

# Planning and Highways Committee

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**Tuesday 2 June 2020 at 2.00 pm**

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

**The Press and Public are Welcome to Attend**

## **Membership**

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

## **Substitute Members**

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

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## **PUBLIC ACCESS TO THE MEETING**

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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](http://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](mailto:simon.hughes@sheffield.gov.uk).

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## **FACILITIES**

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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.

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**PLANNING AND HIGHWAYS COMMITTEE AGENDA  
2 JUNE 2020**

**Order of Business**

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- 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 12<sup>th</sup> May 2020.
- 6. Site Visit**  
To agree a date for any site visits required in connection with planning applications prior to the next meeting of the Committee
- 7. Tree Preservation Order No. 43343 at 45 St Andrew's Road, Sheffield, S11 9AL** (Pages 9 - 18)  
Report of the Director of City Growth.
- 8. Applications Under Various Acts/Regulations** (Pages 19 - 20)  
Report of the Director of City Growth
- 8.1 Application No. 19/03143/FUL - Land Off Moorthorpe Way, Sheffield, S20 6PD.** (Pages 21 - 86)
- 8.2 Application No. 18/01543/FUL - Intermet Refractory Products Ltd, Platts Lane, Oughtibridge, Sheffield, S35 0HP.** (Pages 87 - 126)
- 8.3 Application No. 17/00161/FUL - Land At The Junction Of Oughtibridge Lane And Platts Lane, Sheffield, S35 0HP.** (Pages 127 - 158)
- 9. Date and Time of Future Meetings**  
To agree that future meetings of the Planning and Highways Committee be held on a 3 weekly basis on the following Tuesdays at 2.00 pm:-

23<sup>rd</sup> June 2020  
14<sup>th</sup> July 2020  
4<sup>th</sup> August 2020  
25<sup>th</sup> August 2020  
15<sup>th</sup> September 2020  
6<sup>th</sup> October 2020  
27<sup>th</sup> October 2020

17<sup>th</sup> November 2020  
8<sup>th</sup> December 2020  
12<sup>th</sup> January 2021  
2<sup>nd</sup> February 2021  
23<sup>rd</sup> February 2021  
16<sup>th</sup> March 2021  
6<sup>th</sup> April 2021  
27<sup>th</sup> April 2021  
18<sup>th</sup> May 2021  
8<sup>th</sup> June 2021

**10. Date of Next Meeting**

The next meeting of the Committee will be held on Tuesday 23<sup>rd</sup> June 2020 at 2pm.

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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](mailto:gillian.duckworth@sheffield.gov.uk).

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Planning and Highways Committee

Meeting held 12 May 2020

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

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NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

**1. APOLOGIES FOR ABSENCE**

1.1 There were no apologies for absence.

**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 Andrew Sangar declared a personal interest in Agenda Item No. 7a, Application No. 19/04472/FUL – 1 Peterborough Drive, Sheffield, S10 4JB, as a local ward Member. Councillor Sangar declared that he had not given an opinion or declared his position on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

3.2 Councillor Alan Law declared a personal interest in Agenda Item No. 7c, Application No. 19/00054/FUL – Land East of the River Don and to the South West of Station Road, Deepcar, Sheffield, S36 2SQ, as a Member of Stocksbridge Town Council. Councillor Law declared that he had not given an opinion or declared his position on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

3.3 Councillor Jack Clarkson declared a personal interest in Agenda Item No. 7c, Application No. 19/00054/FUL – Land East of the River Don and to the South West of Station Road, Deepcar, Sheffield, S36 2SQ, as a local ward Member and a Member of Stocksbridge Town Council. Councillor Law declared that he had not given an opinion or declared his position on the application prior to the meeting, therefore would take part in the discussion and voting thereon.

**4. MINUTES OF PREVIOUS MEETING**

- 4.1 The minutes of the meeting of the Committee held on 10<sup>th</sup> March 2020 were approved as a correct record.

**5. APPLICATIONS UNDER VARIOUS ACTS/REGULATIONS**

**5a. PLANNING APPLICATION NO. 19/04472/FUL - 1 PETERBOROUGH DRIVE, SHEFFIELD, S10 4JB**

- 5a.1 A correction to the report was included within the Supplementary Report circulated and summarised at the meeting.
- 5a.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.
- 5a.3 Councillor Cliff Woodcraft attended the meeting and spoke against the application.
- 5a.4 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report now submitted and also having regard to representations made during the meeting.
- 5a.5 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for the demolition of existing garage, erection of single-storey front, rear and side extensions, raising of roof height to form habitable accommodation and provision of a first floor rear roof terrace area at 1 Peterborough Drive, Sheffield, S10 4JB (Application No. 19/04472/FUL).

**6b. APPLICATION NO. 19/02707/FUL - 289A/289B ABBEYDALE ROAD SOUTH, SHEFFIELD, S17 3LB**

- 5b.1 Additional representations, a correction to the report and an amended condition was included within the Supplementary Report circulated and summarised at the meeting.
- 5b.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.
- 5b.3 Ms Kate Cavan (Applicant) attended the meeting and spoke in support of the application.
- 5b.4 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report now submitted and also having regard to representations made during the meeting.

5b.5 **RESOLVED:** That an application for planning permission be GRANTED, conditionally, for the reasons set out in the report, now submitted, for the erection of two storey and first-floor extension, external staircase and first floor terrace to existing restaurant at 289a/289b Abbeydale Road South, Sheffield, S17 3LB (Application No. 19/02707/FUL).

**5c. APPLICATION NO. 19/00054/FUL - LAND EAST OF THE RIVER DON AND TO THE SOUTH WEST OF STATION ROAD, DEEPCAR, SHEFFIELD, S36 2SQ**

5c.1 Additional representations, further details regarding energy generation, an updated description and details regarding the rail halt, an updated affordable housing review trigger, details regarding a revised cycleway width (including a revised condition), a revised approved plans list (amended Condition 2), removal of Condition 9, updated Condition 20, a new ecology condition, a reduction to 428 houses to facilitate a possible rail halt and a proposed condition to cover the coal mining legacy, were included within the Supplementary Report circulated and summarised at the meeting.

5c.2 The Officer presented the report which gave details of the application and highlighted the history of the site and the key issues set out in the report.

5c.3 Mr. Max Whitehead (Applicant) attended the meeting and spoke in support of the application.

5c.4 The Committee considered the report and proposed conditions having regard to the development plan, the National Planning Policy Framework and other relevant considerations as summarised in the report and supplementary report now submitted and also having regard to representations made during the meeting.

5c.5 **RESOLVED:** That an application for planning permission be GRANTED, conditionally and subject to Legal Agreement, for the reasons set out in the report and supplementary report now submitted, for the erection of 428 dwellings with associated infrastructure including means of access, all-purpose bridge, drainage, open space and landscaping works at Land East of the River Don and to the South West Of Station Road, Deepcar, Sheffield, S36 2SQ (Application No. 19/00054/FUL).

**6. SITE VISIT**

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

**7. DATE OF NEXT MEETING**

- 7.1 The next meeting of the Planning and Highways Committee would be held on Tuesday 2<sup>nd</sup> June 2020 at 2pm.



## SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

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**Report of:** Director of City Growth Service

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**Date:** 2<sup>nd</sup> June 2020

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**Subject:** Tree Preservation Order No. 437  
45 St Andrew's Road, Sheffield, S11 9AL

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

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**Summary:** To seek confirmation of Tree Preservation Order No. 437

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### Reasons for Recommendation

To protect trees of visual amenity value to the locality

**Recommendation** Tree Preservation Order No. 437 should be confirmed

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**Background Papers:** A) Tree Preservation Order No. 437 and map attached  
B) TEMPO assessment attached  
C) Photograph of tree.

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**Category of Report:** OPEN

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## REGENERATION & DEVELOPMENT SERVICES

### REPORT TO PLANNING & HIGHWAYS COMMITTEE

31<sup>st</sup> MARCH 2020

#### TREE PRESERVATION ORDER No.437

45 ST ANDREW'S ROAD, SHEFFIELD, S11 9AL

#### 1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 437.

#### 2.0 BACKGROUND

2.1 Tree Preservation Order No. 437 ('the Order') was made on 30<sup>th</sup> January 2020 to protect the tree in the front garden of 45 St Andrew's Road, Sheffield, S11 9AL. A copy of the Order with its accompanying map is attached as Appendix A.

2.2 The tree was considered to be under threat because an application for it to be felled was received. The removal of the tree was proposed by the homeowner's insurance company as a remedy for subsidence damage within the property. However sufficient evidence of the tree being implicated has not been supplied.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to making the Order, and the tree was inspected by the Tree Officer for general condition and suitability for protection. A copy of the TEMPO assessment is attached as Appendix B. The tree which is subject to the Order was found to be in good order, of significant amenity value to the local area and consequently suitable for protection according to the TEMPO criteria. Officers therefore considered it expedient in the interests of amenity to make the Order.

#### 3.0 OBJECTIONS

3.1 No objections 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 tree detailed in Tree Preservation Order No. 437 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. The representations received in respect of Tree Preservation Order No.437 are detailed in this report, alongside an officer response to the points raised.

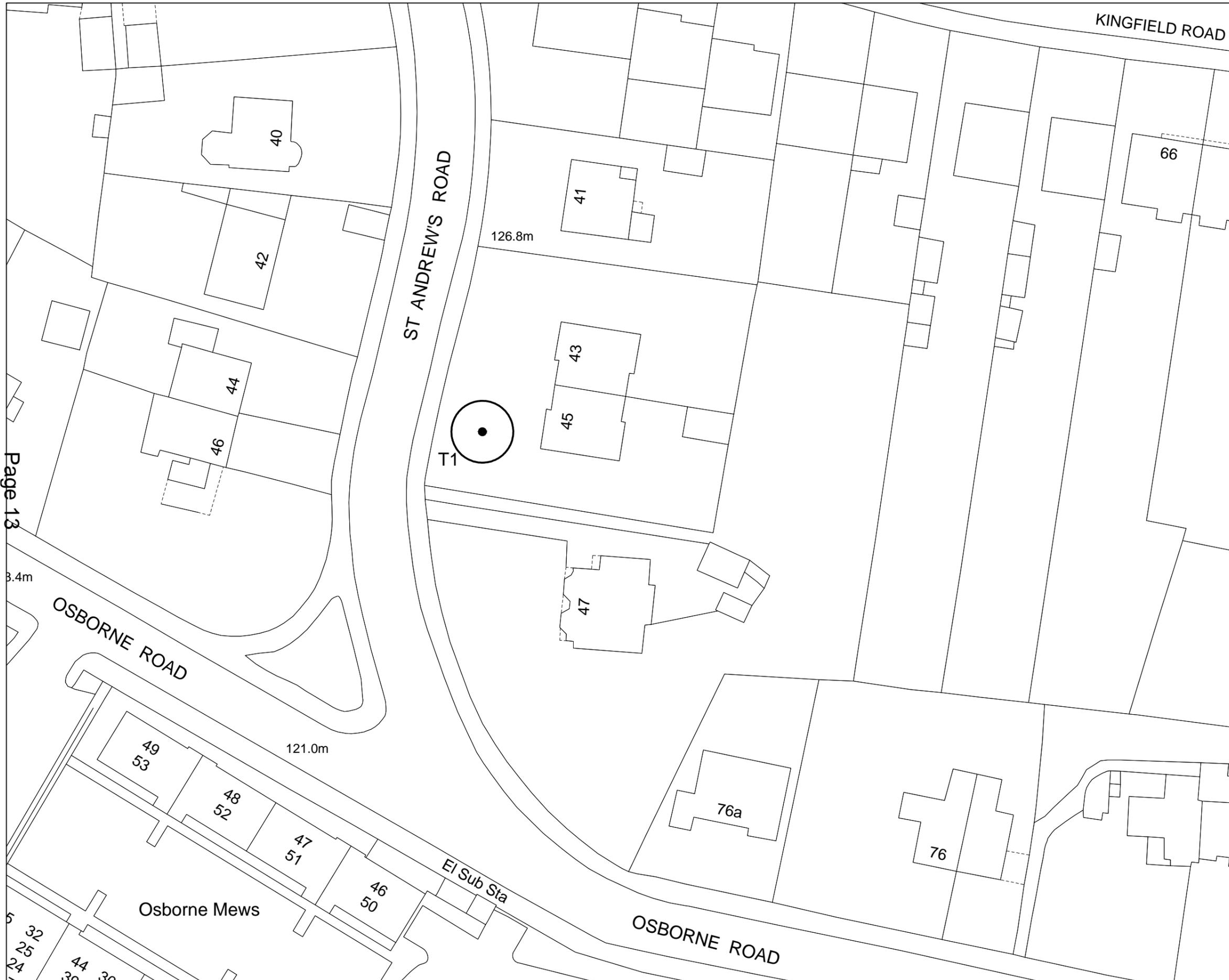
## 8.0 RECOMMENDATION

- 8.1 It is recommended that Tree Preservation Order No. 437 at 45 St Andrew's Road, Sheffield, S11 9AL be confirmed.

Colin Walker  
Chief Planning Officer

10/03/2020

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3.4m

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32  
25  
24  
44  
39  
30

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**TREE SCHEDULE**

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

No on map	Description
T1	Deodar Cedar ( <i>Cedrus deodara</i> ).

**Trees specified by area**  
None

**Trees specified by groups**  
None.

**Trees specified by woodlands**  
None

**Note:**  
1. Do not scale from this drawing

**O.S. REFERENCE No.:** SK 33630 85103

<b>SHEFFIELD CITY COUNCIL</b>		
URBAN AND ENVIRONMENTAL DESIGN TEAM		
SCHEME:		
<b>TREE PRESERVATION ORDER No.437</b>		
TITLE:		
<b>45 ST ANDREWS ROAD S11 9AL</b>		
SCALE:		
<b>1:500 @ A3</b>		
Drawn by:	Checked by:	Date:
KH		22.1.2020
Drawing No:		
<b>A3/UED/808/437</b>		

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# TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

## SURVEY DATA SHEET & DECISION GUIDE

Date: 21/01/2020

Surveyor: Leonie Kapadia

### Tree details

TPO Ref: 437 Tree No: 1 (see tree survey for further detail)

Species: *Cedrus deodara*

Owner (if known): Mr & Mrs Roberts

Location: 45 St Andrew's Road, Sheffield, S11 9AL

### Part 1: Amenity assessment

#### a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

**Score & Notes:** 5 – Good. Tree is of good form and vitality.

- 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

#### 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**  
4 – This is an early mature tree. *Cedrus* can commonly reach ages of 200+ years.

\* 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 – This tree is highly that visible from St Andrew's Road, and to all pedestrian and vehicular traffic that uses the road.

#### 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

**Score & Notes**  
1

### 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

**Score & Notes**  
5 – Section 211 notice received to remove the tree.

### 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:**  
19

**Decision:**  
Definitely merits TPO.

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T1 Deodar Cedar



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## SHEFFIELD CITY COUNCIL Planning and Highways Committee

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Report of: Director of City Growth Department

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Date: 02/06/2020

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Subject: Applications under various acts/regulations

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Author of Report: Dinah Hope and Howard Baxter

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Summary:

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

Recommendations:

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### 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

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Case Number	19/03143/FUL (Formerly PP-08037032)
Application Type	Full Planning Application
Proposal	Erection of 74no. dwellings, formation of access road, associated landscaping works, open space works and flood storage works
Location	Land Off Moorthorpe Way Sheffield S20 6PD
Date Received	27/08/2019
Team	City Centre and East
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally Subject to a Legal Agreement

## **Time limit for Commencement of Development**

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

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

## **Approved/Refused Plan(s)**

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

n1276 001 Rev A - Location Plan  
008 Rev D - Planning Layout  
009 Rev C - Presentation Layout  
010 Rev A - Street Scenes  
011 Rev B - Site Sections (Existing and Proposed)  
101-01 Rev D - Materials Plan  
106 Rev D - Boundary Treatment Plan  
108 Rev D - Proposed Finished Floor Levels

Rev 4 dated May 2020 - Tree Protection Plan  
SD 12-022 - Timber Knee Rail  
SD 12-024 - Brick Wall

3573/1 Revision F - Proposed LEAP  
3573/2 Revision C - Detailed Landscape 1 of 2  
3573/3 Revision C - Detailed Landscape 2 of 2  
3573/4 Rev D - Landscape Proposals - Detention Basin  
SD 12-025 - Screen Fence

P2741-SK03-01 Rev B - Externals 1 of 4  
P2741-SK03-02 Rev B - Externals 2 of 4  
P2741-SK03-03 Rev B - Externals 3 of 4  
P2741-SK03-04 Rev A - Externals 4 of 4  
P2741-01-01 Rev G - Drainage Layout  
P2741-01-02 Rev G - Proposed Basin Strategy  
P2741-09-08 Rev A - Proposed Basin Headwall Details  
P2741-09-07 Rev A - Flow Control  
P2741-10-01 Rev A - Standard Details Sheet 1  
P2741-10-02 Rev A - Standard Details Sheet 2  
OWL-BWB-GEN-XX-DR-TR-155 Rev P1 - Swept Path

Gabion Wall image

ETN/002 Rev C - Easton Elevations  
ETN/001 Rev A - Easton Floor Plans  
HTN/002 Rev C - Haddington Elevations  
HTN/001 Rev A - Haddington Floor Plans  
STN/009 Rev A - Seaton Elevations  
STN/001 Rev A - Seaton Floor Plans  
PTN/002 Rev C - Paignton Elevations  
PTN/001 Rev B - Paignton Floor Plans  
LBY/002 Rev C - Lathbury Elevations  
LBY/001 Rev A - Lathbury Floor Plans  
HBY/002 Rev D - Napsbury Elevations Plots 17-18, 23, 57-58  
HBY/002 Rev D - Napsbury Elevations Plots 3, 47-48  
HBY/001 Rev D - Napsbury Floor Plans  
SBY/002 Rev C - Sudbury Elevations  
SBY/001 Rev B - Sudbury Floor Plans  
RBY/002 Rev C - Ransbury Elevations  
RBY/001 Rev A - Ransbury Floor Plans  
CHM/002 Rev C - Chesham Elevations  
CHM/001 Rev A - Chesham Floor Plans  
DBY/012 Rev A - Denbury Elevations  
DBY/001 Rev B - Denbury Floor Plans  
FBY/009/ Rev A - Finsbury Elevations  
FBY/001/ Rev B - Finsbury Floor Plans  
KTN/009 Rev C - Kinnerton Elevations  
KTN/001 Rev B - Kinnerton Floor Plans  
HEL/001 Rev A - Helmsdale Elevations/Plans  
NIT/001 Rev A - Nithsdale Elevations/Plans  
WEY/001 Rev A - Weydale Elevations/Plans

Reason: In order to define the permission.

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

3. No development shall commence, including any works of demolition or site preparation, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The CEMP shall include strategies to mitigate any residual environmental or amenity impacts that cannot be adequately controlled at source.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property it is essential that this condition is complied with before the development is commenced.

4. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority have confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated. It is essential that this condition is complied with before any other works on site commence given that damage to archaeological remains is irreversible.

5. No development shall commence, including vegetation clearance, soil stripping or earth moving until the tree protection fence shown on the tree protection plan Rev 3 dated April 2020 has been put in place. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing

when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In order to protect the trees to be retained during construction in the interests of the amenities of the locality it is essential that this condition is complied with before the development is commenced.

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

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

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

7. Before that part of the development commences full details of the proposed external materials including the design and materials of the retaining walls and gabion walls shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

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

8. Prior to the commencement of the construction of any houses, a scheme for creation of hedgehog highways shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the relevant houses are occupied.

Reason: In the interests of mitigation the ecological impact of the development in accordance with paragraph 175 of the National Planning Policy Framework

9. Prior to occupation of any of the dwellings, a scheme for incorporating the following bird and bat boxes together with a timescale for their implementation shall be submitted to and approved by the Local Planning Authority:

- Minimum of 6x habitat integrated bat boxes;
- Minimum of 4x integrated house sparrow boxes;
- Minimum of 4x integrated starling boxes;
- Minimum of 4x integrated swift/house martin boxes;
- Minimum of 6x open-fronted bird boxes, attached to retained trees//bushes at the perimeters; and
- Minimum of 6x hole-entrance boxes, attached to retained trees/bushes at the perimeters.

The development shall be carried out in accordance with the approved scheme and time scale.

Reason: In the interests of mitigation the ecological impact of the development in accordance with paragraph 175 of the National Planning Policy Framework

10. The lighting scheme for the construction period and the permanent lighting for the highways and footpaths shall be designed to follow current best practice guidelines (Bats and Artificial Lighting in the U.K. 2018). Prior to the permanent lighting scheme being implemented a report assessing the scheme against the above guidelines shall be submitted to and approved by the Local Planning Authority. Thereafter the approved scheme shall be implemented.

Reason: In the interests of mitigation the ecological impact of the development in accordance with paragraph 175 of the National Planning Policy Framework.

11. 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
- 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 (which shall include the provision of discounted public transport tickets to be provided to new residents), 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 Core Strategy Policy CS 53.

12. 20% of the houses with on plot parking shall be provided with electric charging points and a further 30% of the houses with on plot parking shall be provided with infrastructure to allow the home owner to install an appropriate electric vehicle charging point. Details of the charging infrastructure and plots to be provided with the electric charging infrastructure shall be submitted to and approved by the Local Planning Authority before construction of the housing commences. The approved details shall be implemented before the relevant houses are occupied.

Reason: In the interests of encouraging sustainable travel and mitigating the air quality impact of the development.

13. Pruning works to minimise damage to the retained trees G7a-d, G7f, G8a, G8d-e and G9a shall be carried out by qualified landscape contractors in accordance with the details in the Ecological Management Plan dated April 2020 prior to any vegetation clearance, regrading works or development taking place adjacent to the retained trees G7a-d, G7f, G8a, G8d-e and G9a. Prior to these pruning works being undertaken the tree pruning work schedule specified in paragraph 3.24 of the Ecological Management Plan shall be submitted to and approved by the Local Planning Authority.

Reason: In order to protect the trees which are being retained in the interests of the amenities of the locality and mitigating the biodiversity impact.

14. Prior to the construction of the water storage pond shown on plan P2741-01-02-Rev G commencing, details of the design of the retaining walls including the material finishes and structural design shall be submitted to and approved by the Local Planning Authority. Thereafter the water storage area shall be constructed in accordance with the approved details.

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

15. The approved renewable and low carbon energy equipment and measures to achieve the alternative fabric first approach, as set out in the Energy Report Ref 007780 dated Dec 2019 and the Eco2Solar quotation dated 24.4.2020, shall have been installed/incorporated before the relevant properties are 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 the substantial completion of the last dwelling.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change.

16. That part of the ecological management plan that relates to habitat management is not approved as part of this consent and prior to any works commencing within the buffer zone shown on the approved plans, a revised ecological management plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, shall have been submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall thereafter be implemented as approved.

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

17. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

a) Be based on the findings of an approved noise survey (ref: LDP2266, rev: 2, dated: 11/03/19, prepared by: BWB).

b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);

Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

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

18. The play area shown on plan 3573/1 Rev F shall be constructed and available for use prior to the occupation of 50% of the houses comprising of Plots 68-74.

Reason: In the interests of meeting the recreation needs of future residents.

19. The approved landscape works, as shown on plans 3573/2 Rev C, 3573/3 Rev C and 3573/4 Rev B shall be implemented prior to the substantial completion of the last dwelling or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that five year period shall be replaced unless otherwise approved by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and compensating for the impact of the development on biodiversity and tree loss.

20. No services shall be located in the buffer zone or within the tree root protection zone unless the construction methodology has been submitted to and approved by the Local Planning Authority. Thereafter any services provided within the buffer zone shall be implemented in accordance with the approved details.

Reason: In order to protect the trees which are being retained in the interests of amenities of the locality and mitigating the biodiversity impact.

21. Mitigation against the impact of falling leaves as set out in paragraphs 2.33 and 2.34 of the Tree Impact Assessment shall be implemented before the properties located close to retained trees G11a and G13d are occupied and before the properties identified in paragraph 2.34 are occupied.

Reason: In order to protect the trees which are being retained in the interests of amenities of the locality and the amenities of future occupiers of the site.

22. The water storage area and connecting pipework shall be implemented before the first house is occupied.

Reason: In the interests of ensuring that the site is properly drained and in order to minimise the risk of flooding.

23. The permitted regrading and construction works to take place in the buffer zone shown on the Tree Protection Plan shall be carried out in strict accordance with the relevant details and working methods as specified in the Ecological Management Plan dated April 2020.

Reason: In the interests of protecting the trees to be retained in the Local Wildlife Site.

24. The air quality mitigation measures as set out in table 6.3 of the Air Quality Assessment and the Travel Plan and shall be implemented in accordance with the details set out in Travel Plan, the detailed Travel Plan and the planning conditions.

Reason: In the interests of mitigating the air quality impact of the development.

### **Other Compliance Conditions**

25. The drives shall not be used unless 2.0 metres x 2.0 metres vehicle/pedestrian intervisibility splays have been provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained.

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

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

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

27. Where access driveways give both vehicular and pedestrian access to a dwelling, the driveway shall be at least 3.2 metres in width.

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

28. The drives/vehicular access points shall be designed to be hard surfaced and shall not be surfaced in loose gravel or chippings which have the potential of being carried onto the footway or carriageway.

Reason: In the interests of the visual amenities of the locality and pedestrian safety.

29. There shall be no obstructions at the eastern end of the shared drive that serves plots 7-10 which will prevent access or egress by emergency vehicles from the eastern end of the drive.

Reason: In order to not preclude the potential of creating an emergency vehicle only link between plots E and D to provide a second point of access for emergency vehicles in the interests of public safety.

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
2. Construction works should be undertaken in accordance with recommendations 6.18, 6.20, 6.21, 6.22, of the ecological impact assessment.

3. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Highway Co-Ordination  
Sheffield City Council  
Town Hall  
Sheffield  
S1 2HH

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

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

4. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:

- Reference to permitted standard hours of working:  
0730 to 1800 Monday to Friday  
0800 to 1300 Saturday  
No working on Sundays or Public Holidays;
- Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements;
- A communications strategy for principal sensitive parties close to the site;
- Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:  
Noise - including welfare provisions and associated generators, in addition to construction/demolition activities  
Vibration  
Dust - including wheel-washing/highway sweeping; details of water supply arrangements;
- A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate;
- A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment;
- Details of site access & egress for construction traffic and deliveries;
- A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [eps.commercial@sheffield.gov.uk](mailto:eps.commercial@sheffield.gov.uk).

5. South Yorkshire Police have recommended to design and build to Secured by Design standards. SBD New homes 2019.

Registration for Secured by Design Developer's award can be found at [www.securedbydesign.com](http://www.securedbydesign.com)

6. 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](mailto: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.

7. 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](mailto:james.burdett@sheffield.gov.uk)

8. Vegetation clearance should take place outside the bird breeding season from March to August inclusive unless a qualified ecologist conducts a nesting bird check immediately prior to any works taking place and if nests are identified within the site development area development is stopped until all chicks have fledged.

9. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

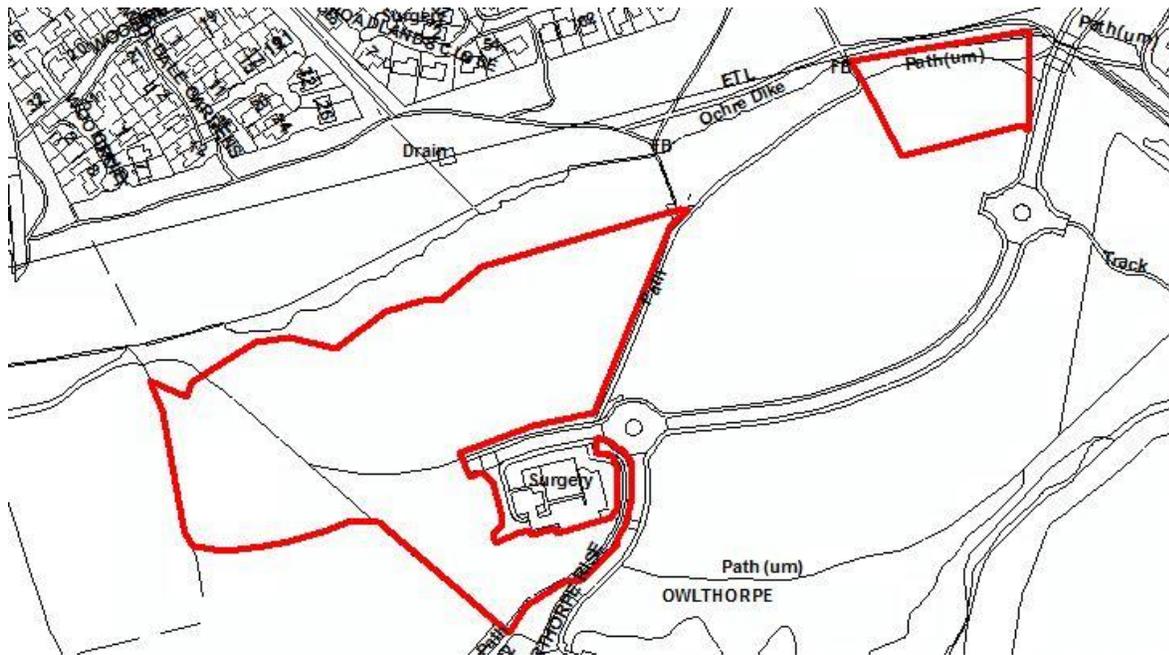
If you require any further information please contact:

Mr S Turner  
Highway Adoptions  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 4383  
Email: [stephen.turner@sheffield.gov.uk](mailto:stephen.turner@sheffield.gov.uk)

10. 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 housing site is situated on an area of regenerating woodland and scrub to the south side of the Ochre Dyke Valley. It surrounds the Owlthorpe Doctors Surgery and is accessed from the same leg of the roundabout that serves the surgery. The site generally slopes down from the south to the low point in the north east. The application site also includes two detached areas of land. To the north east adjoining Ochre Dyke a surface water detention pond is proposed. To the south east of the doctor's surgery adjoining Moorthorpe Rise a play area is proposed.

To the south of the site the Woodfield Heights housing estate stands alone on the hillside. To the east there is similar open regenerating woodland and scrub. To the north and east there is mature woodland and grassland areas which are designated Local Wildlife Sites. The site forms part of a wider Owlthorpe housing development area which is expected to deliver approximately another 160 houses.

The application is seeking permission for 74 houses, 15 of which are affordable shared ownership houses. The affordable units comprise of 4 x two bedroom; 6 x three bedroom; and 5 x four bedroom units. The market houses consist of 24 x three bedroom; 31 x four bedroom; and 4 x five bedroom units. The affordable units are generally clustered around the doctor's surgery. The scheme provides a minimum of 2 parking spaces per dwelling with some of the larger units having 3 spaces in a mixture of on plot parking and parking in courts. There are a total of 184 parking spaces and an additional 14 visitor spaces.

The new housing will be served off an extension to the access road that serves the doctors surgery with cul-de-sacs leading off either side. The northern part of the site adjoining Ochre Dyke is to be kept as open space (approximately 15% of the site) with houses orientated north to overlook it. The housing has been designed to generally face on to the estate roads with a perimeter block layout; car parking is located to the front and side of the houses. The houses are to be faced in red and grey brick with some feature areas of render. Most of the houses are 2 storeys with some 3 storey units being sited at key focal points. They are mainly detached with a small number of semis and some terraced units adjacent to the doctor's surgery. The house designs are traditional with pitched roofs and larger scale contemporary window openings.

## SUMMARY OF REPRESENTATIONS

### Statement of Community Involvement

The Council's Statement of Community Involvement strongly encourages pre-application consultations. The applicant posted a letter to 112 residents and local councillors in May 2019 which included an offer of a meeting at the Owlthorpe Medical Centre to discuss the scheme. The letter described the scheme, included a location plan and site layout. 94 responses were received. The key issues raised by more than

10 responses are listed below. The other issues raised can be found in the applicants Statement of Community Involvement.

- Increase in traffic/congestion
- Loss of wildlife
- Loss of open/green space
- Increased pressure on local services eg GPs/Schools
- Increase in air pollution
- Strain on existing roads
- Loss of trees
- Brownfield sites should be developed instead
- One access is not enough
- Lack of public transport facilities

Two letters supported the development, accepting the need for more housing.

The Statement of Community Involvement explains how the applicant has responded to the issues raised in the public consultation exercise.

#### FIRST ROUND OF PUBLIC CONSULTATION

Public consultation on the planning application was undertaken via individual letters, site notices and a newspaper advert.

In response to the first round of public consultation 172 objections and 1 comment in favour of the proposal were received. The comments are summarised below.

The Campaign to Protect Rural England has objected although they have made it clear they are objecting to the form of the development rather than the principle.

- They consider the development should be refused as it is too low density at 25 dwellings per hectare (dph) when the design brief suggests 40-60. They draw attention to paragraph 123 of the National Planning Policy Framework (NPPF) which says that local authorities should refuse development that fails to make efficient use of land.
- They consider further ecological surveys are required before permission can be considered. They consider an Environmental Impact Assessment is required for the Owlthorpe sites as whole.
- They consider the development is too car focused and wastes space by providing car parking for each dwelling. Does not promote active travel and the affordable housing is not well integrated. They consider the housing is being designed to low sustainability standards and should be built to Passivent or equivalent standards. The guidance on sustainable design, renewable energy

and green roofs in Core Strategy and the Climate Change SPD has been ignored.

Sheffield and Rotherham Wildlife Trust has objected although they accept that the site has been allocated for housing for a long period but consider it would be preferable to delay releasing the site until a more up to date assessment of the need to develop Greenfield land is available after the Local Plan is published.

- They consider insufficient ecological information is available and the additional surveys recommended in the application submission should be undertaken before a decision can be made. The Preliminary Ecological Appraisal report is insufficient and an Ecological Impact Assessment should be produced along with an Arboriculture Impact Assessment as there is an assumption that the buffer zone and landscaping proposals will result in biodiversity enhancements but there is no evidence to support this.
- A 15m buffer zone between the LWS to the north of the site should be clearly mapped on the plans. They would like to see a similar buffer provided to the Local Wildlife Site to the west of the site, it is unclear on site where the wildlife site boundary is and this should be mapped.
- An Environmental Statement should be submitted for the wider allocated Owlthorpe sites and used to inform a Masterplan and Biodiversity Net Gain assessment. There should be green links through the development site in the form of native street trees and wildflower verges. A green infrastructure framework should be provided for the wedge of green space within which the play area and multi games area is proposed.
- The category A and B trees should be retained and any mature trees lost should be replaced by 3 young ones. There should be a woodland buffer management plan and an orchid translocation plan. Green roofs should be provided on the housing and ecologically sensitive lighting provided especially adjacent to the buffer zones. An Ecological Design Strategy should be conditioned, there should be mitigation for loss of barn owl habitat and bird and bat boxes should be integrated into the development and a hedgehog highway designed into the scheme. Some more natural elements of play should be designed into the play area and a native wildflower area incorporated into the landscape plan. An Ecological Management Plan should be conditioned for the whole site.

Owlthorpe Fields Action Group has objected on the following grounds;

- A decision cannot be made on the basis of the UDP and Core Strategy as they are contradictory with the NPPF and out of date. Given the climate change emergency no planning approval on Owlthorpe Fields can be issued until a Climate Change Action Plan is in place.

- Sheffield's Brownfield Register last updated in Dec 2018 shows 9926 deliverable houses. The Council have to build 2000 houses per year which is just under 5 years supply of housing therefore why should permission be allowed on a Greenfield site? The Core Strategy policies support the development of previously developed land. Although policy CS 24 says that Greenfield sites will be developed at Owlthorpe there is a caveat that the land should not be of high ecological, landscape or recreational value which the site is.
- The HSE should be consulted as the site is within 100m of 2 high pressure gas pipelines.
- The development will urbanise a site with a rural character which is contrary to Core Strategy objectives and the UDP policy on Areas of Special Character.
- Owlthorpe Fields should be declared as a conservation area due to the protected species present.
- The site is close to the Green Belt and a development of this scale would change the nature of the Green Belt in this location and therefore is contrary to Core Strategy and Green Belt policies.
- Owlthorpe Fields are important for health and well being as they are used for recreation and leisure and the only expanse of green space open to local residents. This is recognised by Unitary Development Plan (UDP) Policies BE11, GE11 and Core Strategy Policies CS45, CS47
- The development should minimise its effect on the climate by minimising carbon emissions and being of a sustainable design which it does not achieve. Core Strategy policies and objectives that support this are quoted including CS63, CS64 and CS65.
- The noise assessment does not consider the noise impact on existing houses during construction. If development is permitted working hours should be limited to between 8am to 5pm Monday to Friday with no working at weekends or bank holidays.
- The arboriculture report should include the Suds area and proposed play facilities sites. Planning permission should not be granted until an Arboriculture Impact Assessment and Tree Protection Plan has been approved. The tree survey did not survey the smaller trees and it is recognised that self set are valuable and should be retained regardless of size. The parking and road areas should be excluded from the 15m buffer zone adjoining the woodland to the north of the site. Some of the properties are in areas where the arboriculture assessment recommends trees should be retained. The hedgerow that crosses the site dates to 1877 and should be managed and brought back into a good condition. The hedgerow should be classed as important under the hedgerow regulations. The

removal of trees is in conflict with the Climate Change Emergency, para 170 of the NPPF, Core Strategy objectives, UDP Policies GE15 and LR5.

- The location of the play area is not suitable as it is not well overlooked, its remoteness will invite anti-social behaviour, it is too close to existing houses and will cause disturbance and it will have a harmful impact on the existing woodland and hedgerow, this is contrary to UDP Policy H16
- The development is adding to the air quality problem and also removing trees. It does not take into account the A6135 Moor Valley Road or the congestion along Waterthorpe Greenway and Moss Way or the cumulative impacts from new housing in the local area.
- The Preliminary Ecological Appraisal is criticised as being dismissive of the wildlife value of the site. It is argued that a full Environmental Impact Assessment should be undertaken before a decision on the planning application is made. They list species including protected species which are present/use the site. The importance of the adjoining Local Nature Sites is described. It is also pointed out that the Natural England records classify site E as, "Priority Habitat Inventory – No main habitat but additional habitats exist (England)".
- The additional traffic will create additional capacity difficulties for local residents. The transport assessment is criticised in not taking into account other housing development within 2.5Km of the site. It is argued that peak periods have not been correctly identified in the transport assessment and that additional junctions should have been considered. Traffic counts should also take place to cover the busy weekend periods. The Moorthorpe Gate/Donetsk Way junction will be totally inadequate with the additional traffic generated by the development as long queues already develop due to right turns into Moorthorpe Gate. The completion of the Moorthorpe Way road link should be a condition of the development should the existing access to the site become blocked residents will not be able to leave and emergency access to the surgery will be prevented. The safe walking routes to some of the local facilities are longer than suggested in the transport assessment and therefore not practical to walk.

Other Representations from local residents:

#### Access

- The development will worsen traffic on roads that are already congested and the roads cannot support additional traffic. This will increase the risk of accidents for pedestrians. Parking at Crystal Peaks is often full and traffic backs up along Donetsk Way, Waterthorpe Greenway and Moss Way and as far as Beighton Road and Birley Spa Lane. The roundabout in Drakehouse Retail Park and the right turn from Donetsk Way onto Moorthorpe Gate are already congested and the development will worsen these problems. The access on to Moss Way is

dangerous. The applicant's traffic survey has been done on a Tuesday; they should be required to do a survey on a busy day such as all day Saturday and Sunday. Speed of traffic and pedestrian crossing facilities on Moss Way need to be addressed. The proposal will worsen commuter parking near to the tram stop which causes blockages for buses and emergency vehicles. It will also worsen traffic on the east part of Moorthorpe Way which is already used as a rat run. It is a narrow road with parking on both sides and motorists already speed on this route and there is the potential for an increase in accidents. It will adversely affect access to Owlthorpe Surgery.

- The tram and bus is already at capacity during rush hour and cannot accommodate this development. More trams would mean more noise. The site is not well served by buses.
- The development will remove at least 5 footpaths used by lots of walkers.
- The site should be provided with more than one point of vehicular access and then buses could run through the estate. A second point of access would ease congestion at the existing junctions and is also needed for emergency services. There should at least be a trigger point when the potential access to Moorthorpe Way North West is provided. Providing an access to Moorthorpe Way would tempt drivers to use it to by-pass traffic congestion around Asda and Crystal Peaks. An access to Moor Valley should be provided to take traffic away from Donetsk Way.
- The walking routes to local schools are too distant and they are not well served by public transport. The development will generate many extra school runs. There is no safe pedestrian crossing point on Moss Way. Local footpaths are not surfaced and lit. The travel plan is unrealistic the distance to bus and tram stops are significant and up a hill.
- There are sites closer to Sheffield that could be developed with less reliance on the car.

#### Ecology/Wildlife

- Despite what the applicant says a valuable habitat has developed since the site was designated for housing and is now well established woodland which should not be developed. The scheme will have a harmful impact on wildlife and flora, lots of different wildlife has been listed in representations as utilising the habitat on the site. It is not accurate for the applicant to suggest that the development will improve biodiversity. The proposal is contrary to NPPF objective of securing net gains to biodiversity.
- The surveys recommended in the ecology statement should be carried out before the Council agrees planning permission. The Ecological survey was undertaken over 1 day which is insufficient to evaluate the biodiversity of the site. There is an

active badger sett near the site and an outlying sett bordering the site which may become active at some point – the development will result in the further loss of badger territory. Barn owls which are a protected species nest near the site and the loss of their habitat would be damaging. Bullfinches Redwings, and Blackcaps have been observed on the site and grass snakes have been observed within 500m of the site.

- The site is unimproved grassland and should be designated a SSSI in accordance with the Council's grassland habitat action plan. Therefore the proposal should be considered contrary to the NPPF which says that development likely to have an adverse effect on a SSSI should not normally be permitted. The proposal will be contrary to the Environmental Objective of sustainable development in the NPPF and S13.2 of Sheffield's Core Strategy.

#### Air Quality

- The air quality will be worsened due to the extra traffic and congestion and this will have an adverse impact on health and well-being. The mitigation of paying a contribution for pollution is putting profits before resident's health. The loss of the trees will have a huge impact on air quality and is contrary to the need to fight climate change.

#### Open Space

- It will have a detrimental impact on open space due to the loss of open space for walking/running/dog walking/observing nature and children's play, the site is local people's parkland which is important for health and well-being. There are no other green spaces nearby and the local community have been involved in making the site an area where wildlife can thrive. The development contravenes themes in the Council's Green Strategy.

#### Housing Land

- There is an adequate supply of housing and there are other Brownfield sites which could be built on and the housing is not needed. Social housing residents may not take pride in their property.

#### Affordable Homes

- They should not be grouped together but distributed throughout the site closest to public transport and not near existing residents.

#### Green Belt

- The site is next to the Green Belt and will have an adverse impact on it.

#### Character

- The site will have a harmful impact on the peaceful rural Greenfield character and the landscape character of the area by urbanising the site. The new development will be an eyesore.

#### Over-development

- Too much development is proposed on the site. The general surroundings are overdeveloped due to expansion of retail and leisure facilities and new housing which has meant that the roads are not able to accommodate the traffic levels. This change has occurred since the plans to develop the site were made.

#### Infrastructure

- Schools, GP surgeries are already over capacity with long waits to get an appointment at a surgery. There are no shops, schools, play areas, community centres and bus routes close to the site to serve the development.

#### Climate Change

- The destruction of ecological interest, trees and additional traffic is contrary to the Council's Climate Change commitment of working towards a zero- carbon city. Green spaces are important as carbon sinks for capturing and storing Carbon Dioxide.

#### Play Facilities

- Provision should be made for children's play. This part of Sheffield has no local parks. The play facilities should be in one of the locations identified in the planning brief such as by the medical centre, by the tram stop, adjacent to the kick pitch, by one of the roundabouts. The extent of facilities proposed is likely to serve the wider community not just this site. As proposed they will result in the loss of a green buffer with the existing housing.
- Existing residents will be affected as play areas attract anti-social behaviour and the site is not overlooked. Sport England has identified noise from MUGAs as an issue, their guidance highlights noise from the voices of players, impact noise of balls hitting fences and undertaking noise assessments. A noise assessment should be undertaken, construction methods, location of entrances and poor design can all affect noise.
- A full assessment of the impact on neighbours needs to be carried out and should include a light assessment if it is to be lit, it cannot be left to planning conditions. Will the MUGA be open 24 hours and how will it be managed? Consideration should be given to alternative facilities which will have less impact such as a grass pitch/green gym which would be more in keeping with the green character of the site. The site is allocated as open space. The MUGA would be contrary to the aims of UDP policy LR4 as it would detract from the natural

environment and be a prominent urban structure. An existing kick about pitch was used for a short time then became overgrown these facilities could become derelict and a focus for anti-social behaviour. The proposal is contrary to previous plans that have undergone public consultation.

### Sustainable Urban Drainage

- A number of technical criticisms have been made of the flood risk assessment drainage report. The proposals will increase flooding due to the volume of water being discharged to Ochre Dyke. There is no water quality assessment, the attenuation features are undersized and cannot be constructed as proposed.

### Construction

- Construction works will cause increased noise and dust with HGVs blocking roads restricting access to the Doctors Surgery and disrupting traffic and public transport.

### Property Values

- The development will devalue houses – this is not a planning issue

### Other issues

- The impact of the Owlthorpe development as a whole should be considered. The development will create light pollution.
- The development will result in the virtual joining up of a number of estates which will increase crime and drug problems.
- Wider consultation should have been undertaken

### Representation in favour of the proposal

- There is a shortage of housing in Sheffield and this is a good location this site having been earmarked for housing for a long time. The site has become overgrown as it has not been developed and the main wildlife using the site is dogs being walked. 72 houses will not have a significant impact on trams, schools or the doctors' surgery there are no local capacity issues with any of these services. The objectors are just worried about their property values and raising other issues to disguise this. The Council should grant permission.

## SECOND ROUND OF PUBLIC CONSULTATION

A second round of public consultation was undertaken in late January 2020 to publicise an amended site layout; the removal of the Multi Games area; amendments to the design of the surface water storage area; and additional information on levels, traffic, ecology and tree impacts.

162 objections have been received in the second round of public consultation. Many of these repeat issues raised previously so the following section summarises the main additional points. Many respondents consider the amendments have not addressed their previous objections. The additional points raised are as follows:

#### Sheffield and Rotherham Wildlife Trust

- Reiterated their objections from the first round of consultation. In addition they would like to see a biodiversity net gain assessment carried out to ensure a 10% gain in line with the government's recommendations for this site and the wider site. The buffer zones should not form part of any construction footprint. They consider the ecological impact on the LWS could be an underestimate as they consider the recreation pressure could be greater than assumed.
- Clarification is required as to which parts of the hedgerow are to be removed which could be in breach of the hedgerow regulations and contrary to policy GE15. The SUDs pond should include a biodiverse reed bed filtration system and should be covered by a wider ecological management plan.
- They have recommended that a fungi and invertebrate survey is undertaken in the light of the species that have been found in the wider site and LWS.
- They question the adequacy of the bird breeding survey and point out the species identified is lower than seen by Sheffield Bird Study Group and is therefore likely to be an under recording of species.
- They recommend further surveys or combining desk top data to ensure adequate mitigation and compensation.
- Ecologically sensitive lighting should be conditioned for this scheme and the woodland buffer zone should be managed to the benefit of the red listed bird the Willow Tit.
- If orchids are on the site they would like to see a translocation plan. They would also like to see a higher number of bird and bat boxes than recommended in the impact assessment.
- They have questioned the use of the Warwickshire Biodiversity Calculator preferring the Defra 2.0 metric tool, a beta test version. They would have liked to see a clearer version of the biodiversity calculator on the Council's web site along with the guidance notes. They consider the connectivity part of the calculator should have been included. They consider there is a lack of information as to where the biodiversity credits will be used.
- The hedgerow that crosses the site features on a map from 1790 and therefore meets at least one of the criteria of an important hedgerow- 'it is part of field system or looks to be related to any building or other feature associated with the field system that existed before 1845'. It is suggested that the Council consult the SCC Tree Manager and Ecology Manager to avoid any breach of the regulations.

The Campaign to Protect Rural England

- Reiterated their previous objections. They consider further ecological data is needed before the application can be lawfully determined. They note the absence of a Coal Mining Risk Assessment and consider the Geo-environmental Appraisal is not sufficient to rely upon. They consider the energy/carbon measures suggested by the applicant in their amended energy report are insufficient.

#### Butterfly Conservation Yorkshire

- Have objected to the application on the grounds that an invertebrate survey has not been undertaken. Invertebrates as pollinators are increasingly being recognised. An appropriate survey should be undertaken prior to a decision being made.

#### The People's Trust for Endangered Species

- Have objected on the grounds that the hedgerow described as defunct is an ancient species rich hedgerow which and the developer should pay appropriate compensation for its loss.
- Parking spaces and roadway should not extend into the 15m buffer zone which is designed to soften the landscape and provide a transition to the ancient woodland.
- The priority habitat lowland meadows and pastures is recorded across the whole site and this is not reflected in the compensation strategy. The site is close to ancient semi-natural woodland sites making it an important stepping stone habitat.

#### The Owlthorpe Fields Action Group

- Have reiterated their objections to the original submission. The new points raised include the following comments.
- The development will provide houses for well-off people not the houses Sheffield needs.
- Criticisms are made of the noise assessment including that noise should be monitored for a full 24 hour period. They consider there should be a guarantee that noise from the play area will not cause annoyance for local residents.
- They consider the ancient hedgerow that crosses the site has not been properly assessed. An 1877 map has been submitted showing the hedgerow, it also appears on a 1790 plan as do other hedgerows such as the one bordering the northern edge of the water storage pond. The ancient hedgerows are heritage assets and all these hedgerows should be retained. They point out that the play area is within an area that was subject to a previous planning permission as an open space area associated with a housing development and should not be used for the play area.
- The air quality assessment is criticised as it is considered that the site should be considered a high risk given the proximity to the LWS. They also question

whether the air quality assessment has taken into account the larger attenuation pond and the likelihood of exposing coal and bedrock. They consider it is not reasonable to off-set the impact on air quality with money.

- Numerous criticisms of the ecology appraisal are made. It is argued that the site is a core component supporting the local ecological network and the inadequate information has been submitted as to the cumulative impacts of the proposal. There should also be clear evidence that the strategies to secure Net Biodiversity Gain, enhancement and mitigation are deliverable.
- There is concern that the surveys did not consider the play area and attenuation pond. They consider the bird surveys are poor and a survey of invertebrates should be undertaken.
- In terms of highway impacts they consider the Moorthorpe Way/Moss Way/Ochre Dyke Lane junction should have been considered in the transport assessment given that there is a record of accidents. They consider that construction traffic should have been assessed in the Transport Assessment. They also question whether the transport assessment has considered all the necessary committed developments.
- They have questioned the technical design of the attenuation pond saying it has only allowed for a 30% climate change allowance when it should have been 40%. It is stated that archaeological, open space, biodiversity and coal mining assessments have not been submitted when they should have been and that coal may be extracted as part of the development. It is also stated that the proposed development poses a risk to ground water and surrounding watercourses.
- The red line application boundary is incorrect and part of the new play area is not Council land.
- Covid19 has shown the need for local community green space such as Owlthorpe Fields.
- Paying money to off set biodiversity harm is not acceptable.
- The NPPF says that development should be refused if it results in the loss or deterioration of veteran trees. Some of the trees in the LWS are veteran trees. These trees will be put at risk by the development and air pollution will have a negative effect on these trees. The buffer zone adjoining the LWS should exclude all development. The action group have carried out their own tree survey on parts of the development area and at least 400+ trees above 7.5cm diameter have been missed off the tree survey.
- The drainage proposals have the potential to affect trees in the LWS as water diverted to the water storage pond could mean the wooded area and Ochre Dyke could dry out. Compaction of land could reduce the water flow to the watercourse. The water discharged to the Ochre Dyke could be polluted. High ground water levels have not been considered by the developer. The gabion walls forming the attenuation pond will be out of character with the area.
- The site layout does not achieve 'place making'. This is illustrated by the parking dominated layout, low density housing, left over spaces and scattered parking, lack of connectivity for walking and cycling, a doctors surgery disconnected from

its context, standard house types, layout dominated by cul de sacs and poorly laid out affordable housing.

- Unofficial prescriptive rights of way have been established and residents would like to claim these rights of way and the development should not be considered until this is resolved.

Clive Betts MP has objected

- Whilst he is in favour of some housing it should minimise its impact on ecology and the environment.
- The three sites should have been seen together as part of an overall masterplan.
- There are outstanding environmental and ecological impact concerns raised by others such as the Wildlife Trust.
- The housing scheme is not of sufficient quality for a sensitive site such as this. The density should be higher so less land is taken up and the scheme should be rejected as it does not meet the Council's density guidelines. The lower density is so the applicant can make a larger profit from executive housing.
- The way the social housing is proposed does not conform to Council policy.

Councillor Robert McCann has objected in support of the residents and the members of Owlthorpe Fields, as follows:

- There are discrepancies between the plans showing the MUGA. The LEAP, MUGA and substation should be provided within the housing site as originally proposed not the buffer open space further impacting on greens space and ecology.
- The development will entice criminals into the area
- The ecological reports do not adequately represent the wildlife present and the mitigation proposed is inadequate. The site is a haven for a much wider variety of bird life than the applicant's survey shows. The bird surveys take no account of the birds of prey that visit the site. Avant have failed to carry out the environmental mitigation they were supposed to at other sites such as Sheafdale Grange in Sheffield and a site in Coalville and so their assurances about mitigation should be treated with scepticism.
- Members should visit the site to see the changes since the site was originally designated as a housing area.
- The building of houses and loss of trees will worsen flooding. The storage pond has the potential to flood the road and stop access to the estate and doctors surgery. The storage pond will be visually intrusive and serves more than site E and therefore if granted will mean permission will be granted for the other housing sites. The storage area will be vulnerable to fly tippers and creates a safety problem. A wetland area should be provided instead of the water storage pond.
- The planning brief does not give enough consideration to the environmental objective of sustainable development. It does not do enough to promote

outstanding designs and high levels of sustainability. It ignores the threat to species extinction and does not take a strategic approach to maintaining networks of habitats and green infrastructure.

- The site has not been surveyed for disused mine shafts and soil surveys have not been done for contamination.

One representation in support has been received provided that walking routes are improved; the Ochre Dyke is cleaned and a park is created towards the top of the site.

## PLANNING ASSESSMENT

### Policy Issues

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

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

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

### Land Use

The majority of the housing lies within a housing area and is also an allocated housing site as defined in the Unitary Development Plan (UDP). Housing is the preferred use, UDP Policy H10. Within allocated housing sites Policy H13 says the only certain uses will be permitted and these include housing and open space.

A small portion of the site is designated as a Local Shopping Centre in the UDP as part of the Proposed Housing Site. Policy S7 states that shopping is the preferred use and housing (C3) is an acceptable use within Local Shopping Centres. Policy S10 part a) says that in shopping areas new development or change of use will be permitted provided it would not lead to the concentration of uses which would prejudice the dominance of preferred uses in the area or its principle role as a shopping centre.

The surface water storage area falls predominantly in a Housing Area and the play area falls predominantly within an Open Space Area. A play area is an open space use.

The development proposal delivers housing and open space and therefore accords with Policies H10, H13 and S7. Neither the Core Strategy (2009) nor the Planning Brief for the site (2017) promote a Local Shopping Centre as part of the proposed housing site. There are no shopping or leisure facilities on the site currently or being proposed, so officers consider that Policies S7 and S10 are not relevant to making a decision on the application.

Policies H10 and H13 are consistent with paragraph 59 of the NPPF which says 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. In addition paragraph 67 says that authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period. This site is included in the Council's identified 5 year supply of housing sites.

The Council has recently updated its 5-year housing land supply position adopting the latest guidance. This shows that the Council has a 5.1 year supply.

Policy H10 is not out-of-date as the Council has a 5 year housing supply It is also consistent with paragraph 59 of the NPPF and should be given significant weight. Policy H13 which identifies allocated housing sites is considered to be consistent with the NPPF and should be given significant weight.

#### Previously developed Land / Greenfield Site

Core Strategy Policy CS 24 seeks to maximise the use of previously developed land for housing. It says 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 in the period between 2004/05 and 2025/26. It also says that in the period to 2025/26, housing on Greenfield sites will be developed only in certain areas, one of which is in the Owlthorpe Township.

This proposal accords with this policy because the site has been identified as a sustainable Greenfield housing site which is needed to meet Sheffield's housing needs in the period to 2025/26.

This policy gives priority to the development of previously developed land for housing which is consistent with paragraph 117 of the Framework, which promotes the effective use of land and the need to make use of previously-developed or 'brownfield land'. Paragraph 118 (b) goes on to state that substantial weight should be given to utilising brownfield land within existing settlements. The policy should therefore be given significant weight.

The development of this Greenfield site is compatible with the NPPF as it is part of a wider strategy for prioritising previously developed land for housing.

### Housing Land Supply

Core Strategy Policy CS22 relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5-year supply of deliverable sites will be maintained.

This proposal is consistent with this policy as this site is identified as part of Sheffield's 5-year supply of deliverable sites.

However, the NPPF (2019) now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method.

Although the Council has a 5-year supply at this time weight cannot be afforded to the housing figures identified in CS22. However the reference to maintaining a 5-year supply of deliverable sites is consistent with the NPPF. Given this it is considered that this aspect of the policy should be given significant weight.

The proposal is considered to be consistent with the NPPF as it is developing housing on a site which is part of Sheffield's 5 year supply of housing.

### Density

Core Strategy Policy CS26 requires that housing development makes efficient use of land. It says that near to Supertram stops and high-frequency bus routes in the urban areas the density of housing development should be within the range of 40 to 60 dwellings per hectare. In the remaining parts of the urban area it should be within the range of 30-50 dwellings per hectare. It also says that density outside of these ranges will be allowed where it achieves good design, reflects the character of an area, or protects a sensitive area. 'Near to' is defined as within easy walking distance, being 400m to a high frequency bus route or 800m to a Supertram stop, taking into account barriers such as railways or rivers. All the site lies within 800m of the Supertram Stop (although the walking route is not level) this means the density should lie within the range of 40-60 dwellings per hectare.

In this case the density is just over 30 dwellings per hectare and is therefore lower than the guidance in Policy CS26. However in this case it needs to be acknowledged that the character of the area is one of lower density 2 storey housing. The site is also located on a prominent hillside with a green setting where high density housing is likely to appear out of character. The site is steeply sloping and even with the lower density proposed the design cannot avoid significant retaining wall features which are necessary to provide level gardens and access roads. This would be accentuated if the density were increased which would impact negatively on the design of the

development. Furthermore the need in the area is for family housing which tends to require larger gardens. Therefore it is concluded that whilst the density is below the range set in CS26 it is justified for the reasons explained above and therefore is consistent with the policy.

Policy CS26 is consistent with the NPPF in that paragraph 122 says that planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;  
b) local market conditions and viability;  
c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;  
d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places. It is also consistent with paragraph 123 a) which says, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible.

It is therefore concluded that this policy strongly aligns with the NPPF and therefore should be given significant weight.

The proposal is considered to be consistent with the NPPF in that whilst the density is below the local density guidance this is reflective of the type of housing needed; the need to be sympathetic to the areas character and to achieve good design.

### Mixed Communities

Core Strategy Policy CS41 states that mixed communities will be promoted through the encouragement of housing development that meets a range of housing need including a mix of prices, sizes, types and tenures. Outside the City Centre and other highly accessible locations it requires a mix of housing including homes for larger households, especially families.

The development provides a mix of 2, 3, 4 and 5 bedroom properties which will include market housing and shared ownership. Strategic Housing colleagues have identified family housing with three and four or more bedrooms as a priority for open market sale in this area. The adjacent estate to the site, Woodland Heights, does not have any three bedroom properties and so the provision of these property types should help to increase

housing options in this neighbourhood. The proposal therefore meets the identified need in terms of market housing and is in accordance with Policy CS41.

This policy is consistent with the NPPF in that paragraph 8 defines the social objective of sustainable development to be 'to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations'. Paragraph 61 goes on to state that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers). In light of the above it is concluded that significant weight can be afforded to creating mixed communities in line with the NPPF.

The proposal is supported by the NPPF as it is delivering the type of housing needed in this area.

#### Planning Brief

A Planning and Design Brief was produced in 2014 and updated in 2017 which proposes housing on the site with the same boundaries as the application site. The brief went through a 6 week public consultation process and has been amended following the consultation. The Planning and Highways Committee also approved the brief.

The development brief supports this proposal.

The planning brief is a material consideration and is broadly consistent with the NPPF. It should therefore be given significant weight.

#### Affordable Housing

Core Strategy Policy CS40 says developers of all new housing developments will be required to contribute to the provision of affordable housing where this is practical and financially viable.

The supplementary planning guidance in the Community Infrastructure Levy and Planning Obligation Guidance sets out the expected developer contributions for the city's 12 Affordable Housing Market Areas. It says that in the South East of Sheffield there is a required contribution of 10% of the gross internal floor area of the development.

The proposed development exceeds the policy requirement as it will deliver 15 shared ownership units which equates to a 15% affordable housing contribution. The Council will retain the freehold interest to ensure the houses remain affordable in perpetuity. The affordable units are a mix of 2, 3 and 4 bedroom units. Within the South East HMA, houses with two, three and four or more bedrooms for social or affordable rent and

three and four bedroom houses for intermediate tenures have been identified as a priority.

Policy CS40 is consistent with the NPPF in that paragraph 61 says the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing). Paragraph 62 says where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and be expected to be met on-site unless certain criteria apply. As Policy CS40 is consistent with the NPPF it should be given significant weight.

The affordable housing element is supported by the NPPF.

### Open Space

Unitary Development Plan Policy H16 says that for new housing developments, developers will be required to ensure that there would be sufficient open space to meet the needs of people living there. For sites over 1 hectare a proportion of the site should be laid out as open space except where recreation space would continue to exceed the minimum guideline after the development has taken place. A proportion of the site is defined as at least 10% of the site. Policy CS 45 says that safeguarding and improving open space will take priority over the creation of new areas. Policy CS46 says that as opportunities arise new open space will be created where a quantitative shortage of open space is identified in the local area. Policy CS47 is concerned with safeguarding existing open space but establishes standards for the provision of open space.

In this case with the development completed the provision of informal open space will exceed the guideline in the policy but there will be a shortage of formal open space. The planning brief which covers the whole of the allocated Owlthorpe housing sites says that due to poor local facilities the provision of children's play is required as part of the development. It also says that the development must contribute to the success of the green infrastructure in this area to enable more sustainable development and lifestyles.

Approximately 15% of the housing site will be laid out as informal open space primarily along the northern boundary to create a buffer with the Local Wildlife Site. This exceeds the policy guideline set out in H16. Much of the water storage area will only contain water in times of flooding and will provide a dry level area for recreational use along with an area of biodiverse planting. This will create opportunities for physical activity and support the health and wellbeing for existing and future residents. The scheme will also improve existing open space by providing a play area within an area of informal open space to the east of the housing site thereby it is in line in line with Policy CS45. Therefore the scheme addresses the shortage of children's play and meets the planning brief requirement whilst also providing facilities that will serve the Owlthorpe site as a whole and also benefit the existing community particularly residents of the Woodland Heights estate.

The proposal is considered to be in line with Policies H16 and Core Strategy Policy CS45 and CS46.

The above policies are considered to be consistent with the NPPF in that paragraph 91 says decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles. Paragraph 96 says that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

The proposal is considered to be supported by the NPPF in that it will deliver new open space within the housing site and improve existing open space by the provision of children's play facilities.

A number of residents have objected to the proposal on the basis of the loss of open space as the housing site is used for running and dog walking, observing nature and children's play. Although much of the site is overgrown there are informal footpath routes across the site, which are used by residents for the purposes identified above. However the land use status of the site is a housing site and local people have taken the opportunity of using it informally as it has been vacant for some years and has not been secured. Much of the site is overgrown and not easily accessed; it contains no formal recreation facilities or formal paths. Whilst there is some loss of amenity for those residents who use the site, the area is well served by formal footpaths that run through woodland and Local Wildlife Sites. In this context and given the new open space and improved open space which is being provided it is considered that the loss of use of the site for physical activity/amenity is outweighed by the benefits of the replacement or improved open space and the delivery of much needed housing.

If the other phases of the Owlthorpe housing development progress it is expected that the existing open space to the east of the proposed play area will be enhanced by incorporating a multi-use games area (MUGA), footpaths, seating and planting whilst also retaining mature vegetation.

The design of the play area has been agreed with Parks and Countryside colleagues and will be maintained by the Council. It will incorporate 5 items of play equipment and a path that can be extended into the open space to the east. It is aimed at younger children ages 2 – 14 years. The play area will be reasonably well overlooked by housing that is being constructed on the development site. There will be further overlooking if Owlthorpe site C is developed for housing. It is proposed that the play area is delivered prior to more than 50% of the new houses which overlook the site being occupied.

Initially it was intended to locate the play area and a MUGA, which is aimed at older children, together. However detailed design showed that high retaining walls due to unhelpful levels would have been required which would have made the facility too visually intrusive in this location. Following discussions with Parks and Countryside colleagues it has been agreed that the best location for the MUGA will be on the overgrown 'kick about' area to the east where the levels are more conducive to a facility that requires a flat playing area. As this will not be overlooked unless further housing on Owlthorpe site C is developed it has been removed from the current application and will be brought forward as part of a subsequent phase. It is intended that these two formal play facilities will sit within a park setting incorporating landscaping a footpath and seating.

This application will deliver the play area which will meet the open space needs of this phase of the scheme and provides a significant benefit for the wider community. The provision of the park and MUGA cannot be given weight as this is not secured as part of this application. However it shows that plans are in place to further enhance the recreation facilities for residents should further phases of housing come forward.

## Sustainability

Paragraph 11 of the NPPF says that there is a presumption in favour of sustainable development. Paragraph 9 explains that there are 3 dimensions to sustainable development.

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

In terms of the economic objective the provision of sufficient homes in the right location helps to support a competitive economy and the construction of the houses will support employment and economic growth.

The proposal is consistent with the social dimension as it provides a range of homes including affordable housing and will help to integrate the existing standalone Woodfield Heights Rise housing area into a more sustainable community. The site is within

reasonable walking distance of the tram stop which serves Crystal Peaks (1.5 km from the site) where there is a wide range of shops and services. It also adjoins a doctor's surgery and open space and play provision will be convenient to the site. There is however no local convenience shop within easy walking distance of the site. The nearest convenience shop is the Asda supermarket approximately 1.2 km from the site; nursery and primary schools are a similar distance. The site is not well served by buses, the nearest services are on Moorthorpe Way approximately 500m from the site but the services are infrequent. There are higher frequency services approximately 1km from the site. The housing scheme is considered to be well designed and the layout has been designed to provide natural surveillance of the public realm and provides safe vehicular and pedestrian access.

In terms of the environmental objective whilst there will be a loss of trees and wildlife habitat this is to be compensated for by the replacement habitats to be provided on and off site. It is considered that in the longer term there will be no net loss of biodiversity. The site is not vulnerable to flood risk and will not worsen flooding elsewhere due to the sustainable urban drainage system which takes into account climate change. The applicant has confirmed that the Council's renewable energy policy will be met by a combination of a fabric first approach and solar roof panels. Whilst the site is a Greenfield site it is considered that some Greenfield sites need to be developed to meet the city's housing needs and this is why the site forms part of the 5-year housing land supply.

Core Strategy Policy CS 65 requires 10% of the development's predicted energy needs to be met from renewable or low carbon energy. The applicant has submitted an energy report to show how this policy will be met. It says that building fabric and service enhancements will be adopted which will exceed the building regulation requirements and are expected to result in a 5.4% reduction in the building's energy requirements. In addition photovoltaic panels will be provided which are predicted to be capable of providing approximately 7% of the developments predicted energy needs. These enhancements in combination will exceed 10% of the developments predicted energy needs and therefore are in excess of the policy requirement.

Overall the proposal is considered to be sustainable development.

#### Education and GP services

Core Strategy Policy CS43 'Schools' says that provision of sufficient modernised education facilities will include expansion of schools, to be funded by developers where there is insufficient local space for demand arising from new housing developments. The Community Infrastructure Levy (CIL) and Planning Obligations Supplementary Planning Document (SPD) Dec 2015 says that since the implementation of CIL contributions, providing additional school accommodation will now normally be funded through CIL. However there may be circumstances where a Section 106 (S106) Planning Obligation is required, for example where a major residential development is

proposed. This is defined as 500+ for primary provision and 1000+ for secondary provision.

It should be noted that, since the SPD was adopted in 2015, there have been changes to the CIL Regulations, a new National Planning Policy Framework (NPPF), new non-statutory DfE Guidance on securing developer contributions for education and new National Planning Practice Guidance on planning obligations. These new policies and regulations impact on how the SPD guidelines should be applied. A major change is that the CIL Regulations have removed restrictions on the use of S106 and CIL for the same item or type of infrastructure. This is in order to encourage more S106 agreements where they are appropriate and justified in order to mitigate the impacts of development. CIL funding decisions are completely separate from planning decisions so there can be no guarantee, when granting planning permission, that CIL funding will be available to deliver any of the infrastructure necessary to support the proposed development. The new CIL Regulations also deleted the 'Regulation 123 List' of CIL spending priorities referred to in the SPD, so the Council has no agreed priorities for CIL spending. The School Organisation Team would need to bid for funds from the CIL pot where there are anticipated shortfalls in provision across the city. It is for the Council corporately to determine what the priorities for funding are.

The Council's Education and Childcare Commissioning Team have predicted the pupil yield from the proposed houses. They have advised that at primary level the forecasts for Rainbow forge NIJ primary school suggest that the additional pupil yield from this development could be accommodated in the likely catchment primary school. In terms of secondary level, current forecasts for Westfield secondary school suggest that the additional pupil yield from this development could be accommodated in the likely catchment secondary school.

As school capacity does not need to be expanded to serve the development the development complies with Policy CS43. Paragraph 93 of the NPPF says that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Therefore this policy is in conformity with the NPPF and should be given significant weight although given the changes referred to above the SPD should only be given some weight. The development proposal is consistent with the NPPF as the development will be adequately served by school places.

Policy CS 44 says that Primary Health Centres will be developed in local communities with the highest level of needs or with changing or growing needs. Additional health facilities will be provided, subject to funding and need materialising in large areas of housing development to be funded by developers where there is insufficient local space for demand arising from developments. The Community Infrastructure Levy and Planning Obligations Supplementary Planning Document Dec 2015 says that since the implementation of CIL contributions towards providing additional health facilities will now normally be funded through CIL. However there may be circumstances where a S106 Planning Obligation is required, for example where a major residential development is proposed. Within this guidance Policy GHF1 says the provision of Health Facilities

infrastructure will be required to make Major Residential Developments sustainable. Major Residential Developments are defined as developments providing 1,000 or more dwellings.

NHS Sheffield Clinical Commissioning Group has advised that the Owlthorpe Surgery which is the nearest GP practice to the proposed development has adequate overall space and clinical room capacity to accommodate a development of this size (c216 patients) without additional investment in premises. For any further development of the other phases of the Owlthorpe housing area estimated at an additional 165 dwellings (c495 pts) additional clinical space will be required.

NHS Sheffield Clinical Commissioning Group are satisfied that there is sufficient capacity to serve this development but have raised some concerns about surgery capacity to serve future phases of housing development. These concerns have been passed on to the Council's property section so that they can be flagged up with developers of potential future phases of housing. The Commissioning Group will be consulted if further applications for housing are submitted and any shortfalls in provision can be considered as part of these applications. The Commissioning Group have also advised that annually practices are able to bid for capital funding allocated to South Yorkshire and Bassetlaw for premises improvement schemes and therefore this is an option should the local practices want to take this up.

There are various references in the NPPF to promoting healthy communities and lifestyles. Paragraph 34 which is concerned with development contributions says that plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). The Council has set this out in the Supplementary Planning Guidance and therefore the Core Strategy policy is consistent with the NPPF and should be given significant weight however given the changes referred to above the SPD should only be given some weight.

Granting permission for the proposed scheme is consistent with the NPPF as the proposed development is not required to make provision for additional health facilities under Policy CS44 and the Supplementary Planning Guidance.

Ecology

Policy

Unitary Development Plan (UDP) Policy GE11 says that the natural environment will be protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

UDP Policy GE13: is concerned with areas of Natural History Interest and Local Nature Sites. It says that development which would damage Areas of Natural History Interest will normally not be permitted. Development affecting Local Nature Sites should, wherever possible, be sited and designed so as to protect and enhance the most important features of natural history interest. It continues that where development would decrease the nature conservation value of an Area of Natural History or Local Nature Site, that decrease must be kept to a minimum and compensated for by creation or enhancement of wildlife habitats elsewhere within the site or local area.

The ecological assessments submitted as part of the application have been considered by the Council's Ecologist. The ecological impact assessment shows that there will be some negative impacts on bio-diversity and concludes that these will be minor at a county and site level and negligible at the site level with the proposed mitigation in place. In terms of compensation for the residual biodiversity impacts and the achievement of biodiversity net gain the applicant has used the Warwickshire, Coventry and Solihull Habitat Impact Assessment Calculator which is a recognised method of quantifying the compensation required. This generates an off-site biodiversity contribution of £230,400.

It is concluded that the proposal does not fully comply with Policies GE11 and GE13. It includes measures to reduce potential harmful effects. It does not directly damage the Local Nature Sites and compensates for the decrease in the nature conservation value. However as the development is removing a large area of trees and scrub it cannot be said that the natural environment will be totally protected. But in your officers' opinion the natural history features being lost are not of sufficient value that their loss would justify resisting the proposal. It is recognised by the Ecology Unit that although the habitats and related ecological interest are not of significant value the impacts will have some significance at a local level and the loss of these habitats should be recognised and compensated for. Whilst developments of this type do not usually enhance the natural environment, the enhancements and compensation coming from them can have very positive outcomes.

The proposal does not fully accord with Policy GE13 in that it will impact on the Local Wildlife Sites by reducing connectivity and increasing disturbance. However it does compensate for the impacts within the local area.

Policy GE11 is not considered to be fully compliant with the NPPF as it is more restrictive than the NPPF which seeks to protect and enhance the sites of landscape or biodiversity value consistent with their identified quality where as GE11 says they should be protected regardless. Therefore this policy should be given moderate weight. Paragraph 170 of the NPPF says that planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

In terms of habitat and biodiversity, paragraph 175 a) says that when determining planning applications, local planning authorities should apply the following principles:

- 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

Policy GE13 is not fully compliant with the NPPF in that paragraph 170 d) refers to minimising impacts and providing net gains in biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures: Paragraph 171 says that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. This policy needs updating to reflect this and therefore should be given moderate weight.

The proposal is considered to be consistent with the NPPF as it does not cause significant harm to biodiversity and adequately mitigates and compensates for the impacts. There are considered to be no impacts that should prevent development of the site. The Council's ecology officer is satisfied that the biodiversity net gain calculation provided by the applicant does indicate that there will be a net gain in biodiversity in the longer term resulting from the on and off site mitigation.

The application is supported by a Preliminary Ecological Appraisal and impact assessment.

#### Description of site

Owlthorpe Local Wildlife Site (LWS) is located immediately to the north and west of the proposed development site. This connects directly to Westfield Plantation LWS, approximately 550m east.

Owlthorpe LWS is listed as containing semi-natural woodland, bracken, other tall herbs, improved grassland, scrub and ancient/species-rich hedgerows. There are a number of botanical species of local importance found within the LWS, as well as a considerable assemblage of invertebrates, nationally and locally important bird species and bat species.

Westfield Plantation LWS is also listed for the presence of nationally important bird species and ancient woodland indicator species (although the woodland is not listed as ancient woodland).

An extended Phase 1 Habitat Survey was undertaken on the site. This shows that the site comprises of a mosaic of habitats, with rank grassland, patches of dense scrub, dense bracken and broadleaved trees. A botanical survey was also carried out in June 2019.

The appraisal says that the tussocky nature of the grassland, as well as the presence of scrub and trees within the site, would likely provide a good potential foraging resource for amphibian species.

There was no confirmed evidence of badgers found on-site such as hairs, latrines or footprints although the desk study data returned numerous records of badger from the surrounding area.

There are no buildings on site and the semi mature trees are unlikely to be suitable for bat roosts. However the habitat is likely to provide opportunities for foraging and commuting bats, due to the scrub and trees. Also the surrounding woodland is known to be well used by bats. Bat surveys were undertaken in Spring, Summer and Autumn 2019.

The Site offers opportunities for bird foraging and breeding throughout, due to the abundance of scrub and trees. The adjacent LWS has records of red and amber listed bird species of conservation concern. Three bird breeding surveys were carried out in April and May 2019.

The mosaic of habitats present on the Site provides some potential for use by invertebrates, primarily due to its proximity to areas known to be well used by invertebrate species. The adjacent Owlthorpe LWS is known to have considerable invertebrate interest.

The habitats on the site were considered suitable to support common reptile species. Primarily the areas of lower growing vegetation on the edges of dense scrub would provide a good combination of habitat suitable for basking and protection from predators. A reptile survey was carried out during April and May 2019.

#### Assessment of Impacts and mitigation

The ecological impact assessment assesses significant effects which are defined as effects which either support or undermine biodiversity conservation objectives for important ecological features.

The appraisal concludes that no direct impacts to statutory designated sites are anticipated, due to the distance (over 2km) of the proposed development from any such site.

It says the development will have an impact on the Owlthorpe Local Wildlife Site, the Westfield Plantation Local Wildlife Site and woodland. The primary impacts will be due

to increased disturbance and loss of connectivity. In terms of woodland adjoining the site direct impacts are not expected due to the buffer zone to the woodland to the north. However it is possible that increased lighting along the woodland edge will result in disturbance. In order to mitigate/prevent impacts protective fencing is to be provided to prevent encroachment into these areas. Lighting will be designed to follow current best practice guidelines (Bats and Artificial Lighting in the U.K, 2018) to ensure light pollution to habitats is minimised.

Planting within the buffer zone should include botanical species suitable for invertebrates, such as those with a high nectar yield and a diverse structure. Native species should be planted in this area and species recorded within the LWS could be used to maintain connectivity. With the above measures in place the impact assessment characterises the residual impact as being minor at a County level. Officers are satisfied that the latest version of the landscaping scheme which incorporates wildflower meadow, native hedge, woodland and shrub mixes within and adjoining the buffer zone on the northern edge of the site achieves the recommended compensation.

There are not expected to be any impacts on roosting bats as a result of removal of vegetation. The survey results do not suggest the site forms a key part of bats foraging or commuting routes. The main impact is likely to be new lighting associated with the construction and operational phases which would disrupt bats crossing the site. The buffer zone and sensitive lighting will minimise impacts on bats. A minimum of 6x habitat integrated bat boxes will be incorporated into residential properties at the site perimeters. With these measures in place the ecology impact assessment considers that the impacts to bats will be negligible.

The bird surveys revealed a moderate population of birds at the site, with a small number of notable species recorded. The main impact would be loss of habitat for those birds breeding on site and increased disturbance for species breeding immediately next to the site. Given the habitats immediately surrounding the site the number of birds affected is likely to be small. The impact assessment recommends that native tree and scrub species should be incorporated into the development and botanical species providing seeds and/or berries should also be included, particularly within the woodland buffer zone. The landscape plan provides the recommended type of planting within and adjoining the buffer zone. The bird boxes listed below will also be provided to mitigate the impact:

- Minimum of 4x integrated house sparrow boxes;
- Minimum of 4x integrated starling boxes;
- Minimum of 4x integrated swift/house martin boxes;
- Minimum of 6x open-fronted bird boxes, attached to retained trees//bushes at the perimeters; and
- Minimum of 6x hole-entrance boxes, attached to retained trees/bushes at the perimeters.

Vegetation clearance should take place outside the bird breeding season from March to August inclusive. Clearance during the bird breeding season would need to be monitored by an ecologist and if nests were located it would need to be stopped until all chicks had fledged.

With the above measures in place the ecological impact assessment concludes that the impacts would be minor at the site level. It is noted by the Council's Ecology officer that any reduction in the buffer zone width will have negative impacts (see below)

No evidence of badger or hedgehog was recorded during the surveys, although their occasional passage through the site cannot be ruled out. Habitat clearance, demolition and construction works have the potential to result in direct harm to mammal species, due to them becoming trapped or injured in open excavations. There will also be loss of habitat for foraging. The impact assessment advises that good working practices such as capping off pipes and leaving escape routes from trenches should be adopted during construction. Hedgehog highways should be incorporated into the scheme to allow them to pass between gardens. With the above mitigation in place the ecological impact assessment concludes that the residual impacts would be considered minor within the site.

The Ecology Officer has advised that the ecological assessment is satisfactory and the appropriate survey methods have been undertaken. The Council's ecologist concurs that the impact assessment correctly identifies the main ecological impacts. Also that none of the impacts are so significant that they would preclude the development of the site for housing.

As proposed the scheme re-grades and removes existing trees and scrub within the western half of the buffer zone adjoining the northern boundary of the site. There is also a small section of roadway and a couple of car parking spaces that extend into this part of the buffer. The buffer zone should be free of development and re-grading works as it is intended to be a buffer between the development and the Local Wildlife Site. Officers have asked the developer to amend the scheme by retaining the existing landform and planting within the buffer zone. They have advised that they cannot do this because of the challenging levels across the site and the datum levels set by the access roads. This is particularly disappointing as it undermines the effectiveness of the buffer zone by reducing its width in a number of places. This could also compromise the residual impact assessment of a number of ecological features including bats and mammals. Rather than retaining the existing planting which creates a transition to the Local Wildlife Site its loss has to be compensated for by new planting in the re-graded areas and this also increases the off-site compensation required.

The applicant has used a biodiversity calculator to assess the biodiversity loss that will result from the development as proposed. The applicant has used the Warwickshire, Coventry & Solihull habitat Impact Assessment Calculator which is a recognised assessment tool. Whilst officers would have preferred the DEFRA calculator had been used, the above is nevertheless considered to be acceptable. This produces a figure of

how many biodiversity units a development will have to provide to offset the biodiversity loss. In this case there is no space within the site to provide this compensation so it has been converted to a monetary figure which will be used to fund off-site biodiversity enhancements to the Local Wildlife Sites adjoining the site. The Council's Ecology Officer has reviewed the assessment of impacts and agrees with the assessment of the principle impacts and the off-site compensation figure proposed. The Council's Ecology Unit is satisfied that this funding can be effectively used to deliver biodiversity enhancements in the Local Wildlife sites and the Ecology Unit will explore whether they are best placed to deliver this compensation in conjunction with the local community.

With the on-site mitigation as listed above; the off-site compensation for loss of biodiversity and trees; and the additional wetland planting to be delivered in the water storage area, the Council's Ecology Officer is satisfied that the development will deliver a net gain in biodiversity in the longer term. An ecological management plan has been submitted which covers the landscaping within the housing site and the planting within the water storage area. It has been designed with the objectives of protecting the woodland along the northern site boundary during construction and ensuring appropriate management of the habitats created within the site such that species diversity and habitat functionality is maintained. Whilst the Council's ecologist considers much of this document is satisfactory there are some revisions which are needed so this is controlled by condition.

## Highways and Access

UDP Policy H14 provides criteria for development in housing areas, it states that new development will be permitted provided that:

- b) new development would be well laid out with all new roads serving more than five dwellings being of an adoptable standard; and
- d) it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians; and
- h) it would comply with Policy T28 which says that new development that would generate high levels of travel will be permitted only where it could be served adequately by public transport and the highway network.

The proposed development is well laid out in highway terms and the new dwellings will be served from adoptable roads. The road layout is considered to be safe and should not endanger pedestrians. The parking levels are consistent with the Council's parking guidelines. The site is located within 800m of a Supertram stop and whilst it is not well served by buses it is considered to be adequately served by public transport. The transport assessment shows that junctions around the site can accommodate the traffic with only minor increases in queuing. Therefore the residual cumulative impacts on the road network would not be severe (the NPPF test which needs to be met to justify refusing planning permission).

Overall it is considered that proposal is compliant with the highway aspects of Policy H14.

UDP Policy H14 parts b) and d) are considered to be consistent with the NPPF. However T28 is not considered to be fully compliant with the NPPF as development will not be permitted where it is not adequately served by the highway network whereas the test in the NPPF is tougher in that there must be a serve residual cumulative impact. Therefore this policy has some weight

Paragraphs 108 and 109 The National Planning Policy Framework say;

In assessing specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal is compliant with the NPPF in that the development is taking appropriate opportunities to promote sustainable travel by being located close to a tram stop, funding some improvements to the tram stop and by promoting a travel plan. The residual cumulative impacts on the road network would not be severe. The proposal is however not fully compliant with the NPPF as the site does not provide a second point of vehicular access for emergency vehicles. However, this is not considered to create a severe highway safety impact and therefore planning permission could not be resisted on this basis.

#### Pedestrian and Cycle Access

The applicant has quoted the following guidance in respect of walking and cycling distances. The Chartered Institution of Highways and Transportation (CIHT) publication 'Guidelines for Providing for Journeys on Foot' (2000) describes what are considered acceptable walking distances for pedestrians without mobility impairment. The guidance suggests that for commuting, school, and sight-seeing, up to 500m is the desirable walking distance, up to 1.0 km is an acceptable walking distance, and 2.0 km is the preferred maximum walking distance. Journeys within 5km have the potential to be made by cycle. Crystal Peaks District shopping centre and employment sites in Holbrook are within the cycling catchment area. There is an off-road cycle route that runs from Donetsk Way to Moor Valley north to south, which passes next to the site.

There are footpaths alongside Moorthorpe Gate, adjacent to Ochre Dyke and a Shared Footpath/ Cycle route between Donetsk Way and the site. The transport assessment considers the walking and cycling destinations that residents are likely to frequent and whether the walking and cycling connections are satisfactory or in need of improvement.

Your officers consider that the cycle/footpath/bridle link that runs down the east side of the site and connects to the routes adjoining Ochre Dyke should be lit to provide an alternative more pleasant route than walking beside the road to reach the tram stop and potentially to serve the local school. It is also considered that a gravel/brick dust path should be provided from the cul-de-sac at the west end of the site so that there is a convenient connection into the rural footpath network around the site in the interest of promoting health and well-being. A contribution towards the provision of improved lighting and for the provision of the footpath link is required by the proposed S106 agreement. It has been recommended to the applicant that they accommodate the pedestrian desire line adjacent to the northern boundary of the site by providing an unlit route through the buffer zone. However they have rejected this on the basis the levels mean that they need to undertake regrading in this area and the provision of a path is not feasible or necessary as there is an alternative route through the estate road.

The existing bridleway runs along the east side of the site adjacent to the cycle path. It will be built on by the development and on the ground is overgrown which suggests light use. Equivalent facilities can be provided within highway land and Council land therefore there is no planning reason to object to this.

#### Potential road link

The planning brief shows a potential road link through the site from the doctor's surgery roundabout to the north across Ochre Dyke to the Moorthorpe Way. This was intended to enhance local accessibility by road and foot whilst increasing the likelihood of new local facilities being provided. The brief also says that it is essential that a second access for emergencies is provided to the proposed housing sites identified in the brief.

The tram stop is within the desirable walking distance of the site although it is quite a walk up hill to the site. However, frequent bus services are outside the desirable walking distance. The planning brief identifies scope to improve access to the site and surrounding area by bus, by providing the potential highway link between Moorthorpe Gate, by the doctor's surgery, to Moorthorpe Way North. It says a 2013 study by Arup explores options for achieving a second access but notes that the report is out of date.

Whilst the provision of a second point of access by providing the link road is highly desirable in terms of promoting sustainable access and accommodating a second point of access for emergency vehicles it is not straight forward. It would involve the following:

- Acquiring third party land which may require the use of Compulsory Purchase powers if agreement could not be reached at a reasonable cost. This would be likely to delay the scheme quite significantly
- It would cut through the Local Wildlife site which will have a negative ecological impact.
- A bridge will be required and whilst the scale of the structure is not known it will certainly have a negative impact visually and a negative noise and amenity impact on the peaceful attractive footpaths that run adjacent to Ochre Dyke. It would also be likely to add significantly to the costs of the development.

Highway officers have reviewed this issue and are of the view that if the link road were provided there is a likelihood that traffic would divert to this route to avoid queuing to the Donetsk Way. In addition to the negative amenity impacts of through traffic routing through housing areas it would also be likely to create capacity problems when traffic re-joins the main route.

As is demonstrated in the highway capacity assessment below the link road is not required for highway capacity reasons and as it is likely to create other highway and amenity problems it is not considered to be desirable or a requirement at this stage. The submitted housing layout does allow for the potential construction of the link road in the future if desired.

### Highway Capacity

Traffic surveys were undertaken on Tuesday 5th March 2019 and also on Saturday 23 November at the Donetsk Way / Moorthorpe Gate; and Donetsk Way / Moss Way / Waterthorpe Greenway (Donetsk Roundabout) junctions. The proposal is expected to generate approximately 50 and 41 two-way vehicle trips during the morning and evening peak hours respectively and 25 two-way vehicle trips during the Saturday peak. The majority of residents are expected to commute to work via the A57 towards the City Centre. The transport assessment predicts 45 and 37 two-way trips via Donetsk Way / Moorthorpe Gate Junction; and 31 and 26 two-way trips via the Donetsk Roundabout. The transport assessment has assessed the impact based on 83 dwellings rather than 74 and consequently the impact is considered to be a worst case assessment. The potential impact of traffic from the other undeveloped Owlthorpe sites has been included in the assessment.

The modelling shows that the Donetsk Way/Moorthorpe Gate Junction operates with a small Practical Reserve Capacity (PRC) of 3% in the morning peak and 8% in the evening peak and 22% in the Saturday peak taking into account the development traffic and also the expected traffic from the other Owlthorpe housing sites. Negative numbers indicate that the junction would experience longer delays and overloading. Therefore the applicant has concluded that the junction will operate acceptably and there is no need for improvements to accommodate the development traffic.

In terms of the Donetsk Way/Moss Way/Waterthorpe Greenway roundabout the modelling shows that the Ratio of Flow to Capacity (RFC) remains between 0.00 and 0.85 for all legs of the roundabout during the morning, evening and Saturday peak periods taking into account the development traffic and also the expected traffic from the other Owlthorpe housing sites. RFC values between 0.00 and 0.85 indicate satisfactory operating conditions, values of between 0.85 and 1.00 represent variable operation (i.e. queues building at the junction resulting in increased vehicle delay moving through the junction). Therefore the applicant's consultant has concluded that there is no need for improvements to the roundabout to accommodate the development traffic.

Additional traffic counts have been undertaken for the Saturday peak period as requested by officers. The counts do indicate that the background traffic is higher on a Saturday on Donetsk Way than either the AM or PM peaks in the week (1007 vehicles two way as opposed to the PM max which is 991) and also on Moss Way the Saturday two way flow is higher than the AM peak (1520 as opposed to 1209). The PM peak on Moss Way is higher than the Saturday peak (1661 as against 1520). However, as would be expected, the estimated trip rates for the development during the Saturday peak are lower than either the AM or PM peaks. This is due to the fact that vehicular traffic generated by residential developments on a Saturday and Sunday is more evenly spread across the day than when compared to the profile of vehicular traffic movements associated with the weekday.

The highway officer accepts that the assessment shows that for all time periods studied (weekday AM and PM and Saturday) the highway network operates satisfactorily (junctions operating within capacity) for the 2024 base year with committed development and the proposed development. At the Donetsk way roundabout all the RFCs remain below 0.85 which is the normal point at which you would start to give consideration to whether mitigation would be required and for the Donetsk Way / Moorthorpe Gate junction all arms are shown to operate within capacity albeit that there is some slight increase in delay and queuing (the worst impact being on Moorthorpe Gate in the AM peak where queues increase from 3 vehicles under base conditions to 9 vehicles under 2024 Committed development + proposed development conditions. An impact of this magnitude is not considered to result in severe harm to the operation or safety of the highway network and therefore it is concluded that this proposal should not be resisted on highway capacity grounds.

#### Public Transport Access

The planning brief says that "One of the location's assets is the proximity of the tram network. There is a tram stop on Donetsk Way providing frequent access to Sheffield City Centre and Crystal Peaks. There is, however, scope to improve access to the site and surrounding area by bus."

South Yorkshire Passenger Transport Service has advised that unless the road link is provided to Moorthorpe Way north that it would be very unlikely that bus services will be

able to serve the area and this would include educational transport funded by SYPTTE. The provision of the link would have allowed them to reroute bus services that currently serve Donetsk Way through the site which would have improved accessibility for existing and proposed residential developments in the area as well as improving the access to the medical centre.

Given this and as the link road is not being provided at this stage for the reasons explained above officers have explored with SYPTTE whether a bus could be routed through the site without the link road. SYPTTE have advised that if a bus loop was provided as part of the estate layout or a bus turnaround facility was provided a dedicated service or enhancement to an existing diverted service could only be secured with a subsidy of £150,000 per year which they recommend would be provided for 3 years in order to establish if the service is viable. The applicant was also asked to consider designing a layout which would allow for a bus loop to run through the application site and then through site D connecting back to the northern roundabout on Moorhorpe Gate. They have rejected this on the basis that they consider it would have an unacceptable impact on the layout and potential developable area and because a bus can turnaround at the Medical Centre roundabout.

Policy CS 26 – Promotes higher densities for housing in the most accessible locations and where near to Supertram stops or and high frequency bus routes. Under this policy near is defined as within easy walking distance of 400m to a high frequency bus route or 800m to a Supertram stop, taking into account barriers such as railways or rivers.

The Chartered Institution of Highways and Transportation (CIHT) publication 'Guidelines for Providing for Journeys on Foot' (2000) provides the following guidance for walking to public transport. For bus stops in residential areas, 400m has traditionally been regarded as the maximum recommended walking distance. For train stations however, people are willing to walk up to 800m.

The application site is within 800m walking distance from the tram stop on Donetsk Way. The tram stop is on the Blue route which has services every 10 minutes on weekdays, every 12 minutes on Saturdays and every 20 minutes on Sundays. Buses stop on Broadlands Avenue approximately 600m from the site but the service is limited. Bus stops on Moss Way/Ochre Dyke Lane are approximately 1 km from the site and are served by the 120 service which is a high frequency service. Bus stops on Moor Valley are approximately 1km from the site however the walking route by Moorhole Lane is both unmade and unlit

The site is within easy walking distance of the Donetsk Way tram stop but not within easy walking distance of a frequent bus service. It would be desirable to improve bus access to the site. However given that the site is accessible by tram it is considered unreasonable to require the applicant to make a contribution towards subsidising bus services. The existing road layout does not preclude buses running at least as far as the medical centre should this become viable in the future where they could turn at the medical centre roundabout.

One of the points raised in the objections is that the Supertram network is congested at peak times and this will be worsened by the development. SYPTE has advised that the vehicles are busy during peak periods, particularly on central sections of each route and that they are currently working on a business case for renewal of the Supertram network and this does include some new vehicles. The business case is looking to increase services and capacity on the network but this will require the Council to address areas of highway congestion in other areas, particularly the city centre. Until this is done it is unlikely that they will be able to increase frequency.

In the absence of a road link between the two sides of Moorthorpe Way SYPTE has requested a £50,000 contribution for improvements to the tram stops in order to improve passenger facilities including increased shelter sizes, seating and real-time information. This is considered to be reasonable but the contribution should be split equally between the 3 housing sites. This will be secured by a S106 agreement.

#### Access within the site

Within the development site it is intended to extend the existing Moorthorpe Way access which serves the Doctors Surgery into the site. The spine road will have 2m footpaths either side and this will connect to a series of cul de sacs with turning heads with at least a 2m footpath on one side. In turn these will connect to shared drives where cars and pedestrians will use the same space. The road layout within the site is considered to be satisfactory and should operate safely and efficiently.

The Council's parking guidelines set maximum parking provision at 2 spaces per 2-3 bedroom units and 2-3spaces per 4-5 bedroom units. The scheme provides between 2 and 3 off street parking spaces per unit which is in accordance with the parking guidelines. Cycle parking can be provided in garages and sheds within the garden.

The applicant has submitted a travel plan which has objectives of altering the mode of travel from less sustainable to more sustainable modes. A travel plan coordinator will be appointed to deliver the travel plan which will provide residents with information and promote sustainable methods of travel. The applicant has agreed to utilise the air quality contribution (see below) to provide discounted travel tickets to encourage access by public transport.

#### Emergency Access

It is not desirable for the Owlthorpe sites as a whole to be served by only one point of access. Should road works or an accident on Moorthorpe Gate restrict vehicular access it could cause serious safety issues for emergency access. The planning brief says that "it is essential that a second access is provided; however this could be a route used for vehicular access only in emergencies or when access is restricted due to works within the highway. It is not desirable or good practice for so many homes to be served by only one adopted vehicular route." The bus loop referred to above could have achieved this.

Given that the applicant has resisted this officers will be exploring with the developer of site D the potential to provide an emergency vehicle only link between the 2 sites which could potentially provide a second point of access to the lower roundabout on Moorthorpe Gate which would address the potential safety issue to a degree. Whilst the lack of a second point of access is a negative aspect of the proposal and the most obvious solution would be via a new link road or bus loop it is considered on balance that it is not a severe highway impact justifying refusal of planning permission.

## Landscape

UDP Policy GE15 states that trees and woodland will be encouraged and protected by:

- a) planting, managing and establishing trees and woodland, particularly in the South Yorkshire Forest; and
- b) requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost; and
- c) not permitting development which would damage existing mature and ancient woodlands.

The applicant has submitted a tree survey and an Arboriculture Impact Assessment. The tree survey assesses the quality and value of the trees on site in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction'. The impact assessment provides information and advice on the conflicts between trees and the proposed development.

The survey states that there are areas of woodland cover and mature trees located along the Northern boundary of the site with smaller younger trees located along boundary areas of the site. It says the central area of the site has been colonised by self-sown trees and shrubs as a result of no management of the area.

The tree survey allocates the trees to 3 standard categories. A category trees are of high quality, B category trees are of moderate quality and C category trees are of low quality.

As much of the site is covered in self-seeded vegetation the development will require the removal of a substantial number of trees and tree groups. The majority of these are C category trees. However groups of B category trees are proposed to be removed along the western part of the site and also along the northern boundary, both of which adjoin Local Wildlife Sites. There are no A category trees to be removed.

The on-site planting scheme proposes mainly ornamental planting within the housing area with native planting towards the northern boundary of the housing site. A limited number of existing trees are to be retained adjacent to the eastern section of the northern site boundary. 78 new standard and heavy standard trees are proposed across the site along with some small areas of native woodland and native shrub

planting and extensive areas of wildflower planting along the northern boundary. Approximately 220m of native hedge planting is also proposed.

The B category tree groups on the western part of the site comprise of young and semi mature Oak and Ash trees which are relatively small. Within these groups the applicant states that it is really the oaks that are the category B trees. The ash stems and hawthorn within these groups were generally small poor formed trees and more likely a Category C. The impact assessment proposes mitigation for these trees in the retained open space adjoining the western boundary of the site. It advises that this planting will mature and provide an important corridor of trees. They have used the Helliwell tree valuation system to come up with a value for these trees at £5661.60 which is included in the off-site biodiversity contribution.

The B quality tree groups adjacent to the northern boundary are to be removed to facilitate regrading works along with access roads and parking. These are semi mature and provide a continuation of the canopy of the adjacent woodland area to the north in the local wildlife site. It is considered that these losses are adequately compensated for by the new on site tree planting.

Some trees will need to be removed to facilitate the water storage area the impact assessment says that only 1 of these is of B quality.

The impact assessment explains that the woodland area to the north of the site, which lies within the local wildlife site, is not ancient woodland but exhibits ancient woodland characteristics. A 15m buffer stand-off distance is included in the scheme design. However as explained above a small area of driveway, 2 parking spaces, a very minor part of a turning head and re-grading work up to 2.2m are proposed in the western part of the buffer zone. The impact assessment proposes no dig construction for the road and car parking which is construction above ground level along with porous surfacing. It also recommends specialist engineering methods to prevent compaction and allow continued movement of air and water to roots where ground levels are raised. The mitigation works have been detailed in the Ecological Management Plan and whilst officers would prefer that works do not infringe on this area the landscape officer is satisfied with the mitigation measures.

The majority of the trees that will be lost are young self-seeded trees.

However some mature trees will be removed adjacent to the northern boundary of the site along with a hedge. It has not been possible to retain the mature trees and hedgerow whilst developing the site for housing. The scheme does not replace all the trees lost and does result in the loss of some mature woodland and therefore will have a harmful impact on the landscape value of the site although this will be compensated for to a degree in the longer term as the offsite and on site planting matures. It is concluded that the proposal does not fully comply with Policy GE15.

Paragraph 170 of the NPPF says that planning decisions should contribute to and enhance the natural and local environment by:

- 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;

Paragraph 175 of the NPPF says that when determining planning applications, local planning authorities should apply the following principles:

- 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;

Policy GE15 is considered to be consistent with the NPPF and therefore should be given significant weight. The proposal is considered to be consistent with the NPPF in that it does not result in the loss of particularly high value trees and woodland.

#### Design and Character Issues

Policy CS74 says that high-quality development is expected which would respect, take advantage of and enhance the distinctive features of the city including:

- the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials

Policy H14 of the UDP states that new development will be permitted provided that:

- a) new buildings and extensions are well designed and would be in scale and character with neighbouring buildings; and
- c) the site would not be over-developed 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
- g) it would comply with Policies for the Built and Green Environment, as appropriate.

The application site is a Greenfield site which is rising from Ochre Dyke in the north to the Moor Valley Ridge in the south. The views of the site from the north take in adjacent fields, woodland and the Woodland Heights housing estate. The application site sits on the lower part of the hillside. Clearly the construction of housing on a Greenfield site will radically alter its appearance.

The development will undoubtedly have an urbanising effect on the hillside. However as the Owlthorpe Surgery and Woodland Heights housing development already exist at a similar and higher level on the hillside the proposed development will help to visually link these isolated outliers back to the existing housing areas to the north. In this context

given the green infrastructure within the site and density of the housing scheme it is considered that it will sit comfortably in its wider context. The nearest part of the Green Belt is some 200m to the south east at a higher level and almost 300m to the south west. The Woodland Heights development is located at a higher level and closer to both areas of Green Belt. It is considered that the proposed development will not have an impact on the openness of the Green Belt and will not have a significant impact on the visual amenity of the Green Belt.

The housing layout has been designed to create a sense of place with houses sited to respond the roads and footpaths around and within the site. The same is also achieved by positioning houses to overlook the play area and open space and by creating a node point adjacent to the doctor's surgery which is defined by 3 storey units and a small open space area. The overlooking of roads, footpaths, parking courts and open space will all help to promote a safe and secure environment. The varied building line and varied width of properties helps to create an interesting streetscape. The layout creates a clear hierarchy of routes with development adjoining the main spine route having a more urban character. The 3 storey units are concentrated along this route and at the key focal points.

The houses are predominantly 2 storeys with some 3 storey feature units which are in scale with the context. There is a mixture of detached and terraced units and the gardens and landscaping will allow the scheme to integrate well with its green setting.

The houses are of a simple design with traditional roofs and materials but incorporating contemporary window/door and canopy designs. It is considered that this combined with the layout features described above will create a distinctive character and high quality feel to the development.

The affordable housing part of the layout is denser than the rest of the site which does result in some compromises in terms of pedestrian access to properties, defensible space and smaller gardens. However these are not so severe as to justify resisting the proposal.

The proposal is considered to be in accordance with the design aspects of Policies CS74 and H14.

Paragraph 124 of the NPPF says that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF says that planning decisions should ensure that developments:

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, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies CS74 and H14 are considered to be consistent with the NPPF and therefore should be given significant weight. It is also considered that the design of the scheme complies with design policies in the NPPF as explained above.

#### Community Infrastructure Levy (CIL)

CIL is a charge on some types of development in order to help deliver infrastructure improvements in areas subject to development. The site is situated within Zone 3 and therefore, a charge of £30 (plus indexation since the introduction of the CIL in 2015) is required per square metre.

#### Flooding

Policy CS67 states that the extent and impact of flooding will be reduced by:

- a) requiring that all developments significantly limit surface water run-off;
- b) requiring the use of Sustainable Drainage Systems or sustainable drainage techniques on all sites where feasible and practicable;
- c) promoting sustainable drainage management, particularly in rural areas;

The site area is approximately 2.8 hectares and lies within flood zone 1 it is also over 10 dwellings and therefore constitutes major development. Flood zone 1 is the lowest flood risk zone and therefore the development passes the sequential test. In flood risk terms residential uses are defined as more vulnerable and are appropriate in flood zone 1.

As the site is over 1 hectare and constitutes major development the application needs to be supported by a flood risk assessment and should incorporate sustainable drainage.

The flood risk assessment submitted with the application shows that the site is not subject to surface water flooding. It is recommended that in order to mitigate intense

rainfall events, internal floor levels are set 150mm above the lowest existing ground level on site. The site is not in an area at risk of flooding from reservoir failure.

As explained below the drainage scheme is designed to limit the surface water run-off to the Greenfield Rate. The drainage system proposed utilises sustainable drainage methods. Therefore the proposal is in accordance with Policy CS67 above.

The above policy is consistent with the NPPF as paragraph 165 says that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Therefore it should be given significant weight.

The proposal is also in compliance with the NPPF as it is located in flood zone 1 which is the area of lowest risk, it is supported by a flood risk assessment and this shows that it will not worsen flooding elsewhere.

Paragraph 158 of the NPPF says the aim of the sequential test is to steer new development to areas with the lowest risk of flooding.

Paragraph 163 says when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. A footnote to this paragraph says that in Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more.

## Drainage

Core Strategy Policy CS 63 is headed Responses to Climate Change. It says that action to adapt to expected climate change will include adopting sustainable drainage systems.

The site is Greenfield and the underlying ground conditions are not suitable for infiltration. Therefore the surface water drainage strategy is to discharge to the next preference under the drainage hierarchy which is the watercourse to the north of the site. Foul drainage will be discharged to the public foul sewer in Moorthorpe Way.

The surface water discharge to the watercourse will be limited to Greenfield run-off rates. To achieve this a water storage basin is proposed as part of the application with a restricted outfall to the watercourse. The storage area is designed to accommodate the surface water runoff from a 1 in 100 year event plus climate change. It has also been designed to take a proportion of the surface water runoff from site D which is part of the wider Owlthorpe housing development area.

The basin is approximately 125m long by 80m wide. It will be a relatively flat area with earth embankments sloping at 1 in 3 and 1 in 4 gradients. There will be a small area of standing water but most of the site will be dry for most of the time. Due to the existing land form and the need to create a level area retaining walls are required on the south

and part of the west side. These will be formed by gabions filled with stone. The cross sections show these will be between approximately 1m and 3m high. The basin will be landscaped with planting designed to contribute positively to the biodiversity of the area. The planting plan shows meadow planting and wetland planting which is considered to be satisfactory.

A sustainable urban drainage design is proposed which is in accordance with Policy CS63.

Paragraph 165 of the NPPF says that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. It says the systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

Policy CS63 is in accordance with the NPPF and therefore should be given significant weight.

Paragraph 163 of the NPPF also says that when determining planning applications authorities should ensure that flood risk is not increased elsewhere.

The proposed sustainable drainage system is consistent with the NPPF and Core Strategy in that it is the type of drainage system promoted by planning policy. It has been designed to not worsen flooding elsewhere and it will drain to the Ochre Dyke which is currently largely dry and therefore has lost much of its purpose. The drainage system is designed to clean the surface water before it enters the river system and the planting on the site will contribute to biodiversity. As the water storage area will be fairly level, accessible to the public and large parts will be dry most of the time it will provide a useable area for informal recreation and consequently will be multi-functional. It is intended that the maintenance of the sustainable drainage system will be funded by a maintenance charge on each of the properties which it serves.

The level basin and retaining walls will appear more engineered than the current land form however as the planting matures it will blend into the surroundings. The land immediately to the south is being marketed as a housing site and is identified as a housing site in the Development Plan and planning brief. Given the changing context the storage basin will not appear intrusive in this transition zone between urban development and the green space around the Ochre Dyke.

A conditions is proposed requiring details of the design of the retaining walls to be submitted for approval. The proposed Heads of Terms of the S106 agreement cover the

funding arrangements for the long term maintenance and management of the scheme which the Council is intending to take responsibility for.

## Noise

Unitary Development Policy H14 is concerned with development in housing areas and says that new development will be permitted provided that it would not suffer from unacceptable air pollution, noise or other nuisance or risk to health or safety.

The applicant has submitted a noise assessment which shows that there would be some minor exceedances of the Council's night-time noise levels in some habitable rooms with windows partially open in dwellings closest to the existing roads. This can be mitigated in some of the units with standard thermal glazing and ventilation with trickle ventilators.

The MUGA has been removed from the current scheme and noise from this facility was the main concern in generating noise. The noise assessment says the noise from the MUGA and the Local Play Area (LEAP) would be unlikely to generate noise above the threshold for moderate annoyance.

There needs to be a balance between minimising the risk of noise disturbance to residents and ensuring play facilities are well overlooked in the interests of public safety and to minimise the risk of antisocial behaviour. Parks colleagues who manage numerous play areas have advised that they do not usually cause significant amenity problems where the play area is 30m from existing housing. The play area design achieves this with a substantial landscape screen between most existing dwellings and the play area. Some of the proposed new houses are just within 30m of the play area however the new residents will be aware of this when they take the properties and these houses help to provide the natural surveillance of the play area. Given the above it is concluded that the proposals are acceptable in terms of noise impact and will not result in residents suffering from unacceptable noise pollution. Therefore the proposal complies with Policy H14.

The noise element of Policy H14 is considered to be consistent with the NPPF as paragraph 180 says that planning decisions should ensure that development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health. In doing so they should 'mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'.

Therefore the policy should be given significant weight.

The proposal is considered to be consistent with the NPPF in that the proposal housing and existing housing will not be affected by noise which will have significant adverse effects on the health and quality of life.

## Ground Conditions

Paragraph 178 of the National Planning Policy Framework says that planning decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining.

A Coal mining risk assessment has been undertaken as the site lies within Development High Risk Area. A number of bore holes have been drilled and the risk assessment concludes that it is highly unlikely that the site is underlain by shallow mine workings. The Coal Authority is satisfied with the conclusions of the assessment and considers the site can be developed safely and therefore has raised no objections to the proposal.

A land contamination assessment consisting of a combined Phase I Desktop Study and Phase II Intrusive Site Investigation has been submitted and no significant thicknesses of made ground (or associated contamination) was identified. However ground gas and ground water monitoring is incomplete. In order to ensure this is fully investigated conditions are proposed to ensure the investigations and remediation is carried out if necessary.

The appropriate technical reports have been submitted or are conditioned to ensure ground conditions have been properly investigated. Therefore the proposal is compliant with paragraph 178 of the NPPF.

## Air Quality

Policy CS66 says that action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-up area and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

As the site is in a semi-rural location and more that 200m from any significant roads it is not likely to experience pollutant concentrations that are likely to be of concern. The site is considered to be suitable for residential development and the air quality assessment focusses on minimising pollutant emissions from the development during its construction and operation through the implementation of appropriate mitigation measures.

The potential for dust impacts from the construction of the development is not considered to be significant provided that dust mitigation measures listed in air quality report are implemented. These include regular monitoring of dust, ensuring an adequate water supply for dust suppression, minimising drop heights, ensuring vehicle are covered etc. These issues will be controlled through the submission of a Construction Environmental Management Plan which is conditioned.

The applicant has produced a damage cost assessment following Defra guidance which quantifies the monetary impact of the key pollutants of concern (NOx and PM2.5) by the road traffic generated by the development. This has resulted in a monetary calculation of approximately £45,933 which is indicative of a cost of measures to be implemented which will benefit local air quality. The applicant considers this could be applied to measures in the travel plan including the provision of discounted public transport tickets for new residents. It could also potentially be used towards the provision of electric charging infrastructure. The provision of a travel plan is a condition of the proposed development. The Council does not have any guidelines about the provision of electric charging points for new housing development.

Officers have asked the applicant to consider providing the infrastructure for the provision of a charging point for each dwelling. The applicant has resisted this request on the basis that some cars demand fast chargers and this can raise issues with reserving adequate electrical capacity. They have also pointed out that the inclusion of parking court areas raises practical difficulties with providing chargers. They consider providing 20% of dwellings with dedicated charging points is a reasonable response. Your officers consider this lacks ambition given the climate change crisis and the government's targets for ending the sale of new petrol and diesel cars. Given this a condition is proposed requiring 20% of the dwellings to be provided with dedicated charging points and a further 30% with the necessary infrastructure. This takes into account changing national priorities, the limited policy guidance in Sheffield and the greater difficulties of providing charging points for the dwellings which have parking in the shared parking courtyard.

The above measures are considered to meet the terms of Policy CS66 and therefore the proposal complies with this policy.

Paragraph 170 of the National Planning Policy Framework (NPPF) says that planning policies and decisions should contribute to and enhance the natural and local environment by:

- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

The planning practice guidance says that when considering if air quality is relevant to a planning application consideration should be given to:

- Whether it would significantly affect traffic in the immediate vicinity.
- Whether it would expose people to existing sources of pollution.
- Give rise to unacceptable dust impacts during construction.
- Whether it is likely to affect the biodiversity of designated wildlife sites.

Policy CS66 is considered to be consistent with the NPPF and therefore should be given significant weight.

The residents of the development will not be at risk of poor air quality and the development itself will not lead to any exceedances of the national air quality limit values. Dust impacts will be controlled through the Construction Environmental Management Plan. Therefore the proposal is consistent with the NPPF policies in terms of air quality.

## Heritage Issues

Policy BE22 says that other site of archaeological interest will be preserved, protected and enhanced. Where disturbance of an archaeological site is unavoidable, the development will be permitted only if:

- a) An adequate archaeological record of the site is made; and
- b) Where the site is found to be significant, the remains are preserved in their original position.

A desk top heritage assessment has been submitted which shows that there are no recorded heritage assets within the site. The nearest listed buildings are approximately 600m from the site and their setting will not be affected by the development. No archaeological sites are recorded within the site or its immediate vicinity that would suggest the potential for archaeological deposits and features to occur within the proposed development area. A prehistoric flint scatter to the west suggests that prehistoric activity was occurring in the area. There is a risk of encountering associated archaeological features and/ or deposits within the site. On this basis the heritage assessment recommends that a geophysical survey is undertaken, once the scrub vegetation has been cleared.

The South Yorkshire Archaeological Service concurs with this view. The result of the survey will determine if any other archaeological works are appropriate. A pre-commencement condition is proposed requiring a written scheme of archaeological investigation to be submitted.

The risk of encountering below ground heritage assets is low but a condition is in place which will ensure that appropriate further investigations are undertaken. This is considered to be consistent with Policy BE22.

The NPPF defines a heritage asset as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. This includes sites with historic or archaeological interest. Paragraph 193 says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 197 says that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be

required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy BE22 is not totally consistent with the NPPF in that it is more restrictive than the NPPF and therefore should be given some weight. In ensuring that appropriate investigations are undertaken into possible underground heritage interest the proposal is considered to be consistent with the NPPF.

### Major Hazard

The northern section of the site which is proposed as landscaping, access road and water storage area lies within the outer consultation zone of the Hellaby Lane/Totley (ex Supergrid) and Hellaby Lane/Totley major accident hazard pipelines. The Health and Safety Executive who advise on the safety risks of development within the consultation zone of major hazards have been consulted and they do not advise against granting planning permission.

### RESPONSE TO REPRESENTATIONS

The planning and design brief establishes a design framework for the site and, as such, there is considered to be no reason why applications for the Owlthorpe sites cannot be progressed in the context of this framework.

For projects listed in Schedule 2 of the Environmental Impact Regulations the Local Planning Authority should consider whether it is likely to have significant effects on the environment and therefore whether an Environmental Impact Statement is required. Housing development is an Infrastructure Project and the applicable thresholds are (i) development over 150 houses; or (ii) the overall area of the development exceeds 5 hectares. The 3 Owlthorpe Sites exceed 5 hectares and are likely to accommodate over 150 houses.

The selection criteria for screening Schedule 2 development includes (i) the characteristics of development; (ii) location of development and; (iii) types and characteristics of the potential impact. The size of the development exceeds the thresholds when considered cumulatively with the other Owlthorpe sites and will utilise unused Greenfield land. The land resource to be used is not particularly special or unusual and the development will not produce wastes or pollution of particular concern. There are also no concerns regarding major accidents or risks to human health.

The land is not designated for its landscape or biodiversity value and, whilst there are impacts on biodiversity and landscape, these will be limited to local impacts. Whilst the site will be urbanised, the development is low rise and adjoins an existing housing estate and doctor's surgery so the impacts are not unusual or justify a wider landscape assessment. The site does not have any special historical, cultural or archaeological significance.

The traffic generated can be accommodated on the local network without creating any severe impacts. The impacts of the scheme will be local and the landscape and biodiversity impacts can be mitigated/compensated. It is therefore concluded that an Environmental Statement is not required in this instance, either for the application or for the cumulative development with the other Owlthorpe sites.

The applicant was requested to distribute the affordable housing throughout the housing site rather than grouping it all together around the doctor's surgery. They declined to do this arguing that it would be easier to manage when grouped together. Whilst it would have been preferable if this affordable housing were integrated throughout the estate, there are only 13 units grouped together and the design and floorspace is similar to the 3 bedroom market housing. Given this, the grouping and more dense character of the affordable housing does not make this aspect of the scheme unsatisfactory.

A number of representations have said that the housing should be designed to higher sustainability standards. The Government's Housing Standards review produced in 2015 reduced the different technical standards that could be applied by Local Authorities. In the absence of an up to date Local Plan the technical standards for sustainable housing design are now taken forward through the building regulations. Whilst more sustainable housing design can be encouraged Sheffield cannot insist on higher design standards than the building regulations at the present time.

It has been argued that the application should be delayed until the new Local Plan is produced as it may no longer be necessary to develop this Greenfield Site. This is unreasonable, as the site is in the UDP as an allocated housing site which is consistent with the NPPF and it is also in the Council's current housing supply figures. In addition, the delivery of sufficient housing sites is challenging as the Local Plan is looking forward to 2038. It is therefore unlikely that this site would be removed as a housing site. It will also be some time in the future before the Local Plan process would confirm any changes to allocated sites. In addition, this site will help to finish the partly completed Owlthorpe Township; is a sustainable site; is close to a high frequency tram service; and is one of the few opportunities for housing of this scale in the area.

The Climate Change and Design Supplementary Planning Document and Practice Guide promotes green roofs on larger housing developments of 10 dwellings or more, where compatible with other design and conservation considerations. This is normally viable on larger residential blocks in the City Centre where the large footprint flat roofed buildings provide an opportunity for green roofs which are maintained by the building's management. It is not considered to be a priority or reasonable to insist on this on this prominent site where pitched roof houses are sympathetic to the local character; all houses have gardens; and green roofs would have to be maintained by individual householders.

The hedgerow which is to be lost is approximately 150m long and lies adjacent to the south west boundary of the site and cuts across the site in a south east to north west orientation. No assessment has been undertaken as to whether it would qualify as an

important hedgerow under the hedgerow regulations. The level changes needed to accommodate the housing layout show that it is not feasible to retain the hedgerow. 220m of native hedgerow is proposed as part of the proposed landscaping scheme which is considered to adequately compensate for the loss of the hedgerow provided it is maintained to promote biodiversity. This can be controlled by a planning condition

A number of representations refer to the need for an invertebrate survey. The applicant has acknowledged that a number of locally important invertebrate species are present in habitats around the site and note that these habitats remain unaffected and that considerable habitat for these species will continue to exist. The applicant's ecologist assessed the suitability of the site and concluded that it offered little or no potential for a notable assemblage of invertebrates. Based on this, and data from the Sheffield Biological Centre and Derbyshire Wildlife Trust, they concluded that an invertebrate survey is not necessary. The Council's ecologist has accepted this argument.

The water storage area will incorporate wetland vegetation filtration areas and swales that clean the water so that clean water enters Ochre Dyke. The design will conform to the risk based guidance for achieving this. The pond will not be fenced and it will be designed as an informal recreation area. The permanent water will occupy approximately a third of the area and be up to 600mm deep; the gradients of the sides will be shallow to facilitate easy exit. The Council will be responsible for the long term management of the area funded by a charge on the new housing it serves, which has been designed to incorporate funding for repairs and replacement of valves.

It has been argued that the applicant should provide a net biodiversity enhancement of 10% in accordance with Government guidance. Paragraph 170 of the NPPF says that planning decisions should contribute to and enhance the local environment by minimising impacts and providing net gains in bio-diversity. The Government response to 'Biodiversity net gain and local nature recovery strategies; impact assessment' 2019 says that legislation will require development to achieve a 10% net gain for biodiversity which will be brought forward in the Environment Bill. The Environment Bill was put before Parliament in January 2020 and put in abeyance due to Covid19 in early March 2020. The latest version of the Bill includes provisions that grants of planning permission in England be subject to a condition to secure that the biodiversity gain objective is met. This is defined in the Bill as a 10% gain. Whilst this is not yet legislation the applicant has enhanced the off-site biodiversity contribution so that it should now deliver a 10% net gain.

The red line application boundary has been checked and is accurate.

Prescriptive rights of way, if claimed, will be considered as part of a separate legal process and it is not necessary to delay the determination of this planning application. The developer and landowner are aware of the claim by the Owlthorpe Fields Action Group and therefore can make their own judgement as to whether they want to proceed, bearing in mind any associated risks.

## SUMMARY AND RECOMMENDATION

### Planning Issues

The majority of the site is identified as a Housing Site in UDP Policy H13 'Housing Sites' and it is also promoted as a housing site in the planning brief which has been the subject of public consultation. Development of housing is supported by paragraph 59 of the NPPF which seeks to significantly boost the supply of houses. The development is supported by Core Strategy Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' as the site is identified as a Greenfield housing site to be developed in the period to 2025/26. It is supported by paragraph 67 of the NPPF as this site is part of Sheffield's 5- year supply of deliverable housing sites. It is consistent with CS26 'Efficient Use of Housing Land and Accessibility' as although the site is below the density guidance this is appropriate given the prevailing character, the green setting, the need for family housing and to accommodate level changes. It is compliant with CS 40 'Affordable Housing' and CS41 'Creating Mixed Communities' and paragraph 61 of the NPPF in that it will deliver much needed affordable housing in excess of the policy requirement and the type of housing needed in the area.

Overall the scheme design is of a good standard which will sit comfortably in its context, is sympathetic to local character and will create an attractive and welcoming place to live. Consequently it is considered to be consistent with CS74 'Design Principles' and paragraph 127 of the NPPF. It is also in line with Policy H16 'Open Space in New Housing Developments', CS45 'Quantity of Open Space' and paragraph 96 of the NPPF by meeting the open space needs of residents by improving open space and delivering a play area. Consultation responses from the Education Service and the NHS Sheffield Clinical Commissioning Group show that there is adequate Doctor Surgery and School capacity to serve this development and therefore it complies with Policies CS43 and CS44 and paragraph 93 of the NPPF.

The site provides opportunities for promoting sustainable travel as it is within walking distance of a tram stop. Sustainable travel will be promoted by the public transport and pedestrian access improvements secured by the S106 agreement and by the travel plan measures. The transport assessment shows that the highway network will operate satisfactorily with the development traffic although there will be a slight increase in queuing at Moorthorpe Gate in the morning peak. The lack of a second point of access for emergency vehicles is a significant concern. However it is considered that this and the additional queuing will not result in a severe highway impact sufficient to justify resisting the scheme. The proposal is therefore considered in the main to be consistent with UDP Policy H14 'Conditions on Development in Housing Areas' and paragraphs 108 and 109 of the NPPF.

In order to ensure the development has been designed to meet the challenge of climate change a Sustainable Urban Drainage System is proposed which has been designed to accommodate the surface water run-off in a 1 in 100 year storm plus climate change event. Therefore the scheme should not worsen flooding. The design will incorporate

planting to support biodiversity and will provide opportunities for informal recreation. It therefore meets with Policy CS63 'Responses to Climate Change' and paragraphs 163 and 165 of the NPPF.

The site is sufficient distance from major roads to not be constrained by poor air quality. Dust impacts during construction will be controlled by a Construction Environment Management Plan. The impact of pollutants generated by the development will be mitigated by an air quality contribution which will be applied to travel plan measures and the provision of electric vehicle charging points. The scheme is considered to be in compliance with Policy CS66 'Air Quality' and paragraph 170 of the NPPF.

There are no significant concerns in respect of noise, ground conditions and heritage impacts. Conditions are proposed to control the relevant planning considerations relating to these matters.

Whilst the application site is not a designated wildlife site it adjoins Local Wildlife Sites. Development will result in most of the existing vegetation being removed which mainly comprises of self-seed trees and scrub but also some more mature trees on the northern boundary. The arboriculture and ecological impact assessments show that the development will result in the loss of a number of moderate quality trees and a hedgerow. They also show that there will be some disturbance and loss of connectivity to the Local Wildlife Sites which is judged to be a minor county level impact with mitigation in place. The impacts on birds, bats, badgers and hedgehogs are considered to be either negligible or minor at the site level with mitigation in place. The Council's ecologist concurs that these are the main biodiversity impacts.

The re-grading and development in part of the on-site buffer zone along with the loss of the species rich hedge is regrettable and officers have some reservations as to whether the applicant has made a serious attempt to mitigate these losses. The proposal does not fully accord with UDP Policy GE11 'Nature Conservation and Development'; Policy GE13 'Natural History Interest and Local Nature Sites'; and Policy GE15 'Trees and Woodland'.

However, the Council's landscape and ecology officers are of the view that the impact on trees and biodiversity is not so great that it should prevent development of the site. The Council's ecologist is of the view that the on-site landscaping and mitigation and the off-site compensation will together result in a net gain in biodiversity in the longer term.

#### Most Important Policies and Tilted Balance

Paragraph 11 of the NPPF says that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this 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 where the policies which are most important for determining the application are out of date, granting permission unless:

- i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.
- ii) any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The application is identified as a Housing Site in the Unitary Development Plan; as a housing site in the planning brief; and is part of the Council's 5-year supply of deliverable sites. It is therefore considered that housing policies are the most important policies for determining this application.

Given the congested nature of the local highway network at certain times and the prominence of the site and its green setting it is considered that access and design policies are also important policies.

As Sheffield does benefit from a five year housing land supply the most important policies for determining this application which are the housing supply policies are considered to be up to date.

In terms of the first paragraph 11 test, part c applies – i.e.- permission should be granted without delay.

Overall planning balance

In this case the most important policies support housing on the site. They are consistent with the Government's objective of significantly boosting the supply of homes and meeting the needs of the groups with specific needs. The development of the site for housing is also supported by the Planning Brief which seeks to deliver housing on the site and is a material consideration. It is therefore concluded overall that there is strong Development Plan and NPPF policy support for development.

The scheme is well designed, meets the open space needs of residents, is accessible by sustainable means of travel all of which means that this is supported by the local policies (CS45, CS74, H14, H16) and NPPF (paragraphs 96, 127, 163, 165) as referred to above and these issues should be given significant weight. The transport assessment shows the highway network will operate satisfactorily and whilst the lack of emergency vehicle access is a significant concern, it will not result in a severe highway impact, which means the planning permission cannot be resisted on this basis.

The proposal does not fully accord with Policies GE11, GE13 and GE15 of the UDP, which should be given moderate/significant weight. However the conflict with these policies is limited as the proposal is judged to result in a net gain in biodiversity in the

longer term and the tree impacts are being adequately compensated for. In addition the tree and biodiversity impacts are not so great that they justify resisting the proposal.

Paragraph 170 of the NPPF states that valued landscapes and biodiversity should be protected and enhanced in a manner commensurate with their statutory status or identified quality in the development plan. The application site does not have any special protected status or identified quality in the development plan. NPPF paragraph 175 says that when determining applications, if significant harm to biodiversity impact cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused. The biodiversity impact assessment shows that the proposal would not cause significant harm and this view is endorsed by the Council's ecologist.

It is concluded that the scheme is supported by planning policy and the planning benefits significantly outweigh the biodiversity, landscape, amenity and highway impacts. It will deliver sustainable development and it is therefore recommended that permission is granted subject to the listed conditions and the completion of a legal agreement to deliver the Heads of Terms listed below.

#### Heads of Terms

1. An annual sum per household for maintenance and management of the Sustainable Drainage System (SUDS) including a one off SUDS adoption fee of £6,500 and a one off SUDs establishment contribution of £10,000.
2. An annual sum per household for the maintenance and management of the Owlthorpe Park and the landscaping within the housing site.
3. A contribution of £16,666 to be used for improvements to the Donetsk Way Tram Stop
4. Arrangements to ensure the 15 affordable units (shown on plan reference n1276 008D) are provided and remain affordable in the long term.
5. A contribution of £21,485 towards the provision of street lighting to the route identified on plan reference: footpaths 1
6. A contribution of £5,477 to be used for preparation of the Owlthorpe Park Masterplan
7. A contribution of £230,400 for the delivery of the off-site biodiversity compensation and £5661.60 for off-site tree compensation works. The scheme to include a Landscape and Ecological Management Plan, incorporating short, medium and long term aims and objectives; management responsibilities; and maintenance schedules for all compensation works.
8. A contribution of £5,000 for the delivery of an unlit stoned footpath connection between the west end of the estate road adjoining plot 34 to the right of way ECK/171 to the West of the site.
9. Funding for a scheme for the provision of additional litter bins, dog waste bins and signs on the approach to the Local Wildlife Site (LWS) and fencing to secure part of the LWS from encroachment to compensate from the increased pressure from encroachment that will result from the development of housing on the site.

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Case Number	18/01543/FUL (Formerly PP-06874672)
Application Type	Full Planning Application
Proposal	Demolition of existing buildings and erection of 70 dwellings (amended plans and description)
Location	Intermet Refractory Products Ltd Platts Lane Oughtibridge Sheffield S35 0HP
Date Received	20/04/2018
Team	West and North
Applicant/Agent	ELG Planning
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The Local Planning Authority consider that the proposed highways improvements, which include signalling the rail bridge on Oughtibridge Lane, would have an unacceptable impact on the safety of pedestrians, cyclists, vehicles and other road users, and detrimentally effect the free and safe flow of traffic on Oughtibridge Lane and Station Lane. The development is therefore contrary to Policy IB9 (f) of the Sheffield Unitary Development Plan, Policy CS51 (e) of the Core Strategy and paragraphs 108 (b) and (c), 109 and 110 (c) of the National Planning Policy Framework.
- 2 The Local Planning Authority considers that as the application site and the facilities and services in Oughtibridge (including public transport) cannot be accessed safely, the scheme represents an unsustainable and unsuitable form of residential development that does not take opportunities to prioritise and promote sustainable transport and access. The development is therefore contrary to Policies IB9 (f) and H15 (a) of the Sheffield Unitary Development Plan, Policies CS23, CS51 (b) and (e), CS53 (a) and CS63 (a), (c) and (h) of the Core Strategy and Paragraphs 8 (b), 91 (a) and (c), 102 (c), 108 (a) and (c), 110 (a) and (c) and 127 (f) of the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.
2. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

1939.01.G - Planning layout (A1 - Colour)  
1939.02 - Location Plan  
1939.03.C - Boundary Plan  
1939.04.A - Street Scenes  
1939.05.D - Cross Sections  
1939.G.01 - Garages  
Boundary Treatments-1939.B.01 - 1.8m high timber fence  
Boundary Treatments-1939.B.02 - 1.8 Brick Wall  
Boundary Treatments-1939.B.03 - Knee Rail  
Boundary Treatments-1939.B.04 - 0.9m Estate railings  
Boundary Treatments-1939.B.05 - 0.6m Brick Wall  
Re-elevated house types-1939.B301.01  
Re-elevated house types-1939.B301.02  
Re-elevated house types-1939.B303.01  
Re-elevated house types-1939.B304.01  
Re-elevated house types-1939.B402.01  
Re-elevated house types-1939.B403.01  
Re-elevated house types-1939.B404.01  
Re-elevated house types-1939.B404.02  
Re-elevated house types-1939.B405.01  
Re-elevated house types-1939.B409.01  
Re-elevated house types-1939.B412.01  
Re-elevated house types-1939.B412.02  
Re-elevated house types-1939.SL02.01

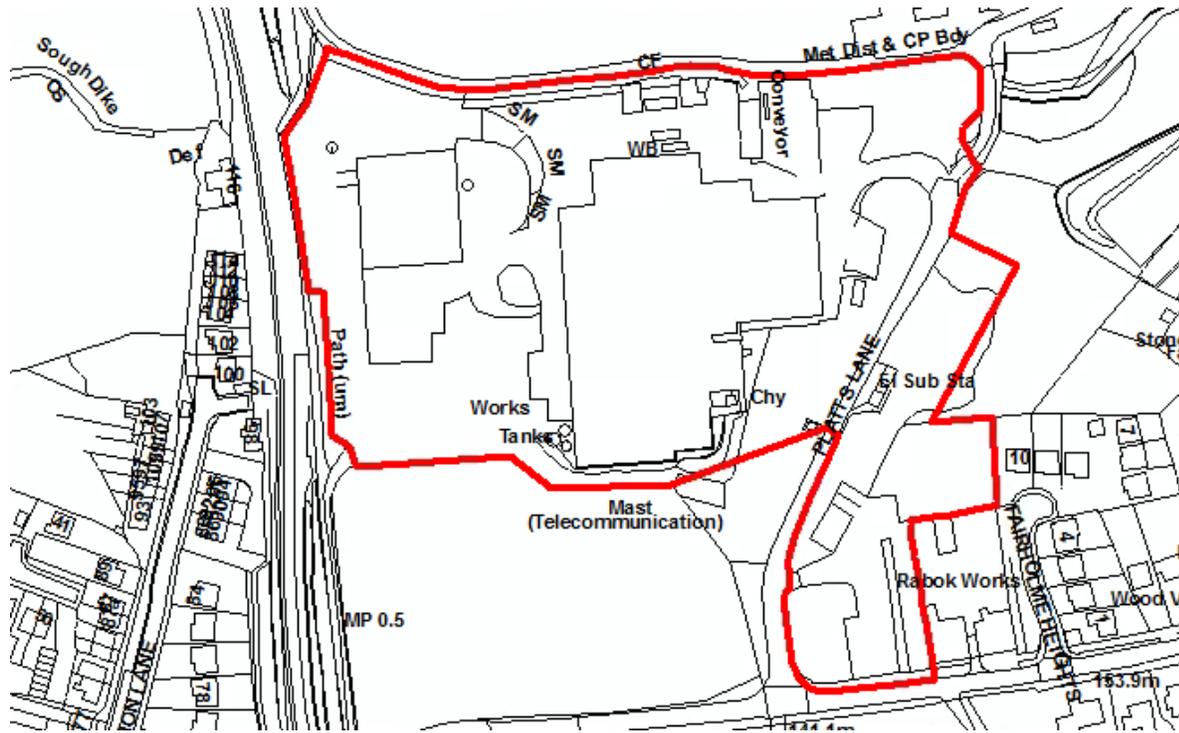
Landscaping Plans  
2911-3B-dlp1-A0-250  
2911-4B-dlp2-bs4

#### Other documents

App Form (Dated 15/1/2020)  
CIL Form 1 (Dated 15/1/2020)  
CIL Form 2 (Dated 15/1/2020)  
190725 Sheffield Highways\_R  
200212 Oughtibridge S1 RSA Response Report rev 1  
Ecological Written Statement (dated 21st Jan 2020)  
Indicative locations of ecological enhancements (Dated January 2020)  
ELG VA Oughtibridge Jan 2020 Update  
200128-1008-R001-V6 FORTEM FRA - Platts Lane, Oughtibridge  
200128-1008-R002-V3 - Oughtibridge SuDS Statement  
6634.2A Apex Acoustics Oughtibridge Lane, Sheffield, Air Quality Assessment  
Land at Internet Works, Oughtibridge Heritage Assessment collated  
3081\_1 Prelim Inv Report - April 18  
Design and Access Statement rev 1 (Dated October 2019)  
Planning Statement rev 1 (Dated October 2019)

Arboricultural Impact Assessment revised  
Trees in Relation to Development  
6634.1B Apex Acoustics Oughtibridge, Sheffield ProPG report  
SCI  
Sustainability Statement

Site Location



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## LOCATION AND PROPOSAL

This application relates to a 3.9 hectare site on the eastern edge of Oughtibridge. The site is occupied by Internet Refractory Products and contains a series of large industrial buildings and associated storage and parking areas.

The site is accessed from Platts Lane, which accommodates a short section of the Transpennine Trail (TPT). Platts Lane also provides access to an existing residential property (Woodend) located to the north east of the site.

Wharncliffe Woods, a designated area of Ancient Woodland, lies immediately to the north of the site. The woods are in the administrative boundary of Barnsley Metropolitan Borough Council (BMBC).

To the west is a public footpath, beyond which is the Don Valley (freight) railway line. A small complex of commercial buildings (Rabok Works) adjoins part of the eastern boundary of the site.

The application site is located to the north of Oughtibridge Lane, set back behind an open field where a further 34 dwelling houses are proposed (application ref: 17/00161/FUL).

The application site is in a Fringe Industry and Business Area as defined by the Sheffield Unitary Development Plan (UDP) proposals map.

As amended, planning permission is sought for the demolition of all existing buildings and the erection of 70 dwellings comprising of a mix of 3, 4 and 5 bedroom properties. The site will be served by a new access road located to the north of Platts Lane.

## PLANNING HISTORY

On a small part of the application site formerly occupied by Farrar Precision Engineering outline planning consent was granted for 9 dwellings in 2007 and subsequently renewed in 2011.

07/04267/OUT - Erection of 9 no. detached dwelling houses (In accordance with amended plans dated 25.02.2008) – Granted Conditionally.

11/00480/OUTR - Erection of 9 detached dwelling houses (Application to extend time limit of implementation of 07/04267/OUT) - Granted Conditionally.

Also of relevance is an adjoining development of 34 dwellings which is located on a parcel of land fronting Oughtibridge Lane, is pending consideration (17/00161/FUL).

## SUMMARY OF REPRESENTATIONS

The application was advertised by way of press and site notices and individual letters of neighbour consultation. As the proposals have been amended two rounds of public consultation (June 2018 and November 2019) were carried out.

26 letters of representation were received in relation to the first round of consultation (June 2018). 22 in objection and 4 are considered to be neutral comments. The issues raised are summarised as follows:

- No affordable housing is being provided for local people.
- There is too much development in the Lower Don Valley which disregards valuable green spaces.
- There is a lack of community facilities and existing capacity issues at medical practices and schools in the area. This development and others in the area will only make the situation worse.
- An increase in traffic will be dangerous and give rise to highways safety issues.
- The junction of Station Lane and Low Road/A6102 is an accident black spot.
- Measures should be included to reduce traffic speeds.
- Access across the existing railway bridge and along Oughtibridge Lane is already dangerous due to the alignment of the road, position of boundary walls and the lack of a dedicated walkway or footpath.
- The development will increase traffic on Oughtibridge Lane. As such a dedicated footpath is required so pedestrians can safely access Oughtibridge.
- Road users (cars) often have to cross on to the wrong side of the road to avoid pedestrians walking in the road, which is dangerous.
- The applicants supporting transportation information underestimates the highways safety issues.
- Temporary traffic lights installed on the bridge illustrated the chaos that would be created by permanently signalling the bridge.
- Supertram should be diverted to serve this and other areas in the Lower Don Valley and a new tram/rail station provided with parking from the site. This has been secured at other developments along the line including Fox Valley.
- The development should be limited to the brownfield part of the site only.- ?There is no public transport that will link the site to Oughtibridge.

- Walkers and cyclists park vehicles on Oughtibridge Lane which reduces visibility for drivers.
- There are a number of developments in the locality which when considered cumulatively will exacerbate highways, education and health care infrastructure issues.
- Contributions should be sought to improve schools and health care provision.
- The site contains asbestos and demolition should be carried out correctly.
- An extensive amount of trees have been removed without permission.
- Retention of the industrial site would be more beneficial for locals by creating employment and retaining business in the village.
- Loss of access to Woodend (dwelling) and impact on the Trans-Pennine trail as a result of the closure of part of Platts Lane.
- The development will detrimentally affect the amenities of adjoining properties.
- There will be an increase in parking, lighting, pollution and the development will affect woodland walks.
- No meaningful consultation with local residents has been carried out by the applicants.
- This application and 17/00161/FUL should be considered in tandem.
- There will be a detrimental impact on the adjoining woodland as a result of the development.

#### Network Rail (NR)

- No objection to the proposals subject to compliance with a series of measures to protect existing rail infrastructure.

#### Sheffield and Rotherham Wildlife Trust

- The trust objects to the scheme. They do not consider that adequate reporting and assessment of the ecological impacts of the development has been carried out.

#### The Woodland trust

- The trust objects to the scheme unless a 30 metre wide semi natural vegetated buffer is provided to Oughtibridge Hagg which is an Ancient Woodland.

- The trust is concerned with the impacts of the development, from light, dust and noise pollution.
- Adverse impacts on hydrology from hardstanding and water runoff and pollutants entering ground water.
- Intensification of recreational use of the woodlands impacting wildlife and breeding habitat.
- Impacts on semi natural habitats, woodlands, hedgerows, trees and wetlands.
- Impact from the colonisation from non-native plants, impacts from fly tipping, domestic pets and the impact this will have on the landscape character of the area.

#### Natural England

- Have no objection to the development subject to compliance with the relevant standing advice in relation to protected species and ancient Woodland.

#### Barnsley Metropolitan Borough Council (BMBC)

- Raise no objection to the proposal from a highways perspective. No further comments have been provided in relation to any other planning issues.

Angela Smith (former Penistone and Stocksbridge MP) supports the objections of local residents on the following grounds:

- The development would seriously affect the ability of a local resident (Woodend) to continue to access their property, rights which are specified in the deeds.
- This development and other proposals in the area (committed and proposed) when considered cumulatively, will put increased pressure on already stretched local infrastructure including schools and GP practices.
- There are no links directly to the development and it is poorly connected from a public transport perspective.
- Pedestrian links to Oughtibridge are unsafe as they require walking over a narrow bridge with no footpath where there is limited visibility on a very steep hill.
- The highways impacts of the development on the wider area have not been adequately considered.
- The objections of The Coal Authority, Sheffield and Rotherham Wildlife Trust and The Woodlands Trust are supported.

Bradfield Parish council object to the scheme on the following grounds:

- Affordable housing should be provided on site.
- Unacceptable impact on local schools, both primary and secondary and future provision of local NHS services to the expanded community. Local schools are already oversubscribed and other housing developments currently proposed in the area are going to have further cumulative impacts.
- Oughtibridge Lane is a well-used main route to the M1 for many commuters who live in the North of Sheffield. Poor traffic management and the use of traffic lights on the bridge will have major impact on the wider area, including Deepcar and Stocksbridge where there are other major developments planned.
- The applicant's proposal for a traffic light controlled single carriageway with pedestrian footway is unacceptable and will not be safe for pedestrians. A separate full width footbridge is required. The site is not well connected to Oughtibridge due to the lack of a safe pedestrian access. The proposed arrangements will deter people from walking into the village. The topography of Oughtibridge Lane has not been considered.
- The developers have not undertaken discussion with Network Rail. It would seem that the developers have not even entered into a conversation.
- Traffic lights will cause queuing on Station Lane blocking access to existing established estates, particularly at peak travel times.
- There have been numerous accidents at the pedestrian crossing at the bottom of Oughtibridge Lane.
- Platts Lane should be retained as additional accesses to this site and the neighbouring development will be detrimental to pedestrian and cyclist safety. The developer's should be encouraged to work together to provide a single point of access to the application site and the Redrow site.
- Cyclist safety will be affected by traffic lights. The route in question is heavily frequented by cyclists who have been actively encouraged to the area by SCC following the success of the Tour de France.
- The Parish Council consider provision for a tram/train station on the site must be incorporated into the plans, this makes particular sense allowing for the fact the recent Fox Valley Development made such provision.
- The development will remove an employment generating use.
- The mix of accommodation is poor and does not include bungalows or homes for the elderly.

- All buildings and structures should be constructed in natural stone. The development is in a wooded glade. Brick is not appropriate and is only put forward as a cost saving measure.
- The application is inadequately described and appropriate consultation has not been carried out with local stakeholders and residents.
- The Parish Council would endorse the objections and concerns expressed by local residents and stakeholders.

#### Grenoside Conservation Society

- The addition of 80 houses has major implications for Oughtibridge and Grenoside. Oughtibridge Lane is an important route for Grenoside residents to the tram as well as for people living in Oughtibridge wishing to access the motorway and north-east Sheffield.
- Planning permission has already been granted for several hundred new homes in the immediate location which will increase traffic on Oughtibridge Lane.
- The transport assessment is inadequate. It does recognise the gradients and suggests that it is a safe and easy walk into Oughtibridge across the railway bridge. A separate footbridge for pedestrians and cyclists, bridge widening and more stringent speed limits must be considered and implemented.
- Environmental concerns regarding the removal of large trees, the proximity of the development to the woodlands and the presence of bats around the old buildings.
- Coal mining and land contamination concerns given the historic use of the site.
- The application should be rejected and a proper traffic management plan formulated for the wider area.

#### Loxley Valley Protection Society (LVPS)

LVPS echo the concerns of Bradfield Parish Council, the Sheffield and Rotherham Wildlife Trust, Grenoside Conservation Society and support the objections of local residents. LVPS main concerns are:

- Affordable housing, which on many sites does not happen at all and when it does it is minimal or commuted to a cash sum to be used on another site, with little transparency.
- The pressure on local infrastructure.
- Traffic/ transport management.

- The above issues should be considered cumulatively given the number of other developments in the Stocksbridge, Deepcar and the Oughtibridge area.
- The proximity and effect of the site on the ancient woodland and other species present as well as pedestrian/cycle safety and access to the site is also a concern.

#### Neutral Comments

- No objection provided affordable housing, adequate school places, a full width path is provided from the site into Oughtibridge across the bridge, and a 30 mph limit is put in place to slow traffic down.

A further round of consultation was undertaken in November 2019 following the submission of amended plans. A further 13 objections were received. The issues raised are summarised as follows:

- The development will have a further strain of an already overdeveloped village.
- The railway bridge is an accident black spot as pedestrians have to put themselves at risk of injury to navigate it.
- A pedestrian bridge should be provided.
- There are more suitable sites in the vicinity.
- More development requires increased investment in services, there is insufficient health and school provision in the locality.
- Access and parking for the woods has not been considered.
- The provision of a railway station is a good idea.
- Demolish the buildings and extend the woods and green space.
- The applicants indicate that a large part of the highways improvements will be delivered by the neighbouring (Redrow) development which is unacceptable.
- Highways improvements need to consider the cumulative impacts of other developments.
- Highways improvements should be delivered prior to the commencement of development.
- Previous planning history for 9 dwellings does not set a precedent for a development of the size proposed. This consent has subsequently expired.

- Any highways improvements must take account of the significant gradient of Oughtibridge Lane.
- Noise and disturbance during the construction process.
- The development will have a massive effect on the beautiful landscape around the site, damaging wildlife and the woods.
- CIL monies will be subsumed into the 'Neighbourhood' pot rather than being spent locally.
- There will be an adverse impact on resident's air quality and access if the bridge is signalised.
- Signalisation (temporary lights) of the bridge has already been shown to be unacceptable.
- The culvert should be removed from the site.
- Lack of sustainable and safe access will encourage the use of the private car.

#### Grenoside Conservation Society

- The comments made previously are reiterated.
- The transport assessment is inadequate.
- A pedestrian and cycle footbridge should be provided for the safety of all residents.
- Developments elsewhere will see increases in traffic movements and the proposal to provide traffic lights on a steep hill will have unacceptable impact on residents and cause queues.
- The application should be rejected until and proper planned traffic management strategy is put in place for Oughtibridge.

#### Network Rail (NR)

- No objection to the proposal. NR identify that any alterations to the railway bridge to accommodate the development must be agreed with Network Rail.

#### Don Valley Railway (DVR)

DVR is a campaign to bring passenger trains to the currently freight only line between Stocksbridge and Sheffield. They object to the application on the following grounds:

- A previous engineering feasibility study by ARUP 2010 found that the delivery of passenger rail services and the re use of Oughtibridge Station was feasible. The Sheffield City Region (SCR) are undertaking further study work to consider options for expanding the city rail network
- DVR has undertaken further work and consider the most practical means of opening up the line would include Oughtibridge Station at its current site accessed from the east (the application site) to enable the creation of a bus stop, turning and taxi drop off point. The layout of the proposed development would not allow for the above.
- Network Rail may have an interest in any station site considered by the SCR as they strongly advocated the safeguarding of land associated with the Bloor's development at Deepcar.
- The upgrading of the footpath that runs parallel with the rail track and the application site would improve access and non-motorised links to Oughtibridge and the surrounding area.
- The provision of a pedestrian/cycle bridge is welcomed as due to the steep gradient on the road drivers find it frustrating to be stuck behind cyclists.
- Trip rates in the TA are considered low given the rural location of the site. A new station would improve sustainable access.
- DVR urge the developers to work collaboratively with the various public bodies to create a masterplan based around the introduction of trains in the Upper Don Valley. This would allow more housing to be developed whilst reducing the impact of traffic.
- The TA omits any reference to a serious accident black spot at the junction of Low Road/ Bridge Hill and Oughtibridge Lane. Traffic from the development will intensify these issues.

The Council For the Protection of Rural England (CPRE).

- The CPRE support the objections of the DVR and specifically the lack of safeguarding land to promote positive active transport measures and enhancing sustainable travel.

## PLANNING ASSESSMENT

### Policy Context

The National Planning Policy Framework (NPPF) sets out the Government's planning priorities for England and describes how these are expected to be applied. The key principle of the Framework is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic

environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Paragraph 12 of the Framework makes it clear that a presumption in favour of sustainable development does not change the status of the development plan (Unitary Development Plan and The Core Strategy) as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted.

Policies should not however be considered out-of-date simply because they were adopted or made prior to the publication of the Framework (paragraph 213). Due weight should be given to them, according to their degree of consistency with the Framework. The closer a policy in the development plan is to the policies in the Framework, the greater the weight it may be given.

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

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting point for the decision making process. For Sheffield this is the Unitary Development Plan (UDP) and the Sheffield Development Framework Core Strategy (CS).
- Consider the degree of consistency these policies have with the Framework and attribute appropriate weight accordingly.
- Consider the schemes compliance with the Framework as this forms a separate material consideration in its own right.
- Consider the application of the two Paragraph 11 d) tests of the Framework – sometimes referred to as 'the tilted balance'.

Land Use

The site is in a Fringe Industry and Business Area (FIBA) as defined by the adopted Sheffield Unitary Development Plan (UDP).

Policy IB6 of the UDP identifies that whilst residential uses are not preferred, they are acceptable in principle in FIBA's subject to compliance with other specific relevant Industry and Business Policy's contained in the UDP including:

Policy IB8, which identifies that preferred uses (as specified in IB6) will only permitted on the specific sites listed in the policy.

Policy IB9 states that new development should not lead to a concentration of uses that would prejudice the dominance of industry and business in the area and be adequately served by transport facilities, whilst providing safe access to the highway network.

Policy IB11 states that housing will be permitted only where it would not further constrain industrial or business development, it is next to existing residential areas, and residents would not suffer from unacceptable living conditions including air pollution, ground contamination, noise or other nuisance.

#### Dominance and Previously Developed Land

In accordance with Policy IB9 (a) of the UDP, utilising this site for a non-preferred use would be unacceptable if it would prejudice the dominance of industry and business in the area, or result in the loss of an important business site.

The application site and an adjoining development of 34 houses (planning ref: 17/00161/FUL) encompass the majority of the remaining developable land on the north side of Oughtibridge Lane that falls in the FIBA. With the exception of Rabok works the remaining parts of the FIBA, including land to the south west of the railway line have either already been developed for housing or are so steeply sloping that they are considered undevelopable. Planning consent for 9 dwellings has also been granted (2011) on a small part of the application site previously occupied by Farrar Precision Engineering.

The application site is not identified under Policy IB8 as a site where only preferred (industry and business) uses would be permitted, and considering the recent residential development that has taken place in the locality it is clear that this is no longer a priority employment area. This position is reflected in Policy CS5 of the Core Strategy (CS) which does not identify the area as a key strategic location for manufacturing, distribution / warehousing or other non-office businesses.

The draft City Policies and Sites document in 2013 designated the site as part of a Housing Area. This proposed designation carries no weight; it does however give an indication of how the updated policy approach in the Core Strategy could have been reflected in a new policy area designation.

The site is also listed on the 2019 Brownfield Land register, which is a register of previously developed land that the local planning authority consider to be appropriate for residential development having regard to the relevant criteria in the Town and Country Planning (Brownfield and Registers) regulations 2017.

The Framework (paragraph 117) clearly promotes the effective use of land in meeting the need for homes and other uses and gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (paragraph 118 c).

These aims of national policy are reflected in Policies CS23 and CS24 which seek to focus new housing where it would support urban regeneration and make efficient use of previously developed (brownfield) land. CS23 specifically states that housing in Oughtibridge will be limited to suitable, sustainable sites within the existing built up area. Whilst the weight attributed to CS23 and CS24 can be open to question as they are restrictive policies based on outdated housing need figures, the promotion of sustainable brownfield development does align strongly with the Framework and in this regard CS23 and CS24 can be offered substantial weight.

The loss of an existing employment generating use is recognised. The site is not however considered to be a priority employment area any more, and there is established precedent for developing other land in the FIBA for housing.

The applicants have also indicated that the facilities at Oughtibridge are no longer considered fit for purpose as they do not meet the requirements of the current business, which will re-locate to its sister company site in Dinnington.

#### Land Use – conclusion

The proposal does not conflict with IB8 as this is not a site where only preferred (industry and business) uses should be permitted.

Any conflict with Policy IB9a) from a dominance perspective is considered to be outweighed by the benefits of delivering a significant number of new houses on this previously developed site.

The operations of the one remaining commercial use (Rabok Works) adjoining the site can be protected through the use of as planning conditions and as such there is no conflict with IB11.

Based on the previous residential consents granted on part of the application site; residential development that has taken place elsewhere in the FIBA; the clear national and local policy thread to boost the supply of housing by prioritising developing brownfield land; and the fact that this is no longer considered to be key employment site; when purely assessing the principle of redeveloping the site for residential purposes it is considered to broadly align with policy.

There are however specific concerns about the sustainability and consequently the suitability of developing the site for residential purposes due to access and highways issues. Further detailed consideration will be given to these matters and their compliance with the Framework and the relevant sections of IB9 and CS23 and other relevant policy in the transport and highways section of this report.

### Housing Land Supply

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer.

Core Strategy Policy CS22 relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5 year supply of deliverable sites will be maintained. However, the NPPF (2019) now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method.

The Local Planning Authority has recently updated its five year housing land supply position based on the changed assessment regime identified in the revised NPPF (2019) and associated Practice Guidance. The Local Planning Authority has reached this figure by undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing the conclusions in a monitoring report.

Sheffield now has a 5.1 year supply of deliverable housing units and can therefore demonstrate a five year supply. Regardless of the 5 year housing land supply position the Government at paragraph 59 of the NPPF still attaches great weight to continuing to boost the supply of housing. The provision of 70 additional dwellings would make a small, but not insignificant, contribution to meeting the City's obligations to maintain a 5 year supply of housing land in the future. It is considered that this should be given significant weight in the balance of this decision.

### Housing Density

Core Strategy Policy CS26 promotes the efficient use of land for new housing and identifies that a density of between 30-40 dwellings per hectare is appropriate in this location. More up to date guidance is however contained in the Framework which carries increased weight over Policy CS26 as Sheffield's housing need is now greater than it was when the Core Strategy was published.

Paragraph 122 of the Framework promotes the efficient use of land subject to the consideration of a variety of factors including housing need, viability, availability of infrastructure and scope to promote sustainable travel modes, desirability of maintaining

the areas prevailing character and setting, promoting regeneration, and the importance of securing well designed and attractive places.

A substantial part of the site comprises of an access road and, due to topographical issues, the presence of historic mine shafts, a culverted water course and the need to provide a woodland buffer (15 m wide) within the site, the developable area has been substantially reduced.

The 70 dwellings proposed represent a density of approximately 18 dwellings per hectare. This falls short of the recommended density for this area. However taking account of the site constraints the scheme is considered acceptable from a density perspective.

### Design and Layout

Chapter 12 of the Framework is concerned with achieving well-designed places and paragraph 124 identifies that good design is a key aspect of sustainable development.

Paragraph 127 of the Framework, which is concerned with design, sets out a series of expectations including:

- ensuring that developments add to the quality of the area;
- are visually attractive as a result of good architecture, layout and landscaping;
- are sympathetic to the local character and surrounding built environment;
- establish and maintain a strong sense of place;
- optimise the potential of a site and create places that are safe, inclusive and accessible.

Policies CS74 of the CS and UDP policies BE5, IB9 and H15 all seek to secure high quality developments which are of an appropriate scale and which enhance the character and appearance of the area. These policies are reflective of the aims of the Framework and are considered to carry substantial weight.

### Layout

There are no buildings of any significance within the site that require protection or retention. All existing buildings, including a series of structures and tipped material located adjacent to protected trees and ancient woodland are to be demolished and removed. These clearance works will improve the appearance of the site and the setting of the adjoining woodland.

The development will not appear overly prominent or visible from the surrounding area as it is set well back from Oughtibridge Lane. Existing topography, landform and mature landscaping on the site peripheries provides further screening. The adjoining development of 34 houses, if permitted, would also obscure the majority of the site from Oughtibridge Lane.

The proximity of ancient woodland, a culverted watercourse and historic coal mining features within the site have reduced the developable area and influenced the site layout. A substantial buffer (no build) zone of between 15 and 20 metres wide is provided along the entire northern boundary of the site in order to protect the ancient woodland and culvert.

Currently the site is accessed from Oughtibridge Lane via Platts Lane, however due to landownership issues a new site access road is proposed. The new road is positioned immediately to the east of Platts Lane and will act as the sole vehicular access to the site. Within the site dwellings are accessed from a central spine road, off which there are a series of cul de sacs and private drives. The sites very limited visible frontage with Oughtibridge Lane is defined by three dwellings which are located either side of the proposed access road.

Dwellings are orientated to face the street, address corners and where relevant the woodland buffer. Landscaping areas, which add to the overall quality of the scheme, are incorporated throughout the site.

Car parking is integrated in a variety of different ways depending upon the house type. The majority is positioned in-curtilage, which ensures that the street scene is not dominated by vehicles.

Taking account of the site constraints the layout is considered to be acceptable.

#### Design and Scale.

The scheme comprises of a mix of semi-detached, detached, terraced and split level dwelling houses.

The houses are generally two storeys with the exception of the split level dwellings which take advantage of the topographical changes within the site.

The external appearance of the dwellings has been amended during the course of the application. A more contemporary approach to the architecture has been adopted by the developer. Large vertically proportioned windows, projecting bays, pitched roofs and variations in the external appearance of the different house types have been introduced following discussions with officers.

The majority of the dwellings are to be faced in brick with the exception of the three dwellings fronting Oughtibridge Lane, which are finished in artificial stone to match the

adjoining development. The materials proposed are considered acceptable given the sites context and will ensure the development contributes to the character of the area.

High quality boundary treatments are proposed comprising of brick walls and metal railings and timber fences in less conspicuous locations to provide privacy in rear garden areas.

Overall the redevelopment of this existing industrial site to provide 70 new contemporary designed dwellings will significantly improve its appearance.

### Highways and Transport

Policy CS51 (Transport Priorities) within the CS sets out six strategic priorities including developing alternatives to the car, containing congestions levels, improving road safety and supporting economic growth through demand management measures and sustainable travel initiatives.

Policy CS53 (Management of Demand for Travel) within the CS seeks to make the best use of the road network, promote good quality public transport, walking and cycling. This includes the use of measures such as travel plans to maximise use of sustainable forms of travel and mitigate any negative impacts on transport.

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

UDP Policy IB9 says that new development should be adequately served by transport services, provide safe access to the highway and provide appropriate off street parking.

CS23 of the Core Strategy also specifically identifies that in Oughtibridge housing development will be limited to suitable, sustainable sites within the existing built up area.

The Framework (paragraphs 102 to 111) promotes sustainable transport and as such these local plan policies can be considered to have substantial weight in this context.

The Framework also makes it clear 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 impact on the road network would be severe.

### Access, Parking and Layout

The new site access off Oughtibridge Lane would have acceptable visibility and does not give rise to any highways safety issues.

The road layout within the site has been designed to take account of the sites constraints, particularly levels which fall significantly from east to west. The layout facilitates access for emergency and refuse vehicles and does not raise any access or safety concerns.

At least 2 vehicle parking spaces per dwelling are provided for the majority of properties. The spaces are generally located within the curtilage of the properties and a large number of the properties also have garage spaces and driveways. Visitor parking is accommodated within the public highway. The arrangement and level of parking proposed is considered to be acceptable.

Platts Lane currently accommodates a section of the Transpennine Trail (TPT) which connects into the woodland further to the north of the site. The TPT will need to either be diverted on to the new access road or provisions made to retain a connection along Platts Lane into the site.

#### Traffic Generation and Highways Capacity

The application is supported by a transport assessment. The peak traffic periods assessed were the weekday AM Peak 0800 – 0900 hrs and weekday PM peak 1700 – 1800 hrs. The predicted increase in vehicle trips associated with 70 houses (derived from the TRICS database) is 41 two-way movements during the morning peak hour, which is repeated again during the evening peak. Officers however consider that the sites selected within the Transport Assessment to derive these trips are not fully representative of the application site, in terms of location and accessibility. As such trips are considered to be more in the order of 60 two-way movements during the AM and PM peaks.

Regardless, a manual traffic count undertaken during 2019 showed the existing morning peak two-way flow on Oughtbridge Lane to be 851 vehicles, with the two-way evening peak of 922 vehicles. Against these background flows, the development trips are not significant. Even when added to the trips that could be generated from the neighbouring development of 34 houses (ref: 17/00161/FUL), they are not considered to materially alter the way traffic circulates on the local highway network.

#### Highways Safety

The application site is separated from Oughtibridge by an existing railway bridge. Currently pedestrians are required to walk in the carriageway, often into on coming traffic in order to cross the bridge. From a highways safety perspective the existing arrangements are far from ideal and it is not considered acceptable for occupants of an additional 70 (104 including the neighbouring development) family homes to have to cross the bridge in the same way to access Oughtibridge and the application site on foot.

In order to try and address safety concerns relating to access over the rail bridge the applicants are proposing to install traffic lights, reduce the carriageway to single-file for vehicles and provide a footway. Whilst accepting that the current arrangements are far from ideal (even hazardous), the applicant's proposals to overcome pedestrian severance are actually considered to create other, multiple safety concerns.

The applicant's original highway scheme proposed a 1.5 metre wide footway, a 1.0 metre wide eastbound cycle lane at carriageway level, and a 3.5 metre wide carriageway. This scheme was subject to a Road safety Audit (RSA) and owing to unresolvable RSA issues, it has been re-designed.

The revised scheme includes a footway width varying between 1.5 metres and 1.9 metres, and a carriageway width of 4.5 metres. The distance between the stop-lines of the proposed traffic signals which are positioned to the east and west of the bridge remains at 75 metres. This second iteration of the design has had a fresh Road Safety Audit which raised 7 safety concerns. 4 of these concerns have been addressed by the developers design team however the following 3 issues remain unresolved, and officers feel these represent fundamental flaws in the design of the scheme:

1) The swept-path analysis for vehicles passing over the bridge eastbound shows little margin for error. The alignment of the road is unnatural and if the S-shape of the turning envelope is flattened by speeding traffic, a vehicle/cyclist may be struck standing at the westbound stop-line. Over-run of the footway and potential collision with pedestrians (particularly from larger vehicles) is also a valid concern raised by the audit team.

2) Proposals to move the 30 mph speed limit further to the east of the site access is unlikely to have any meaningful impact in reducing vehicle speeds in such a rural setting. The police also tend not to support traffic regulation orders in these types of situation.

3) The audit team have stated there is a steep uphill gradient for eastbound cyclists to negotiate whilst travelling through the signalised section. Cyclists using this section may be minimal; nevertheless there may be insufficient time for slow moving cyclists to travel through the signalised section during their 'green' signal. This could result in cyclists (or following vehicles) being at risk of colliding with an oncoming westbound vehicle.

As potential solutions to the concerns raised in point 3 above, the audit team has suggested:

a) detection equipment be provided as part of signalisation to accommodate slow moving cyclists during the 'green' signal; or

b) a formal facility is provided by widening the footway to provide a shared path for pedestrians and cyclists; or

c) intergreen timings (time period between each signal changing) are adjusted to allow more time for cyclists.

In responding to the above, officers have referred to the Sustrans handbook for cycle friendly design, in which it is recommended that for motorcars overtaking cyclists, a width of 4.8 metres is required where the vehicle is travelling at 30 mph. Actual speed surveys have shown average speeds to be 32.3 mph, and 85th percentile speeds to be 38 mph. The Sustrans guidance also indicates that 200 mm should be added to the carriageway width for a 150 mm upstand kerbface, which is what the footway would have. Furthermore, 500 mm should be added to the width for a vertical feature above 600 mm in height (the parapet wall of the bridge exceeds this).

The reason for these additional widths is that cars shy-away from walls/parapets and cyclists shy-away from kerb upstands. These widths give a total carriageway width of 5.5 metres. Adding in the gradient, which reduces cycling speed and potentially induces wobbling, coupled with the distance between signal stop-lines (75 metres), the 4.5 metres carriageway width proposed by the design team is considered too much of a departure from the Sustrans advice and gives rise to safety concerns.

In relation to the design suggestions of the audit team identified above (a, b & c):

Officers consider that cyclists travelling eastbound will feel intimidated by traffic travelling behind owing to the width of the carriageway not being conducive to overtaking safely. This situation wouldn't be helped by implementing the audit team suggestion of option a) 'providing detection equipment'.

For option b) 'widen the footway to provide a formal facility shared by pedestrians and cyclists', this was considered and discarded on safety grounds within the original scheme.

For option c) 'adjust the intergreen timings' again this does nothing to resolve the issue of cyclists being chased by motorised traffic up the hill eastbound between stop-lines. Extending the intergreen would also extend queue lengths during the morning and evening peaks, increasing driver frustration.

In addition to the above, officers have raised concerns with the following issues which have not been picked up in the Road Safety Audit:

Vehicles potentially racing signals before they change to red (particularly westbound with the downhill gradient) and failing to stop at the stop-line and colliding with a car/cyclist travelling eastbound. From a point 25 metres before the stop-line (westbound) there is approximately 45 metres forwards visibility. In accordance with the 'Manual for Streets' the surveyed average speed of 32.3 mph requires a stopping distance of 43 to 45 metres which is right on the cusp of the available forward visibility. The 85th percentile recorded speed was 38 mph which in accordance with 'Manual for

Street's' requires a stopping distance of 56 to 59 metres, which exceeds the available forward visibility.

Temporary traffic lights (similar in type and in broadly the same location as the ones being proposed by the developer) were operated during the spring of 2018, accompanying some drainage repairs in the road. Motorists were observed racing the lights.

The provision of traffic lights will inevitably introduce delay where previously there has been none. The modelling submitted by the developer suggests average queue lengths of up to 14 vehicles during the peak periods. Looking at the input data, 12 seconds has been selected for the intergreens (time between signals changing). This means if a cyclist crosses the uphill stop-line with the signals on green, but they change to red just after passing the signal-head, there are only 12 seconds to cycle through the system (75 metres). This is considered insufficient time for a cyclist to safely navigate the traffic lights taking account of the distance between the signals and the significant gradients involved.

Officers have also observed the impact on traffic flows from the installation of temporary traffic lights on the bridge. During this period queues were observed to range between 20 and 33 vehicles long. Often, the queue length didn't completely dissipate within one change of the signals, resulting in drivers tagging on the end of the car in front and ignoring the red signal.

Queues and delays cause driver frustration and increase the potential of risk taking. The cycling survey submitted with the application showed an AM peak of 0 eastbound cyclists and 3 westbound. The PM peak was 3 eastbound cyclists and 4 westbound. The daily two-way cycle flow crossing the bridge was 47 (on Wednesday 22nd May 2019). These cycling flows are not high, but with the queue lengths indicated in the transport assessment possibly being significantly underestimated, any associated driver frustration and risk taking puts cyclists in an extremely vulnerable position. There is also likely to be an increase in cycle activity over the weekend as Oughtibridge Lane (cote de Oughtibridge) formed part of the route used when the Tour de France visited Yorkshire in 2016, and so is attractive to recreational cyclists.

A cyclist setting off from the stop-line eastbound with a stream of cars behind, the cars are likely to be tempted to overtake the cyclist before the road width funnels down, most likely resulting in conflict at that location.

If the westbound nearside primary signal-head and eastbound offside primary signal-head fail, they appear extremely hazardous to access for maintenance personnel trying to repair them. If there was a major outage and all the signal-heads fail, it would be impossible for anyone to proceed safely across the bridge.

The applicant's highway scheme requires land from the adjoining development site to accommodate the realignment of Oughtibridge Lane approaching the westbound stop-

line. This land hasn't been highlighted as being within the control of the applicant. Therefore putting to one side the multiple safety issues with the design of the scheme, there are concerns that the proposed works are not actually deliverable.

Officers consider that a separate footbridge over the railway line would afford safe access to the application site and Oughtibridge. Measures to support the provision of a footbridge including extending the footway on Station Lane (up to the bridge) and safeguarding a parcel of land to facilitate a bridge landing were secured as part of an adjoining residential development. Had the developer agreed to provide the footbridge the existing footpath on the eastern side of the rail line, which flanks the top of the railway cutting and connects to the site, could be brought up to adoptable standards and lit, thus providing convenient and direct pedestrian access between the application site and Oughtibridge.

Any structure spanning the railway requires the consent of Network Rail. Officers facilitated and attended a meeting (in York) with Network Rail, the applicants and developers of the adjoining site to discuss the provision of a footbridge. Network Rail raised no in principle objection to a footbridge being provided, subject to the developer(s) gaining the necessary technical approvals to carry out the works.

It is clear that there is no in principle or practical reason why a footbridge could not be delivered by the developer. Particularly in light of officers concerns that proposals to signalise the bridge give rise to clear highway safety issues that cannot be resolved. The proposal is therefore considered contrary to adopted local and national planning policy.

Concerns have been raised by residents about a potential increase in highway safety issues should planning permission be granted, particularly on the existing one-way system in Oughtibridge (Low Road). Notwithstanding the comments above about trips generated by the development, a danger reduction scheme is already committed (along with the funding) at the Station Lane/Low Road/Bridge Hill junction. A traffic regulation order has been advertised to prevent motorised traffic passing down Bridge Hill from Langsett Road South to Low Road. This will simplify operation of the Station Lane/Low Road junction, to the overall benefit of highway safety.

Sustainability and access to public transport services.

The government is clear that the purpose of the planning system is to contribute to the achievement of sustainable development within which there are three overarching objectives (economic, social and environmental). These objectives are interrelated but with specific regard to this scheme, paragraph 8 b) of the Framework identifies that fostering a well designed and safe built environment with accessible services is a key part of the social objective of achieving sustainable development.

Paragraph 91 a) and c) of the Framework identify that development should allow for easy pedestrian and cycle connections within and between neighbourhoods and layouts

should encourage walking and cycling in the interests of promoting healthy and safe communities.

Chapter 9 of the Framework is specifically focused on promoting sustainable transport. There are a number of key paragraphs in this section of the Framework that are directly relevant to this proposal.

Paragraph 102 c) identifies that opportunities to promote sustainable transport (walking, cycling and public transport) are identified and pursued. Paragraph 108 also identifies that opportunities to promote sustainable modes of transport should be taken up, safe and suitable access to the site achieved and any significant impacts on the transport network (capacity and congestion) should be cost effectively mitigated to an acceptable degree.

Paragraph 109 clearly identifies that development should only be prevented or refused on highways grounds if there would be unacceptable highways impacts on highway safety, or the residual cumulative impacts on the road network would be severe. In this context paragraph 110 a) states that first priority should be given to pedestrian and cycle movements, both within the scheme and with neighbouring areas and as far as possible facilitate access to high quality public transport. Part c) of para 110 clearly indicates that development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclist and vehicles.

Section 12 of the NPPF which is concerned with achieving well designed places states at paragraph 127 f) that developments should create places that are safe, inclusive and accessible and which promote health and well-being.

At a local level policy CS23 identifies that only suitable and sustainable sites should be developed in Oughtibridge. IB9 requires development to be adequately served by transport services and provide safe access to the highway network while H15 states that new housing developments will be expected to provide easy access to homes.

Parts a, c and h of CS63 specifically promote development that is accessibly located, which can take advantage of sustainable modes of transport and which promotes walking and cycling. These policies are attributed weight in the determination of this application as they accord with the above highlighted sections of the NPPF.

Objections have been raised regarding the lack of public transport links from the development site to Oughtibridge. The Institute of Highways & Transportation document (Guidelines for Providing for Journeys on Foot) advises that 800 metres is an acceptable walking distance. The bus stops on Low Road are approximately 730 metres away. Services to these stops terminate at the Supertram Park & Ride on Middlewood Road, where you can switch from bus to tram and access the rest of the City. These services provide a reasonably high level of public transport connectivity. However, without a safe crossing over the railway bridge for pedestrians and cyclists, these

sustainable forms of travel are not accessible or considered to be a viable alternative option to the private car.

There are clear highways safety issues with this scheme as identified above. The applicant's proposal to signalise the bridge is not considered to be safe. Without the ability to safely access the application site and the facilities (local services and public transport) in Oughtibridge, the scheme is considered to represent an unsuitable and unsustainable form of development. The development does not therefore meet the requirements of the above highlighted local and national planning policies.

#### Rail issues

A number of objections have been submitted from local residents and other interest groups who consider the application should be refused as the proposal would remove land that could support the future passenger use of the old Oughtibridge station and platforms. The group would also like provision for a bus stop, a taxi drop-off and turning space within the application site.

The principle of providing passenger rail services on the adjoining line could potentially afford residents of Oughtibridge with access to a more sustainable form of transport; however, there is currently no programme entry, no confirmed status or funding in place to open up the existing freight route for passenger services, or for the construction of stations and platforms.

UDP Policy T4, which relates to improvements to the local rail network including the provision for new stations, mentions investigating the possibility of re-opening passenger services to Stocksbridge and developing new stations at Wadsley Bridge, Deepcar and Stannington. No mention is made of Oughtibridge, even though the route passes through it. Furthermore Policy T4 was not saved following the publication of the Core Strategy and therefore carries no weight.

UDP Policy T5 was however saved. It states that the existing network of rail freight and passenger routes will be safeguarded and that disused railway alignments will be protected for transport uses including recreational uses, and that this includes the protection of a network of routes from development which might prejudice existing or future transport services, but not to ensure operation of those services. The policy goes on to say that the linear nature of railway routes offers opportunities for improving transport facilities. This could include extending the Supertram network, introducing guided-bus, or expanding the pedestrian and cycle network. These opportunities should be protected.

With regard Core Strategy Policy CS16, it states that the existing track-bed of the rail route between Sheffield and Dore stations and the freight line from the City Centre to Stocksbridge will be safeguarded for transport uses.

In summary, policy T4 has not been saved and the development does not conflict with Policy T5 or CS16. Combined with this, the former Oughtibridge station has already been subsumed into a residential development to the west. In light of the above, it is considered that refusing this planning application to safeguard building a potential station, platforms and parking could not be substantiated.

#### Amenity Issues

UDP Policy GE23 says that development will only be permitted where it would not locate sensitive uses where they would be adversely affected by air pollution, while Policy IB9 says that residents should not suffer from unacceptable living conditions.

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

Policy IB14 within the UDP requires an environmental buffer to be provided between industry and sensitive (residential) uses.

Core Strategy Policy CS74 says that new development should contribute to the creation of a healthy, safe and sustainable environment.

Paragraph 127(f) identifies that development should create places with a high standard of amenity for existing and future users. In addition paragraph 180 identifies that planning decisions should ensure that new development is appropriate for its location taking into account effects of pollution on health and living conditions, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Local policy seeks to ensure existing and future users are offered a good standard of amenity and this is robustly reflected within the NPPF. These local policies can therefore be attributed substantial weight.

This is a fairly self-contained site which is separated from adjoining properties by a railway line, public highway, areas of mature woodland/trees and other intervening land. Site levels fall substantially from the east to west.

There are no significant issues in terms of overlooking between dwellings within or adjoining the site. Each dwelling will be provided with a suitably proportioned private garden area.

The arrangement and position of the proposed dwellings has also been considered in light of the neighbouring development of 34 dwellings and does not result in any amenity concerns.

The adjacent industrial premises and railway line are the main sources of noise affecting the site. The rail line (in part) is located at a lower level and is irregularly used by freight traffic only. The majority of the development is located some distance from the adjacent industrial premises. As there are already a number of dwellings located adjacent to these premises it is clear that future residents could be protected (through enhanced glazing and ventilation) from unacceptable noise or other environmental conditions, should the scheme be considered acceptable in all other respects.

Issues to do with noise and general disturbance during the construction and demolition period can be adequately controlled by a condition requiring the submission of a Construction and Environmental Management Plan (CEMP).

The proposal is considered to be acceptable from an amenity perspective.

#### Air Quality

The application is accompanied by an air quality assessment. The assessment indicates that the proposal will not have any significant or harmful air quality impacts that cannot be adequately managed through conditions, should the scheme be considered acceptable in all other regards.

The applicants are proposing electrical vehicle charging points in a number of dwellings and any construction phase impacts could be controlled by an environmental management plan (CEMP).

#### Land Contamination and Coal Mining Issues

Paragraph 178 of the NPPF identifies that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining.

This is a brownfield site that is used for heavy industrial purposes. It therefore requires extensive remediation. The Environmental Protection Service (EPS) have considered the proposals and raise no objections subject to conditions requiring further site investigations to be undertaken and subsequent validation of any required remediation works. Such matters could be secured via planning conditions should members be minded to approve this application.

The site falls within a defined High Risk coal mining area as there are considered to be historic coal mining features and hazards within the site which could materially affect the development. This position has been confirmed by the applicants and the Coal Authority (CA).

Following extensive discussions between the applicants and the CA the site layout has been amended to show the approximate position of all mine entries, their respective

zone of influence, including a required area of departure where no development should be located. This has resulted in the number of dwellings being reduced to 70. The Coal Authority have no objections to the revised layout subject to a condition requiring further site investigation and remediation of the site to remove the risk of encountering historic below ground coal mining features. These matters will be secured via planning conditions should members be minded to approve the application.

### Landscape and Ecology Issues

Policy CS74 of the Core Strategy expects high-quality development that respects and enhances the distinctive features of the city including its Green Networks, important habitats, waterways, woodlands, and other natural features.

Policy GE11 of the UDP seeks to protect and enhance the natural environment and promote nature conservation.

Paragraph 170 (a) and (d) of the Framework identifies that planning decisions should contribute to and enhance the natural and local environment, mitigating harm on and provide net gains in biodiversity.

UDP Policy BE6 requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation that is to be removed or retained

Paragraph 175(a) of the NPPF identifies that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

It is considered that the local policy aims of protecting and enhancing ecology are compatible with the NPPF and therefore retain substantial weight.

The application is accompanied by an Ecology Assessment which identifies those habitats and species present on site and assesses the potential impact on the identified habitats. The site comprises of an active industrial complex with ten buildings and associated hardstanding and parking areas as well as some areas of semi natural woodland and scrub. The conditions relating to habitats and species have been identified through desktop surveys, national and local databases and through supplementary field survey work. The reports have been considered by the Council's Ecology Section and the survey and assessment methods used by the applicant are considered to be acceptable.

The site is not covered by any specific ecological or landscape designations in the UDP. One statutory site, Wheta Woods Local Nature Reserve (LNR), is located to the north east of the site approximately 40 metres from the site boundary and the non-statutory Local wildlife site (LWS) Wharnccliffe Chase and Wood borders the northern boundary of the site. The site is also in the impact zone for the Wadsley Fossil Forest Site of

Special Scientific Interest (SSSI) however it is located 2.2 km to the south of the site. None of the above sites are considered to be harmfully affected by the development either as a result of their distance from the site, the nature of the development proposed or the incorporation of mitigation measures which includes a 15 metre wide landscape buffer zone.

Site survey work has identified that no protected species including badger, bats or reptiles are considered to be harmfully affected by the development. The submitted ecology reports recommend that a series of standard precautionary measures are put in place, to prevent species that may have entered the site from being affected during the construction phase of the development, details of which could be secured by condition. Provisions to allow the movement of hedgehogs through the site are also recommended and again could be secured by condition.

The Wildlife and Countryside Act gives general protection to wild birds and it is illegal to disturb wild birds while they are nesting. The trees and more mature landscaping around the site peripheries offer potential nesting habitat. Some basic mitigation, secured by condition, would serve to protect nesting potential on site. Clearance of breeding bird habitat should take place outside of the breeding bird season and should be the subject of a pre-clearance breeding bird survey. The applicants have also indicated that bird and bat boxes and new landscaping would be provided within the site.

Obtrusive lighting and light spillage onto the adjoining woodland has the potential to affect existing habitats and contribute to a decline in biodiversity. However it is considered that a sensitively designed lighting scheme would mitigate any harmful impact.

The ecological survey work has identified that Japanese Knotweed is present on the site. Knotweed is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), making it an offence to cause it to spread or grow in the wild. The Knotweed will need to be eradicated in accordance with best practice. The process of dealing with this is controlled separately by the Environment Agency.

#### Impact on Trees

The application is accompanied by an arboricultural report and impact assessment. There was extensive tree cover around the site peripheries and adjacent to Platts Lane, however the majority of these were removed in early 2018 by the site owner/developer. The remaining trees are largely located on or adjacent to the northern and western site boundaries. These trees are protected by Tree Preservation Order and are to be retained as part of the development.

An area of ancient woodland, known as Wharncliffe Woods is located immediately to the north of the site. Parts of the woodland are at a significantly higher level than the application site. The operational boundary of the existing site extends right up to the

woodland and a number of existing buildings, areas of hardstanding and parcels of land that are currently used for industrial storage and car parking are located very close to the woodland.

The proposed scheme removes these structures and replaces them with a substantial (15m wide) landscape buffer which extends well beyond the root protection areas of the trees. Part of the existing access road is in the ancient woodland buffer zone and a very small section of the new access road (as a result of its realignment) remains in the buffer zone. As this area of the site is previously developed and lies well outside of the trees root protection zone it is not considered to harm the ancient woodland.

The woodland buffer will be replanted with native trees and shrubs and a species rich wildflower area will be established, full details of which could be secured by condition. Overall there is a significant improvement in the relationship between the site and the ancient woodland. Pockets of native tree and shrub planting are proposed throughout the scheme and a majority of the remaining trees within the site will be retained.

Consequently, it is concluded that there would be no harm to the natural environment within or adjacent to the site in accordance with policy criteria.

#### Flooding and Drainage

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments including:

- Requiring new development to limit surface water run-off.
- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

The Framework seeks to ensure that areas at little or no risk of flooding are developed (Flood Zone 1) in preference to areas at higher risk (Flood Zones 2 and 3). CS67 is considered compatible with the NPPF in terms of reducing the impacts of flooding and therefore retains substantial weight.

The application site is located in Flood Zone 1 (the lowest risk of flooding). The Environment Agency's surface water flood maps do however identify that the northern parts of the site are at risk of surface water flooding associated with the potential blockage/flooding event affecting a culverted watercourse (Sough Dike) located within the site, close to the northern boundary.

The culvert is to remain in place and all development is set a minimum of 15 metres from its centre line. The applicants are proposing to raise site levels and create an overland flow route (grass channel) over the top of the culverted watercourse in order

to mitigate the impact of surface water flooding. Surface water discharge from the application will continue to discharge to the Sough Dike at a restricted rate.

In order to discharge foul water to the combined sewer in Oughtibridge Lane a pumping station is proposed in the north western corner of the site.

Yorkshire Water has recommended a series of conditions in relation to mains drainage, as have the Lead Local Flood Authority (LLFA), in order to reduce surface water discharge.

Given the above, the proposals are considered to be acceptable in principle from a drainage perspective.

### Sustainability

Chapter 14 of the Framework deals with the challenges of climate change and identifies the planning system as playing a key role in reducing greenhouse gas emissions and supporting renewable and low carbon energy.

When determining planning applications paragraph 153 of the Framework makes it clear that local planning authorities should expect new development to comply with local requirements for decentralised energy supply unless it is not feasible and viable, and that buildings are designed to minimise energy consumption.

Policy CS63 sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

Policy CS64 of the Core Strategy seeks to ensure that new buildings are designed to reduce emissions of greenhouse gases through high standards of energy efficient design.

Policy CS65 seeks to promote renewable energy and carbon reduction and requires developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. An equivalent reduction in energy demands via a fabric first approach is now also accepted.

These local policies are considered to robustly align with the NPPF and are afforded substantial weight.

In relation to the requirements of CS63, the site is located on the edge of the village of Oughtibridge where local amenities and high frequency public transport links into Hillsborough and connections to the tram are available. However future residents will not be able to safely access these facilities because suitable provision for cycle and pedestrian access has not been incorporated as the developer is not prepared to provide a dedicated footbridge over the railway line. In this regard the development is not sustainably located.

The site is previously developed and the scheme will incorporate sustainable drainage systems that will result in a reduced surface water run-off rate (see flooding Drainage Section of this report).

The requirements of Policy CS64 for residential developments to achieve Code for Sustainable Homes Level Three have been superseded by the Technical Housing Standards (2015).

The applicants have confirmed that the proposed development will meet the 10% target identified in CS65 by reducing energy demand via a fabric first approach. Thirteen plots (18%) are to be provided with electrical vehicle charging points. The development will also reclaim a contaminated brownfield site and creates landscaped areas, a buffer to the ancient woodland and new habitat.

It is considered that the proposal meets some specific parts of local and national policy requirements in relation to sustainability. However, fundamentally the development is not considered to be sustainably located as future residents cannot safely access the facilities and amenities in Oughtibridge or the application site. The proposal is therefore contrary to the aims and objectives of policy CS63 specifically parts a, c and h which seeks to promote development that is accessibly located, that can take advantage of sustainable modes of transport and which promotes walking and cycling.

### Affordable Housing

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

The target within Policy CS40 is between 30 and 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the Rural Upper Don Area and sites within this area have a maximum target of 10% for affordable housing provision.

Paragraph 62 of the NPPF states that planning policies should specify the type of affordable housing required. Furthermore paragraph 57 notes that an applicant is able

to demonstrate that the need for a viability assessment exists and it is for the decision maker, having regard to all the circumstances in the case, to offer this weight.

As such, within the provisions of affordable housing policy at both a national and local level, the individual viability of a scheme is a material planning consideration with local authorities able to accept a reduced or even a nil contribution on these grounds.

In this case a financial appraisal has been submitted by the applicant that evidences why this scheme is not able to make the full 10% contribution to affordable housing.

This appraisal has been considered by CP Viability, acting as an independent expert on such matters. CP Viability consider that whilst the scheme could not viably meet the full 10% affordable housing requirement it can provide a reduced contribution of just over 1%.

In financial terms this relates to an off-site contribution of £147,000 or on site the provision of 173 sq metres of the overall developments floor space, if transferred to a registered provider at the transfer price (850sq metre) identified in the CIL and Planning Obligations SPD. This would provide two 3 bedroom dwellings based on the mix and size of dwellings proposed.

Paragraph 68 of the NPPF identifies that affordable housing should be provided on site as part of a development unless there is robust reasons why it cannot. The council's Strategic Housing section have identified a strong demand for affordable housing units of all sizes in the area. The applicants have agreed to provide the two required dwellings on site as part of the scheme.

Details of the delivery of affordable housing can be secured by section 106 agreement should Members consider the scheme to be acceptable in all other regards.

#### Health Issues

Local residents have raised concerns about the capacity of existing medical practices in the locality to accommodate existing residents and additional demands from new residents.

These concerns are noted however the proposed development falls well below the 1000 dwellings threshold where contributions towards health related infrastructure will be required as set out in the CIL and Planning Obligations SPD). Any requirement for the enhancement of health facilities will therefore have to be delivered through CIL or other available funding streams.

#### Education Issues

The School Organisation Team have identified that the site is in the catchment area for Oughtibridge Infant and Junior School (primary) and Bradfield School (secondary).

Oughtibridge Primary School is currently full and oversubscribed in all year groups. The potential additional yield of school age children generated from this development is anticipated to exacerbate existing capacity issues. Forecasts show there will be continuing capacity issues at primary level in the catchment in the coming years.

The situation is slightly different at secondary level. Bradfield Secondary School is currently full and oversubscribed and forecasts show this trend is likely to continue. However the majority of the pupils accessing the school are from within its own catchment area and forecasts suggest the school would continue to be able to accommodate catchment demand when the pupils yielded from this development are taken into account. This does however mean that some pupils (from out of catchment) who may want a place at Bradfield would be unable to access one. Forecasts suggest that these out of catchment pupils can however be accommodated at other local schools.

These education capacity issues are acknowledged however the development of this site falls well below the thresholds (500+ dwellings for primary and 1000+ for secondary) set out in the CIL and Planning Obligations SPD whereby section 106 education contributions are required. Any additional education provision will therefore need to be funded through CIL or other funding streams.

#### Community Infrastructure Levy (CIL)

The site falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

#### Archaeology

Policy BE22 (Archaeological Sites and Monuments) within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

This site accommodated the former Congress Steel Works which dates back to the 19th century. Elements of this and other past industrial use, including buildings and other structures, could still survive on site, both above and below ground.

The applicants have submitted a desk based archaeological assessment in support of the application which recommends that building recording and a series of trial trenches are dug prior to the commencement of development. A condition could be attached requiring the developer to undertake further archaeological investigations prior to the commencement of development, should the development be considered acceptable in all other regards.

#### Public Art

Policy BE12 of the UDP identifies that public art should be an integral part of the design of major developments. Details will be secured by condition should Members be minded to approve the application.

#### Statement of Community Involvement (SCI)

The Council, in its Statement of Community Involvement (SCI), and the Government (in paragraphs 39 to 42 of the NPPF) encourage applicants to undertake pre application discussions with the Local Authority and to engage with the local community and statutory and non-statutory consultees before submitting an application.

Unfortunately the applicant did not engage in the Council's paid pre-application enquiry service prior to the submission of this application. They did however distribute approximately 50 leaflets to residential and business premises in the locality and posted a site notice in the vicinity to inform local people of the proposals. A web site was set up and residents were also afforded the chance to comment on the scheme through the various social media channels. No details of any feedback associated with this pre consultation process have been provided by the developer.

Although the pre-application consultation exercise was limited, this is a voluntary process and the council cannot enforce developers to engage. The application could not be refused based on the lack of engagement with the community or the local authority prior to the submission of the application.

#### RESPONSE TO REPRESENTATIONS

The safe removal and disposal of asbestos is dealt with under separate legislation.

Rights of access across the site are private matters between the developer and the owner of the land or property concerned.

The application was advertised by way of press and site notices and individual letters of notification to adjoining neighbours. The level of consultation is appropriate for the scale of development proposed and accords with Council's code of practice.

All other issues are covered in the main body of the report.

#### SUMMARY AND RECOMMENDATION

The application site is located to the east of Oughtibridge and comprises of approximately 3.9 hectares of land that is occupied and operated by Internet Refractories.

As amended this application proposes the clearance of the site and the erection of 70 dwellings comprising of a mix of 3, 4 and 5 bedroom homes, along with associated access roads, a woodland buffer and foul water pumping station.

The site is in a designated Fringe Industry and Business Area as defined by the adopted Sheffield Unitary Development Plan. The above assessment has determined that the proposed use is appropriate in relation to the land use designation.

The redevelopment of a brownfield site and provision of a reasonable number of dwellings is a clear benefit, particularly in light of the emphasis the government gives to boosting the supply of new homes. The density of the development is considered to be acceptable given the developable area is constrained by surface water flooding issues, a culverted watercourse, a Tree Preservation Order and the proximity of ancient woodland.

The site layout is appropriate taking account of the site constraints. The more contemporary approach to the design of the house types and use of stone and brick has been developed following discussion with officers and is supported.

Amendments made to the scheme will ensure the majority of the existing TPO'd trees within the site will be retained and protected as part of the development. A new 15 metre wide landscape buffer will be planted (along the northern boundary) with native trees and shrubs ensuring the adjoining ancient woodland is not harmed.

The submitted ecology report demonstrates that the development will not have a detrimental impact on biodiversity and some simple protection measures during the construction phase, the provision of bird and bat boxes, retention of trees and supplementary planting of native species will enhance the site.

Suitable flood mitigation measures are proposed which include raising site levels and providing an overland flow route for surface water above the existing culverted water course within the site.

10% of the developments energy needs are to be provided through a fabric first approach and a proportion of dwellings are provided with electrical vehicle charging points.

The amenity and living conditions of future residents and existing dwellings adjoining the site will remain satisfactory. The proposal will not constrain the operations of the remaining commercial premises adjoining the site.

The site layout has been amended to avoid historic coal mining features, and from a contamination perspective the site could be redeveloped safely subject to appropriate remediation.

Viability information has been submitted and following independent review by the Councils appointed viability assessors the scheme cannot support the full affordable housing requirement (10%). The scheme can however deliver a reduced amount of affordable housing. Given that there is a strong demand for affordable housing of all sizes in the area, the applicants have agreed to provide the required affordable housing (two 3 bed units) on site as part of the scheme.

Economic growth is strong theme of the NPPF. The proposal will remove an existing local employer which is a negative element of the scheme; however this is counter balanced to some extent by job creation during the construction phase, the potential increase in Council tax, the provision of the new homes bonus and economic activity associated with future occupants.

As highlighted above there are a number of positive elements to this scheme. However, following extensive discussions with the applicants an acceptable solution to providing residents with safe access to and from the site has not been found.

The existing arrangements, which involve pedestrians having to walk in the carriageway to cross the existing rail bridge on Oughtibridge Lane, are considered hazardous. The applicant's proposals to signalise the bridge has been considered by officers and independently reviewed through a Road Safety Audit. The proposed scheme gives rise to multiple safety concerns for pedestrians, cyclists and vehicles and detrimentally affects the free and safe flow of traffic on Oughtibridge Lane. In line with the guidance contained in paragraph 109 of the Framework the highways safety impacts of the development are considered to be severe and have not been reasonably mitigated by the applicant's design solution.

A separate footbridge could be delivered which would provide a safe route for pedestrians and cyclists and minimise the need to signalise or make any major changes to the existing road bridge and carriageway (Oughtibridge Lane). Network Rail have no in principle objection to a footbridge crossing the rail line, and as part of an adjoining housing development land has been reserved, and a connecting footway provided to allow a footbridge to be constructed which would serve the application site.

Putting to one side officers safety concerns with the applicant's highways scheme, as third party land (which is not currently not in the applicants ownership) is required, the proposed highways works are not actually considered to be deliverable.

The pursuit of sustainable development is the overriding aim of national planning policy. CS23 specifically advises that housing development within Oughtibridge will be limited to suitable and sustainable sites in the built up area only. Opportunities to promote and improve safe and sustainable access to the site have not been adequately addressed by the developer.

Various facilities and public transport services are available in Oughtibridge. However as the site (and Oughtibridge) cannot be accessed safely, officers consider this

proposal for 70 dwellings to represent an unsuitable and unsustainable form of development that is contrary to the aims and objectives of local and national planning policy.

In relation to paragraph 11 of the NPPF, as Sheffield can demonstrate a five year housing supply the most important policies in the determination of this application are not automatically considered to be out of date. The most important local policies in the determination of this application, which in this case revolve around housing land supply, highway related impacts, sustainability, amenity, ecology and landscape impacts, affordable housing/viability and flooding, do, when considered as a collection, align with the Framework. As such section d) of paragraph 11 is not applied in this instance.

For the above reasons it is however recommended that the application be refused.

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Case Number	17/00161/FUL (Formerly PP-05744468)
Application Type	Full Planning Application
Proposal	Erection of 34x dwellings with associated access, parking and landscaping works
Location	Land At The Junction Of Oughtibridge Lane And Platts Lane Sheffield S35 0HP
Date Received	13/01/2017
Team	West and North
Applicant/Agent	Mrs Sarah Wills
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The Local Planning Authority consider that the proposed highways improvements, which include signalling the rail bridge on Oughtibridge Lane, would have an unacceptable impact on the safety of pedestrians, cyclists, vehicles and other road users, and detrimentally effect the free and safe flow of traffic on Oughtibridge Lane and Station Lane. The development is therefore contrary to Policy IB9 (f) of the Sheffield Unitary Development Plan, Policy CS51 (e) of the Core Strategy and paragraphs 108 (b) and (c), 109 and 110 (c) of the National Planning Policy Framework.
- 2 The Local Planning Authority considers that as the application site and the facilities and services in Oughtibridge (including public transport) cannot be accessed safely, the scheme represents an unsustainable and unsuitable form of residential development that does not take opportunities to prioritise and promote sustainable transport and access. The development is therefore contrary to Policies IB9 (f) and H15 (a) of the Sheffield Unitary Development Plan, Policies CS23, CS51 (b) and (e), CS53 (a) and CS63 (a), (c) and (h) of the Core Strategy and Paragraphs 8 (b), 91 (a) and (c), 102 (c), 108 (a) and (c), 110 (a) and (c) and 127 (f) of the National Planning Policy Framework.

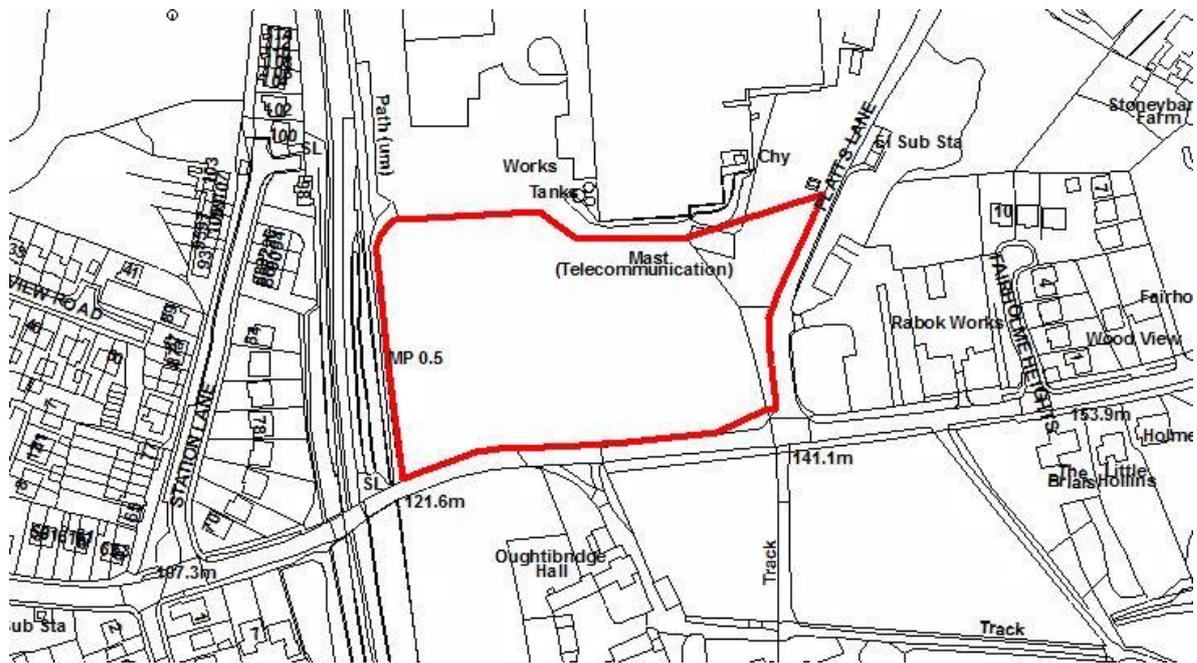
Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority trying to work with the applicant in a positive and proactive manner it was not possible to reach an agreed solution in negotiations.

2. The Applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

PLO-16-02-02B - Proposed Site Plan (Amended layout);  
PLO-16-02-03B - Boundary Treatment Plan;  
PLO-16-02-04A - Materials Plan;  
PLO-16-02-11A - Site Sections;  
PLO-16-02-T2-901a - Type 2;  
PLO-16-02-T5-901a - Type 5;  
PLO-16-02-T8-901 - Type 8;  
PLO-16-02-T8-902 - Type 8;  
PLO-16-02-T8-903 - Type 8 - 3 Block;  
PLO-16-02-T8-904 -Type 8 - 3 Block;  
PLO-16-02-T10-901 - Type 10;  
PLO-16-02-T11-901a - Type 11;  
PLO-16-02-T12-901 - Type 12 - Semi;  
PLO-16-02-T12-902 - Type 12 - Semi;  
PLO-16-02-T12-903 - Type 12 - 3 Block;  
PLO-16-02-T12-904 - Type 12 - 3 Block;  
PLO-16-02-T13-901 - Type 13;  
PLO-16-02-T13-902 - Type 13;  
PLO-16-06-003-B - Proposed Level Strategy;  
PLO-16-06-004-B - Proposed Drainage Strategy;  
PLO-16-06-005-B - Surface Water Outfall Options;  
PLO-16-02-02B - Proposed Site Plan.

## Site Location



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## LOCATION AND PROPOSAL

The 1.4 hectare application site is located within the Oughtibridge district of Sheffield, off Oughtibridge Lane and at the junction with Platts Lane.

This greenfield site is currently being used by the tenant farmer for growing cereal crops. The topography of the site is such that it slopes steeply down from east to west. There are trees along the boundaries of the site to the east and west, but they are not protected by Tree Protection Orders (TPO).

The site is accessed off Oughtibridge Lane, which forms the southern site boundary and is lined with a drystone wall. To the south, beyond Oughtibridge Lane, are open fields and farm buildings. To the west of the site and beyond the trees is the Don Valley (freight) railway line. Oughtibridge Lane crosses over the railway line via a bridge to the south west. There is a footpath running along the western boundary of the site which connects Oughtibridge Lane to the ancient woodland beyond. This footpath is not visible from the site owing to the dense screening along the western boundary.

Beyond the railway line to the west is a residential estate accessed off Station Lane.

To the north is a site occupied by Internet Refractory Products which contains a series of large industrial buildings. Planning permission is sought for the erection of 70 dwellings on this site (18/01543/FUL).

To the east, and accessed off Oughtibridge Lane, is a small complex of commercial buildings known as Robak Works.

The application site is in a Fringe Industry and Business Area as defined on the Sheffield Unitary Development Plan (UDP) proposals map.

Planning permission is sought, as amended, for the erection of 34 dwellings comprising of a mix of detached, semi-detached and terraced properties and which range between 2 and 4 bedrooms in size. The proposals include two new access roads off Oughtibridge Lane.

## PLANNING HISTORY

There is no relevant planning history for the application site but of relevance is the application for 70 dwellings on the adjoining land.

## SUMMARY OF REPRESENTATIONS

The application was advertised by way of press and site notices and by individual letters of neighbour consultation.

60 letters of representation and two petitions with 247 and 438 signatures respectively have been received. 59 of the letters raised objections and 1 was considered to raise neutral comments.

Signatories of the smaller petition called upon the Council to assess the cumulative impact of the development on traffic levels in Oughtibridge, specifically the ability of Station and Oughtibridge Lanes to cope if the proposal to site traffic lights on the railway bridge were to go ahead, and the safety of an existing zebra crossing on Low Road. They asked the Council to find a safe solution to their concerns, namely a separate foot/cycle bridge, over the railway and a light controlled crossing on Low Road.

Signatories of the larger petition raised a range of concerns which are summarised, with those of the letters, as follows:

- No significant objection to the development of houses to this site.
- There will be a backlog of traffic on all routes into and out of Oughtibridge
- It will be unsafe for pedestrians to use Oughtibridge Lane.
- The siting of the crossing on Low Road is in a terrible position and with the extra traffic there will be more confusion leading to more accidents.
- We need a transport strategy for the north side of Sheffield.
- Infrastructure, both physical and social, in the area needs careful consideration in light of these proposals.
- It would be beneficial to expand medical/school facilities in the village prior to building new houses.
- The proposed access roads lead onto an already busy road.
- Traffic lights on this road are not the answer. They will lead to chaos.
- A new bridge/ footbridge is needed over the train line.
- A much safer route for pedestrians should be insisted upon. There is no safe footpath from the site.
- The proposed 34 dwellings are unnecessary.
- The site is green belt and shouldn't be built upon.
- The development will result in increased air pollution.
- The development, in particular the highway proposals, will impact negatively upon the safety of cyclists.
- The proposed designs are unimaginative.
- The proposals raise flooding concerns.
- The transport assessment is incomplete.
- The discussions at the meeting with the developer have not been included in the application.
- The development will impact on the listed Oughtibridge Hall.
- A bat survey should have been undertaken.
- The deeds of the neighbouring house clearly show a small strip of land next to the bridge that was retained to provide access to the proposed footbridge. If a footbridge was thought to be the best solution 15 years ago what has changed to make the applicant discount it now, when vehicle movements have certainly increased during that time.
- The adjacent site should be developed in tandem to achieve an appropriate and acceptable development.
- There is limited access to the nearby woodland.

- The route between Oughtibridge/Bradfield & Grenoside is dangerous when driving past walkers and cyclists when this part of the road narrows. There really should be a proper footpath to make this safe for all who use this valuable route
- An increase in traffic will be dangerous and give rise to highways safety issues.
- The junction of Station Lane and Low Road/A6102 is an accident black spot.
- Measures should be included to reduce traffic speeds.
- Access across the existing railway bridge and along Oughtibridge Lane is already dangerous due to the alignment of the road, position of boundary walls and because there is no dedicated walkway or footpath.
- The development will increase traffic on Oughtibridge Lane and as such a dedicated footpath is required so pedestrians can safely access Oughtibridge.
- Road users (cars) often have to cross on to the wrong side of the road to avoid pedestrian walking in the road which is dangerous.
- The applicant's supporting transportation information underestimates the highways safety issues.
- The development should be limited to the brownfield part of the site only.
- There is no public transport that will link the site to Oughtibridge.
- Walkers and cyclists park vehicle on Oughtibridge Lane which reduces visibility for drivers.
- The site contains asbestos and as such demolition should be carried out correctly.
- The development will detrimentally affect the amenities of adjoining properties.
- Detrimental impact on the adjoining woodland as a result of the development.

Chairman of South Yorkshire (woodhead) Heritage Rail Group and partner to the Don Valley railway Group:

- Concern that the planning application does not consider the fact that the Arup feasibility study concluded this to be next to the proposed railway station.

No plan has been placed allowing parking for a possible park and ride scheme.

The chair is working alongside Don Valley Railway group, and would be bitterly disappointed if the council did not consider this, especially as currently working on increasing efforts to secure progress on our scheme right now.

Bradfield Parish Council:

- No objections raised to the development of the land but serious concerns regarding infrastructure and traffic management in the local area.
- Affordable housing should be included in the plans for this site.
- The proposals fail to properly address the impact on local schools, both primary and secondary and take no account of the future provision of local NHS services to the expanded community. School places in the area are already limited and the housing developments currently proposed in the area are going to make demand outstrip supply very quickly.
- It is imperative that traffic management issues surrounding this application are given thought.

- The developers refer to the route on Oughtibridge Lane being a rat run. This is incorrect, it is a well used main route to the M1 for many commuters who live in the north of Sheffield.
- Poor traffic management at this site will have major impact on the wider area, stretching as far as Deepcar and Stocksbridge which are themselves undergoing major builds.
- The creation of two additional access points to and from Oughtibridge Lane, at the steepest part of the road and just above a narrow bend on a bridge over the railway line, could prove dangerous for both pedestrians and cyclists.
- The ideas put forward seem to be the cheapest option.
- The Developers should provide a footpath from the railway bridge to Platts Lane.
- The proposed traffic/ pedestrian management plan of using the railway bridge as a traffic light controlled single carriageway with part of the existing carriageway reformed as a footway is an unacceptable suggestion. It will not be a safe route for pedestrians. A separate footway is required.
- The developers have not even entered into a conversation with Network Rail about this opportunity. In the past few years traffic using this route has increased considerably and due to the amount of new build in the surrounding area this is only going to increase further.
- Residents in the local area have no desire to have queuing traffic on Station Lane blocking access to existing established estates particularly at peak travel times.
- The route in question is heavily frequented by cyclists who have been actively encouraged to the area by SCC following the success of the Tour de France.
- Cyclists in standing traffic who then have to be overtaken by a line of faster moving vehicles can only cause further disruption in the area plus this has serious safety implications for the cyclists.

Councillor Trevor Bagshaw:

- The housing development proposals would mark a significant expansion of Oughtibridge and its further transformation from rural village to suburban dormitory for Sheffield.
- Likely for additional proposals to expand the village and particularly on sites along Oughtibridge Lane, therefore essential that clarity of thought in respect of traffic pressures and management along this important gateway to the village is required.
- Whilst agree that the development of the Platts Lane site for housing is appropriate, the development should only be approved if:
  - Actual affordable or starter homes are built as part of the development. Simply providing a cash sum to the local authority in lieu of built dwellings is not acceptable.
  - The creation of two additional accesses on to and from Oughtibridge Lane at the steepest part of that road and just above a narrow and unsighted bend on a bridge over the railway line is in my view dangerous for pedestrians and cyclists in particular. The fact that there exists an unused (for many years) field access to/ from the site is no response to permitting the creation of additional roads/ vehicle accesses. Modern engineering techniques could effect a service road to the proposed estate and enable Platts Lane to be the development's access. What seems to be on offer is the cheapest (most profitable) option.
  - There should also be provided a footway from the railway bridge along the Oughtibridge Lane frontage of the site to Platts Lane. It should be positioned

behind the existing gritstone field wall boundary. The wall needs to be rebuilt and strengthened without detriment to its appearance/character which is a defining aspect of field boundaries in the area.

- The proposed traffic/ pedestrian management plan of using the railway bridge as a traffic light controlled single carriageway with part of the existing carriageway reformed as a footway is a retrograde proposal. It will not stand the test of future traffic growth on this route in and out of Oughtibridge nor will it be safe for pedestrians. A separate footway is required.

- Over recent years there has been a considerable growth in traffic using this route to the motorway. It is in fact an un-recognized (by the council's traffic managers) partial outer ring road. Traffic on this road is bound to increase considerably as the extant housing permissions are delivered in Oughtibridge, Wharnccliffe Side, Deepcar and even Stannington. The developer's narrow "quick fix" view of this issue is unacceptable. There is no wish to have queuing traffic on Station Lane blocking access to existing established estates particularly at peak travel times.

- The proposals fail, as have other recent proposals, to properly address the likely impact on local schools, both primary and secondary, or in regard to the future provision of locally provided NHS services to the expanded community.

South Yorkshire Fire and Rescue:

No objections provided that development fully complies with approved document B5 for fire service access.

## PLANNING ASSESSMENT

### Policy Context

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

The Council's development plan comprises the Core Strategy (CS) which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in February 2019 (NPPF) is a material consideration.

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

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

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

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

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In this context the following assessment will:

- Assess the proposals compliance against existing local policies as this is the starting point for the decision making process. For Sheffield this is the Unitary Development Plan (UDP) and the Sheffield Development Framework Core Strategy (CS).
- Consider the degree of consistency these policies have with the Framework and attribute appropriate weight accordingly.
- Consider the schemes compliance with the NPPF as this forms a separate material consideration in its own right.
- Consider the application of the two Paragraph 11 d) tests of the NPPF – sometimes referred to as ‘the tilted balance’.

## Land Use

The site is in a Fringe Industry and Business Area (FIBA) as defined by the adopted Sheffield Unitary Development Plan (UDP).

Policy IB6 of the UDP identifies that residential uses are not a preferred use in Fringe Industry and Business Areas; they are however identified as acceptable uses in principle subject to a number of other policy considerations including:

Policy IB8, which identifies that preferred uses (as specified in IB6) will only be permitted on the specific sites listed in the policy.

Policy IB9, which states that new development should not lead to a concentration of uses that would prejudice the dominance of industry and business in the area and be adequately served by transport facilities, whilst providing safe access to the highway network.

Policy IB11 states that housing in such areas will be permitted only where it would not further constrain industrial or business development and be next to an existing residential areas and when it would not suffer from unacceptable living conditions including air pollution, ground contamination noise or other nuisance.

The proposal does not conflict with IB8 as this is not a site where only preferred (industry and business) uses should be permitted.

The application site and the adjoining proposal for 70 dwellinghouses form part of a larger Fringe Industry and Business Area (FIBA) and encompass the majority of the developable land in the FIBA. The remainder of the policy area, with the exception of Robak works, is both steeply sloping or has already been developed for housing. Planning consent was granted to redevelop part of the former Farrar Engineering site in 2011.

Considering the recent residential development that has taken place in the locality it is clear that this FIBA is not considered to be a priority employment area anymore. This approach is reflected in Core Strategy Policy CS5, which does not identify the area as a key strategic location for manufacturing, distribution / warehousing or other non-office businesses and it is not identified in the spatial strategy as having a key city-wide role.

In 2013 the draft City Policies and Sites document designated the site as part of a Housing Area. This proposed designation carries no weight, but does indicate how the updated policy approach to the area in the Core Strategy could have been reflected in a new policy area designation.

The Framework (paragraph 117) clearly promotes the effective use of land in meeting the need for homes and other uses and gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (paragraph 118 c).

These aims of national policy are reflected in Policies CS23 and CS24 which seek to focus new housing where it would support urban regeneration and make efficient use of previously developed (brownfield) land. Whilst the weight attributed to CS23 and CS24 can be open to question as they are restrictive policies based on outdated housing need figures, the promotion of sustainable brownfield development aligns strongly with the Framework and in this regard CS23 and CS24 can be offered substantial weight.

Core Strategy Policy CS23 (Locations for New Housing) states that new housing will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure, specifically stating that housing in Oughtibridge will be limited to suitable, sustainable sites within the existing built up area.

Whilst the application site lies adjacent to the built up area and might be considered sustainable in terms of its geographical location, there are specific concerns about the sustainability and consequently the suitability of developing the site for residential purposes due to access and highways issues. Further detailed consideration will be given to these matters and their compliance with the

Framework and the relevant sections of IB9 and CS23 and other relevant policy in the transport and highways section of this report.

Policy CS24 gives priority to previously developed sites but there is no record of or evidence submitted to show that the site is previously developed. It is currently used for farming and as such this site is classed as a greenfield site.

Policy CS24 states that no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/05 and 2025/26, going on to state that housing on greenfield sites will only be developed b) on small sites within existing urban areas and larger villages where it can be justified on sustainability grounds, or d) in sustainably located larger sites within or adjoining urban areas and larger villages, if annual monitoring shows that there is less than a 5 year supply of deliverable sites.

The application site is not a small site, that would be anything with less than 15 homes, so the applicable part of policy CS24 is part (d).

Between 2004/05 and 2018/19, 95% of new homes have been delivered on previously developed land, so only 5 % of dwelling completions have been on greenfield sites. The small scale of the proposal is unlikely to prejudice the continued achievement of this target meaning that the first part of policy, to prioritise previously developed land, can be complied with.

In geographical terms the site is a sustainably located larger site adjoining a larger village though, as described above, there are specific concerns about the sustainability and consequently the suitability of developing the site for residential purposes due to access and highways issues.

Part d) suggests that, if annual monitoring shows that there is less than a 5 year supply of deliverable sites, then this larger greenfield site could be developed in line with Policy CS24.

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer.

Core Strategy Policy CS22 relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5 year supply of deliverable sites will be maintained. However, the NPPF (2019) now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method.

The Local Planning Authority has recently updated its five year housing land supply position based on the changed assessment regime identified in the revised NPPF (2019) and associated Practice Guidance. The Local Planning Authority has reached this figure by undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing the conclusions in a monitoring report.

Sheffield now has a 5.1 year supply of deliverable housing units and can therefore demonstrate a five year supply, meaning the proposal does not satisfy part d) of Policy CS24.

However, regardless of the 5 year housing land supply position and given that our updated housing land supply is only marginally over 5 years, paragraph 59 of the NPPF still attaches great weight to continuing to boost the supply of housing. The provision of 34 additional dwellings would make a small, but not insignificant, contribution to meeting the City's obligation to maintain a 5 year supply of housing land in the future and, on this basis, it is considered that this should be given weight in the balance of this decision.

### Housing Density

Core Strategy Policy CS26 seeks to make efficient use of land for new housing and identifies that a density of between 30-40 dwellings per hectare is appropriate in this location. It also advises that new developments should be in-keeping with the character of the area and support the development of sustainable balanced communities. More up to date guidance on the efficient use of land is however contained in the NPPF which is considered to carry increased weight over Policy CS26 given that Sheffield's housing need is now greater than it was when the Core Strategy was published.

Paragraph 122 of the NPPF identifies that development which makes efficient use of land should be supported taking account of various factors including housing need, viability, availability of infrastructure and scope to promote sustainable travel modes, desirability of maintaining the areas prevailing character and setting, promoting regeneration, and the importance of securing well designed and attractive places.

The application site is approximately 1.4 hectares in area, and the 34 dwellings proposed results in a density of approximately 24 dwellings per hectare. This falls below the recommended density identified in policy CS26; however there are a number of reasons for this. A substantial part of the application site comprises of the two access roads, whilst the sloping nature of the site as well as the requirements to protect trees and to incorporate a pumping station and stormwater attenuation have reduced the developable area of the site.

Therefore whilst the development falls short of the recommended density for this site, taking account of the site constraints, the provision of 34 dwelling houses is considered to be acceptable from a density perspective.

### Design and Layout

Chapter 12 of the NPPF is concerned with achieving well-designed places and paragraph 124 identifies that good design is a key aspect of sustainable development.

Paragraph 127 of the NPPF, which is concerned with design, sets out a series of expectations including:

- ensuring that developments add to the quality of the area;
- are visually attractive as a result of good architecture, layout and landscaping;
- are sympathetic to the local character and surrounding built environment;
- establish and maintain a strong sense of place; and optimise the potential of a site and create places that are safe, inclusive and accessible.

Policies CS74 of the CS and UDP policies BE5, IB9 and H15 all seek to secure high quality developments which are of an appropriate scale and which enhance the character and appearance of the area. These policies are reflective of the aims of the NPPF and are considered to carry substantial weight.

The plans have been amended since the application was submitted. The agents have worked with SCC officers and revised the layout and house design to achieve a scheme which has been designed to take into account the specific characteristics of the development site, the surrounding area and the wider context of its location on the edge of Oughtibridge.

The sloping topography of the site is a constraint and as such a retaining wall is necessary in order to dissect the site, creating a scheme with two access roads. The original submission lacked active frontage and was laid out formally. It was considered to be desirable to achieve a more active streetscene and so dwellings were introduced to address the Oughtibridge Lane street frontage. The access roads were also slightly curved giving the scheme a degree of informality, with the built form clustered around streets and spaces, and landscaping and steps in the built form were introduced to create more visual interest.

The site sits amidst pockets of residential development which vary in style, including the grade II listed Oughtibridge Hall located on the southern side of Oughtibridge Lane. Unlike the neighbouring proposal, in this context it was felt that a more traditional approach to the design of the housing was acceptable. Houses step to follow the natural contours of the land and characteristic stone boundary treatments respect the rural context.

It is considered that the development, as amended, creates a more positive relationship with and is more reflective of the site's semi-rural setting.

The overall scale and massing of properties is acceptable and relates to the site and its immediate surroundings. Whilst a simple, contextual palette of materials would be preferred, this could be conditioned should the application be approved.

Overall it is concluded that the scheme comprises of a quality residential development in terms of design, which is compliant with Core Strategy policy CS74, and UDP policies BE5, IB9 and H15.

Amenity Issues

UDP Policy GE23 says that development will only be permitted where it would not locate sensitive uses where they would be adversely affected by air pollution, while Policy IB9 says that residents should not suffer from unacceptable living conditions.

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

Policy IB14 within the UDP requires an environmental buffer to be provided between industry and sensitive (residential) uses.

Core Strategy Policy CS74 says that new development should contribute to the creation of a healthy, safe and sustainable environment.

Paragraph 127(f) identifies that development should create places with a high standard of amenity for existing and future users. In addition paragraph 180 identifies that planning decisions should ensure that new development is appropriate for its location taking into account effects of pollution on health and living conditions, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Local policy seeks to ensure existing and future users are offered a good standard of amenity and this is robustly reflected within the NPPF. These local policies can therefore be attributed substantial weight.

The amended scheme incorporates separation distances between the dwellings which meet the requirements contained in the local policies and guidelines, as well as the South Yorkshire Residential Design Guide, and properties benefit from good sized private gardens and communal amenity areas, with clear demarcations between the public and private realm.

The arrangement and position of the proposed dwellings has also been considered in light of the proposed development of 70 dwellings on the neighbouring site and does not result in any amenity concerns.

The adjacent industrial premises and railway line are the main sources of noise affecting the site. The rail line (in part) is located at a lower level and is irregularly used by freight traffic only.

The northern section of the site is located in relatively close proximity to the Internet Refractory Products site, for which planning permission is sought as previously described for 70 dwellinghouses. Should planning permission be granted on the application site and not for the neighbouring site, noise from the industrial premises would also be a concern. However, it is considered that future residents could be protected (through boundary treatments, enhanced glazing and ventilation) from unacceptable noise or other environmental conditions, should the scheme be considered acceptable in all other respects.

Issues to do with noise and general disturbance during the construction and demolition period can be adequately controlled by a condition requiring the submission of a Construction and Environmental Management Plan (CEMP). The proposal is considered to be acceptable from an amenity perspective.

### Landscape and Ecology Issues

Paragraph 170 (a) and (d) of the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity.

Paragraph 175( a) states that, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused, while part d) of paragraph 175 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

At a local level Policy CS74 of the Core Strategy identifies that high-quality development will be expected, which respects, take advantage of and enhances the distinctive features of the city, its districts and neighbourhoods, including: the topography, landforms, river corridors, Green Network, important habitats, waterways, woodlands, other natural features and open spaces.

Policy GE11 of the UDP seeks to protect and enhance the natural environment ensuring that the design, siting and landscaping of development respects and promotes nature conservation and includes measures to reduce any potentially harmful effects of development.

Policy GE13 also seeks to ensure that development affecting areas of natural history interest and local nature sites should, wherever possible, be sited and designed so as to protect and enhance the most important features. Where development would decrease the nature conservation value of an area of a Local Nature Site, that decrease must be kept to a minimum and compensated for by the creation or enhancement of wildlife habitats elsewhere, within the site or local area.

UDP Policy BE6 requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation that is to be removed or retained. Development should also try to integrate existing landscape features and use native species where appropriate.

It is considered that the local policy aims of protecting and enhancing ecology are compatible with the NPPF and therefore retain substantial weight.

The site is not covered by any ecological or landscape designations in the UDP.

The site comprises largely of intensively managed habitats. There is extensive tree cover located on land adjacent to the site boundaries which is protected by Tree

Preservation Orders (TPOs), however trees within the site boundary are not protected.

Obtrusive lighting and light spillage onto the adjoining woodland has the potential to affect existing habitats and contribute to a decline in biodiversity. However it is considered that the proposed layout incorporates a reasonable buffer between built form and existing trees such that, along with a sensitively design lighting scheme secured by condition, the impacts of the development could be suitably mitigated.

It is also considered that suitable mitigation measures are proposed to offset the impact of the development and to enhance the biodiversity of the site. These measures include the installation of bird and bat boxes, the retention of mature trees and the provision of new tree planting and landscaping. Consequently, it is concluded that there would be no harm to the natural environment within or adjacent to the site in accordance with policy criteria.

## Highways

Policy CS51 (Transport Priorities) within the CS sets out six strategic priorities including developing alternatives to the car, containing congestions levels and supporting economic growth through demand management measures and sustainable travel initiatives.

Policy CS53 (Management of Demand for Travel) within the CS seeks to make the best use of the road network, promote good quality public transport, walking and cycling. This includes the use of measures such as travel plans to maximise use of sustainable forms of travel and mitigate any negative impacts on transport.

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

UDP Policy IB9 says that new development should be adequately served by transport services, provide safe access to the highway and provide appropriate off street parking.

CS23 of the Core Strategy also specifically identifies that in Oughtibridge housing development will be limited to suitable, sustainable sites within the existing built up area.

The NPPF (paragraphs 102 to 111) promotes sustainable transport and as such these local plan policies can be considered to have substantial weight in this context.

The NPPF also makes it clear 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 impact on the road network would be severe.

## Access, Parking and Layout

The two new site access roads off Oughtibridge Lane would have acceptable visibility and do not give rise to any highways safety issues.

The road layout within the site has been designed to take account of the sites constraints, particularly levels which fall significantly from east to west. The layout facilitates access for emergency and refuse vehicles and does not raise any access or safety concerns.

At least 2 vehicle parking spaces per dwelling are provided for all properties.

#### Traffic Generation and Highways Capacity

The application is supported by a transport assessment. The predicted increase in vehicle trips associated with the proposed 34 houses (derived from the TRICS database) is in the order of 30 two-way movements during the morning peak hour, which is repeated again during the evening peak. There is some concern that the sites selected within the Transport Assessment to derive these trips are not fully representative of the application site in terms of location and accessibility.

Regardless, a manual traffic count undertaken during 2019 showed the morning peak two-way flow on Oughtibridge Lane to be 851 vehicles, with a two-way evening peak of 922 vehicles. Against these background flows, the development trips are not significant. Even when added to the hypothetical trips generated from the neighbouring Berkeley DeVeer site, they would not materially alter the way traffic circulates on the local highway network.

#### Highways Safety

The application site is separated from Oughtibridge by an existing railway bridge. Currently pedestrians are required to walk in the carriageway, often into on coming traffic in order to cross the bridge. From a highways safety perspective the existing arrangements are far from ideal and it is not considered acceptable for the occupants of an additional 34 (104 including the neighbouring development) family homes to have to cross the bridge in the same way to access Oughtibridge and the application site on foot.

In order to try and address safety concerns relating to access over the rail bridge the applicants are proposing to install traffic lights, reduce the carriageway to single-file for vehicles and provide a footway. Whilst accepting that the current arrangements are far from ideal (even hazardous), the applicant's proposals to overcome pedestrian severance are actually considered to create other, multiple safety concerns.

The applicant's original highway scheme proposed a 1.5 metre wide footway, a 1.0 metre wide eastbound cycle lane at carriageway level, and a 3.5 metre wide carriageway. This scheme was subject to a Road safety Audit (RSA) and owing to unresolvable RSA issues, it has been re-designed.

The revised scheme includes a footway width varying between 1.5 metres and 1.9 metres, and a carriageway width of 4.5 metres. The distance between the stop-

lines of the proposed traffic signals which are positioned to the east and west of the bridge remains at 75 metres. This second iteration of the design has had a fresh Road Safety Audit which raised 7 safety concerns. 4 of these concerns have been addressed by the developers design team however the following 3 issues remain unresolved, and officers feel these represent fundamental flaws in the design of the scheme:

- 1) The swept-path analysis for vehicles passing over the bridge eastbound shows little margin for error. The alignment of the road is unnatural and if the S-shape of the turning envelope is flattened by speeding traffic, a vehicle/cyclist may be struck standing at the westbound stop-line. Over-run of the footway and potential collision with pedestrians (particularly from larger vehicles) is also a valid concern raised by the audit team.
- 2) Proposals to move the 30 mph speed limit further to the east of the site access is unlikely to have any meaningful impact in reducing vehicle speeds in such a rural setting. The police also tend not to support traffic regulation orders in these types of situation.
- 3) The audit team have stated there is a steep uphill gradient for eastbound cyclists to negotiate whilst travelling through the signalised section. Cyclists using this section may be minimal; nevertheless there may be insufficient time for slow moving cyclists to travel through the signalised section during their 'green' signal. This could result in cyclists (or following vehicles) being at risk of colliding with an oncoming westbound vehicle.

As potential solutions to the concerns raised in point 3 above, the audit team has suggested:

- a) detection equipment be provided as part of signalisation to accommodate slow moving cyclists during the 'green' signal; or
- b) a formal facility is provided by widening the footway to provide a shared path for pedestrians and cyclists; or
- c) intergreen timings (time period between each signal changing) are adjusted to allow more time for cyclists.

In responding to the above, officers have referred to the Sustrans handbook for cycle friendly design, in which it is recommended that for motorcars overtaking cyclists, a width of 4.8 metres is required where the vehicle is travelling at 30 mph. Actual speed surveys have shown average speeds to be 32.3 mph, and 85th percentile speeds to be 38 mph. The Sustrans guidance also indicates that 200 mm should be added to the carriageway width for a 150 mm upstand kerf face, which is what the footway would have. Furthermore, 500 mm should be added to the width for a vertical feature above 600 mm in height (the parapet wall of the bridge exceeds this).

The reason for these additional widths is that cars shy-away from walls/parapets and cyclists shy-away from kerb upstands. These widths give a total carriageway width of 5.5 metres. Adding in the gradient, which reduces cycling speed and potentially induces wobbling, coupled with the distance between signal stop-lines (75 metres), the 4.5 metres carriageway width proposed by the design team is

considered too much of a departure from the Sustrans advice and gives rise to safety concerns.

In relation to the design suggestions of the audit team identified above (a, b & c): Officers consider that cyclists travelling eastbound will feel intimidated by traffic travelling behind owing to the width of the carriageway not being conducive to overtaking safely. This situation wouldn't be helped by implementing the audit team suggestion of option a) 'providing detection equipment'.

For option b) 'widen the footway to provide a formal facility shared by pedestrians and cyclists', this was considered and discarded on safety grounds within the original scheme.

For option c) 'adjust the intergreen timings' again this does nothing to resolve the issue of cyclists being chased by motorised traffic up the hill eastbound between stop-lines. Extending the intergreen would also extend queue lengths during the morning and evening peaks, increasing driver frustration.

In addition to the above, officers have raised concerns with the following issues which have not been picked up in the Road Safety Audit

Vehicles potentially racing signals before they change to red (particularly westbound with the downhill gradient) and failing to stop at the stop-line and colliding with a car/cyclist travelling eastbound. From a point 25 metres before the stop-line (westbound) there is approximately 45 metres forwards visibility. In accordance with the 'Manual for Street's' the surveyed average speed of 32.3 mph requires a stopping distance of 43 to 45 metres which is right on the cusp of the available forward visibility. The 85th percentile recorded speed was 38 mph which in accordance with 'Manual for Street's' requires a stopping distance of 56 to 59 metres, which exceeds the available forward visibility.

Temporary traffic lights (similar in type and in broadly the same location as the ones being proposed by the developer) were operated during the spring of 2018, accompanying some drainage repairs in the road. Motorists were observed racing the lights.

The provision of traffic lights will inevitably introduce delay where previously there has been none. The modelling submitted by the developer suggests average queue lengths of up to 14 vehicles during the peak periods. Looking at the input data, 12 seconds has been selected for the intergreens (time between signals changing). This means if a cyclist crosses the uphill stop-line with the signals on green, but they change to red just after passing the signal-head, there are only 12 seconds to cycle through the system (75 metres). This is considered insufficient time for a cyclist to safely navigate the traffic lights taking account of the distance between the signals and the significant gradients involved.

Officers have also observed the impact on traffic flows from the installation of temporary traffic lights on the bridge. During this period queues were observed to range between 20 and 33 vehicles long. Often, the queue length didn't completely

dissipate within one change of the signals, resulting in drivers tagging on the end of the car in front and ignoring the red signal.

Queues and delays cause driver frustration and increase the potential of risk taking. The cycling survey submitted with the application showed an AM peak of 0 eastbound cyclists and 3 westbound. The PM peak was 3 eastbound cyclists and 4 westbound. The daily two-way cycle flow crossing the bridge was 47 (on Wednesday 22nd May 2019). These cycling flows are not high, but with the queue lengths indicated in the transport assessment possibly being significantly underestimated, any associated driver frustration and risk taking puts cyclists in an extremely vulnerable position. There is also likely to be an increase in cycle activity over the weekend as Oughtibridge Lane (cote de Oughtibridge) formed part of the route used when the Tour de France visited Yorkshire in 2016, and so is attractive to recreational cyclists.

A cyclist setting off from the stop-line eastbound with a stream of cars behind, the cars are likely to be tempted to overtake the cyclist before the road width funnels down, most likely resulting in conflict at that location.

If the westbound nearside primary signal-head and eastbound offside primary signal-head fail, they appear extremely hazardous to access for maintenance personnel trying to repair them. If there was a major outage and all the signal-heads fail, it would be impossible for anyone to proceed safely across the bridge.

Officers consider that a separate footbridge over the railway line would afford safe access to the application site and Oughtibridge. Measures to support the provision of a footbridge including extending the footway on Station Lane (up to the bridge) and safeguarding a parcel of land to facilitate a bridge landing were secured as part of an adjoining residential development. Had the developer agreed to provide the footbridge the existing footpath on the eastern side of the rail line, which flanks the top of the railway cutting and connects to the site, could be brought up to adoptable standards and lit, thus providing convenient and direct pedestrian access between the application site and Oughtibridge.

Any structure spanning the railway requires the consent of Network Rail. Officers facilitated and attended a meeting (in York) with Network Rail, the applicants and developers of the adjoining site to discuss the provision of a footbridge. Network Rail raised no in principle objection to a footbridge being provided, subject to the developer(s) gaining the necessary technical approvals to carry out the works.

It is clear that there is no in principle or practical reason why a footbridge could not be delivered by the developer. Particularly in light of officers concerns that proposals to signalise the bridge give rise to clear highway safety issues that cannot be resolved. The proposal is therefore considered contrary to adopted local and national planning policy.

Concerns have been raised by residents about a potential increase in highway safety issues should planning permission be granted, particularly on the existing one-way system in Oughtibridge (Low Road). Notwithstanding the comments above about trips generated by the development, a danger reduction scheme is

already committed (along with the funding) at the Station Lane/Low Road/Bridge Hill junction.

A traffic regulation order has been advertised to prevent motorised traffic passing down Bridge Hill from Langsett Road South to Low Road. This will simplify operation of the Station Lane/Low Road junction, to the overall benefit of highway safety.

#### Sustainability and access to public transport services

The government is clear that the purpose of the planning system is to contribute to the achievement of sustainable development within which there are three overarching objectives (economic, social and environmental). These objectives are interrelated but with specific regard to this scheme, paragraph 8 b) of the Framework identifies that fostering a well designed and safe built environment with accessible services is a key part of the social objective of achieving sustainable development.

Paragraph 91 a) and c) of the Framework identify that development should allow for easy pedestrian and cycle connections within and between neighbourhoods and layouts should encourage walking and cycling in the interests of promoting healthy and safe communities.

Chapter 9 of the Framework is specifically focused on promoting sustainable transport. There are a number of key paragraphs in this section of the Framework that are directly relevant to this proposal.

Paragraph 102 c) identifies that opportunities to promote sustainable transport (walking, cycling and public transport) are identified and pursued. Paragraph 108 also identifies that opportunities to promote sustainable modes of transport should be taken up, safe and suitable access to the site achieved and any significant impacts on the transport network (capacity and congestion) should be cost effectively mitigated to an acceptable degree.

Paragraph 109 clearly identifies that development should only be prevented or refused on highways grounds if there would be unacceptable highways impacts on highway safety, or the residual cumulative impacts on the road network would be severe. In this context paragraph 110 a) states that first priority should be given to pedestrian and cycle movements, both within the scheme and with neighbouring areas and as far as possible facilitate access to high quality public transport. Part c) of para 110 clearly indicates that development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclist and vehicles.

Section 12 of the NPPF which is concerned with achieving well designed places states at paragraph 127 f) that developments should create places that are safe, inclusive and accessible and which promote health and well-being.

At a local level policy CS23 identifies that only suitable and sustainable sites should be developed in Oughtibridge. IB9 requires development to be adequately

served by transport services and provide safe access to the highway network while H15 states that new housing developments will be expected to provide easy access to homes.

Parts a, c and h of CS63 specifically promote development that is accessibly located, which can take advantage of sustainable modes of transport and which promotes walking and cycling. These policies are attributed weight in the determination of this application as they accord with the above highlighted sections of the NPPF.

Objections have been raised regarding the lack of public transport links from the development site to Oughtibridge. The Institute of Highways & Transportation document (Guidelines for Providing for Journeys on Foot) advises that 800 metres is an acceptable walking distance. The bus stops on Low Road are approximately 730 metres away. Services to these stops terminate at the Supertram Park & Ride on Middlewood Road, where you can switch from bus to tram and access the rest of the City. These services provide a reasonably high level of public transport connectivity.

However, without a safe crossing over the railway bridge for pedestrians and cyclists, these sustainable forms of travel are not accessible or considered to be a viable alternative option to the private car.

There are clear highways safety issues with this scheme as identified above. The applicant's proposal to signalise the bridge is not considered to be safe. Without the ability to safely access the application site and the facilities (local services and public transport) in Oughtibridge, the scheme is considered to represent an unsuitable and unsustainable form of development. The development does not therefore meet the requirements of the above highlighted local and national planning policies.

#### Rail Issues

A number of objections have been submitted from local residents and other interest groups who consider the application should be refused as the proposal would remove land that could support the future passenger use of the old Oughtibridge station and platforms. The group would also like provision for a bus stop, a taxi drop-off and turning space within the application site.

The principle of providing passenger rail services on the adjoining line could potentially afford residents of Oughtibridge with access to a more sustainable form of transport; however, there is currently no programme entry, no confirmed status or funding in place to open up the existing freight route for passenger services, or for the construction of stations and platforms.

UDP Policy T4, which relates to improvements to the local rail network including the provision for new stations, mentions investigating the possibility of re-opening passenger services to Stocksbridge and developing new stations at Wadsley Bridge, Deepcar and Stannington. No mention is made of Oughtibridge, even though the route passes through it. Furthermore Policy T4 was not saved following the publication of the Core Strategy and therefore carries no weight.

UDP Policy T5 was however saved. It states that the existing network of rail freight and passenger routes will be safeguarded and that disused railway alignments will be protected for transport uses including recreational uses, and that this includes the protection of a network of routes from development which might prejudice existing or future transport services, but not to ensure operation of those services. The policy goes on to say that the linear nature of railway routes offers opportunities for improving transport facilities. This could include extending the Supertram network, introducing guided-bus, or expanding the pedestrian and cycle network. These opportunities should be protected.

With regard Core Strategy Policy CS16, it states that the existing track-bed of the rail route between Sheffield and Dore stations and the freight line from the City Centre to Stocksbridge will be safeguarded for transport uses.

In summary, policy T4 has not been saved and the development does not conflict with Policy T5 or CS16. Combined with this, the former Oughtibridge station has already been subsumed into a residential development to the west. In light of the above, it is considered that refusing this planning application to safeguard building a potential station, platforms and parking could not be substantiated.

#### Flooding and Drainage

The NPPF (para 163) seeks to ensure that development does not give rise to increased flood risks elsewhere and that the most vulnerable development is located in areas at the lowest risk of flooding. Paragraph 165 also requires the provision of sustainable drainage systems in major developments, unless there is clear evidence that this would be inappropriate.

Policy CS 67 'Flood Risk Management' of the CS seeks to reduce the extent and impact of flooding by guiding development to areas at the lowest flood risk and through a series of measures which include: limiting surface water runoff; requiring the use of Sustainable Drainage Systems (SuDs); and de-culverting watercourses where ever possible. This policy accords with the guidance contained in the NPPF and is therefore afforded weight in the consideration of the application.

The application site is located in Flood Zone 1 (the lowest risk of flooding). The applicant's Flood Risk Assessment does not identify any significant flooding issues affecting the site. The Environment Agency's surface water flood maps do however identify the potential for some low risk surface water flooding.

Yorkshire Water advised that surface water may discharge to the public sewer system only as a last resort if soakaways are not viable and if a connection to a watercourse is not possible. Following this advice the agent commissioned site investigation works to address the suitability of soakaways.

The geo-environmental report found that infiltration drainage is not appropriate because the ground conditions, i.e. the underlying cohesive deposits, mean that soakaways would not be viable, and because surface water discharged into the ground could migrate and re-emerge out of the cutting and onto the railway line.

Given that soakaways are not a viable means for surface water disposal the possibility of discharging surface water flows to the watercourse located in Oughtibridge Lane, at a point approximately 50m east of Platts Lane, was explored.

This did provide a technically viable solution, but ground levels in the vicinity of the outfall position are some 22m higher than the lowest proposed floor level. As such, a pumped surface water discharge is required.

In order to discharge foul water to the combined sewer in Oughtibridge Lane a pumping station is proposed in the north western corner of the site.

Yorkshire Water has recommended a series of conditions in relation to mains drainage, as have the Lead Local Flood Authority (LLFA), in order to reduce surface water discharge.

Given the above, the proposals are considered to be acceptable in principle from a drainage perspective.

### Sustainability

Chapter 14 of the NPPF deals with the challenges of climate change and identifies the planning system as playing a key role in reducing greenhouse gas emissions and supporting renewable and low carbon energy.

When determining planning applications paragraph 153 of the NPPF makes it clear that local planning authorities should expect new development to comply with local requirements for decentralised energy supply unless it is not feasible and viable, and that buildings are designed to minimise energy consumption.

Policy CS63 sets out the overarching approach to reduce the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.
- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

Policy CS64 of the Core Strategy seeks to ensure that new buildings are designed to reduce emissions of greenhouse gases through high standards of energy efficient design.

Policy CS65 seeks to promote renewable energy and carbon reduction and requires developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. An equivalent reduction in energy demands via a fabric first approach is now also accepted.

These local policies are considered to robustly align with the NPPF and are afforded substantial weight.

In relation to the requirements of CS63, the site is located on the edge of the village of Oughtibridge where local amenities and high frequency public transport links to into Hillsborough and connection to the tram are available. However future residents will not be able to safely access these facilities, other than in a vehicle, as the developer is not prepared to provide a dedicated footbridge over the railway line. In this regard the development is not considered to be sustainably located.

The site is not previously developed, but the scheme will incorporate sustainable drainage systems that will result in a reduced surface water run-off rate.

Policy CS64 requires residential developments to achieve Code for Sustainable Homes Level Three. This has however been superseded by the Technical Housing Standards (2015), which removes the requirement to achieve this standard.

The applicants have confirmed that the proposed development will meet the 10% target identified in CS65 by reducing energy demand via a fabric first approach. In addition, it is calculated that the use of Photo Voltaic Panels could reduce energy demand by up to 16%.

It is considered that the proposal meets some specific parts of local and national policy requirements in relation to sustainability and that conditions would secure sustainable features. However, fundamentally, the development is not considered to be sustainable or sustainably located as future residents cannot safely access the facilities and amenities in Oughtibridge, other than in a private car.

#### Affordable Housing

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

The target within Policy CS40 is between 30 & 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the Rural Upper Don Area and sites within this area have a maximum target of 10% for affordable housing provision.

Paragraph 62 of the NPPF states that planning policies should specify the type of affordable housing required. Furthermore paragraph 57 notes that an applicant is able to demonstrate that the need for a viability assessment exists and it is for the decision maker, having regard to all the circumstances in the case, to offer this weight.

As such, within the provisions of affordable housing policy at both a national and local level the individual viability of a scheme is a material planning consideration

with local authorities able to accept a reduced or even a nil contribution on these grounds.

In this case a financial appraisal was submitted with the application which required further assessment by the District Valuer (DV) along with further information to investigate the details of the suggested abnormalities. In the absence of the necessary information, the assessment was not completed.

More recently the agent has confirmed in writing that the applicant, Redrow Homes, is now willing to offer the full 10% affordable Housing contribution in accordance with the SPD.

Paragraph 68 of the NPPF identifies that affordable housing should be provided on site as part of a development unless there is robust reasons why it cannot. The council's Strategic Housing section have identified a strong demand for affordable housing units of all sizes in the area.

Should Members consider the scheme to be acceptable in all other regards the applicant would be required to specify the nature of the on site provision. Details of the delivery of the affordable housing (or an alternative financial contribution) would need to be secured through a Section 106 agreement.

#### Land contamination and Coal Mining Issues

Paragraph 178 of the NPPF identifies that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining.

This is a greenfield site used for agricultural purposes. However a Geo-environmental Investigation Report indicated that there is a potential risk posed to the development by past coal mining activity. The Coal Authority have no objections subject to a condition requiring further site investigation and remediation of the site to remove the risk of encountering historic below ground coal mining features. These matters can be secured via planning conditions should member be minded to approve this application.

#### Community Infrastructure Levy (CIL)

The site falls within CIL Charging Zone 3. Within this zone there is a CIL charge of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

#### Health Issues

Local residents have raised concerns about the capacity of existing medical practices and schools in the locality to accommodate additional demand from new residents.

These concerns are noted however the proposed development falls well below the 1000 dwellings threshold where contributions towards health related infrastructure will be required as set out in the CIL and Planning Obligations SPD). Any requirement for the enhancement of health facilities will be delivered through CIL or other funding streams.

### Education Issues

The School Organisation Team have identified that the site is in the catchment area for Oughtibridge Infant and Junior School (primary) and Bradfield School (secondary).

Oughtibridge Primary School is currently full and oversubscribed in all year groups. The potential additional yield of school age children generated from this development is anticipated to exacerbate existing capacity issues. Forecasts show there will be continuing capacity issues at primary level in the catchment in the coming years.

The situation is slightly different at secondary level. Bradfield Secondary School is currently full and oversubscribed and forecasts show this trend is likely to continue. However the majority of the pupils accessing the school are from within its own catchment area and forecasts suggest the school would continue to be able to accommodate catchment demand when the pupils yielded from this development are taken into account. This does however mean that some pupils (from out of catchment) who may want a place at Bradfield would be unable to access one. Forecasts suggest these pupils should however be able to be accommodated at other local schools.

These education capacity issues are acknowledged however the development of this site falls well below the thresholds (500+ dwellings for primary and 1000+ for secondary) set out in the CIL and Planning Obligations SPD whereby section 106 education contributions are required. Any additional education provision will therefore be needed to be funded through CIL or other funding streams.

### Public Art

Policy BE12 of the UDP identifies that public art should be an integral part of the design of major developments. Details will be secured by condition should Members be minded to approve the application.

### Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

This site accommodated the former Congress Steel Works which dates back to the 19th century. Elements of this and other past industrial use, including buildings and industrial structures, could still survive on site, both above and below ground.

The applicants have submitted a desk based Archaeology and Heritage Statement in support of the application which indicated that there are no known nationally important archaeological remains located on the site, however as the site is undeveloped and agricultural in nature it is possible that sub-surface archaeological deposits are present. As such it is recommended that a condition is attached requiring the developer to undertake further archaeological investigations prior to the commencement of development, should members be minded to grant the application.

#### Statement of Community Involvement (SCI)

The Council, in its Statement of Community Involvement (SCI), and the Government (in paragraphs 39 to 42 of the NPPF) encourage applicants to undertake pre application discussions with the Local Authority and to engage with the local community and statutory and non-statutory consultees before submitting an application.

The applicant did initially engage with the Council's paid pre-application enquiry service prior to the submission of this application, but the process was not completed.

The applicant also delivered 240 letters to properties off Oughtibridge Lane, Fairholme Heights, Station Lane, Waterside Gardens and Clough Grove. In addition, a poster containing the letter was put up on the community notice board in Coronation Park off Station Lane. The same letter was distributed to Bradfield Parish Council Members.

Residents were advised of the scheme in the aforementioned letter and were invited to attend a consultation event held on the 7th December 2016 at the Community Centre on Church Street in Oughtibridge. At the event verbal and written comments were collected and collated. The agents also confirmed that some members of the public who were unable to attend the event had telephone conversations and email exchanges with them subsequent to the event. 41 residents were recorded as attending the event. 9 written comment forms were completed at the event and a further 5 written responses in the form of an email were received after the event. 11 telephone calls were received from members of the public. The main issues raised related to highway concerns, pollution, capacity within the school and local services, boundary treatment to Platts Lane being significant to protect horses, and trees on the western boarder should be contained.

In principle the pre-application consultation process undertaken by the applicants accords with the adopted SCI.

#### RESPONSE TO REPRESENTATIONS

The safe removal and disposal of asbestos is dealt with under separate legislation.

Property and any associated rights of access across land to access a property are private matters between the developer and the owner of the property concerned.

All other issues are covered in the main body of the report.

The application was advertised by way of press and site notices and individual letters of notification to adjoining neighbours. The level of consultation is appropriate for the scale of development proposed and accords with Council's code of practice.

## SUMMARY AND CONCLUSION

The site is located to the immediate east of Oughtibridge and comprises of approximately 1.4 hectares of greenfield land used for agricultural purposes. This application proposes to erect 34 two and four bedroom dwellinghouses. The proposals include two new access roads, areas of landscaping and a water pumping station.

The site lies within a designated Fringe Industry and Business Area (FIBA) as defined by the adopted Sheffield Unitary Development Plan. The above assessment has determined that the proposed use is appropriate in relation to this land use.

Residential uses are not a preferred use in FIBAs (Policy IB6), but they are identified as acceptable uses in principle subject to other policy considerations including Policy IB9, which states that new development should not lead to a concentration of uses that would prejudice the dominance of industry and business in the area.

The application site and the adjoining proposal for 70 dwellinghouses form part of a larger FIBA, encompassing the majority of the developable land as the remainder (with the exception of Robak works) is largely steeply sloping or has already been developed for housing. As such, this FIBA is no longer considered to be a priority employment area, an approach reflected in Core Strategy Policy CS5, which does not identify the area as a key strategic location for manufacturing, distribution / warehousing or other non-office business use.

Whilst it holds no weight, the 2013 draft City Policies and Sites document designated the site as part of a Housing Area.

The NPPF (paragraph 117) clearly promotes the effective use of land in meeting the need for homes and other uses and gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (paragraph 118 c).

Similarly, UDP Policies CS23 and CS24 seek to focus new housing where it would support urban regeneration and make efficient use of previously developed (brownfield) land.

Policy CS23 specifically states that housing in Oughtibridge will be limited to suitable, sustainable sites within the existing built up area. The application site lies

adjacent to the built up area and is sustainable in terms of its geographical location.

Policy CS24 gives priority to previously developed sites and states that no more than 12% of dwelling completions will be on greenfield sites in the period up to 2025/26. It goes on to state in part d) that housing on greenfield sites will only be developed in sustainably located larger sites within or adjoining urban areas and larger villages, if annual monitoring shows that there is less than a 5 year supply of deliverable sites.

Up to 2018/19, only 5 % of dwelling completions have been on greenfield sites and the proposed development would not prejudice the continued achievement of this target. The site is also a sustainably located larger site adjoining a larger village.

Sheffield now has a 5.1 year supply of deliverable housing units meaning the proposal does not satisfy part d) of Policy CS24. However, our updated housing land supply is only marginally over 5 years, and the 2019 NPPF continues attaches great weight to boosting the supply of housing. The provision of 34 additional dwellings would make a small, but not insignificant, contribution to meeting the City's obligation to maintain a 5 year supply of housing land in the future and should be given weight in the balance of this decision.

The design and layout of the proposed development, as amended, is considered to be acceptable. The scheme provides open spaces areas and tree planting, there will be no adverse impact upon trees which adjoin the site and future residents will be afforded acceptable levels of amenity.

The scheme will comply with local and national policy requirements in relation to sustainability which includes providing a 10% improvement on target energy efficiency levels and on site renewables.

The applicant has offered the full 10% affordable Housing contribution in accordance with the SPD.

The two vehicle access onto the site via Oughtibridge Lane is acceptable and there are appropriate levels of car parking for future residents.

The proposals will also result in a reduction in surface water run-off via a sustainable urban drainage system.

As highlighted above there are a number of positive elements to this scheme. However, following extensive discussions with the applicants an acceptable solution to providing residents with safe access to and from the site has not been found.

The existing arrangements, which involve pedestrians having to walk in the carriageway to cross the existing rail bridge on Oughtibridge Lane, are considered hazardous. The applicant's proposals to signalise the bridge has been considered by officers and independently reviewed through a Road Safety Audit. The proposed scheme gives rise to multiple safety concerns for pedestrians, cyclists

and vehicles and detrimentally affects the free and safe flow of traffic on Oughtibridge Lane. In line with the guidance contained in paragraph 109 of the Framework the highways safety impacts of the development are considered to be severe and have not been reasonably mitigated by the applicant's design solution.

A separate footbridge could be delivered which would provide a safe route for pedestrians and cyclists and minimise the need to signalise or make any major changes to the existing road bridge and carriageway (Oughtibridge Lane). Network Rail have no in principle objection to a footbridge crossing the rail line, and as part of an adjoining housing development land has been reserved, and a connecting footway provided to allow a footbridge to be constructed which would serve the application site.

The pursuit of sustainable development is the overriding aim of national planning policy. However, opportunities to promote and improve safe and sustainable access to the site have not been adequately addressed by the developer.

Various facilities and public transport services are available in Oughtibridge.

However as the site (and Oughtibridge) cannot be accessed safely, officers consider this proposal for 34 dwellings to represent an unsuitable and unsustainable form of development that is contrary to the aims and objectives of local and national planning policy.

In relation to paragraph 11 of the NPPF, as Sheffield can demonstrate a five year housing supply the most important policies in the determination of this application are not automatically considered to be out of date.

It is considered that the most important local policies in the determination of this application, which in this case revolve around housing land supply, highway related impacts, sustainability, amenity, ecology and landscape impacts, affordable housing/viability and flooding, do, when considered as a collection, align with the Framework. As such section d) of paragraph 11 is not applied in this instance. For the above reasons it is however recommended that the application be refused for the following reason:

- The Local Planning Authority consider that the proposed highways improvements, which include signalising the rail bridge on Oughtibridge Lane, would have an unacceptable impact on the safety of pedestrians, cyclists, vehicles and other road users, and detrimentally effect the free and safe flow of traffic on Oughtibridge Lane and Station Lane. The development is therefore contrary to Policy IB9 (f) of the Sheffield Unitary Development Plan, Policy CS51 (e) of the Core Strategy and paragraphs 108 (b) and (c), 109 and 110 (c) of the National Planning Policy Framework.

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