity not traffic light sequencing;
- The transport assessment conducted over 12 months ago is out of date, significant changes to future traffic movements and controls at the Bloor's site would impact significantly on future traffic flows;
- Traffic speeds reach 40-45mph on Carr Road, 50-60 mph on Hollin Busk, 13 accidents on Carr Road between 2102 and 2017;
- Emergency vehicles will be delayed, when it becomes gridlocked cannot exit Deepcar via route through junction;
- Shops, supermarket, surgeries, dentists, library, post office, restaurants and takeaways are in the valley bottom 1 – 2 km away;
- Acceptable walking distances are on the limit, most are at maximum level or do not meet the criteria, Carr Road gradient is not walked up and down by local people, exasperated in bad weather, schools and shops not within walking distance, a mile from local shops, shoppers would struggle without a car;
- Public transport is poor, site does not promote sustainable travel, topography does not allow for everyday cycling, there are not several bus stops within a 5 minute walk, there is not a regular bus service near it, buses to Penistone three times a day, 600 metre walk from Penistone to station, one bus to Barnsley, bus stop 380 metres away, bus into Sheffield is hourly but does not stop near to this site, Supertram link bus reduced to one per hour, Wood Royd bus stop for Supertram link bus 600 metres away half as far again as recommended, journey is fragmented and takes time, in morning rush period bus will take 40 minutes to get to Middlewood tram stop, bus route connection with trains useless as a service for commuters, residents rely on cars, little to benefit elderly and disabled residents, no school bus;
- Increase traffic impact further afield at Middlewood and Tankersley;

Ground Conditions

- Hollin Busk is an area where there has previously been a coal mine and a ganister mine, undoubtedly underground workings that have not been investigated, land may not be suitable for building on;
- The location of the land on the boundary suggests it may have been used for unmarked graves;

Drainage

- The site is regularly waterlogged from surface water drainage and ground water and is the water feed zone at the head of Clough Dyke, the natural regulation of surface water run-off by soaking into the field is important to local flood alleviation

downstream, a SUDs scheme would be inadequate to compensate, directing water flow down Clough Dyke not a sensible option, culvert in Fox Glen often overwhelmed after heavy rain;

- Surface water runs down Carr Road at times, local roads often struggle with drainage problems;
- Sewerage system does not cope, Yorkshire Water says may only have limited spare capacity, if any, available;
- Building will reduce water absorption and increase risk of flooding in the valley, already a risk along Manchester Road;
- Potential pollution to stream that runs through Fox Glen;
- Need clear arrangements for maintenance of the SUD system;
- Likely there are underground workings which could affect drainage and stability of land;
- Will destabilise land at Glen Works;

Heritage

- Harm historic environment, detract from listed building one of the oldest in the area, close to outer perimeter of the farmhouse, the proposal indicates building within 5 metres of the listed stone pigsties buildings at Royd Farm and encasing listed buildings on three sides, would have a significant adverse effect on their setting, the barn and farm buildings have been converted to dwellings;
- Close to the Walder's Low burial mound;

Amenity

- Overlooking, indicative design solution shows proposed properties facing over Carr Road, loss of privacy and issues of overshadowing for properties adjacent to the proposed development;
- Increased noise and disturbance, loss of tranquillity;
- Increases air pollution, exacerbate harm to air quality, housing will generate greenhouse gases;

Design:

- The houses on Carr Road are not two-and-a-half stories, two to two-and-a half storey buildings fronting Carr Road would be grossly prominent;
- Layout does not respect the density of the local area, not in keeping with spacious plots of the surrounding properties, does not integrate into the neighbourhood;

Economy

- Construction phase short term benefits for a few, little or none employment generated, support and revitalising economy will be negligible compared to Fox Valley and Station Road;
- Other areas would bring greater economic, social and environmental benefits to the city;

Affordable Housing

- A very small proportion of affordable housing would come from this site, local house prices are below average compared to Sheffield generally, a new luxury housing estate of large expensive houses would not fulfil national housing requirements;
- New build houses building being purchased for buy-to-let increasing demand;

Other Comments on Submitted Information

- Omits to address all the elements of the 2018 NPPF which are detrimental to the applicant's case;
- The original illustrative plan showed only 72 dwellings;
- Incorrect identification of site boundary on Landscape and Visual Appraisal (Figure 16, viewpoint 13), incorrect location (for Figure 10 viewpoint 2);
- Stubbin and Rookery key character areas in Design and Access Statement are remote from the site;
- Anomalies in Design and Access Statement, some of photographs very old, misleading statement and photographs;
- The site is farmland;
- Walking catchments and distances inaccurate;
- Traffic survey done during bank holiday, accuracy of speed information as taken during half term, travel plan inaccurate particularly with regard to local public transport facilities, does not mention direction of travel;
- The further statement from the applicants continues to contain factual errors, misrepresentations and inaccuracies about the locality;
- Site does not slope down in a southeast direction;
- Site is not a flood-free zone;

Policy

- Fails to establish a case for sustainability;
- The applicant wrongly continues to dismiss all old policies as time lapsed or not framework compliant and refuses to accept the local planning authority's legal authority and duty to continue to use old policies which still fully conform to 2018 NPPF and which would still carry full statutory weight in decision making;
- The planning grounds for refusal are overwhelming, policies for local area should not be overridden by national guidance, proposal ignores local guidance, UDP and Core Plans and supporting documents are the only existing documents that can guide this decision making;
- This area should not suffer Greenfield development just because Sheffield has an out of date housing policy and cannot demonstrate a five year strategy;
- Not in the original housing plan;
- Not in line with 2017 Housing White Paper which directs future housing to brownfield sites and reaffirms strong protection for the countryside and has a key theme of the right homes in the right places;
- Core Strategy policies should be upheld;
- Key core strategy relating to Hollin Busk is CS72 protecting open countryside not in the Green Belt, it is not a generic protection of all open green space it also specifies that no land should be developed for urban land uses in the period to 2026, the spatial area is defined on the Local Plan Pre-Submissions Proposals Map, vital that policy CS72 is followed, one of only four sites in Sheffield protected as open space

and should remain so, Core Strategy Policy CS72 provides sufficient grounds to refuse this planning application, NPPF seeks to protect green spaces;

- CS33 limits new housing to previously developed land, open space at Hollin Busk is environmentally important;
- Bearing in mind NPPF is only guidance its first core principle is empowering local people;
- The presumption in favour is heavily qualified and restricted, NPPF paragraph 11(d) describes the exception for not granting permission for such cases as this where the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
- The NPPF explains that in the process of building more homes existing local planning controls would still be able to continue to prevent inappropriate developments in inappropriate locations;
- The protection of the countryside has become a higher priority under the NPPF, equally important objectives include the enhanced protection of the natural environment and stronger protection of the Green Belt and equivalent such as the locally designated policy area 'open countryside (non-greenbelt)';
- The application proposal is not in a sustainable location, it is not within the urban area, so does not conform to CS23 policy requirement;
- Does not conform to policy CS24 requirement, Hollin Busk is not sustainably located, there is now a housing land supply of above five years;
- Fails to adhere to 'the right homes are built in the right places';
- Fails to adhere to securing local community support before submitting applications';
- Applicant wrongly dismisses all old policies as time lapsed or not Framework compliant, applicant refuses to accept the local planning authorities can continue to use old policies which still fully conform to NPPF and which would still carry full weight in decision making, policies CS72 and CS73 carry full weight, CS72 is not a blanket protection over open countryside and is not a policy specifically related to housing supply, CS72 is supported by Policy G6A and G2 of the Pre Submissions Local Plan which allows appropriate uses in rural areas and which would not harm the rural character of the area, the proposal does not conform to this, UDP Policy LR4 protects open spaces from development;
- The proposal does not conform to policy CS73 and G2 requirements, the proposal would sever the Fox Glen Green Link from protected open countryside and will cause significant harm to Fox Glen Local Wildlife Site and the project to create beneficial habitat for rare willow tits;
- Contrary to the city's growth strategy 'regeneration not expansion';
- CS72 was created to protect Hollin Busk from inappropriate development, it has not been excluded from the Green Belt because it is not important, previous planning permission on this site have been refused at appeal;
- The NPPF does not provide a presumption in favour of unsustainable developments such as the current application even when the local planning authority is not up to date with its five year housing land supply;
- NPPF states that open space should not be built on, it is not surplus or replaced or for alternative sports and recreation, Policy CS47 would prevent this development;
- Does not meet requirements of NPPF fails to meet core principles, sustainability, fails to give due weight to existing and emerging plans, rights of local communities to shape their surroundings, arguments in favour are weak, the proposal is misleading and should be refused, many of applicant's claims are incorrect and carry no weight;

- Transformation and Sustainability Statement 2013 states Hollin Busk designated as open space outside the green belt worthy of protection for its green character;
- Omitted from Green Belt in error;
- The underlying situation has not changed since the time of the previous attempts to secure residential planning permission on this site, irrespective of Sheffield housing targets;

Community Involvement by the Applicant

- Any pre-application interface with community was poorly advertised and too narrowly focused in geographical area, 20 responses to community involvement, no communication with Stocksbridge Town Council;

Stocksbridge Town Council (STC) object for the following reasons:

- The application contravenes the policies in the Core Strategy Policy (2009) and the Local Plan due to be implemented in 2020 in particular with regard to policies CS72 and CS33;
- STC state that from this application first having been received, STC have been contacted by numerous local residents objecting to this development, no one has been in contact to support the application, STC have never received information directly from the developers wishing to engage with us;
- Background: Hollin Busk is an area at the top of Carr Road that historically was mined and then laid to agriculture, it is regularly used by people who enjoy the outdoors, it has wonderful vistas from its elevated position, it is a significant piece of land in the local community in that it separates Deepcar and Stocksbridge allowing each town its own identity, because of this since 1998 the Hollin Busk Fields have been designated as open space/open countryside not in the green belt, this came about because it was accidentally left out of the Green Belt but it was recognised that the land should be protected, this land is now only one of four sites in so designated;
- Regulations: In March 2009 Core Strategy CS72 protecting countryside not in the green belt was adopted, this regulation is still in place, it is as valid now as it was when adopted and as such Hollin Busk must remain as it is to comply with this regulation, the STC and residents have no objection to house building in the area providing it is in the right place, extensive developments underway at Deepcar (Bloors), Fox Valley (Stonebridge Homes) and just outside STC boundary at the Oughtibridge Valley site, Hollin Busk is not the right place to build, a point supported by Policy CS72;
- Transport: traffic generation, vehicle access and road safety;
- STC take issue with the developers statements regarding public transport, the 23 and 23A buses can be caught to Penistone to link with the railway station, this service has only three buses a day, trains from Penistone run only hourly, there is one bus a day to Barnsley, the 57 to Sheffield is hourly the bus stop is quite a walk from this site, the SL1A does not start until after peak times meaning the SL1 would have to be caught extending the journey time to Sheffield, the bus stop is some 600

metres away, 50% more than the recommended walk to a bus stop and would be a significant uphill walk when returning home;

- this indicates that the reality is commuters will choose to drive, already disruption to road traffic from the houses being built by Bloor Homes on Manchester Road Deepcar, a second set of traffic lights is to be added to allow access on/off this development 100 metres from the junction of Manchester Road/Carr Road/Vaughton Hill, currently this junction is at gridlock at peak times, added vehicles travelling down Carr Road to get to Sheffield, the motorway or the bypass will add to the congested area, there is a nursery and infant school on Carr Road opposite the proposed site, due to the hill that it is built on parents drive young children to school rather than walking, causes congestion at top of Carr Road with vehicles parked for the school where the entrance to the development is planned, there is no footpath on the development side of Carr Road, STC are concerned about road safety implications with an additional junction, parked vehicles and additional vehicles from this development;

- Access to Local Amenities: capacity of infrastructure, public drainage system, school places and health provision;

- While Stocksbridge and Deepcar have local shops, library GP surgeries, public houses none are realistically in walking distance, especially not on the journey home up a steep hill, in reality car journeys will be used due to the gradient and lack of nearby public transport;

- Environment: impact on nature conservation interests and biodiversity opportunities, particularly with regard to the nearby Fox Glen nature reserve;

- Effect on listed buildings Royd Farm;

- Risk of flooding;

- Landscaping;

- Water has to go somewhere, often run off from the surrounding fields floods down Carr Road and along Hollin Busk into the fields of this site, with additional foundations cutting off natural routes concern about excess water and local drainage system being able to cope with it;

- Fox Glen is a local wood that local schools enjoy as part of the Forest Schools initiative, it has much wildlife that over the years local groups have encouraged to return and seek to protect, STC concerned that local conservation projects will fail with housing built on the site;

- Also note there are significant developments already underway or proposed in the Stocksbridge and Deepcar area;

- In summary Hollin Busk plays an important role in the areas outdoor city initiative something the Town Council is keen to promote and encourage in the area, a housing estate in this location will detract significantly from that, it would also contravene Policy CS72, STC ask that the planning authority reject this proposal.

A letter from Angela Smith MP objecting to the proposal has been received:

- The Hollin Busk area is a green, open space with expansive and highly-valued views across the Stocksbridge valley, there is a high likelihood that mines'

underground workings have not been fully explored nor their effect upon drainage or land stability investigated;

- Previous attempts to develop Hollin Busk have been turned down, the character of the site is much valued by pedestrians, equestrians and cyclists due to the comparatively level topography;
- This is not and never has been considered as housing land and is not in the right place to fulfil a housing need, the loss of this valued local amenity would not serve the interests of present or future generations, the application would contravene the environmental role of the planning system as it would damage biodiversity and have an injurious impact on the environment;
- This application does not promote sustainable transport, it is not served by any bus route, and closest bus runs infrequently;
- Hollin Busk is a key integral component of the overall landscape of Stocksbridge and Deepcar, separating the two settlements, a multitude of nearby species would be disturbed by development on the land, importance of bird species to NPPF;
- The Draft Proposals Map published alongside the Draft City Policies and Sites document in 2013 shows the Council's thinking on the spatial development of the city at that time, the application site is designated as open space both in the previous adopted Local Plan and in the Draft Proposals Map demonstrates a consistency of approach to this site which should be afforded significant weight, Housing Land Map does not identify the land as an allocation or an identified site, Transformation and Sustainability document 2013 states that Hollin Busk designated as Open Space outside the Green Belt worthy of protection for its green character;
- The adopted Core Strategy rightly identifies areas of countryside around the city that are safeguarded in the spatial strategy as much as the majority of the land that is in the Green Belt and enjoy equally strong protection from development, these are greatly valued for the way in which they contribute to Core Strategy objectives for the natural environment, rural settings and opportunities for peaceful enjoyment of the countryside;
- This site has enjoyed protection from development under the Unitary Development Plan, the Core Strategy as well as the draft Local Plan and the various policies which have accompanied these strategic documents due to the recognition of the importance of the Hollin Busk site, specifically Policy CS72, the monitoring of CS72 goes further by making it explicit that no land should be developed for urban land uses in the period to 2026, Hollin Busk contributes significantly to the distinctiveness of the area by preventing the spread and merging of Stocksbridge and Deepcar;
- Proposed access virtually opposite Royd nursery and infants school would present an unacceptable highway hazard for very young children, will increase traffic on Carr Road especially near crossroads on Cockshot Lane renowned for poor visibility;
- Would exacerbate surface water flooding problems in Fox Glen should additional water be directed through Clough Dyke, drainage on Carr Road struggles to cope, drains regularly overflow, Hollin Busk would cease its current benefit as a natural soakaway;
- Open green fields are an attraction to many forms of nature, strongly encourage careful consideration of the impact of the development on the biodiversity of the site and Fox Glen;
- Whilst the site is not within the Green Belt itself, it clearly fulfils the key purposes of the Green Belt as defined in the NPPF, Hollin Busk fields should be given greenbelt status as was the original intention;

- Core planning principles in the NPPF also emphasises the importance of taking account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it.

R. Crowther (at the time of commenting the Councillor for Stocksbridge and Upper Don Ward) objects:

- Economic role: as this is not currently and never has been considered as housing land, it is clearly not in the right place to fulfil a housing need;
- Social role: loss of this valued local amenity would not serve interests of present of future generations
- Environmental role: would contravene environmental role as it would damage biodiversity and have an injurious impact upon environment;
- Application does not promote sustainable transport as site is not served by any bus route, the closest bus runs infrequently, does not fulfil criteria giving priority to pedestrian and cycle movements;
- The site fulfils the fundamental aim of the Green Belt as well as its five purposes;
- Hollin Busk is a key integral component of the overall landscape of Stocksbridge and Deepcar, separating the two settlements, a multitude of nearby species would be disturbed by the development on this land, particular importance of nearby willow tit habitat;
- The 2013 Draft City Sites and Policies document and Draft Proposals Map shows Council's thinking on spatial development at that time, whilst it could be argued that the Draft Proposals Map has limited weight in planning terms as it has not been subject to public examination, the site's designation as open space in the previous adopted local plan and in the Draft Proposals Map demonstrates a consistency of approach to this site which should be afforded significant weight;
- It is not a proposed allocation or identified site in the Housing Land Map, the Transformation and Sustainability document (July 2013) states that Hollin Busk designated as Open Space outside Green Belt worthy of protection for its green character;
- The Green Belt enjoys a degree of permanence, however the Core Strategy rightly identifies areas of countryside around the city that are safeguarded in the spatial strategy to the same extent as the majority of land in the Green Belt and enjoy equally strong protection from development, greatly valued for their contribution to Core Strategy objectives for the natural environment, rural settings and opportunities for peaceful enjoyment of the countryside;
- The application site is specifically identified in Policy CS72 as one such site, making it explicit that the target for compliance with CS72 is that no land should be developed for urban uses in the period to 2026;
- Hollin Busk contributes significantly to the distinctiveness of the area by preventing the spread and merging of Stocksbridge and Deepcar;
- Hollin Busk is a green, open space with wide and highly valued views across the Stocksbridge valley, high likelihood that mines' underground workings have not been fully explored, nor their effect upon drainage or land stability investigated;
- Previous attempts to develop Hollin Busk have all been turned down, the open character of the site is much valued by pedestrians, equestrians and cyclists in part due to its comparatively level topography;

- Proposed access for construction lorries and new residents is virtually opposite the school, this would present an unacceptable highway hazard for very young children particularly around the start and end of the school day when there are high numbers of stationary vehicles, additional housing so far from public transport will increase traffic flows on Carr Road, inappropriate and unwise to further increase traffic flows on Carr Road, especially near crossroads with Cockshut Lane renowned for their poor visibility;
- Surface water already causes significant problems in Fox Glen during periods of heavy rainfall and would be exacerbated should additional water be directed through Clough Dyke, drainage on Carr Road also struggles to cope with high rainfall, drains regularly overflow, plans to develop would cease its current benefit as a natural soakaway and further exacerbate the problem;
- Open green fields are an attraction to many forms of nature, studies have shown breadth and depth of biodiversity at this location;
- Fox Glen Local Wildlife Site is a wooded area of environmental importance gifted to the local community, new development would sever green access to this local wildlife site currently the location of a funded project to support a local population of willow tit involving cultivation of correct habitat and careful control of water drainage through the Glen;
- Consider impact of the development of Hollin Busk on the biodiversity of the application site and the nearby Fox Glen;
- In conclusion the site has been rightly protected from development under the Unitary Development Plan, Core Strategy and draft Local Plan, whilst the site is not green Belt itself it clearly fulfils the key purposes of the Green belt, Hollin Busk should be given greenbelt status, Core planning policies emphasise importance of taking account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belt around them, recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it.

Sheffield and Rotherham Wildlife Trust object:

- The site is not allocated for housing, it is allocated as open space, site separates Stocksbridge and Deepcar and prevents urban sprawl, large numbers of housing in the upper don valley have already been granted planning permission, previous applications at this site have been turned down including an appeal;
- Wildlife concerns, reports of lapwing, curlew and bats using the site, potential impact on birds needs to be adequately assessed;
- It would mean development on all sides of the Fox Glen local wildlife site isolating it as an island the opposite of trying to achieve ecological networks, reducing green access to the local wildlife site, the Steel Valley Project have been working to make the site more suitable for willow tit birds whose decline have made it a red list species, possible impacts on water levels at Fox Glen;
- Concerns that a development here would sever a 'green finger', disagree that limited weight should be given to policies relating to green networks and nature conservation (GE10, GE11);
- Refer to Policies G1 and G2 in the City Policies and Sites pre-submission document and NPPF policies 174 and 175;
- If outline application is to be recommended for approval, note that the design does incorporate a species rich grassland area, a buffer to Fox Glen LWS, a SUDS and

Landscape and Ecological Management Plan are features S&RWT would recommend in a scheme such as this, would like the details included/conditioned of protecting LWS from small road/driveway in the northwest of the development, how the species rich grassland would be created and managed, play area to be a natural play area, native species in landscaping design, additional ecological features bat and bird boxes, avoidance of solid fences or holes for hedgehogs, green roofs;

- Objections submitted needs considerable weight.

The Campaign to Protect Rural England (South Yorkshire) object:

- The proposals are completely at odds with both the spirit and detail of the adopted Core Strategy, and would therefore constitute unsustainable development;
- The landscape impact would be unacceptable;
- Not appropriate to grant planning permission on unallocated Greenfield sites contrary to adopted development plan when there are so many permissions in the pipeline;
- It should be consistent with policies for countryside areas (Core Strategy Policy CS23);
- Application site is Greenfield on periphery of the area therefore not compatible with Policy CS33;
- Policy CS72 specifically identifies Hollin Busk as an area of non-Green Belt countryside where the green, open and rural character on the edge of the built-up area will be safeguarded through protection as open countryside, CS72 is only indirectly about housing supply, do not accept that housing land requirements would reduce weight of CS72 indeed they should increase its weight because if Stocksbridge and Deepcar are to grow sustainably then it is all the more important that their character and distinctiveness and quality of life can be supported, to develop this site would directly undermine the spatial strategy of the statutory development plan;
- From Cockshot Lane and Hollin Busk Lane the development would present as a stand-alone incursion into an otherwise open rural landscape which breaches the established boundaries of built development, from the existing development at Royd Lane not just the immediate visual break with Stocksbridge but any connection to the wider landscapes to the north and west would all but disappear;
- This is a prominent site and built development there would be a profound change to the local landscape, a decision to do away with this openness would constitute a major landscape change.

PLANNING ASSESSMENT

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

The Government's planning policies contained in the National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF has been revised twice since the submission of this application, firstly in July 2018, and more recently in February 2019.

The Presumption In Favour Of Sustainable Development

The NPPF states (at paragraph 7) that the purpose of the planning system is to contribute to the achievement of sustainable development, and (at paragraph 10) so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

NPPF (paragraph 8) states that achieving sustainable development means that the planning system has three overarching objectives [economic, social and environmental], which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the three different objectives).

NPPF (paragraph 11) states that for decision making the presumption in favour of sustainable development means ... (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed [these are defined in a footnote to the NPPF as outlined below], or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

There are two relevant footnotes to NPPF Paragraph 11. Firstly, a footnote in relation to 'out-of-date policies' states that this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73 [of the NPPF], or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. The transitional arrangements for the Housing Delivery Test (set out in NPPF paragraph 215) state that delivery of housing which was substantially below the housing requirement means where the Housing Delivery Test results published in November 2018 indicate that delivery was below 25% of housing required over the previous three years.

Secondly, a footnote in relation to 'policies in this Framework that protect areas or assets of particular importance' states that the policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites [these are defined in Annexe 2 of the NPPF and also includes those listed in paragraph 176 of the NPPF], and/or designated as [amongst others] Sites of Special Scientific Interest, land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park, irreplaceable habitats, designated heritage assets (and other heritage assets of archaeological interest [non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets], and areas at risk of flooding.

The Development Plan

The Sheffield Local Plan includes the Core Strategy (adopted in 2009) and the saved policies and proposals map of the Unitary Development Plan (UDP) (adopted in 1998).

The Pre-Submissions version of the City Policies and Sites (CPS) Document and Proposals Map (2013) are also a material consideration albeit with very limited weight given that the documents are not to be submitted to the Secretary of State.

The Unitary Development Plan Proposals Map

The UDP Proposals Map identifies the site as being part of a larger Open Space Area which also extends to the west and north of the application site.

The application site is not within the Green Belt.

Hollin Busk Lane is one of the boundaries to the Green Belt. Land on the south side of Hollin Busk Lane, opposite the site, is part of the Green Belt.

Alongside the site to the northwest, the UDP identifies an Area of Natural History Interest (ANHI) centred on Fox Glen Wood. The north-western boundary of the application site runs alongside this ANHI, and in part overlaps slightly into the ANHI at its southwestern end.

Land to the east of the site off Carr Road is identified as part of a Housing Area. There are further Housing Areas beyond the Open Space Area to the north and west.

UDP Policy LR5 relates to development in Open Space Areas and lists the criteria where development in Open Space Areas will not be permitted. UDP Policy H16 relating to open space in new housing developments seeks to ensure the provision of sufficient open space to meet the needs of people living there.

The relevant policies of the UDP include Policies BE5, BE15, BE19, GE10, GE11, GE12, GE13, GE15, GE17, GE22, GE23, GE26, H16 and LR5. These are assessed below.

Core Strategy

Core Strategy Policy CS47 seeks to safeguard open space and sets out criteria where development of open space will not be permitted. It also sets out criteria to determine whether development that would still result in the loss of open space will be permitted.

The Core Strategy defines open space as a wide range of public and private areas that are predominantly open in character and provides, or have the potential to provide direct or indirect environmental, social and/or economic benefits to communities. The Core Strategy lists the types of formal and informal open space that this comprises. The types of informal open space include 'natural and semi-

natural urban open spaces – including accessible natural green space, grasslands (e.g. downlands, commons and meadows).

Core Strategy Policy CS72 which seeks to protect countryside not in the Green Belt states the green, open and rural character of areas on the edge of the built-up areas but not in the Green Belt will be safeguarded through protection as open countryside including ... (d) the area south of Stocksbridge (at Hollin Busk).

The relevant Policies of the Core Strategy include Policies CS22, CS23, CS24, CS26, CS33, CS40, CS47, CS51, CS53, CS63, CS64, CS65, CS67, CS72 and CS74. These are assessed below.

The Pre-Submissions City Policies and Sites Proposals Map

The Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map has been subject to public consultation (most recently in 2013), however, this document was not submitted to the Secretary of State for public examination, and whilst it is a material consideration it has very limited weight.

The Draft Proposals Map identifies the site, together with further land to the west, as being within a Countryside Area (Non Green Belt).

Draft CPS Policy H1 states that, in Countryside Areas, Core Strategy Policy CS72 is relevant, and that development proposals will be determined in accordance with [Draft CPS] policy G6A and the NPPF.

Draft CPS Policy G6A relating to development in Countryside Areas including the Green Belt states that the openness, distinctive character and quality of the countryside around the city will be protected and where possible enhanced and lists the criteria where development in Countryside Areas will be permitted.

Emerging Plans

The Council is working towards a new Sheffield Plan and in 2015/16 consultation took place on the Citywide Options For Growth to 2034 document. Whilst the Sheffield Plan will ultimately replace the Core Strategy, the UDP, and the Pre-Submissions version of the CPS document, at present, the Sheffield Plan carries no weight in determining planning applications.

A Stocksbridge Neighbourhood Area has been designated under the Government's National Planning (General) Regulations 2012 as amended, however Stocksbridge Town Council have advised that work on the preparation of the Stocksbridge Neighbourhood Plan is not being progressed and as such has no weight in determining planning applications.

Housing Land Requirement and Supply

The development plan and the NPPF seek to ensure that the local planning authority delivers a sufficient amount and variety of land for homes where it is needed.

NPPF paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed ...

Since the adoption of the UDP and the Core Strategy, the Government has refined its guidance on the strategic policies for delivering housing. The consequences of this being that the current local plan strategy for delivering housing is out of date, and that at present Sheffield cannot demonstrate a 5-year supply of deliverable housing sites.

NPPF paragraph 213 states 'however, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework', and that 'due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

Regarding housing land requirement, since the adoption of the UDP and Core Strategy, the Government's strategic guidance on housing requirement for the city has changed. NPPF paragraph 73 confirms that where strategic policies for housing requirement are more than five years old, local housing need is to be calculated using the standard method set out in national planning guidance. This has implications for the pre-existing policies relating to housing land requirements contained in the UDP and the Core Strategy.

The policies in the UDP (Policies H1 to H3) relating to land needed for housing were superseded by the Core Strategy on its adoption in 2009. The relevant policy in the Core Strategy is Policy CS22.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing, sets out Sheffield's housing targets including ... (b) a requirement for an average of 1,425 net additional dwellings per year over the period 2008/9 to 2025/6.

The scale of the requirement for new housing in the Core Strategy and outlined in Policy CS22 was largely determined by the Regional Spatial Strategy which specified the number of additional homes needed over the plan period.

However, as noted above, Sheffield's housing requirement is now based on the Government's standard methodology for calculating Local Housing Need contained in its planning practice guidance Housing and Economic Needs Assessment (MHCLG Guidance 2015 updated February 2019).

Based on the Government's guidance, Sheffield's current local housing need is a requirement for 2,124 new homes per year (calculated April 2019).

It is considered that Core Strategy Policy CS22 is out of date given the significant increase in the housing land requirement for the city.

The Council is now required to plan to deliver significantly more homes than previously identified and planned for in its development plan. This significant increase in Sheffield's local housing need means that the current local plan strategy

for delivering 1,425 dwellings per year is also out of date. This mismatch between the new goal of creating significantly more homes to meet a housing shortage and the existing strategy significantly reduces the weight that can be attached to the policies that make up a now out of date strategy.

Regarding housing land supply, NPPF paragraph 73 relating to maintaining supply and delivery of housing states that local planning authorities should identify and update annually a supply of specific deliverable sites, including a buffer, sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old unless these strategic policies have been reviewed and found not to require updating.

The Government has recently published (February 2019) the results of the Housing Delivery Test 2018 measurement. The '2018 measurement' for Sheffield is 110%. This indicates that the Council is only required to provide a 5% buffer when calculating its 5 year land supply as set out in NPPF paragraphs 11 and 73.

NPPF paragraph 74 states that a five year supply of deliverable housing sites, with an appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which: (a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and (b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.

In this respect, there is no recently adopted plan, and there is no annual position statement that has been considered by the Secretary of State.

The Local Planning Authority is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2018 as updated in 2019) and associated Practice Guidance, further detailed work is required. The Local Planning Authority will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing its conclusions in a monitoring report later this year. At the current time, the Local Planning Authority cannot therefore demonstrate a five year supply of deliverable housing sites.

The Local Planning Authority's most recent assessment of supply, is that contained in the Sheffield Housing Land Availability Assessment (SHLAA) Interim Position Paper (November 2017), which stated that there is a shortfall between 5-year net requirement and 5-year net supply of 1,185 dwellings and represents a 4.5 year supply of housing sites.

The proposal would make a positive contribution to the provision and supply of housing land.

In the absence of a deliverable housing supply, paragraph 11 of the NPPF requires a tilted balance to be applied. These matters are considered below.

Core Strategy Spatial Policies

As noted above, Core Strategy Policy CS22 relating to the scale of the requirement for new housing is now out of date. This policy has significantly reduced weight.

There is a clear link in the Core Strategy between the housing requirement numbers and the strategy to deliver them. Some of the other relevant policies of the Core Strategy have spatial elements which seek to direct housing towards and away from certain locations in the city and which seek to meet the scale of the requirement for new housing outlined in Core Strategy Policy CS22.

Core Strategy Policies CS23 (locations for new housing), CS24 (maximising the use of previously developed land for housing), CS33 (jobs and housing in Stocksbridge/Deepcar) and CS72 all have spatial elements to them. These policies have significantly reduced weight in light of Policy CS22 being out of date.

Core Strategy Policy CS72 relates to protecting countryside not in the Green Belt and states that the green, open and rural character of areas on the edge of the built-up areas but not in the Green Belt will be safeguarded through protection as open countryside, including the following locations ... (d) south of Stocksbridge (at Hollin Busk). The supporting justification to this policy states that 'the land at Hollin Busk is a large and integral part of the countryside south of Stocksbridge, prominent in local views and providing an important visual break between the settlements of Stocksbridge and Deepcar. Its rural character is greatly valued locally and there is no need to develop it as new housing can be provided on previously developed land within the urban area. Indeed protection of the area makes a significant contribution to the character and distinctiveness of Stocksbridge'.

The proposed development on part of the open countryside south of Stocksbridge would not safeguard the green, open and rural character of the area and would be contrary to Policy CS72.

However, Policy CS72 is a restrictive policy to protect land as part of the development plans spatial strategy to deliver the then housing requirement. The justification for this policy states that its rural character is greatly valued locally and there is no need to develop it as new housing can be provided on previously developed land within the urban area. It states that protection of the area makes a significant contribution to the character and distinctiveness of Stocksbridge. Given the significant increase in Sheffield's local housing need and the now out of date housing land requirement in the development plans, it is considered that this policy carries significantly reduced weight in light of the Policy CS22 being out of date.

Core Strategy Policy CS23 relating to locations for new housing states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure and in the period to 2020/21 the main focus will be on suitable, sustainably located, sites within, or adjoining: (a) the main urban area of Sheffield (at least 90% of additional dwellings), and (b) the urban area of Stocksbridge/Deepcar. Core Strategy Policy CS23 also states that outside the urban areas and larger villages, housing development will be limited to that which is consistent with policies for the Green Belt and countryside

areas. The supporting justification to this part of Policy CS23 references Core Strategy Policy CS72 relating to protecting countryside not in the Green Belt.

The proposed development is not consistent with Policy CS72 relating to countryside areas, and as such is also contrary to Policy CS23.

However, in referencing Policy CS72 which itself carries significantly reduced weight in light of the Policy CS22 being out of date, the reference to countryside areas in Policy CS23 also carries significantly reduced weight.

Core Strategy Policy CS24 relating to maximising the use of previously developed land for new housing states that priority will be given to the development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites. This policy describes where housing on greenfield sites will be developed which includes ... (d) in sustainably located larger sites within or adjoining the urban areas and larger villages, if annual monitoring shows that there is less than a 5-year supply of deliverable sites.

Core Strategy Policy CS24 reflects the approach to promote an effective use of land.

The SHLAA Interim Position Paper 2017 indicates that approximately 5% of gross dwelling completions since 2004/5 have been on Greenfield sites.

In this instance, whilst the application site is not a previously developed site, there have been no more than 12% of dwelling completions on Greenfield sites since 2004/5, the site adjoins the urban area, and there is less than a 5-year supply of deliverable sites. Consequently the proposal complies with Core Strategy Policy CS24 subject to the site being sustainably located.

Whilst Core Strategy Policy CS24 is a restrictive policy, it also includes a positive element (criterion (d)) for housing delivery in the absence of a 5-year supply of deliverable sites and carries some weight.

Core Strategy Policy CS33 relates to jobs and housing in Stocksbridge/Deepcar. For jobs this policy states that industrial land in Stocksbridge/Deepcar identified as surplus to operational requirements that could still provide employment and business opportunities for local people will be safeguarded for business development, and that new housing will be limited to previously developed land within the urban area. Whilst there is more prescriptive than Core Strategy Policy CS24 which identifies circumstances where housing on green field land will be developed, the justification for the approach taken by Policy CS33 recognises that Stocksbridge is identified in the Core Strategy as a location for employment (Core Strategy Policy CS5) and that this approach has to be tempered by the greater market demand for housing than for employment-related development and the willingness of many still to travel pointing to an increasing commuter function (Core Strategy Policy CS23). The justification states that market demand is not expected to be sufficient to justify keeping all the employment land that is released so some will be made available for housing and related land uses if good conditions can be achieved without constraining adjacent industry.

The proposed development of this Greenfield site is contrary to Core Strategy Policy CS33.

However in light of the Policy CS22 being out of date, Core Strategy Policy CS33 is a restrictive policy to protect land as part of the development plans spatial strategy to deliver the then housing requirement. Given the significant increase in Sheffield's local housing need and the now out of date housing land requirement in the development plans, it is considered that this policy is a restrictive policy which carries significantly reduced weight.

Thus, in respect of these spatial policies, the proposal complies with Core Strategy Policy CS24 subject to the site being sustainably located, and is contrary to Core Strategy Policies CS23, CS33 and CS72. However, as noted, Core Strategy Policies CS23, CS33 and CS72 have significantly reduced weight.

Effective Use of Land

The environmental objective in NPPF paragraph 8 is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land.

NPPF paragraph 117 (and a footnote to it) states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions, and that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or brownfield land except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.

NPPF Paragraph 118 states that planning policies and decisions should (a) encourage multiple benefits from both urban and rural land, including through mixed use scheme and taking opportunities to achieve net environmental gains - such as developments that would enable new habitat creation or improve public access to the countryside; (b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk management... or food production, and (c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Open Space Area (UDP Policy Area Designation)

The UDP Proposals Map identifies the site as being part of a larger Open Space Area.

The UDP defines open space as a wide range of public and private areas and states that this includes, amongst others, informal areas of green space.

UDP Policy LR5 relating to development in Open Space Areas states that development in Open Space Areas will not be permitted where it would cause damage, harm or significantly detract from a list of specified environmental features

and assets, including where ... (e) it would harm open space which forms the setting for a listed building or other historic building, or is needed to maintain an important view or vista; ... or (i) it would result in over-development or harm the character of an area; or (j) it would harm the rural character of a wedge of open countryside; ...

Amongst the reasons for this policy, the UDP states that some open spaces are valuable in their own right and cannot easily be replaced elsewhere and that others are essential to the character of an area.

The applicant's proposals would result in, the loss of part of this Open Space Area to housing development, and, the provision of three accessible public open spaces on the western and southern fringes of the proposed housing, and two additional larger open spaces at the north and western ends of the site.

The application site is part of a privately owned area of open countryside, used as grazing land, which is not accessible to the public. Its main value to the local community is the visual amenity afforded by its open character and appearance. This visual amenity benefit is enhanced by the public being able to walk past the site along and opposite its road frontages which given its context heightens the feeling of being in the rural countryside and the areas sense of place because of its openness which allows extensive views across it. The recreational benefit is enjoyed without the public having access onto the site.

The lack of public access does not diminish the site's value to the community as an open space area. The site's intrinsic value as open space land remains. It provides indirect environmental and social benefit. Its value as an open space area relies on its natural state as open countryside. It does not require physical improvement or physical access to maintain its value as an open space area. It is considered that the site is an open space area of public value that acts as a visual amenity.

Adjacent to the site, Royd Farmhouse and the 'Barn and Farm Buildings' approximately 15 metres to the northeast of Royd Farmhouse are grade 2 listed buildings. The value of the setting of the listed buildings is not reliant on the Open Space Area. The applicant's illustrative layout submitted with this application provides space between the listed building and the proposed buildings.

It is considered that the views across the site, and those across the wider Open Space Area, to and from the immediate adjacent roads will be significantly affected by the proposed housing development. Other more distant views are less likely to be affected.

The site's openness, regularity and consistency of upland pasture is a key part of the character of this Open Space Area.

The site forms part of a wider extent of open land on the edge of the built up area between the housing areas of Stocksbridge and Deepcar with this green wedge also extending into the built up area along Clough Dyke. Whilst the proposal would not result in the loss of the total extent of this wedge of open land the extent of the loss despite some replacement open space provision would significantly impact on its

character. The proposed development on part of this land will adversely affect the rural character of this wedge of open countryside.

In respect of UDP Policy LR5(e), the proposal would not harm the setting of a listed building, however it would have a significant impact on the important views across the site and as such the proposed development would be contrary to UDP Policy LR5(e).

The proposed development would alter the appearance of the site which forms a substantial and important part of the wider Open Space Area to such an extent that the proposal would cause harm to the character of the area contrary to UDP Policy LR5(i) and (j).

Open Space

Core Strategy Policy CS47 relates to safeguarding of open space. The justification to this policy in the Core Strategy defines open space as a wide range of public and private areas that are predominantly open in character and provides, or have the potential to provide direct or indirect environmental, social and/or economic benefits to communities. It states that this comprises formal open space and informal open space and outlines the types of such open spaces that are explicitly included. The types of informal open spaces outlined includes 'natural and semi-natural urban open spaces - including accessible natural green space, woodlands, urban forestry, scrub, grasslands (e.g. downlands, commons and meadows), wetlands, open and running water, wastelands and derelict open land and rock areas'.

This definition explicitly includes public and private areas that are predominantly open in character. Whilst the 'natural and semi-natural urban open spaces' referred to in the informal open space definition includes accessible spaces, this is not to the exclusion of such spaces that have no public access.

Core Strategy Policy CS47 relating to safeguarding open space states that development of open space will not be permitted where: ... (b) it would result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or ... (d) it would cause a break in the city's Green Network.

When Core Strategy Policy CS47 was adopted the relevant Government planning guidance was contained in 'PPG17: Planning for open space, sport and recreation'. PPG17 (Annexe) defined open space, stating that open space should be taken to mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity. It defined visual amenity as even without public access, people enjoy having open space near to them to provide an outlook, variety in the urban scene, or as a positive element in the landscape. However, PPG17 has since been superseded by the NPPF.

The NPPF annexe 2 similarly defines open space as all open space of public value, including not just land, but also areas of water which offer important opportunities for sport and recreation and can act as a visual amenity. Unlike its predecessor (PPG17), the NPPF does not define visual amenity.

NPPF paragraph 92 states that planning policies and decisions should, amongst other matters, (a) plan positively for the provision of ... open space.

NPPF paragraph 97 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements, or (b) 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, or (c) the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

It is considered that Core Strategy Policy CS47 is consistent with the NPPF and can be given full weight.

The open space on the site has landscape value. The openness, regularity and consistency of this upland pasture landscape are key parts of the value of the landscape of the site.

In respect of Core Strategy Policy CS47 (b), housing development as proposed is not compatible with maintaining the landscape value of the site. Given a significant part of the site would be occupied by the proposed housing, associated infrastructure and domestic landscape features, this would have a major effect on the landscape value of the site. The loss of this open space that is of landscape value would conflict with Core Strategy Policy CS47(b).

The UDP identifies a Green Corridor running northwest - southeast across part of the site and as part of a Green Link running northeast - southwest across part of the site). Whilst reducing the effectiveness of the green link, the proposal will not result in a break in the green link, and as such complies with Core Strategy Policy CS47(d).

Quantitative Open Space Assessment

Core Strategy Policy CS47 relating to safeguarding open space also states that development of open space will not be permitted where: (a) it would result in a quantitative shortage of either informal or formal open space in the local area;

NPPF paragraph 97 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements, or (b) 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 ...

Guideline GOS1 of the Council's Supplementary Planning Document (SPD) on Community Infrastructure Levy and Planning Obligations (2015) states that for residential developments over four hectares a relevant proportion [a minimum of 10%] of the site should be laid out as open space, except where provision of

recreation space in the local area would continue to exceed the minimum guideline after the development has taken place or it would be more appropriate to provide or enhance recreation space off-site within the local area ...

An assessment of accessible open space in the catchment area has been undertaken. This assessment identifies that there is currently a surplus in the overall provision of accessible open space (formal and informal) in the catchment area of the site (4.47 ha/1000 population compared to a requirement of 4 ha/1000 pop). However there is an imbalance between the levels of provision of formal and informal open space which results in a current shortage of accessible informal open space (2.06 ha/1000 pop compared to a requirement of 2.70 ha/1000 pop).

The site currently does not provide accessible open space whether formal or informal. The proposal would provide new accessible informal open space which would make a positive contribution to the quantitative provision of accessible informal open space in the catchment area. The proposed on-site provision of open space exceeds the minimum 10% provision in Guideline GOS1. In this instance the proposal is not contrary to Core Strategy Policy CS47(a) and complies with Guideline GOS1 of the Council's SPD.

Impact on Landscape

The site is not within an Area of High Landscape Value as identified in the UDP.

The Council's Sheffield Preliminary Landscape Character Assessment (2011) identifies the application site as part of an Upland Character Area (Upland Pastoral Hills and Ridges sub area) which are characterised by an enclosed upland landscape with wide views, where landform consists of high, gently undulating uplands and broad ridge summits and its characteristic features include isolated stone farmsteads, straight roads and regular fields enclosed by dry stone walls. The dominant land use is pastoral farmland but includes some arable areas.

As noted above, NPPF paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by (a) protecting and enhancing valued landscapes ... (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland ...

The applicant's Landscape and Visual Appraisal (LVA) assesses the landscape and visual impacts of the proposed development. It notes the site context as six gently sloping agricultural fields that are open in character bounded by gritstone walls of varying condition, with Fox Glen woodland and the wider urban area to the north, further grazing fields and housing to the west, gently rising agricultural land to the south, and the properties at Royd Farm and Royd Cottage and the wider built up area of Deepcar to the east.

The applicant's LVA notes that the site is not subject to any landscape designation at national or local level and considers there is no significant visibility of the site from the Peak District. It considers the visibility between the site and the designated

landscape of the Peak Park to the south and west is restricted by a ridge in the vicinity of Bolsterstone and whilst there are some opportunities to view from more distant higher vantage points within the Peak District the site is hidden by vegetation and the built up area of Stocksbridge.

At local level the nearest part of the Area of High Landscape Value is on the south facing slopes above the Ewden valley approximately 450 metres to the south of the application site. It considers the scenic quality of the wider landscape to be one that is pleasant and attractive but, not remarkably distinctive such that it is out of the ordinary, or one that is rare. It judges the site and immediate landscape to be of medium landscape value.

The applicant's LVA considers the magnitude of the landscape effects to be negligible on the Yorkshire Southern Pennine Ridge, 'medium - low' on the upland character area and 'high - medium' on the site itself as a result of the alteration from agricultural use to built development. It concludes that the loss of the agricultural fields would be adverse, permanent and irreversible albeit they are commonplace elements within this landscape. It states that environmental benefits include new accessible green space, introduction of new habitats and their long term management.

The applicant's LVA judges that on completion of the proposed development the impact on the site would result in a moderate adverse landscape effect which would reduce to 'moderate - minor' adverse in the longer term as the green infrastructure is delivered.

The applicant's LVA does not consider it to be a valued landscape in the context of the NPPF and, as stated above, the site is not identified as an Area of High Landscape Value in the UDP but, in Core Strategy policy CS72, the land at Hollin Busk is identified as worthy of protection as it provided an important visual break between Stocksbridge and Deepcar and is an integral part of the countryside and so is greatly valued locally.

The Council's assessment of the applicant's submissions considers the openness, regularity and consistency of upland pasture enclosed with stone walls to be a key part of this landscape. Housing development on a large scale is not compatible with maintaining these characteristics. Given the majority of the site would be occupied by housing associated infrastructure and domestic landscape features, this and would be a major landscape effect on completion. The magnitude of landscape change is considered to be greater than stated by the applicant's LVA and would still result in a moderate adverse effect when the proposed mitigation is taken into account.

The applicant's LVA assessment of visual amenity has noted that there are views of the site from residential properties, from public footpaths and highway users. It states that there are clear views from residential receptors opposite the site on Carr Road, Royd Lane and nearby on Hollin Busk Lane, Broomfield Lane and Broomfield Grove; from right of way users on the footpath in Fox Glen Wood (albeit limited in extent) and the footpath heading south from Bolsterstone; and from highway users travelling past the site or in close proximity to it on Hollin Busk Lane, Carr Road,

Royd Lane and Cockshot Lane. The applicant's LVA notes that the proposal would include provision of a green infrastructure framework (landscape habitats, new planting, accessible green space).

Regarding visual impact, the applicant's LVA judges that, on completion of the proposed development, the impact on residents on Carr Road would be 'major to moderate adverse impact reducing to moderate adverse', and on Hollin Busk Lane/Broomfield Lane as 'moderate adverse lessening to moderate - minor adverse' impact. In respect of rights of way users in Fox Glen the visual impact is judged to be 'moderate adverse reducing to 'minor adverse'; and elsewhere as 'moderate/minor adverse reducing to negligible'. For highway users the visual impact of the proposed development is judged as 'moderate-minor adverse reducing to minor adverse'.

The applicant's LVA concludes that the proposed development would not result in any unacceptable long term landscape and visual harm on landscape character and visual amenity.

The Council's assessment of the applicant's submissions considers that relative to existing open views of upland pasture, the visual effect of development from locations adjacent to and with clear views of the site would be greater than stated and that it would have a major adverse impact on completion. It is considered that visual impacts from Hollin Busk Lane would remain as moderate adverse as despite new planting the site would still appear as residential development.

Overall, it is considered that the magnitude of the landscape change and visual impact of the development is greater than stated by the applicant's LVA and does involve the loss of part of a valued landscape

The weight that can be given to this then has to be considered against the lack of a 5 year housing land supply and the implications arising and that the impacts would be much the same for other greenfield sites in similar locations albeit that the landscape is valued locally and was not considered to be required for development when the Core Strategy was adopted.

As the impacts would not be greater for this specific site, the weight given to this factor has to be reduced.

Impact on Trees and Ecology

The site is crossed in part by a Green Corridor and Green Link as identified in the UDP (Map 4 The Green Network). Although the map is, diagrammatic in form, it does show that the land is important for linking together areas of open space. UDP Policy GE10 states that a network of Green Corridors and Green Links will be (a) protected from development which would detract from their mainly green and open character or which would cause serious ecological damage, and (b) enhanced by encouraging development which increases their value for wildlife and recreation. The proposal, which incorporates open space, will reduce the effectiveness of the green link but will not result in a break in it.

Core Strategy Policy CS73 relating to the strategic green network states that within and close to urban areas, a Strategic Green Network will be maintained and where possible enhanced, which will follow the rivers and streams of the main valleys ... [the valleys and corridors listed in this part of the policy does not include Hollin Busk/Fox Glen/Clough Dyke] ... However, the policy goes on to say that "These Green Corridors will be complimented by a network of more local Green Links and Desired Green Links."

UDP Policies GE11 and GE13 seek to protect the natural environment and enhance areas of natural history interest. UDP Policy GE15 seeks to encourage and protect trees and woodland, and UDP Policies GE17 and GE26 seek to protect and enhance streams and rivers and water quality.

The assessment of the impact on the natural environment and ANHI concluded that the proposal was not contrary to these policies for the reasons set out below.

NPPF paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: (a) if significant harm to biodiversity 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; ... (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists, and (d) ... opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Habitats and species are also subject to other legislation including the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended)

Section 41 of the Natural Environment and Rural Communities Act 2006 lists species which are of principle importance for the conservation of biodiversity in England; the non-statutory Red and Amber lists of Birds of Conservation

In respect of those areas or assets of particular importance identified in the NPPF, the application site is not a Special Protection Area (SPA) or a potential SPA, is not a Special Area of Conservation (SAC) or a possible SAC, is not a listed or proposed Ramsar site, and is not identified as or required as compensatory measures for adverse effects on such habitats. The application site is not a Site of Special Scientific Interest. It is not an irreplaceable habitat as defined in the NPPF.

Alongside the application site is an Area of Natural History Interest and Local Wildlife Site (ANHI and LWS) centred on Fox Glen Wood. The north-western boundary of the application site runs alongside this ANHI, and in part overlaps slightly into the ANHI at its southwestern end.

Whilst the site is open in character, there are trees sporadically located mainly along the field boundaries within and on the edge of the site. Alongside the eastern

boundary of the site there is a group of mixed deciduous trees in the gardens of the houses at and close to Royd Farm which are the subject of a tree preservation order. A watercourse runs through Fox Glen Wood.

The applicant's Arboricultural Assessment noted that there are few trees of merit within the field parcels and the boundary trees provided the highest quality specimens including some veteran trees. The northern boundary trees and the highest category trees on Carr Road are to be retained. Most other trees are also proposed to be retained, except for, two low quality trees (T28, T29 as identified on the applicant's tree survey) on the Carr Road frontage which would be removed in order to accommodate the proposed site access, and three further low quality trees within the site (T37, T38, T41). The proposed surface water drainage route to Clough Dyke will impact on some trees with the removal of a group of young hawthorn/sycamore and holly trees (G1) and impact on the root protection area of four further trees. Replacement tree planting and new tree planting is proposed.

A Winter Bird Survey (WBS) and two Spring and breeding bird surveys were carried out in 2017. The Spring surveys did identify a number of species of which 17 and eight respectively were on the Amber and Red list. 7 were considered possible breeders on the site. The assessment concluded that the site did not support a significant population or provide a significant resource for species in the SPA and SSSI designations

The WBS recorded a number of species of which 11 were on the Red and Amber listed but it was confirmed that all the species were common and abundant in South Yorkshire and no significant populations were registered. The site was considered to be of local value during winter for the notable species.

The Reports note the impacts arising from the proposed development are habitat loss and change and disturbance during construction and operation, and states that the retention of existing vegetation and new areas of tree planting, drainage balancing facilities, open space and new residential gardens will provide adequate compensation for the loss of suitable winter habitats for many of the recorded species. The WBS Report states that there would be a minor negative residual impact on redwing (new shrub planting would provide alternative foraging) and meadow pipit (a common amber list species) will be lost from the site. The report identifies the opportunity to retain and improve the hedgerows, and provide new planting and nesting boxes.

The applicant's Ecology Assessment concludes that the potential impact to the nature conservation status of the South Pennine Moors SAC/SPA are likely to be neutral, no impacts on the conservation value of Fox Glen Wood LWS are anticipated, that the habitats are of no more than local nature conservation value for birds, that low levels of bat activity from common and widespread species were recorded, and that any areas of grassland lost can be mitigated for within a landscape scheme to create more species diverse grassland.

The City Council's Ecology Unit has assessed the surveys and the findings and advised that these are acceptable and has confirmed that the residual concerns for the two bird species of conservation concern, i.e. Lapwing and Meadow Pipit have

been further considered but set against the regional populations and assessing the quality of habitat meant that the development would not have a significant impact on these populations.

The proposals involve a surface water rock outfall within Fox Glen wood that would require the loss of a small area of Willow Tit habitat. To mitigate this and compensate for the loss, complimentary Willow Tit habitat management for the woodland and stream bed is recommended.

The Ecology Unit has also recommended that consideration be given to widening the buffer with the woodland edge. The applicant has also indicated the possibility of new woodland planting to overlap with the southern end of the ANHI. Subject to the use of compatible planting, this is not considered to be likely to cause harm to the ANHI.

The applicant has stated that additional detailed mitigation strategies can be provided to the local planning authority at the detailed design stage, including managing the retained land for lapwing and meadow pipit.

The proposed development would have no significant impact on matters of ecology and tree loss. Should planning permission be granted, conditions are recommended to secure appropriate ecological improvements and management.

The proposal complies with UDP Policies GE11, GE13, GE15, GE17 and GE26, and NPPF paragraph 175.

Habitats Regulations Assessment

Under the Conservation of Habitats and Species Regulations 2017 the Council must establish whether or not the proposed development will have any likely significant effects on any European site that might require further assessment. Permission for the development can only be granted if the development will not adversely affect the integrity of any European site. A Habitats Regulations Assessment (HRA) starts with a screening stage followed by an appropriate assessment stage if necessary.

The Council's Ecology Unit has carried out an HRA screening assessment for the proposed development.

The relevant conservation designations are the European Sites designations at South Pennine Moors Special Area of Conservation and the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area, and the Dark Peak SSSI, Canyad Hills SSSI, Wharnccliffe Crags SSSI.

The development proposal is not directly connected with or necessary to the management of the European site. The HRA screening exercise considers the potential impacts of the proposal on the designated sites conservation objectives and their significance, including increase in population, visitor pressure, domestic pets, local and construction traffic, air quality, and on supporting habitat on functionally linked land, and in combination.

Natural England and the Peak District National Park Authority have been consulted.

Natural England has no objection to the proposed development. Natural England considers that the proposed development will not have significant adverse impacts on designated sites The South Pennine Moors (Phase 1) Special Protection Area (SPA), Dark Peak Site of Special Scientific Interest (SSSI), and the designated landscape Peak District National Park. Natural England advised the local planning authority under the Habitats Regulations to have regard for any potential impacts that a plan or project may have.

The Peak District National Park Authority has stated that they have no objections to the development as they consider it would not impact adversely upon the setting of the Peak District National Park.

Following assessment of the likely significant effects of the proposed development on any European site, the HRA concludes that the proposal is unlikely to have a significant effect on any European site/SSSI and can therefore be screened out from any requirement for further assessment.

Highway and Transportation Issues

Core Strategy Policy CS51 relating to the strategic priorities for transport include maximising accessibility, containing congestion levels and improving air quality and road safety. Core Strategy Policy CS53 relating to the management of demand for travel includes implementing travel plans for new developments to maximise the use of sustainable forms of travel and mitigate negative impacts of transport, particularly congestion and vehicle emissions.

Paragraphs 102 to 111 of the NPPF promote sustainable transport. The NPPF, paragraph 109, states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application site has frontages to Carr Road and Hollin Busk Lane both subject to 30 mph speed limits. Carr Road is a classified road (C324) and runs up the hillside through Deepcar from Manchester Road to its junctions with Hollin Busk Lane where the gradients are less steep.

Just to the north of the site on Carr Road there is an uncontrolled pedestrian crossing point with 'school keep clear' road markings and kerb buildouts close to the Royd Nursery Infant School.

There is currently no footpath on most of the application site's frontage onto Carr Road. A footpath runs alongside the Hollin Busk Lane frontage. There are no public rights of way on the application site.

There have been no recorded road traffic accidents within 100 metres of the proposed site access within the last five years. 1 slight injury accident was recorded at 50 metres south of the Cockshut Lane/Hollin Busk Lane/Carr Road/ Royd Lane

junction, and three slight injury accidents at the Manchester Road/Vaughton Hill junction mainly due to driver error.

The proposed vehicular access to this development would be off Carr Road between the properties at Glenview and no. 94 Carr Road. The application site's frontage between these properties is approximately 107 metres with the proposed access to be sited approximately 35 metres north of the property at Glenview. The proposed access would have a 6 metre carriageway width, 2 metre wide footpaths, and visibility splays of 2.4 metres by 52 metres (north) and 44 metres (south). The Council's Highway Services have no objection to the site access design.

The applicant's Transport Assessment states that new footways would be provided from the site access northwards to tie in with the existing footway and southwards for a short distance with a new uncontrolled pedestrian crossing (i.e. dropped kerbs and tactile paving) providing a connection to the existing footway on the eastern side of Carr Road.

The indicative layout plan shows two additional proposed pedestrian accesses to the site off Carr Road.

The applicant's Transport Assessment has assessed the likely travel characteristics of the site with regards to accessibility by public transport and the configuration of the local highway network with a baseline mode share of trips of 69.8% by car, 11.3% by bus, 9% on foot for journey's to work.

For the proposed development, this modal split has journeys by car as the dominant mode of travel.

The applicant's submitted Travel Plan has aims to reduce the number of vehicle trips.

The Travel Plan and the local provision of public transport will influence whether journeys by car can be reduced, and journeys by means other means can be promoted.

In the vicinity of the site there are bus stops on Royd Lane (approximately 66 metres from the southeast corner of the application site), St Margaret Avenue (approximately 210 metres from the proposed access to the application site) and Wood Royd Road (approximately 430 metres from the proposed access), and on Carr Road north of its junction with Wood Royd Road (approximately 460 metres from the proposed access). None of these bus stops have shelters.

These distances are to the proposed access on the application site frontage. There is approximately a further 180 metres from the proposed access position to the central part of the application site.

Guidelines for walking distances to bus stops and services have been published in a range of documents. A summary of these documents is listed below:

The Institute of Highways and Transportation (IHT)

'Guidelines for Public Transport in Developments (1999)' states that the maximum walking distance to a bus stop should not exceed 400 metres and preferably no more than 300 metres, that direct and simple bus routes are more important than walking distances a little more than 400 metres for a few passengers and destinations.

'Guidelines for Providing Journeys On Foot (2000)' suggests, for planning and evaluation purposes, desirable walking distances to some common facilities of 500 metres for commuting/school (1000 metres acceptable with 200m being the preferred maximum), and 400 metres elsewhere (800 metres acceptable with a preferred maximum of 1200m). The IHT guidelines also note that the quality of the route is also a factor in encouraging walking.

'Buses in Urban Developments' (Jan 2018) notes that custom and practice for many years suggest a maximum walking distance of 400 metres from a bus stop however various factors demand a more rigorous approach. For single high-frequency routes (every 12 minutes or better) the document recommends a maximum walking distance of 400 metres and 300 metres for less frequent routes.

The Department of Transport's Manual for Streets (2007) advises that walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to 800 m) walking distance but this is not an upper limit and walking can replace short car trips, particularly under 2km.

The South Yorkshire Residential Design Guide (SYRDG) (2011), designated as best practice guide in Sheffield, sets out design guidelines for levels of accessibility for smaller towns as a 5 minute walk to local services, 5-10 minute walk to bus/tram stops depending on destination, and a 20 minute walk/30 minute journey to primary health/education. The SYRDG suggests as a general rule of thumb a 5 minute walk equates to a distance of 400 metres for non-disabled people and account must be taken of topography.

The Core Strategy in relation to the efficient use of housing land and accessibility (Policy CS26) defines 'near to' as within easy walking distance, being 400 metres to a high frequency bus route or 800 metres to a Supertram stop taking into account barriers.

The Royd Lane and St Margaret Avenue bus stops would be within the 400/500 metres easy walking distance of the centre of the application site, whilst the Wood Royd Road and Carr Road bus stops are beyond 400/500 metres but within the 800 metres distance.

The walk to the bus stops on Royd Lane, and from the bus stops on St Margaret Avenue, to the application site along Carr Road are up slight but not significant inclines. The walk from Wood Royd Road includes walking up a steeper part of Carr Road to the application site which would reduce its attractiveness but this is not considered to be to a significant degree.

Locally, bus route SL1/SL1a provides the most frequent service. The service runs between the Middlewood tram terminus and Stocksbridge and passes along Carr Road and Wood Royd Road past Deepcar centre and close to the schools providing mainly three buses an hour on Mondays to Saturdays and two buses an hour on Sundays in one direction, and two buses an hour (Monday to Saturdays) and one bus an hour (Sundays) in the other direction.

It is also timetabled to run a very limited service onto St Margaret Avenue providing three late evening in-bound buses on Mondays to Fridays, and an hourly inbound and outbound service on Sundays.

Bus route 57 on St Margaret Avenue/Wood Royd Lane is timetabled to provide an hourly service (Monday to Saturdays) from early morning till evening to and from Stocksbridge town centre, and on to the Hillsborough and the city centre interchanges.

Bus route 23/23a on Royd Lane/Wood Royd Road provides a two-hourly service in the morning and early afternoon (two buses in-bound, four out-bound over this period) and two buses in-bound and one out-bound in the late afternoon/early evening (Mondays to Saturdays). This limited service runs between Stocksbridge and Penistone/Barnsley passing through Stocksbridge town centre and Deepcar.

The overall provision of bus services (SL1/SL1a and 57) is therefore generally 3 to 4 buses an hour mostly using the Wood Royd Road bus stop, and whilst this bus stop is within 800 metres the walk from Wood Royd Road up to the application site includes walking up a steeper part of Carr Road.

There are local shops and a community centre at Lee Avenue/Knowles Avenue. Whilst these are approximately 900 metres away (by footpath links) they are also served by the above bus routes. Deepcar Village Hall is approximately 500 metres away to the east and is on bus route 57. There are local schools (nursery/infant and junior schools) are on the eastern side of Carr Road approximately 100m to the northeast of the indicated application site entrance readily accessible by foot or cycle. .

The walking distance figures given above are indicative but do show that the site is broadly within the range of acceptable distances. It is considered that the site is in a reasonably accessible location albeit that the proximity to bus services is not the sole factor in assessing sustainability. The uphill walk from the bus stop on Wood Royd Road is a barrier to the attractiveness of this route in assessing the sustainability of the site but this is not considered to alter the overall assessment.

The location within a reasonable distance of local facilities would also make the use of cycling more attractive even though some of the routes are on an incline. There are no objections to the proposal on the basis of accessibility from the Highway Authority.

Taking all the above into account, it is considered that the site is locationally sustainable being within reasonable distances of local facilities and accessible by foot and cycle as well as being within a reasonable distance of bus routes.in line with the NPPF paras 102-111 and the Core Strategy Policy CS5.

The applicant has stated that they would be willing to consider a contribution towards the provision of bus shelters if the lack of shelter provision is seen as a barrier to encouraging more residents to use public transport. The applicant's submitted Travel Plan includes implementing a range of sustainable travel measures including providing new residents with information on sustainable travel opportunities to the site.

It is considered that the provision of bus shelters and the provision of subsidised travel passes to householders for the first year would improve the attractiveness of using the Wood Royd Road bus services although it is acknowledged that this would not directly ease the uphill walk back from the bus stop to the application site. A condition(s)/legal agreement would be required to secure these enhancements to public transport.

The applicant's Transport Assessment states that the proposal would generate a total of 59 and 49 two-way vehicle trips during the weekday morning and evening peak hours. The vehicle trip distribution predicts the majority of trips (approximately 88%) to be to destinations using routes north of Carr Road. The existing (2017) traffic flows on Carr Road are 201 vehicles in the AM peak and 191 in the PM peak.

The Transport Assessment has considered the capacity of the proposed access junction, and existing junctions including the Manchester Road/Vaughton Hill/Carr Road junction. The assessment included modelling of the junctions using software packages for priority junctions and traffic signals.

The proposed site access is predicted to operate well within the junction's operational capacity. The nearby junctions along Carr Road are also predicted to operate within capacity with minimal queues during peak periods.

The Manchester Road/Vaughton Hill/Carr Road junction includes the signalised junction of Manchester Road/Vaughton Hill and the priority junction of Manchester Road with Carr Road. The priority arrangement is such that vehicles turning right from Carr Road do so either during gaps in queues along Manchester Road or through courtesy gaps. The signalised junction currently operates vehicle-actuated control. The Transport Assessment identifies that all three arms of the signalised junction are operating close to 90% degree of saturation during the weekday PM peak hour.

The modelling has included accounting for the traffic flows associated with the committed Bloor Homes and Fox Valley developments. With future growth in background traffic and the traffic flows associated with the committed developments all arms of the junction are predicted to be approaching the 90% degree of saturation during the weekday AM peak hour and above 100% degree of saturation during the weekday PM peak hour.

The Transport Assessment states that when accounting for the proposed development traffic the operation of the junction is further intensified. It highlights that the proposed development generates a smaller proportion of the traffic growth compared to the committed developments.

In mitigation, the Transport Assessment notes that the operation of the traffic signals is to be updated (under a microprocessor optimised vehicle actuation package - MOVA) which is likely to improve the operational capacity of the junction by 10% to 15%. This is accepted by the Highway Authority, the increase in traffic as a result of the development, when taken on its own and cumulatively with other developments, is expected to be less than the expected increase in capacity at the junction and so is considered acceptable. The Transport Assessment proposes further mitigation measures through provision of additional detectors on Manchester Road and Carr Road to detect when there is queuing to enable re-optimising the green time given to this arm of the signal control, and upgrade the MOVA system to provide bus priority on the approaches to the junction including Carr Road.

The Council's Highway Services has advised that the proposed site access is located on a stretch of Carr Road that is widely used by parents dropping off and picking up children at the two local schools. The proposed addition of a priority junction (i.e. the proposed site access) has the potential for significant disruption, from increased vehicle movements and displacement of on-street parking, further affecting the flow of traffic at school times albeit over short periods of the day as a result of the loss of parking due to the formation of the access. The site itself is not considered to generate additional traffic from school trips due to the proximity of the school so the potential is solely from the displaced parking as a result of the siting of the access. However, it is not considered that this would significantly worsen the free and safe flow of traffic on Carr Road and no objections are raised to this aspect. The proposed provision of the extended footway on the site frontage instead of the current grass verge will enable children being dropped off to alight onto a footway improving pedestrian safety.

It is considered that the siting and design of the proposed site access is acceptable in principle.

The potential impact on air quality is discussed below.

It is considered that one of the key vehicle movements arising from the proposed development is, for cars traveling north on Carr Road, the right turn from Carr Road onto Manchester Road. The Transport Assessment indicates an extra 33 vehicles attempting to make this manoeuvre in the AM peak. Design work on the MOVA software package for the Manchester Road/Vaughton Hill junction has been undertaken (following developer contributions from other schemes) and its installation usually results in a 10 to 15% increase in junction capacity.

It is considered that the increase in traffic movements can be accommodated on this part of the highway network subject to improvements being carried out to the management of the Manchester Road/Vaughton Hill/Carr Road junction. Conditions (and or legal agreement) would be required to secure the developer contribution to the improvements to the management of the Manchester Road/Vaughton Hill/Carr Road junction. The residual cumulative impacts on the road network are not considered to be severe.

The proposal complies with Core Strategy Policies CS51 and CS59, and the Government's planning policy guidance on promoting sustainable transport contained in the NPPF in that the development overall does not result in an unacceptable impact on highway safety and the impact on the road network is not assessed as severe.

Flood Risk and Drainage

Core Strategy Policy CS67 relating to flood risk management seeks to reduce the extent and impact of flooding.

NPPF paragraph 155 states that inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk ... and NPPF paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate ...

The application site lies within flood zone 1 where there is a low probability risk of flooding. Clough Dyke lies to the northwest of the site and is in a deeply incised channel running through Royd Wood.

The applicant's Flood Risk Assessment and Drainage Strategy incorporates a sustainable urban drainage system (SUDs). Surface water from the site would drain to a SUDs balancing facility, essentially a shallow hollow, at the northern end of the site, with any overflow being discharged by pipe to the western boundary and by cascade into the Clough Dyke within Fox Glen Wood.

Foul water drainage would discharge to the public foul sewer in Carr Road.

Yorkshire Water Services Ltd has raised no objections to the proposed development and requested conditions to ensure the development is carried out in accordance with the submitted flood risk assessment and drainage strategy. Yorkshire Water has stated that the submitted Flood Risk Assessment and Drainage Strategy is acceptable.

The Council's Flood and Water Management Service as local drainage authority has raised no objections to the principle of the proposed surface water drainage arrangements subject to conditions to secure satisfactory details of the sustainable drainage system.

The applicant's Flood Risk Assessment and Drainage Strategy includes a screening assessment of the impact of the drainage proposals on the ecological status of the water environment (Water Framework Directive Assessment). The WFDA concludes that the proposals are, with mitigation measures, compliant with the water framework directive and no further assessment is required.

The Council's Ecology Unit has advised that the Water Framework Directive Assessment document submitted by the applicant is thorough and well set out. Whilst the use of a sustainable drainage system (SUDs) is essential and this would contribute significantly to the mitigation of impacts through flow attenuation and

reduction of suspended solids, information is required about the construction phase and how potential impacts would be sequentially dealt with along with details of the timeline between works commencing on site and the establishment of a managed surface water input to Clough Dyke. These can be secured by condition should permission be granted.

The drainage proposals, as indicated in the application, are considered to be an appropriate solution to dealing with the foul and surface water run-off from the site in a sustainable manner. These should not lead to surface water being directed onto the adjoining highway. Any overflow to Clough Dyke is not considered to be sufficient to cause any drainage or ecological problems in the woodland.

It is for the developer to ensure the drainage works do not affect the stability of land.

Heritage Assessment and Listed Buildings

UDP Policies BE15 and BE19 seek to preserve the special interest, character and appearance of listed buildings and their setting.

Section 16(2) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 set out a requirement to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

The NPPF states that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation (NPPF paragraph 193), and harm to grade II listed buildings should be exceptional (paragraph 194).

NPPF paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, and NPPF paragraph 196 states that where a development will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal.

Whilst there are no designated heritage assets on the site, Royd Farmhouse and the 'Barn and Farm Buildings' approximately 15 metres to the northeast of Royd Farmhouse are grade II listed buildings. A further Grade II listed building (Cruick Barn) is approximately 200m to the south east and in an area of modern development. The proposal is considered to have no effect on the setting of this listed building.

Royd Farmhouse is described in the listing as 17th and 18th century possibly earlier core of coursed stone with stone slate roof. The description on the listing was done at the time when the Barn and farm buildings were undergoing conversion to three dwellings and states it is dated 1790 on a lintel, constructed of coursed gritstone, stone slate roof with 20th century elements.

The proposed development does not affect the retention of the LB's which are outside the application site. The applicant's illustrative layout submitted with this application provides space between the listed building and the proposed buildings.

The main issue is the impact on the setting of the listed buildings at Royd Farm and the Barn and Farm buildings, now converted to dwellings.

The main views of the listed buildings can be gained from Carr Road towards the fronts of the buildings; to the rear, views towards the Listed Buildings can be obtained from Hollin Busk Lane.

These building form a group along with a more modern dwelling to the southwest. Residential development runs along Carr Road opposite the listed buildings. The listed buildings are bounded by trees and hedging separating the group from the landscape to the rear and sides creating a setting more aligned with the residential development opposite.

In considering the effect on listed buildings, there is a presumption against the grant of permission where any harm is identified; that harm should be given significant weight in the planning balance.

The NPPF in para 196, sets out that where the harm to a designated heritage asset is less than substantial, the harm should be weighed against the public benefits of the proposal. This should also be in light of the general presumption against harm to the listed building or its setting.

Royd Farm is a two storey dwelling set almost centrally on the site, away from the boundary with the application site. It is surrounded on three sides by garden areas and is seem mainly in context with the adjoining listed former barn and farm buildings which form a courtyard type group.

As the main context of this building is as part of the group facing over the Carr Road and its value as part of the group, the impact on its setting of the proposed development is likely to be low given the separation distance and the intention to ensure views over the listed buildings are not dominated by the new development

To the rear of Royd Farm is a small barn/outbuilding which is also part of the listing. This is on the boundary with the proposed development and would be closer to the new development. The new development would not affect the appearance of the barn as an outbuilding in the garden of Royd Farm so the impact on the setting of this building is considered low.

The Former barns and associated building next to Royd Farm form an "L" shaped two storey courtyard type arrangement, again with the main views of it being from Carr Road.

The buildings are separated from the application site boundary by the garden areas and a substantial open area providing a significant gap between the listed buildings and the development. Hedging and tree planting is also proposed to the site

boundary near the listed buildings to provide a natural edge to the development and further soften the appearance near the listed buildings.

A key issue would be to ensure the heights of new buildings do not dominate the views over the buildings. This and other relevant material matters would also be further considered at the reserved matters stage.

It is considered that there would be sufficient land within the application site to ensure that sufficient separation could be provided to ensure the proposed development subject to satisfactory submissions at the reserved matters stage would not cause substantial harm to the setting of, or the architectural and historic interest of the listed buildings at Royd Farmhouse, and sufficient separation from other heritage assets in the locality to ensure there would be no substantial harm to other heritage assets in the locality.

There will be an impact on the setting of the listed buildings but, for the reasons given above, this is considered to be less than substantial. Therefore this harm has to be assessed against the public benefits of the proposal as required in the NPPF paragraph 196.

In this case, the economic, social and environmental benefits of the proposal fall to be considered.

The economic benefits relate to the provision of land to support the need to increase housing supply in a sustainable location plus the benefit of creating construction jobs supporting the economy. The occupiers of the development would also increase the spending power available in the locality to the benefit of the local economy.

The social benefits include the provision of a range of homes to meet the needs of future generations in a well-designed environment. The site is sustainably located in relation to services and facilities and the proximity to new public open space would support the community's health, social and cultural well-being. The development would also provide benefits via the CIL contribution.

The environmental objective is supported by the development being an effective use of land. The proposal will also not breach the objective of achieving greater than 88% of development on brownfield sites. It will reduce the pressure to develop sites in the Green Belt. Sustainable design and construction techniques are to be used in the development.

It is considered that the public benefits of the proposal outweigh the less than substantial harm caused to the setting of the listed buildings and the character and appearance of the buildings would be preserved.

The applicant's Heritage Assessment also identifies Bolsterstone Conservation Area (which includes some listed buildings) which is approximately 700 metres to the south of the application site, Bolsterstone Glassworks scheduled monument and two grade 2 listed buildings which is approximately 900 metres to the northwest of the site. The Walder's Low burial mound approximately 450 metres to the south of the site is not a scheduled monument. The applicant's Heritage Assessment considers

that the archaeological potential of the site is limited. It is considered that these heritage assets are such a distance from the development that there will be no impact on them.

The proposal complies with UDP Policies BE15 and BE19 and NPPF paragraphs 184 to 202.

Design

UDP Policy BE5 and Core Strategy Policy CS74 seek good quality design. The Council's Supplementary Planning Guidance on Designing House Extensions is also relevant.

Core Strategy Policy CS26 states that housing development will be required to make efficient use of land but the density of new developments should be in keeping with the character of the area and support the development of sustainable balanced communities, and gives a density range of 30 to 50 dwellings per hectare. The policy states that densities outside these ranges will be allowed where they achieve good design and reflect the character of an area. The NPPF, paragraph 123, also sets out that, where there is a shortage of land for meeting identified housing need, it is important that low densities should be avoided and developments make optimal use of the potential of each site.

NPPF, paragraph 124, states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

The applicant's submitted Design and Access Statement includes a design code for the layout and appearance of the proposed development which seeks to ensure that the important parameters are delivered in any subsequent reserved matters application.

The principles throughout the design code include ensuring the development responds to the existing landscape and setting to create distinct character relating to the rural edge, Royd Farm buildings and a central street within the site. High quality boundary treatments should be provided, dwellings should reflect the local townscape and character, and a green infrastructure network provided so that adverse impacts on landscape are minimised. A key principle for the design stage is to use an appropriate scale, mass and height for new buildings that is comparable to existing buildings. The design code includes a set of parameter plans for land use (housing, public open space, managed grasslands), movement (spine road and pedestrian routes), storey heights (2 to 2.5 storeys), density (25-30 dwellings/ha on the perimeters and 35-40 dwellings/ha along the spine road), landscape and open space, boundary treatments, and character areas within the development. The overall density of the developable area is 30 dwellings/ha which is at the lower end of the acceptable range of 30-50 dwellings/ha but does comply with Core Strategy Policy CS26

It is considered that the design code is acceptable. The site is of sufficient size to ensure that the proposal would not overdevelop the site. A condition would be required to secure the anticipated design quality is achieved.

Affordable Housing

Core Strategy Policy CS40 states that in all parts of the city developers of all new housing schemes will be required to contribute towards the provision of affordable housing where this is practicable and financially viable.

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

The applicant has confirmed that it is the intention to meet the policy requirement for the provision of at least 10% of the development for affordable housing. A condition would be required to secure the provision of affordable housing. This will help meet the ongoing need for affordable housing across the city and is a benefit of the development attracting significant weight.

The proposal would, therefore, comply with Core Strategy Policy CS40, although it is recognised that under this policy the provision of affordable housing is subject to it being practicable and financially viable.

Land Contamination

The applicant's Stage 1 Geo-Environmental Desk Study Report has identified potential contamination sources as possible (unlikely) made ground, possible asbestos within existing small farm sheds on the west of the site, and landfills 135 metres to the southwest and 180 metres to the northeast, and shallow coal. The existence of the possible contamination is not known. The report recommends a ground investigation is implemented.

The Council's Environmental Protection Services has no objections to the proposed development subject to conditions to secure site investigations and any necessary remediation.

Coal Mining Legacy

The site lies within a Development High Risk Area as defined by the Coal Authority.

The Coal Authority has advised that having reviewed the submitted documentation there is a potential risk posed to the development by past coal mining activity. The Coal Authority concurs with the recommendations of the Stage 1 Geo-Environmental Desk Study Report that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. In the event that remedial works are needed, the Coal Authority has requested a condition be imposed to secure the remedial works.

The Coal Authority has no objections to the proposed development subject to the imposition of an appropriate condition(s).

Air Quality

UDP policies include Policies GE22 and GE23 relating to pollution and air pollution which seek to ensure development is sited so as to prevent or minimise the effect of pollution on neighbouring land uses or the quality of the environment and people's appreciation of it.

NPPF paragraph 170 also seeks to prevent new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels, amongst other matters, of air pollution.

The site is located within the Sheffield city-wide Air Quality Management Area for exceedances of nitrogen dioxide and particulate matter.

For local air quality assessment of whether there are likely to be significant impacts associated with particular routes or corridors, the criteria, contained in the Council's guidance and Highways England guidance (Design Manual for Roads and Bridges), includes whether there would be more than 60 two-way vehicle trips in any hour within 200m of an area exceeding Air Quality Limitation Values, and whether the daily traffic flows will change by 1000 average annual daily trips threshold or more.

The applicant's Technical Note on Air Quality using data from the Transport Assessment and the TRICS database states that the proposed development is predicted to generate 59 two-way vehicle trips in the AM peak, and 583 two-way daily vehicle trips, which are below the relevant guidance thresholds for assessing whether there would be significant impacts. The site is also not within 200m of an areas exceeding the limitation values.

The Council's Air Quality officer has considered the submitted documents and has advised that the proposal is not likely to have a significant effect on local air quality. Condition(s) to secure a construction environmental management plan to mitigate the impact of dust during construction and measures to mitigate the impact of traffic including installation of electric vehicle charges are recommended.

The proposal complies with UDP Policies GE22 and GE23, and the Governments planning policy guidance on air pollution contained in the NPPF.

Effect on the Amities of Residents

UDP Policy BE5 and Core Strategy Policy CS74 seek good quality design. The Council's Supplementary Planning Guidance on Designing House Extensions is also relevant.

There are residential properties adjacent and opposite the site on Carr Road, and in the immediate surrounding area.

Whilst this is an outline planning application with details of layout, scale, design and landscaping being reserved for subsequent approval, the proposal will involve built development of dwellings and roads and the provision of drainage, open space and landscaping.

The application site is of sufficient size to ensure the proposed development can be accommodated and provide sufficient separation between proposed and existing buildings to ensure there would be no significant overlooking, overbearing or overshadowing of existing and future residents.

The proposal would cause noise and disturbance during the construction phase, and create noise and disturbance from the movements of people and vehicles during the operational phase when the dwellings are occupied, however such impacts would not be so significant as to harm the living conditions of existing residents in the locality. The impact on air quality would not be significant.

It is considered that the proposed development would not significant harm the living conditions of existing and future residents in the locality.

The proposal would, subject to satisfactory details at the reserved matters stage and the imposition of conditions, comply with UDP Policy BE5 and Core Strategy Policy CS74.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development.

The site lies within CIL Zone 3 where there the contribution is £30 per sq. m. The funds generated through CIL will be used in connection with strategic infrastructure.
Sustainability

NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (NPPF paragraph 7), and achieving sustainable development means the planning system has three overarching objectives: economic, social and environmental (NPPF paragraph 8).

Core Strategy Policies CS63 to CS65 relating to climate change seek to ensure that developments reduce the impact of climate change.

The development would result in the loss of this Greenfield resource, with impacts to varying degrees on the Open Space Area and landscape.

The application site is located alongside existing housing areas and related infrastructure.

There are local shops and a community centre at Lee Avenue/Knowles Avenue approximately 900 metres away (via Carr Road/Wood Royd Road/Armitage Road).

The Deepcar Village Hall is approximately 500 metres away (via St Margaret Avenue).

There are local schools on the eastern side of Carr Road (Royd nursery/infant and Deepcar St John's junior schools) approximately 135 metres and 340 metres (via St Margaret's Avenue) respectively to the northeast of the application site.

Stocksbridge high school is approximately 1.6 km away (via Carr Road/Hollin Busk Lane/Broomfield Lane/Spink Hall Lane/Shay House Lane).

Stocksbridge town centre which provides a wide range of shops and services is approximately 1.5 km away (via Carr Road/Wood Royd Road/Hayward Lane/New Road/Manchester Road).

Deepcar Medical Centre on Manchester Road is approximately 900 metres away (via Carr Road/Wood Royd Road/Ash Lane).

As noted above, the overall provision of bus services locally (SL1/SL1a and 57) is generally 3 to 4 buses an hour mostly using the Wood Royd Road bus stop, and whilst this bus stop is 430/460 metres away the walk from Wood Royd Road up to the application site includes walking up a steeper part of Carr Road. These bus routes provide services to Stocksbridge town centre and along Manchester Road.

Whilst the site is in a reasonably accessible location the uphill walk from the bus stop on Wood Royd Road is a barrier to the attractiveness of this route. The provision of bus shelters and the provision of subsidised travel passes to householders for the first year would improve the attractiveness of using the Wood Royd Road bus services although it is acknowledged that this would not directly ease the uphill walk back from the bus stop to the application site.

The applicant's Design and Access Statement states that there are opportunities to incorporate sustainable design and construction techniques, such as using renewable/sustainable sources in construction, use of permeable surfaces as part of a sustainable drainage strategy, potential grey water harvesting, photovoltaic panels and high levels of insulation.

The proposed development would deliver employment for a temporary period during construction and contribute to the locally raised Community Infrastructure Levy. The new households would add to the total of household expenditure spent locally. The proposal would include new publically accessible open space for future and existing residents and ecological enhancements.

Conditions would be required to secure the provision of sustainable measures within the development but overall, the development is considered to be sustainable and significant weight given to this.

Planning Obligations

A legal agreement will be required to secure contributions to bus stop upgrades, pedestrian crossing improvements and traffic signals, and to secure the land drainage scheme including on-site and off-site features, its management and

maintenance, and the species rich grassland and the open space works and their management.

Public Sector Equality Duty

Section 149 of the Equality Act 2010 requires public authorities, when carrying out their functions, to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and other prohibited conduct;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In this context for example, due regard must be had to factors such as the site location, accessibility pedestrian and vehicular safety and the loss of part of a valued landscape.

Officers have had due regard to such factors and advise that it can be concluded that the proposed development would not have implications for persons with any particular protected characteristic to an extent that would impact on equality of opportunity between such persons and persons without that particular protected characteristic.

Conclusions and the Planning Balance

In assessing the acceptability of a proposal, the Town and Country Planning Act requires, at S38 (6), that applications should be decided in accordance with the development plan unless material considerations indicate otherwise.

When considering the policies within the Development Plan, regard has to be given to the weight that can be given to those policies.

In this case, the housing supply policies in the Core Strategy (CS22, CS23 and CS72) have been assessed as out of date so have very limited weight attached to them. Policies LR5 and CS 47 are not housing supply policies and carry full weight.

Where housing supply policies are found to be out of date, the “Tilted Balance” has to be applied. This is the guidance set out in the NPPF that requires authorities grant permission for sustainable development unless other policies in the framework provide a clear reason for refusing permission or any adverse impacts would significantly outweigh the benefits when assessed against the policies in the framework. This is expanded on further below.

The proposals do conflict with a number of adopted policies in the UDP and Core Strategy. These are:

CS72, relating to protecting the countryside not in the Green Belt and states that the green, open and rural character of areas on the edge of the built-up areas but not in the Green Belt will be safeguarded through protection as open countryside, including the following locations ... (d) south of Stocksbridge (at Hollin Busk).

UDP Policy LR5, whilst the proposal would not harm the setting of a listed building, it would have a significant impact on the important views across the site, and would alter the appearance of the site which forms a substantial and important part of the wider Open Space Area to such an extent that the proposal would cause harm to the character of the area contrary to UDP Policy LR5 (e), (i) and (j).

CS47(b), the loss of open space that is of landscape value would conflict in part with Core Strategy Policy CS47 because of the loss of an area of valued open space within the overall area of Hollin Busk. However 3.4 ha of new accessible open space will be provided where there is a shortfall, thereby complying with Guideline GOS1 of the Council's SPD as mentioned above so the loss of visible open space is to a degree mitigated against.

CS23 relating to locations for new housing states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure and in the period to 2020/21 the main focus will be on suitable, sustainably located, sites within, or adjoining: (a) the main urban area of Sheffield (at least 90% of additional dwellings), and (b) the urban area of Stocksbridge/Deepcar. Core Strategy Policy CS23 also states that outside the urban areas and larger villages, housing development will be limited to that which is consistent with policies for the Green Belt and countryside areas. The supporting justification to this part of Policy CS23 references Core Strategy Policy CS72 relating to protecting countryside not in the Green Belt.

The proposed development is not consistent with Policy CS72 relating to countryside areas, and as such is also contrary to Policy CS23.

The NPPF at para 170 a) and b) seeks to protect and enhance valued landscapes, commensurate with their identified quality in the development plan and to recognise the intrinsic character and beauty of the countryside

Taking all the above into account, it is considered that the loss of part of the area of the valued landscape is contrary to the development plan. However, material considerations including the provisions of the NPPF could justify planning permission being granted.

The material considerations that need to be taken into account are set out below and include the provisions of the NPPF

NPPF paragraph 11, relating to the presumption in favour of sustainable development, includes a consideration of whether development plan policies which are most important for determining a planning application are out-of-date.

The NPPF at paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed ...

The Local Planning Authority is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2018 as updated in 2019) and associated Practice Guidance, further detailed work is required. The Local Planning Authority will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing its conclusions in a monitoring report later this year. At the current time, the Local Planning Authority cannot therefore demonstrate a five year supply of deliverable housing sites. The Local Planning Authority's most recent assessment of supply, is that contained in the Sheffield Housing Land Availability Assessment (SHLAA) Interim Position Paper (November 2017), which showed a 4.5 year supply of housing sites.

Accordingly, the Council's policies relating to housing supply have to be considered out of date. Given that Core Strategy Policy CS22 is out of date, it is therefore necessary to consider the tilted balance in paragraph 11 (d) of the NPPF.

This states:

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The effect of a development on listed building is a factor that could weigh against the granting of permission in these circumstances but it is considered that the benefits of providing housing development outweighs the less than significant harm caused.

It is considered that the key issue, in terms of national policy for this outline planning application is the balance between the need to provide housing to meet local and national housing policy requirements and the impact of doing so on the value of the site as open space and whether the harm identified significantly and demonstrably outweighs the benefits when assessed against the relevant provisions of the NPPF as a whole. Other material considerations that have been assessed also need to be considered in the balance.

In this respect, the site would result in a noticeable loss of landscape and environmental quality. Views across the site to and from the immediate adjacent roads would be significantly affected, more distant views less so.

The proposed development would adversely affect the rural and open character of this site and its contribution to the character of the wider open area on this part of the urban fringe. This would be contrary to policies CS22, 23 and 72.

It is recognised that the relevant policy in the development plan relating to the scale of the requirement for new housing, Core Strategy Policy CS22, is out of date.

In the absence of an up to date approved local plan and the need to ensure sufficient land is made available to secure a 5 year housing land supply, significantly reduced weight can be given to Core Strategy Policy CS22. It is therefore necessary to consider the tilted balance expressed in paragraph 11 of the NPPF.

As a consequence of Core Strategy being out of date, the relevant Core Strategy Policies CS23, CS24, CS33 and CS72 relating to spatial location of new housing have significantly reduced weight.

As detailed earlier in the report, the benefits of the proposal include the provision of 93 dwellings on a sustainable site. This adds to the supply of housing land in a relatively small but positive way when the Council cannot demonstrate a 5 year supply, so helping to meet local and nation housing policy requirements

The development will provide approximately half of the overall site as publicly available open space whereas at present, no public access is provided over the site.

The development is to provide affordable housing in accordance with policy requirements which should be accorded significant weight.

It is considered that the proposal would have a neutral impact on ecology. There would be no harm to sites and species designations of national importance. The impacts on species and designations of local importance can be mitigated by appropriate measures.

There would be no substantial harm to the setting of and the special architectural and historic interest of listed building.

The proposal would incorporate a sustainable urban drainage system. There are no significant flood risks.

There are no highway objections subject to appropriate conditions. The site is reasonably accessible to public transport and local services. The detail of the proposed access is acceptable. The traffic generated by the proposal can be accommodated on the highway subject to improvements to the operation of the Manchester Road/Vaughton Hill/Carr Road traffic lights.

The site is of sufficient size to ensure the proposed development can be accommodated without, from a layout design aspect, overdeveloping the site. There would be no significant impacts on the living conditions of adjacent and nearby residents in the locality.

In terms of the proposals sustainability, the site is in a sustainable location within a reasonable distance of local facilities and transport connections. A travel plan is proposed to reduce the impacts of the development on the wider area. A Sustainable Urban Drainage System is proposed for the site. Public open space is to be provided over approximately half of the site, there is no significant harm to the listed buildings adjoining the site. There will also not be a significant impact on the ecology of the area. This application is in outline so detailed proposals are not available at this time.

The economic benefits include the increased provision of housing land and the effect on the local economy from the provision of employment and the following increase on local population. Social benefits will include the site providing a range of homes in a quality environment .it is located within a reasonable distance of local services and facilities and close to good transport links. Environmental benefits include the provision of publicly available open space along with the efficient use of the remaining land being developed at an appropriate density. This has to be set against the impact of the development on the open character of the area and the loss of long views over the site.

Overall the site is considered to be sustainable.

The NPPF (Para 170) seeks to protect and enhance valued landscapes, commensurate with their identified quality in the development plan and to recognise the intrinsic character and beauty of the countryside. However, given the sustainability of the site and the need to provide more housing in the City, the benefits of providing additional housing are considered to outweigh these NPPF provisions.

In the absence of an up to date approved local plan, and the Government's planning policy guidance seeking to significantly boost the supply of homes, it is considered that substantial weight has to be given to the delivery of housing that the proposed development would achieve.

On balance it is considered that the dis-benefits of the loss of open space and harm to the character and views of open countryside would not significantly and demonstrably outweigh the benefits of the proposal to provide open market housing and affordable housing, public open space and the associated economic, social and environmental benefits of the proposal.

RECOMMENDATION

It is recommended that planning permission is granted subject to conditions and a legal agreement.

Case Number	18/04123/FUL
Application Type	Full Planning Application
Proposal	Demolition of rear conservatory and erection of a single-storey rear extension, also alterations/ extension to roof including removal of chimneys, raising of roof height, new windows/rear dormer, and alterations to fenestration
Location	20 Creswick Lane Sheffield S35 8NL
Date Received	29/10/2018
Team	West and North
Applicant/Agent	EDGE AD Ltd
Recommendation	Grant Conditionally

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:

A18-41-02-rev P3- site location, proposed plans, and elevations
A18-41-03-rev P1- site levels
EAD181218-01- site levels

Reason: In order to define the permission.

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

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

Other Compliance Conditions

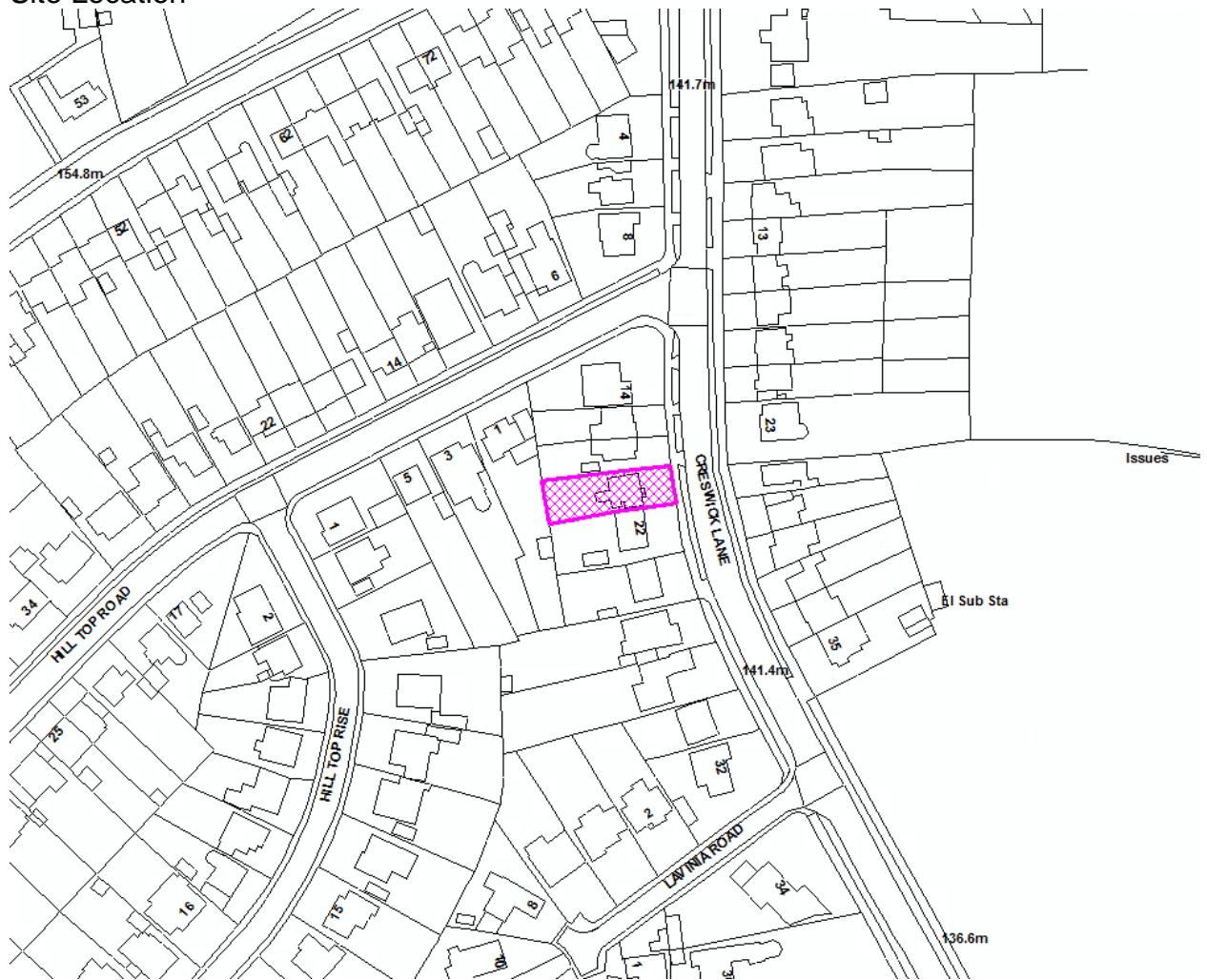
3. The materials to be used externally shall match those of the existing building in colour, shape, size and texture.

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

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.

Site Location



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LOCATION AND PROPOSAL

The site is located within the Grenoside district of Sheffield on Creswick Lane. The application relates to a modest two storey, brick built, detached dwelling house with a hipped roof and which also benefits from a two-storey side extension and a single storey rear conservatory extension. The property has an area of hardstanding to the front, which provides off street parking.

The immediate area is an allocated Housing Area as defined in the Sheffield Unitary Development Plan. The area is predominantly residential and it consists of a variety of different house types. Planning permission is sought for the demolition of the existing single-storey rear conservatory extension and to replace it with the erection of a single-storey rear extension and with alterations and extension to the roof which will include the removal of the existing chimneys, raising the roof height forming a gable end and incorporating a rear dormer and 5 roof lights (3 to the front and 2 to the rear).

No pre-application advice has been sought.

RELEVANT PLANNING HISTORY

91/02033/FUL - extension to form garage, wc and extension to kitchen with 2 bedrooms over - Granted 05.09.91.

SUMMARY OF REPRESENTATIONS

1 letter of support has been received.

14 letters of objection from 7 properties have also been received; it is worth noting that 5 of those objections are from the same property.

The objections raised are summarised below;

- Not in-keeping with the area
- Proposed roof not in keeping with others
- Loss of privacy with additional windows
- Proposed extension will tower over the immediate neighbours which are in close proximity
- No mention of the proposed materials
- Reference to other planning applications in the vicinity with similar issues
- Overbearing and overshadowing
- Overlooking from the side/read path area
- Overdevelopment
- Loss of light
- The gap between the two properties is narrow and as such the proposed side door is considered unsuitable and maintenance issues will occur
- Insufficient parking for a large house
- The submitted plans give a false and misleading impression of the proposed development in isolation, as they fail to show neighbouring properties, differences in heights and relative proximities. The architect failed to show the following on their drawings: neighbouring boundaries and differences in roof heights,

distances to boundary lines, cross section showing how extension relates to levels of adjoining houses and gardens, street scene (required due to increase in height). For these reasons, it is believed that the application is not in compliance with the current local guidelines.

- Plans contravene to; guidelines in the supplementary planning guidance in specific guidelines; spg4 (over-development of a house plot), spg 5 (unreasonable overshadowing and over dominance), spg6 (privacy levels), spg8 (highway safety), BE5 (C), H14 (a, c, d)
- No larger publication in terms site notice or more residents being notified
- The difference in ridge heights between No. 22 and No. 20 would be some 2.3 metres, separated by a mere 0.5 metres. The overall appearance would thereby change considerably in context of the general street scene

Other non-planning issues such as: loss of value, that the proposal will cause damp conditions and that the front wall has collapsed in the past.

Councillor John Booker has written raising concern with the time period for representations to be made for the amended plans; it is worth to note that no amended plans that change the configuration of the original scheme have been received. Additional plans which show the levels have been received, but this did not require neighbour re-notification.

Ecclesfield Parish Council have raised concern with the proposed development and supported neighbouring residents concerns, these are outlined below;

- The roof height will be too high and overbearing as it is going from a hip roof to a full roof.
- There will be a loss of privacy to neighbouring properties and it is not in keeping with the street scene.
- A committee decision should be made rather than a delegated decision and a committee site visit be undertaken.

PLANNING ASSESSMENT

Policy

The revised National Planning Policy Framework (NPPF), July 2018; Paragraph 127 seeks to ensure that new developments (which includes house extensions):

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history;
- d) establish or maintain a strong sense of place and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy H14 (Conditions on Development in Housing Areas) of the Unitary Development Plan supports and accords with the aims of the NPPF and states that new development and extensions will only be permitted where they are well designed and in scale and character with neighbouring buildings and where the site would not be overdeveloped or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood and it would provide safe access to the highway network and appropriate off street parking and not endanger pedestrians.

Policy H14 is supplemented by an adopted Supplementary Planning Guidance on Designing House Extensions (guidelines 1-9). This document provides more detailed guidance on matters such as design, overbearing and privacy.

UDP Policy BE5 (Building Design and Siting) expects good overall design and the use of high quality materials. Original architecture is encouraged, but new development should also complement the scale, form and architectural style of surrounding buildings. Core Strategy Policy CS 74 (Design Principles) reiterates the expectation of high quality design as well as recognising that new development should take advantage of and enhance the distinctive features of the city.

Design Issues

The proposed gable-end roof will be higher than the existing hipped roof by approx. 0.4m to the ridge, it should be noted that changing a hipped roof to a gabled roof can be permitted development provided that the altered roof is no higher than highest part of the roof. The increase of 0.4m as proposed, when viewed from the street scene is considered not to be over dominant in the context of the character of the area. The immediate vicinity incorporates a variety of different roof designs.

3 roof lights to the front and a small dormer and 2 roof lights to the rear are also shown. These are not considered to harm the overall appearance of the dwelling

The proposed ground floor rear extension will project approx. 3.938m to the rear and will run close to the full width of the existing property shown as approx. 8.2m on the plans. The plans also show the proposed rear extension set in from the existing side elevations of the dwelling by the south side elevation by approx. 0.16m and from the north side elevation by approx.0.52m. The proposed ground floor rear extension will incorporate a mono pitched roof with 3 roof lights.

The windows and patio doors to the proposed extensions are of an appropriate style and proportion, and will align through with the existing front and rear windows, no openings are shown to the proposed north side elevation, a door is shown in the south elevation facing the immediate neighbouring dwelling No. 22 and will face a blank wall this considered to be permitted development. Materials are shown to match the existing which consists of brick/pebble dash external walls, tiles roof and white UPVC openings.

The plans submitted illustrate a standard design, which integrates well with the existing dwelling and its immediate residential area and as such in terms of the design of the proposed extension the proposal is considered to be acceptable.

The proposed scheme accords with the objectives outlined in Policy H14, the adopted Supplementary Planning Guidance on Designing House Extensions (guidelines 1-3 and 9), BE5, CS74 and the NPPF (para.127).

Amenity issues

No.18 Creswick Lane is a semi-detached house and sits approx. 5m from the proposed rear extension and is separated by a 2m high dense hedge which sits along the shared boundary and a detached garage which sits close to the shared boundary, as such together with the distance between the two properties and the existing boundary treatment the proposed side window facing this neighbouring property will not cause any undue overlooking.

Due to its single storey nature the proposed rear extension will not cause any overbearing impact. As such it is considered that the proposed rear extension will not cause any detrimental harm to this neighbouring dwelling.

The proposed increase in the roof height to the main dwelling is considered to have no detrimental impact due to the relationship between the two properties when viewed from the street. This is due to the separation between the two properties and the fact that the proposed difference in ridge heights is approx. 0.4m, as shown on the further submitted plans and as such the proposed increase in the roof height will not cause any detriment in terms of overshadowing or overbearing to this neighbour will not look obtrusive within the street scene alongside No.18.

No.22 Creswick Lane is a dormer bungalow which projects slightly to the rear past No.20 is slightly elevated by approx. 0.5 from the ground level of No.22. The proposed rear extension sits in from the shared boundary by approx. 0.7m and will project approx. 3.7m beyond the rear wall of No.22 (3.9m from the rear wall of No.20 the subject site). There are two 2m high fence panels, which merge with a dense boundary hedge along the shared boundary in line with the existing rear garden levels.

The proposed rear extension will be higher than the existing boundary fence. The height of the extension to the eaves is shown to be 2.4 and to the ridge 3.65, as the proposed extension sits away from the boundary by approx.0.7m and from the nearest ground floor neighbouring window by more than approx. 1m, taking into account the difference of levels, it is considered that there will be no significant impact in terms of loss of light, or overbearing impact. No openings are shown in the side elevation of the rear extension and as such no overlooking will occur. The proposed side door to the main dwelling which faces No.22 will look onto a blank side wall and as such no detriment from this will occur.

The proposed roof will sit in line with the front and rear roof line of the neighbouring dwelling No.22 and as such the increase in the height of the roof will therefore not be obtrusive when viewed from the street level or cause any detriment in terms of overshadowing or overbearing to this this neighbour.

Properties located opposite the site are approx. 31m to 34m and as such are considered to be a sufficient distance from the proposed development and will not have any detrimental impact upon their living conditions in terms of overlooking, loss of light or overbearing impact.

It is concluded that the immediate neighbouring properties will have no detrimental harm to their living conditions in terms of overlooking, loss of light or overbearing impact.

The proposal will still retain sufficient external amenity space and the proposed extension will not result in overdevelopment of the plot.

The proposed scheme accords with the objectives outlined in Policy H14 and the adopted Supplementary Planning Guidance on Designing House Extensions (guidelines 4-6).

Highway Issues

Although there is an increase in the number of bedroom from 4 to 5, the existing off street parking to the front of the property will not be affected by the proposed extension and as the road does not have any parking restrictions and as such there are no adverse highways implications arising from this proposal.

The proposed scheme accords with the objectives outlined in Policy H14 and the adopted Supplementary Planning Guidance on Designing House Extensions (guideline 8).

SUMMARY AND RECOMMENDATION

The proposed extensions and alterations are considered to be acceptable in terms of design, form, and scale, impact upon residential amenity and highways impact and are therefore considered to be in compliance with the guidance contained within the NPPF, Policies H10 and H14 of the Unitary Development Plan and the Supplementary Planning Guidance on Designing House Extensions.

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

Case Number	19/00405/TEL
Application Type	Telecommunications Prior Notification
Proposal	Erection of 12.5m monopole and provision of associated cabinets and equipment (Application for determination if approval required for siting and appearance)(Amended 29.04.2019).
Location	Land Adjacent 1 Sandygate Grange Drive Sandygate Road Sheffield S10 5NH
Date Received	31/01/2019
Team	West and North
Applicant/Agent	WHP Wilkinson Helsby
Recommendation	Grant Conditionally Prior Notification

Subject to:

- 1 The following drawings constitute the approved plans for this application:

002 Site Location Plan Issue D
200 Proposed Site Plan Issue D
250 Proposed elevations A Issue D
330 Cabinet Layout Issue D

- Published 22.05.2019

Reason: In order to define the permission.

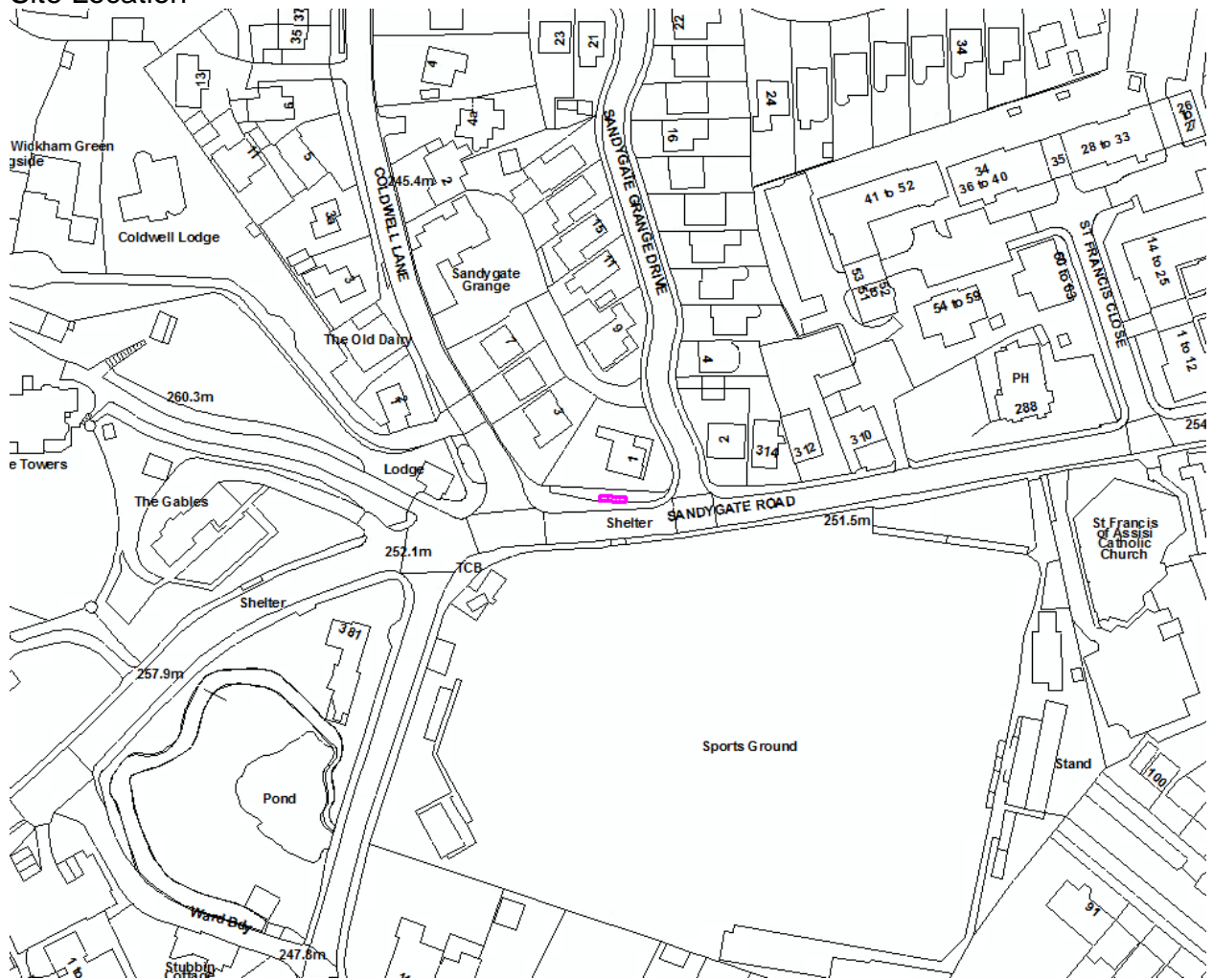
- 2 A sight line, having dimensions of 2.4, x 43m and running east along Sandygate Road at the junction with Coldwell Lane, shall be safeguarded and there shall be no obstruction within this sight line in excess of 1m above the channel level of Sandygate Road

Reason: In the interests of highway safety at the junction

Attention is Drawn to the Following Directives:

1. The applicant is advised that under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015; that when longer required or viable, the equipment shall be removed from the site and it shall be returned to its former condition.
2. 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.

Site Location



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LOCATION AND PROPOSAL

The application relates to an area of grass verge on Sandygate Road between the Coldwell Lane and Sandygate Grange Drive junctions.

The surrounding area is predominantly residential however directly opposite are the premises of Hallam Football Club. The site is allocated as a Housing Area as defined in the adopted Sheffield Unitary Development Plan (UDP).

Planning permission is sought for the erection of a 12.5 metre high monopole and associated cabinets and equipment.

The application has been submitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, and in accordance with the electronic communications code under the telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003. The development is permitted development under Part 16 of the GPDO subject to condition A.3, which requires the developer to apply to the Local Planning Authority for a determination as to whether prior approval is required as to the siting and appearance of the development only.

The provision of the associated street cabinets and equipment is permitted development under Part 16 of Schedule 2 of the Town as the base of each structure is not more than 1.5 square metres.

The principle of the development is not under assessment as part of this application. The impacts of the proposal in terms of siting and appearance are addressed within the following report.

RELEVANT PLANNING HISTORY (optional)

No relevant planning history

SUMMARY OF REPRESENTATIONS

The site has been advertised by way of neighbour notification letter and site notice.

A total of 62 letters of representation have been received. In some cases multiple letters have been received from individuals therefore this is not a direct indication of the number of objectors.

44 letters of representation were received following submission of the application, all in objection to the proposal. A summary of the comments is below:

- Impact on the nearby listed buildings
- Impact on the character and appearance of the area
- Impact on green space and planting
- Appearance and finish - the white finish would stand out against existing street furniture
- Loss of visual amenity for local residents

- Impact on views
- Overbearing impacts
- Proximity to residential properties
- Impact on house values
- Proximity to the Ranmoor Conservation Area
- Impact on historical assets including Hallam FC, the oldest football club
- Impact on The Plough Inn's designation as an Asset of Community Value
- Highway safety impacts
- Impact on highway line of sight
- Health impacts
- Another mast in the area considered to be unnecessary
- Lack of evidence that other options have been properly considered such as sharing existing masts and alternative locations
- Concerns that the correct application procedure has not been followed with regards to notification of the land owner and public consultation
- Concerns regarding impacts over the construction period and subsequent maintenance
- Query regarding the cabinets being permitted development
- Impact on TV signals in the immediate area
- Potential interference with other electrical equipment
- Inaccuracies in the applicants submission

Although all concerns are noted; the LPA is able only to assess the proposed siting and design of the telecommunications mast. Under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015; assessment of the following is not included: potential health impacts, interference of TV signals, impacts on property values, loss of views or other issues that may be deemed by some to be relevant to the proposal.

Although some inaccuracies have been identified in the submitted materials; the LPA considers that it has been possible to undertake a thorough and accurate assessment of the application. Supporting documents and further discussions have aided in this.

Comments relating to design and siting will be addressed within the main body of the report.

Amended plans were published on the 29th April which propose the monopole height reduced to 12.5 metres and with revised positioning of the associated equipment. Following publication of these plans a further 22 objections have been received. Additional comments that are not included in the above section are summarised below.

- The revised height is considered to be cosmetic, failing to mitigate the issues.
- Question raised regarding the acceptability of 12.5 metre high mast when a 15 metre high mast hasn't been deemed acceptable.
- The revised position would not comply with ICNIRP guidelines.
- The revised siting will decrease physical distance between the proposed antenna and people and thus will worsen potential health effects.

- The plan labels cite the wrong address.
- Concerns that the proposed stone wall and boundary fencing in the area has been represented at the wrong heights.
- Vertical elements such as telegraph poles have been resisted in the area and so are not in keeping with the local character.

Following the revised height and siting the agent working on behalf of the applicant has confirmed that this complies with ICNIRP guidelines. The LPA is therefore satisfied that within the realms of the planning legislation relating to telecommunications equipment; that the revised proposal does not worsen the impacts.

In response to the comment regarding labelling of the plans all drawings have been amended to ensure the correct address is cited.

It is considered that an accurate and thorough assessment of the proposal has been made based on the information provided and subsequent site visits. Regardless of the height of the adjacent boundary fence being 2 or 3 metres; it is not considered that the proposed siting would be detrimental to visual amenity.

As referred to in earlier sections; potential health impacts are not currently assessed in the determination of these types of applications for telecommunications equipment.

Comments relating to the revised design and siting are addressed within the main body of the report.

PLANNING ASSESSMENT

The site is located in a Housing Area as designated in the adopted Sheffield Unitary Development Plan. Telecommunications installations are not specifically mentioned within the main policies relating to development within Housing Areas and therefore must be determined on their own merits and in line with UDP policy BE14.

UDP Policy BE14 'Telecommunications' is relevant and states that; 'Telecommunications development should be sited and designed so as to minimise its visual impact, subject to technical and operational considerations and new equipment should share masts or be sited on existing structures where this is technically and economically possible.'

The National Planning Policy Framework states that "Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections."

It then goes on to state that "The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion... Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate"

DESIGN AND SITING

Site selection

Paragraph 116 of the NPPF states that “Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure”.

Information has been submitted regarding the site selection rationale and the requirements to develop in the S10 area to maintain coverage. The agent has confirmed by email that the required sequential site selection process has been followed and through this no sites suitable for sharing on existing structures or buildings were identified within the cell search area that would perform the required coverage. Concerns regarding the lack of detail are acknowledged however the applicant has fulfilled the requirements of planning policy and the LPA’s powers to question the need for the equipment are limited by the NPPF.

Included within the justification for the site selection is the requirement to avoid a “cluttered” area where trees and buildings could interfere with the signal. Due to the fairly open nature of the site; it has been possible to secure a reduction in the monopole height from 15 metres to 12.5 metres. It is considered that this reduction will further integrate the mast into the existing street furniture and reduce any overbearing impacts

Highway safety

Although referred to within the submission as an existing telecoms site; it is acknowledged that the site is currently open and free development. The grass verge offers a degree of visual amenity however its main purpose is understood to allow a line of sight at the Coldwell Lane junction.

A high number of the objections to the proposal refer to the highway line of sight and express concerns that the development would obstruct this and lead to safety issues. In response the applicant has agreed to set the cabinets further back in to the grass verge to address this. Amended plans published on the 29th April 2019 indicate this new equipment layout.

In order to ensure that the line of sight will be kept free of development a condition is attached requiring the applicant to submit a plan showing that the line of sight will be safeguarded; prior to the commencement of the development. Subject to this condition, there are no objections to the proposal from Highway Services.

Highway safety concerns also relate to the construction period and subsequent maintenance of the equipment. It is not considered that disruption during these periods would warrant refusal on siting grounds given the limited scale and nature of the development.

Correspondence from the council's highway records department has been received which confirms that the land is adopted highway and as such the LPA can confirm that the relevant land owner notification procedure has been followed.

Minimising the number of telecommunications sites

The proposal is for the installation of a new monopole that will provide new coverage for EE and H3G LTE and the Emergency Services Network. The agent proposes that the network sharing agreement meets the aims of the NPPF and UDP with regards to minimising the number of telecommunications developments.

It is proposed that the new equipment at this site will replace that currently fixed to The Plough Inn nearby on Sandygate Road. It is indicated by the agent that the future of the existing siting is insecure and so an alternative site is required in the area to prevent signal failure. It is expressed that this is particularly crucial due to the need to ensure the Emergency Services Network. Part 16 of the GPDO requires the removal of redundant telecoms equipment therefore it is not considered that the proposal will lead to cluttering or unnecessary provision in the area.

In respect of the planning assessment; the proposed re-siting of the telecommunications equipment is unrelated to the Asset of Community Value designation at The Plough Inn. The application under assessment does not have any direct bearing on the designation or suggest any future planning determinations on the site.

Design and Visual Amenity

The street works monopole design has been selected to minimise visual impact upon the street scene by integrating with the existing street furniture such as street lighting columns which are a common feature in the built environment.

The proposed mast has been reduced in height from 15 metre to 12.5 metres in order to promote its integration in to the street scene by relating it more appropriately to the surrounding lighting columns and the surrounding buildings and structures. It is considered that this reduces the visual impacts and prevents an overly dominant feature in the street scene.

It is not considered that the proposed development on the grass verge will lead to any significant loss of visual amenity; it is accepted that such provision is not uncommon in residential areas and that it forms part of the street furniture. It is not considered that the development will lead to any significant loss of green open space or planting. The NPPF prevents the LPA from restricting telecommunications developments except in cases where the design or siting is harmful. It is not considered that harm is demonstrated in the proposal.

The proposed siting is approximately 39 metres from Grade II listed building The Lodge. The potential visual impacts on the setting of this historical asset have been assessed by the LPA's Conservation officer and it is considered that important views of the building will be retained and the proposal will not be harmful in that respect.

The proposed development site is outside of the Ranmoor Conservation Area and not considered to be a threat to its appearance or character.

Concerns regarding siting adjacent to the historic Hallam Football Club are noted. It is however not considered that this is reasonable grounds to resist the proposed siting. The monopole will not exceed the height of the existing floodlighting columns around the football pitch; which create a precedent for higher vertical features in the landscape.

The NPPF states that LPA's should not insist on minimum distances between new electronic communications development and existing development but that they should have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.

The policy requirement is that the development should not be detrimental to the operation of electrical equipment, air traffic services or instrumentation in the national interest. This does not cover domestic equipment and servicing therefore the LPA is unable to resist the application based on concerns regarding domestic level interference.

SUMMARY AND RECOMMENDATION

In light of the above assessment; the siting and design of the proposed telecommunications mast are not considered to be harmful in planning terms. It is therefore recommended that this prior notification application be approved subject to conditions.

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Case Number	19/00638/FUL (Formerly PP-07619105)
Application Type	Full Planning Application
Proposal	Use of restaurant (use Class A3) as a drinking establishment (use Class A4) including relocation of entrance canopy, replacement doors and windows, provision of external seating areas and alterations to parking arrangements
Location	Damons Restaurant 2 Sevenairs Road Sheffield S20 1NZ
Date Received	20/02/2019
Team	City Centre and East
Applicant/Agent	Heronswood Design Ltd
Recommendation	Grant Conditionally

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:

1489D/18 /14 - Existing Site Plan and Location Plan
1489D/18/15b - Proposed Site Plan
1489D/18/ 16a - Proposed Floor Plan
1489D/18/17 - Proposed Elevations

Reason: In order to define the permission.

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

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

3. The surfacing details for the external seating area shall have a smooth finish suitable for wheelchair access.

Reason: In the interests of enabling inclusive access to the external space.

4. Prior to the use commencing a management plan will be submitted describing the actions that will be taken to ensure that the use of the outdoor seating and drinking area ceases at the times required by Planning Condition 15. Thereafter the approved management plan shall be implemented.

Reason: In the interests of the amenities of adjoining residential occupiers.

5. The use shall not commence until details of staff and visitor cycle parking has been submitted to and approved by the Local Planning Authority. The use shall not commence until approved cycle parking has been provided and thereafter such cycle parking accommodation shall be retained.

Reason: In the interests of encouraging sustainable travel to the site in accordance with the National Planning Policy Framework.

Other Compliance Conditions

6. 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 adjoining residential occupiers

7. The building shall not be used unless the car parking accommodation as shown on the approved plans including the floating car parking has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the use of customers and staff of the building.

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.

8. Notwithstanding the details shown on the approved plans the ramp to Eckington Way shall be designed in accordance with the standards for a

new ramp as set out in the Part M of the latest version of the Building Regulations.

Reason: In the interests of facilitating inclusive access.

9. The materials and colours of the new doors and glazed screen frames shall match the existing windows and the design, materials and colours of the new windows shall match the existing windows.

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

10. 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 adjoining residential occupiers

11. No amplified sound shall be played in the premises except through an in-house amplified sound system fitted with a sound limiter and operated in accordance with settings which have been approved in writing by the Local Planning Authority before the use of the sound system commences.

Reason: In the interests of the amenities of the adjoining residential occupiers

12. No loudspeakers shall be fixed externally nor directed to broadcast sound outside the building at any time.

Reason: In the interests of the amenities of adjoining residential occupiers.

13. Live music or amplified sound played within the building shall not exceed background levels by more than 3dB at the site boundary when measured;
- (i) as a 15 minute LAeq, and;
 - (ii) at any one third octave band centre frequency as an 15 minute LZeq.

Reason: In the interests of the amenities of adjoining residential occupiers.

14. Movement, sorting or removal of waste materials, recyclables or their containers in the open air shall be carried out only between the hours of 07:00 to 23:00 Mondays to Saturdays and between the hours of 09:00 to 23:00 on Sundays and Public Holidays

Reason: In the interests of the amenities of occupiers of adjoining residential properties.

15. The building and outside seating and drinking area shall be used for the above-mentioned purpose only between the following times:

Sunday to Thursday (& Public Holidays unless stated below)

07:00 hours to 23:30 hours
(Use of outside drinking and seating area to cease at 22:30 hours)
(Use of outside smoking area to cease at 23:30 hours)

Friday and Saturday
07:00 hours to 00:30 hours (the following day)
(Use of outside drinking and seating area to cease at 22:30 hours)
(Use of outside smoking area to cease at 00:30 hours)

Maundy Thursday
07:00 hours to 01:30 hours (the following day)
(Use of outside drinking and seating area to cease at 22:30 hours)
(Use of outside smoking area to cease at 01:30 hours)

Sundays before Public Holiday Mondays
07:00 hours to 00:30 hours (the following day)
(Use of outside drinking and seating area to cease at 22:30 hours)
(Use of outside smoking area to cease at 00:30 hours)

Christmas Eve
07:00 hours to 01:30 hours (the following day)
(Use of outside drinking and seating area to cease at 22:30 hours)
(Use of outside smoking area to cease at 01:30 hours)

Boxing Day
07:00 hours to 00:30 hours (the following day)
(Use of outside drinking and seating area to cease at 22:30 hours)
(Use of outside smoking area to cease at 00:30 hours)

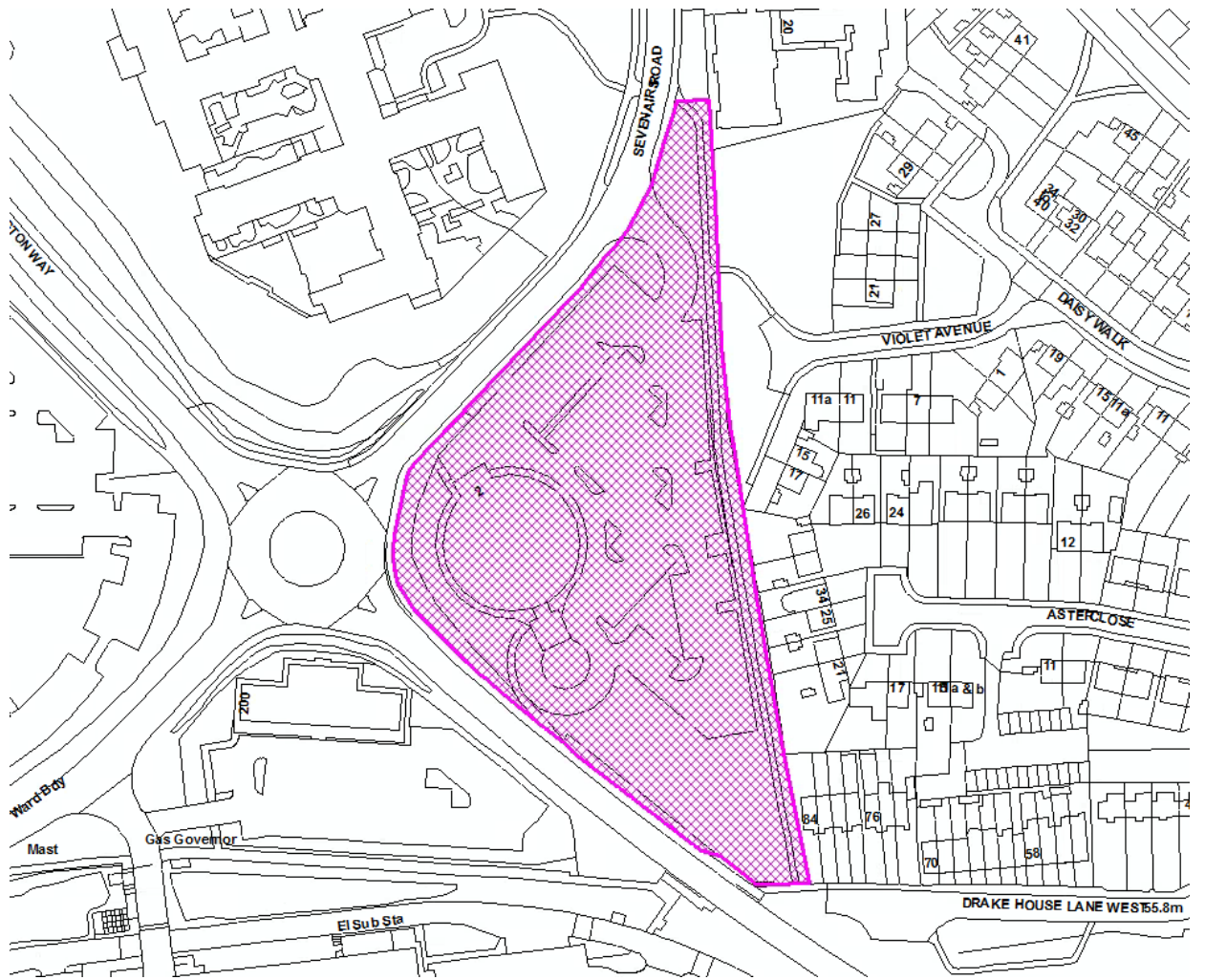
New Years Eve
07:00 hours to 01:30 hours (the following day)
(Use of outside drinking and seating area to cease at 22:30 hours)
(Use of outside smoking area to cease at 01:30 hours)

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

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.

Site Location



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LOCATION AND PROPOSAL

The application site is located on the north side of Crystal Peaks Shopping Centre with a community hospital to the north; Crystal Peaks Retail Park to the west; a restaurant and Crystal Peaks shopping centre to the south; and housing to the east.

The site is roughly triangular shaped and is currently occupied by Damon's restaurant which is a circular building located on the eastern part of the site adjacent to the Waterthorpe Greenway/Eckington Way roundabout. It slopes from north-east to south-west, with the western side adjoining the restaurant and roundabout being below the level of Eckington Way. The site contains a large surface car park to the north-east and south-east of the building. There is a hedge boundary to Eckington Way and a mown grass area on the southern part of the site. The vehicular access is off Sevenairs Road in the northern corner of the site which in turn is accessed from the Waterthorpe Greenway and Eckington Way roundabout. A public footpath runs along the eastern boundary of the site which connects to the housing areas to the east and north and also to a signalised crossing of Eckington Way and then into the Crystal Peaks shopping centre site.

The restaurant is a single storey brick faced building with a pitched red tiled roof.

The application is seeking permission to change the use of the building from a restaurant (class A3) to a drinking establishment (class A4). The applicant initially applied for opening hours from 7am to 1.30am (the following day) with an extra hour on the Thursday before Good Friday, Christmas Eve, Boxing Day, New Year's Eve, Sundays before Public Holidays and the morning British Summertime commences. The design and access statement says the primary business will be a drinking establishment, circa 55% with ancillary food use circa 45%. The application site only relates to part of the current Damon's site. Part of the site adjacent to Sevenairs Road and site entrance and the southern part of the site are identified as two separate future development sites. The car parking is being reduced from approximately 135 spaces to 73 spaces and 7 disabled spaces. A further 7 spaces are described as floating. The application is seeking permission for an external seating and drinking area to the west side of the building adjacent to Eckington Road and relocating and reducing the height of the entrance canopy to the west side of the building to create a covered seating area. Minor alternations are proposed to the building elevations.

The applicant intends to employ between 50 and 70 full and part time staff that are expected to be recruited from the local area. The applicant says that many of their hourly staff do not have cars and are likely to walk or use public transport to access the site.

RELEVANT PLANNING HISTORY

10/02076/FUL – Permission refused for erection of a food store. Permission was refused on the basis that the traffic generated would exacerbate congestion, that there was inadequate parking to serve the restaurant and food store, and that the

site was not sufficiently well connected to Crystal Peaks to be considered edge of centre and there were other more suitable sites available.

09/02493/FUL – Permission refused for erection of a food store. Permission was refused on the basis that there were other sequentially preferable sites available and because it would put at risk the planned investment in the Waterthrope Greenway scheme, needed to safeguard the vitality and viability of Crystal Peaks district shopping centre.

95/00949/FUL - Permission refused for erection of restaurant with variation to opening hours condition. It was refused on the basis that it would be detrimental to the amenities of occupiers of adjoining property due to noise and disturbance caused by the activities of people leaving the site late at night. Under this application the opening hours would have been varied to 07.00 to 23.00 Monday to Saturday and 07.00 to 22.30 on Sundays and Bank Holidays with no further customers admitted after these hours. However customers would not have been required to vacate the building until one and half hours after these times ie 00.30 Monday to Saturday and Midnight on Sundays and Bank Holidays.

94/01837/FUL – Planning permission granted for the erection of a restaurant and provision of car parking. The restaurant was permitted to open between 09.00 and 23.30 Monday to Saturday and 09.00 to 23.00 on Sundays and Bank Holidays.

SUMMARY OF REPRESENTATIONS

13 letters objecting to the application have been received. The comments are summarised below.

- Noise and disturbance from the increased operating hours and the external seating area and early deliveries. Bedrooms overlook the site and residents will have disturbed sleep which will be detrimental to physical and mental health and to childrens' education. The hours of other pubs are shorter, 11pm throughout the week and 12pm on Friday and Saturday for the Gypsy Queen, 11pm and 12pm for the Milestone, 12pm for The Fox, 10.30pm, 11pm, and 12pm for Drakehouse Mill and The Belfry. Noise disturbance will be increased as customers walk to this pub after the others have closed. Drake House Lane West is a main walk through for Beighton and Sothall and therefore there will be disturbance from passing patrons. Differing opening hours are specified in the application form and design and access statement. Will impact on human rights to live a peaceful life /Protocol 1 Article 1.
- The proposal will result in increased fear of crime and increased anti-social behaviour, violence and drug abuse as evidenced by incidents at other pubs in the local area. This will put increased pressure on the police.
- Houses will become less saleable.
- There is no need for additional public houses as there 5 within a 10 min walk of the site. The demand for pubs is declining rather than increasing.
- There is no public transport within easy reach of the site and traffic in the area will be worsened. The Aldi application was refused due to its negative impact on the road network. The car parking is inadequate.
- Not objecting to the change of use, just the longer opening hours

- The other two parcels of land bring the prospect of further increases in noise, disturbance and nuisance.
- The relocation of the canopy destroys the aesthetic quality of the building which is of a unique design.
- The safety of the outdoor seating area is a concern with the potential for vehicles running off the road.
- The car park will be lit for longer hours affecting the ability of residents to sleep.

PLANNING ASSESSMENT

Policy Issues

In the Unitary Development Plan the site lies within a Housing Policy Area. Within housing areas, housing is the preferred use with food and drink uses being acceptable subject to the application of other policies (Policy H10). The commentary on the policy says that food and drink outlets can cause problems for people living nearby and they need to be sited carefully where they would not cause disturbance. It also says that local facilities may be appropriate so that people can reach them on foot. Policy H14 says that new development or change of use will be permitted provided it would occupy only a small area and not lead to a concentration of non-housing uses which would threaten the residential character of the Housing Area.

The policy position is that the use is acceptable in principle subject to the impact on amenity and traffic safety being acceptable, which are considered below. As the existing use of the site is a non-residential use and the proposal will be utilising the existing building it is considered that it would not lead to a concentration of non-housing uses which would threaten the residential character of the area.

Restaurants and public houses are main town centre uses. The National Planning Policy Framework advises that Local Planning Authorities should apply a sequential test for main town centre uses not located in town centres. It is considered that a change of use from one main town centre use to another does not need to pass the sequential test and even if it did there are no sites within Crystal Peaks that would have similar characteristics to the proposal such as being on a prominent junction with a large amount of seating and therefore it would pass the sequential test in any case.

Access Issues

Policy H14 says new development or change of use in housing areas will be permitted provided that it would not lead to excessive traffic levels.

Sevenairs Road is double parked during the day but there are double yellow lines close to the roundabout and the Damon's site entrance to keep these areas clear of parking.

As the parking is being reduced and there is no additional floorspace proposed it could not be reasonably argued that the development will lead to excessive traffic levels. The use has similar access requirements to the existing use and the

existing site access is designed to satisfactorily accommodate the type and amount of traffic expected to serve the proposed use.

The Council's current parking guidelines do not cover food and drink uses. The previous Unitary Development Plan parking guidelines which are out of date say that for public houses the parking should be 1 space per 2.3 to 4m² of net public area and 1 space per 3 non-resident staff. The net public area is approximately 540m² which means these superseded parking guidelines suggest 135 to 235 spaces. The superseded Unitary Development Plan parking guidelines for an unlicensed restaurant are 1 space per 4 seats. This would equate to 77 spaces for the approximately 308 covers proposed.

The applicant undertook a survey of customer visits to the existing restaurant on Fri 26th /27th April 2019 between 3pm and 10pm. The maximum number of customers on site at any one time was 109. Based on an average of 2.5 persons per car this gives a maximum parking demand associated with the existing restaurant of 44 for customers and 15 for staff giving a total of 59 spaces. However there are approximately 308 covers identified in the proposed public house. Assuming 80% occupancy of the public house and if the average car occupancy were increased to 3 this would suggest up to 82 parking spaces for customers and 15 for staff giving a total of 97 spaces.

The Gypsy Queen which is the nearest comparable public house has approximately 110 parking spaces. A rough calculation of the floorspace suggests that the parking ratio per square metres of floorspace is slightly higher at the Gypsy Queen than that proposed for the application, but not significantly different.

The applicant has pointed to a similar sized pub by the same potential operator with a similar residential catchment which also lies close to shopping facilities which has a similar number of parking spaces. However they have not provided any parking accumulation counts which show that the parking provision is adequate to serve the alternative site. They argue that visitors would use the pub in association with the adjoining shops and changing the use to a public house means that it will draw from the local community rather than the existing car-led restaurant. They also say that given the drink driving laws and the walk in catchment it is likely many customers will walk, cycle and use public transport to get to the site.

In the absence of up to date parking guidelines, given the large potential walk in catchment and the parking ratio being similar to that at the nearby Gypsy Queen there is considered to be no strong case for resisting the application on the grounds of insufficient parking.

The applicant has tracked the movements of a service vehicle and the highway officer is satisfied that adequate provision for servicing is being retained.

The building is changing use from one public use to a very similar public use. The existing entrance is level but there is a raised floor with internal ramps to accommodate the level changes within the building. The applicant is altering the main entrance doors but keeping the internal ramps as existing and creating a new

entrance to the external seating area. The ramp between the site and Eckington Way is being altered to facilitate the changes to the car park.

Seven disabled parking spaces are proposed adjacent to the entrance which is considered to be sufficient to serve the proposed use. The ramp between the site and Eckington Way has been designed with appropriate gradients but its width and landings appear to be substandard. Therefore a condition is proposed requiring it to meet the appropriate standards for a new ramp under the building regulations as the building regulations may only be able to insist on it being no worse than existing. The design of the new entrance doors including the width will be controlled by building regulations and they will be required to be no worse than existing. The proposed development should provide inclusive access similar to the existing building. Conditions are proposed requiring the provision of the disabled parking and for the surface of the external seating area to be suitable for wheelchair access.

Amenity Issues

Policy H14 says that new development or change of use will be permitted in housing areas provided it would not lead to air pollution, noise, smell, or other nuisance or risk to health and safety for people living nearby

Damon's advertised opening hours are 8am until 10.30pm Monday to Thursday, 8am to 11pm Friday and Saturday and 8am to 9pm on Sunday, although they are allowed to open until 11.30 pm Monday to Saturday and 11pm on Sundays and Bank Holidays.

The nearest houses are approximately 55m to the east of the building and 16m from the nearest parking spaces and this remains unchanged from the existing arrangements. The external seating area is a new facility and is approximately 80m from the nearest housing although much of it will be screened from the housing by the existing building.

Public houses tend to have a greater potential for causing noise disturbance than restaurants. In this case noise is likely to be generated by customers leaving by car or walking home, noise from use of the external seating area and amplified noise escaping from the building. The applicant is also seeking longer opening hours which has the potential to extend any noise disturbance more into the sensitive night time period. In this case the parking spaces and footpath along the eastern boundary of the site are close to the rear of the existing houses.

Following negotiations the applicant has agreed to reduce the opening hours from those originally submitted to the following:

Sunday – Thursday 7.00am – 11.30pm
(& Bank Holidays unless stated below)
(Use of outside drinking and seating area to cease at 10:30pm)
(Use of outside smoking area to cease at 11:30pm)

Friday – Saturday 7.00am – 12.30am
(Use of outside drinking and seating area to cease at 10:30pm)

(Use of outside smoking area to cease at 12:30am)

Maundy Thursday 7.00am – 1.30am

(Use of outside drinking and seating area to cease at 10:30pm)

(Use of outside smoking area to cease at 1:30am)

Sundays before Bank Holiday Mondays 7.00am – 12.30am

(Use of outside drinking and seating area to cease at 10:30pm)

(Use of outside smoking area to cease at 12:30am)

Christmas Eve 7.00am – 1.30am

(Use of outside drinking and seating area to cease at 10:30pm)

(Use of outside smoking area to cease at 1:30am)

Boxing Day 7.00am – 12.30am

(Use of outside drinking and seating area to cease at 10:30pm)

(Use of outside smoking area to cease at 12:30am)

New Year's Eve 7.00am – 1.30am

(Use of outside drinking and seating area to cease at 10:30pm)

(Use of outside smoking area to cease at 1:30am)

The applicant has also agreed to conditions limiting amplified sound, time restrictions on deliveries and the sorting of materials and for details of external plant to be submitted for approval.

As proposed an extra hour of opening would be allowed on Friday and Saturday and an extra half an hour on Sunday with extended opening on public holidays.

The increase in opening hours at weekends and public holidays and the addition of an external drinking area is likely to generate some additional noise for local residents. The building does not directly adjoin residential properties as many pubs in the city do. The separation from residential properties means that the noise from customers leaving the site is likely to reduce as customers dissipate as they move away from the building. The use of the external area for drinking and seating is limited to 10.30pm and the building will provide some noise screening between this area and the nearby housing. The Council's Environmental Services Section have been consulted and are satisfied that the proposed controls over opening hours are reasonable given the context. It is therefore concluded on balance that the proposed operating hours maintain a reasonable balance between protecting residential amenity and allowing for a use that will serve local residents and secure employment opportunities.

Design Issues

Unitary Development Plan Policy H14 says that in housing areas new development or change of use will be permitted provided that new buildings and extensions are well designed and would be in scale and character with neighbouring buildings.

In this case the alternations to the existing building consist of new windows and enlarged glazed entrance screens to existing door openings. The design of the proposed new windows and brick detailing is to match existing and the new entrances and glazed screens are in keeping with the design of the existing building.

The application is also seeking to relocate and reduce the height of the existing canopy which consists of brick piers and a pitched tiled roof to the front of the building on the Eckington Road frontage and use it as an external seating area.

Whilst the canopy will stand forward of the main building, given that the road frontages around this site are somewhat fragmented and the design of the canopy is in keeping with the existing building it is considered that it will not have a significant harmful impact on the visual amenity of the locality.

The external garden area is likely to enliven the Eckington Road frontage of the site and create visual interest in what is currently an inward facing development.

RESPONSE TO REPRESENTATIONS

It is well established that it is not the role of the planning system to interfere in competition between commercial uses; it is for the market to determine whether the business succeeds or not.

Fear of crime and the potential for anti-social behaviour are planning considerations but for this to be material there must be some reasonable evidential basis for the fear. Many public houses operate without generating significant antisocial behaviour or crime; it will depend on the type of operation and how it is managed. The Local Planning Authority has no evidence to assume this public house will be operated/managed in such a way that these type of problems will be created. Therefore we would be unable to produce evidence that this would be an issue if an application were to be resisted on this basis.

The Human Rights Act, Article 1 (First Protocol) states that every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law. In this case the amenity impact of the proposal has been fully assessed above and the interference of the proposal with private rights has been balanced against the public interest as set out above.

The safety of customers from vehicles losing control on the roundabout and crashing into the external seating area is primarily a matter for the applicant to consider. Officers are not aware of any evidence to suggest that this is a significant risk that would justify requiring the applicant to provide a crash barrier to prevent such a possibility.

SUMMARY AND RECOMMENDATION

The proposed use is considered to be acceptable in policy terms subject to the impact on residential amenity and the access/parking considerations. It will

provide local residents with improved choice in terms of access to services and deliver employment opportunities. There is likely to be an impact on residential amenity due to increased noise and disturbance but this is considered to be within acceptable bounds given the controls proposed and relationship of the site with the nearest housing. The access and parking arrangements are considered to be acceptable and there are not significant design concerns. It is therefore recommended that planning permission be granted subject to the listed conditions.

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SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of City Growth Department

Date: 14 May 2019

Subject: RECORD OF PLANNING APPEALS
SUBMISSIONS & DECISIONS

Author of Report: Marie Robinson 0114 2734218

Summary:

List of all newly submitted planning appeals and decisions received, together with a brief summary of the Inspector's reason for the decision

Reasons for Recommendations

Recommendations:

To Note

Background Papers:

Category of Report: OPEN

DEVELOPMENT SERVICES

REPORT TO PLANNING &
HIGHWAYS COMMITTEE
4 JUNE 2019

1.0 RECORD OF PLANNING APPEALS SUBMISSIONS AND DECISIONS

This report provides a schedule of all newly submitted planning appeals and decisions received, together with a brief summary of the Secretary of State's reasons for the decisions.

2.0 NEW APPEALS RECEIVED

(i) An appeal has been submitted to the Secretary of State against the delegated decision of the City Council to refuse planning permission for demolition of workshops and erection of 5 apartments in 2 blocks (As per amended drawings received on the 4 January 2019) (amended description) Russell Hutton Bespoke Kitchens 23 Hillsborough Road Sheffield S6 4JL (18/03626/FUL).

3.0 APPEALS DECISIONS – DISMISSED

(i) To report that an appeal against the delegated decision of the Council to refuse listed building consent for alterations to gate lodge including demolition of existing extension and erection of replacement extension Oakes Park Lodge School Lane Norton Sheffield S8 8BL (Case No 16/00723/LBC) has been dismissed.

Officer Comment:-

The Inspector identified the main issue as the effect of the development upon the special interest of Oakes Park Lodge, a grade 2 listed building.

The Inspector noted the presence of the lodge within the Oakes Park Conservation Area, and also within the Historic Park and Garden. She noted the square section of the lodge's original form, and its substantial, unattractive 1970's additions.

Whilst she agreed with the Council that the removal of the 1970's addition would be acceptable in principle, she also agreed that the proposed replacement was substantially larger, almost double the length of the existing lodge and would be wholly disproportionate, becoming the dominant element of the building, taking it even further from its original form.

She did not consider the contemporary approach to be successful, and felt it would be harmful to the historic context.

She considered the extensions would fail to meet the statutory test in the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve and enhance. In addition it failed to comply with the Council's UDP and Core Strategy policies which she considered were in compliance with the NPPF despite their age.

In relation to paragraphs 193- 96 of the NPPF she did not consider the provision of additional on-site staff accommodation, or removal of the building from the 'at risk' register to be the sufficient public benefit that is required for the harm to the listed building to be outweighed. She considered that a programme or restoration alongside a more sensitive proposal could secure the building's viable future.

She therefore dismissed the appeal.

*NB – this appeal related solely to the refusal of Listed Building Consent. A refusal of Planning Permission based primarily upon the impact of the development on the Green Belt was not appealed by the applicant and is not therefore referred to by the Inspector

(ii) To report that an appeal against the delegated decision of the Council to refuse planning consent for demolition of existing garage and erection of a three-storey side extension and erection of a garage to front garden area (Amended plans received 24/09/2018 and 26/09/2018) 50 Carsick Hill Road Sheffield S10 3LW (Case No 18/02413/FUL) has been dismissed.

Officer Comment:-

The Inspector concluded that the main issues were whether the proposal would preserve or enhance the character or appearance of the Ranmoor Conservation Area and the implications for highway safety,

In terms of the design, the Inspector felt that the extensions would employ a number of elements, especially in respect of the roof forms which would present a cluttered and confused appearance.

It was also considered that the extension would jar with the simple design of the existing dwelling and fail to integrate with it and so appear as an incongruous addition.

It was also considered that the overall scale and massing of the extensions would dominate the host property making it appear engulfed in extensions.

In addition, the wide garage door would introduce a suburban feature which would detract from the historic character and charm of the host property

The Inspector did not consider that the proposal would harm traffic safety
The Public Sector Equality Duty was examined, however this did not override the harm caused and so the appeal was dismissed.

4.0 APPEALS DECISIONS – ALLOWED

(i) To report that an appeal against the delegated decision of the Council to refuse planning consent for erection of a workshop (Use Class B2 - General Industrial) land at Bamburgh House Cuthbert Bank Road Sheffield S6 2HP (Case No 18/00252/FUL) has been allowed.

Officer Comment:-

The Inspector considered that the main issue was the effect of the proposal on local occupiers with regard to noise and disturbance.

The Inspector noted that the site was occupied by a window and door manufacturer and that there was a mix of uses in the locality including flats on Cuthbert Bank Road. The proposed workshop was to be occupied by and form part of, the existing industrial operation. No undue noise was experienced on the Inspector's site visit and it was understood that previous noise assessments had concluded that there was no reason why residential development should not be allowed nearby. This would provide an assurance that the site's use was not prone to causing disturbance. The workshop would be served by opening facing Bamburgh House rather than across Cuthbert Bank Road helping to ensure that any activity is focussed within the grounds rather than to Cuthbert Bank Road.

Traffic movements would be limited in number.

Subject to a number of conditions, it was not considered that the development would cause significant noise or disturbance to nearby residential and so the appeal was allowed

(ii) To report that an appeal against conditions imposed on the committee decision of the Council to approve planning consent for continued use of the site as a car sales forecourt, retention of portable sales building and siting of 4 floodlights at Express Hand Car Wash 270 Handsworth Road Sheffield S13 9BX (Case No 18/00266/FUL) has been allowed in part.

Officer Comment:-

The applicant appealed against Conditions 4, 5 and 8 of the planning approval which included the requirement to provide a turning area on the site & 5 customer parking bays; to only operate between 0800 hours and 1800 hours Mondays to Saturdays (with no working on Sundays and Bank Holidays); and to limit the type of plant and machinery that could be used at the property.

The Inspector agreed with the imposition of the conditions relating to opening hours and limiting the use of plant and machinery but, whilst agreeing with the principle of needing customer parking bays, considered that 3 spaces would be adequate (as opposed to 5) but did confirm that a turning space was required on the site.

5.0 ENFORCEMENT APPEALS

Nothing to report

6.0 RECOMMENDATIONS

That the report be noted.

Colin Walker
Interim Head of Planning

4 June 2019

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