
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

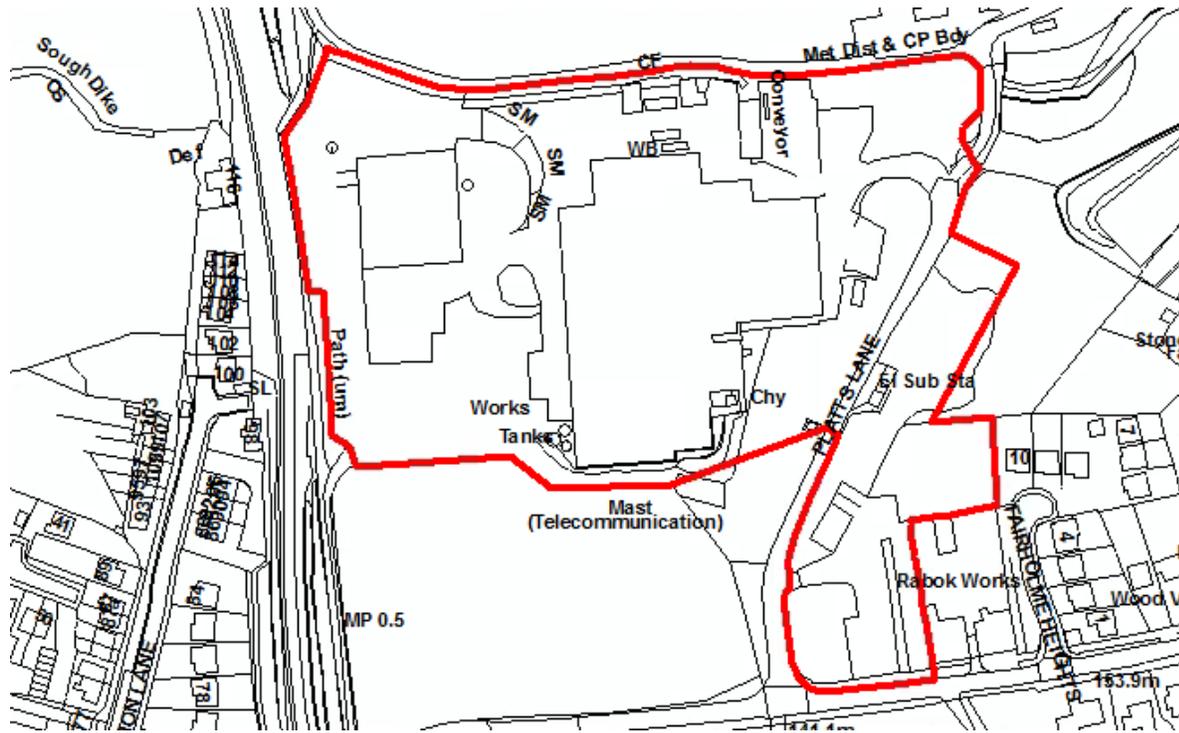
Landscaping Plans
2911-3B-dlp1-A0-250
2911-4B-dlp2-bs4

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.