

14 FEBRUARY 2023

APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

1. **Application Number:** 20/02550/FUL

Address: Land Part Of Outokumpu Site, Fife Street And Blackburn Road
And Storage Land At Grange Mill Lane, Sheffield, S9

CONDITION CORRECTION

A software error has led to a mistake in **Condition 8** within the recommended conditions, whereby the text “WSI” has been replaced by “Wintertree Software Inc.” in every instance. Condition 8 should read as follows:

No development, including any demolition and groundworks, shall take place until a Written Scheme of Investigation (WSI) has been submitted 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; and*
- *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.

ADDITIONAL CONSULTEE RESPONSE

An additional consultation response from Yorkshire Water has been received, withdrawing their previous objection. Yorkshire Water had initially raised concerns over the application, as not all existing drainage systems on the site

had been fully investigated, and there was uncertainty about the impact on recorded public sewers below the site.

Before submitting the application report for the Planning & Highways Committee agenda, the case officer contacted Yorkshire Water to inform them that the application would be recommended for approval. The case officer explained that the Lead Local Flood Authority considered that full investigation of drainage systems could be left to condition and Yorkshire Water could be consulted further at condition discharge stage. It would not be possible to undertake full investigations before granting planning permission, as this would rely on the construction of the access road and the removal of existing concrete slabs, both of which form part of the application proposal. Yorkshire Water responded to the case officer on 10 February 2023 with the following message:

We understand the LPA's position and agree with the determination. We note the points below: -

'The agreed drainage conditions will involve proper surveys of existing infrastructure, and directives can also be included on the decision notice to remind the developer that existing sewers must be properly protected, with stand-off distances adhered to and Yorkshire Water's prior approval sought for any diversions.'

This I believe is sufficient to ensure protection of our assets. Any future development of the site will require separate application - 'The employment development itself is not the subject of this application and will be the subject of separate future applications.'

Yorkshire Water would welcome the opportunity to work with the Local Authority when dealing with any future applications for this site.

2. Application Number: 22/01020/FUL

Address: Cotton Street / Alma Street

Report Clarification

The second paragraph on Page 125 currently states:

"The legal agreement to this effect is within the process of being drafted. Residents of this scheme are unlikely to be able to secure a permit in the scheme and this is specified in an informative."

This is not quite correct and should be altered to read:

"Residents of this scheme will be unable to obtain a standard residential permit due to this application being considered on the basis that it is a

car/permit free development but would be eligible to apply for other types of permit - e.g. - blue badge in the normal way and this is specified in an informative.”

On Page 130, the list of benefits refers to the 14 residential units being affordable units. This is not the case. This sentence should read as follows:

- “The scheme would deliver 14 new residential units and go towards addressing identified city-wide need given the lack of a 5 year housing supply.”

Additional Conditions

- (a) In order to ensure the retention of the original chimneys on the roofscape of the building, which is considered to be an important element of the significance of the building within the Conservation Area it is prudent to ensure that the chimney breast supports below are not removed unless and until full details have been provided to show that structural support. The new condition is proposed as follows:

“No development shall commence until a full structural detail has been submitted to and approved in writing by the Local Planning Authority, demonstrating how the original rooftop chimneys, as shown on the approved plans, will be structurally supported and retained, given the proposal to remove the associated chimney breasts which run through to the building. The development shall thereafter proceed in accordance with the approved details and the rooftop chimneys shall at all times be retained.

Reason: In order to ensure an appropriate quality of development and the continued protection of a key heritage asset”

- (b) In order to secure an appropriate long-term treatment and maintenance regime for the high boundary wall between the end of the building range and the main vehicular entrance adjacent to the Globe Steel Works building, an additional condition is considered necessary, as follows:

“Before first occupation of the development a long-term management and maintenance proposal (including full details of the exterior treatment) for the tall boundary wall which is attached to the western end of the building range and terminates adjacent to the entrance into the site next to Globe Steel Works, shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in a timescale to be agreed in writing by the Local Planning Authority and shall thereafter be retained.

Reason: In order to ensure an appropriate quality of development and the continued protection of a key heritage asset.”

3. Application Number: 22/01978/REM

Address: Land At Junction With Carr Road, Hollin Busk Lane Sheffield

Report Clarification

The following consideration of the effect the development would have upon designated heritage assets needs to be added to the report:

Heritage was assessed at the public inquiry dealing with the outline application. The Inspector concluded that the development would have no direct effect upon the listed buildings comprising Royd Farmhouse and the Barn. Further consideration was given to the effect the development would have upon the assets' setting. The Inspector found that the farmhouse and barns no longer had a functional or ownership connection with the appeal site; however the fields have a positive contribution to the significance of the heritage assets as they form part of the agricultural context of the buildings.

To mitigate against the harm that the loss of the fields would have, the parameter plans (and plans submitted for the reserved matters application) exclude part of an existing field located to the north west of the barn and an area to the west of the farmhouse is shown to be retained as open space. Dwellings closest to the heritage assets would be limited to two-storeys in height and landscaping would soften the appearance. The Inspector felt that the parameter plans and illustrative masterplan demonstrated that the impact upon heritage assets would be minimised to an acceptable degree. Less than substantial harm would be caused to the significance of the heritage assets as a consequence of the change to their setting.

When considered in the round the less than substantial harm that would be caused was found to be outweighed by the public benefits, including the provision of housing, economic benefits, open space provision and ecological enhancements.

The reserved matters application is in line with the parameter plans considered as part of the Outline application. The three dwellings closest to Royd Farm are to be of natural stone construction and would be two-storeys in height. It is considered that the impact will be as envisioned by the Inspector and will be less than substantial harm in line with the NPPF paragraph 202 and 203.

ADDITIONAL REPRESENTATIONS

Since the committee report was drafted two additional representations have been received, both from the same objector who had also previously submitted objections to the development.

The comments and Officers response to the objections are summarised as follows:

Postcode

The postcode for the development is incorrect. At the Inquiry the correct postcode was agreed to be S36 2SS.

The postcode can be altered. It is recommended that should planning permission be granted, a directive be added to the decision noticed informing the applicant how to go about obtaining postal addresses for the new properties. This would be worded as follows:

By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

Ecology

The Case Officer's report is misleading and the development fails to mitigate the substantial harm which will be caused to the adjacent local wildlife site (Fox Glen) and the wider strategic Green Network.

The applicant has failed to provide a 10 -15m wide buffer zone along the whole of the boundary between the development and the local wildlife site. To be considered to be a wildlife buffer there must be no built development or public access into that protected zone. Furthermore there is a requirement of the applicant to ensure that the Fox Glen boundary is protected as a dark zone with no impingement from artificial light.

The current proposal indicates that an estate road to serve plots 9 to 13 would infringe upon the buffer zone. Remaining parts of land along the boundary are shown as public open space.

The Inspector imposed conditions to prevent public access to Fox Glen. In the submitted document relating to boundary treatments the applicant has failed to provide any details of the necessary measures to prevent public access. The plans still show a short footpath out of the cul de sac at the northern extremity of the site which meets with 'Glen Edge Walk'. This will encourage people to access the site up to the boundary with Fox Glen.

The Planning Inspector did not specifically impose a planning condition requiring a 10 -15m wide buffer between the development and Fox Glen.

Condition 6 of the outline approval sets out that any reserved matters application shall be designed in general accordance with the parameter plans. The development is largely in accordance with the agreed parameter plans and the separation distance from Fox Glen is very similar.

The masterplan does include a pedestrian link from Carr Road, around the side of the SuDs basin to the properties at the northern end of the site (plots 9-13) and this does come close to the boundary with Fox Glen, so as to go around the drystone wall, rather than creating a gap through it. The path is to provide a pedestrian link for these properties so occupiers would have an alternative, slightly shorter route. It is not intended to be used as an access way into Fox Glen and the boundary treatment required by Condition 8 of the outline planning application would prohibit such access.

The submitted boundary plans deal with the boundary treatments to the dwellings within the development. Further details of fencing will be required in order to discharge condition 8 which was imposed by the Planning Inspector on the outline application.

For ease of reference Condition 8 required the following:

- Woodland and hedgerow planting within the site on the western boundary, including adjacent to Fox Glen.
- Boundary treatment to prevent public access to the western field within the site and to prevent pedestrian access to the western field within the site and to prevent pedestrian access from the site to Fox Glen, to which there shall be no pedestrian access provided.
- External lighting design within the site including a 'dark corridor' adjacent to Fox Glen Local Wildlife Site (LWS).
- Details of home information leaflets on the ecological importance of Fox Glen and appropriate routes to and from the site using existing Public Rights of Way.
- The provision of species rich grassland and a grazing regime for the western field.
- The provision of a wader scrape to the north western part of the site.
- Details of arrangements for sequentially addressing impacts of the proposed drainage outfall from the balancing facility to Clough Dyke during the construction phase, including details of the timeline between works commencing on site and the establishment of a managed surface water input to Clough Dyke.
- Measures to provide for the mitigation referred to in the Water Framework Directive Screening Assessment as set out indicatively on the Green Infrastructure Proposals drawing (7301-I-02) and in Section 5.0 and in paragraphs 6.3 and 7.5 of the Ecology: Additional Information Document (rev A) dated October 2018 prepared by FPCR (CD1.17a), and Section 6.0 of the Water Framework Directive Assessment dated October 2018 prepared by FPCR (CD1.17c) and in paragraph 5.28 of the Ecological Impact Assessment EclA dated May 2021 prepared by FPCR (CD6.21).
- A plan showing hedgehog highways and hedgehog friendly boundary treatment.

- Measures to secure an overall biodiversity net gain above the baseline value of the site.
- Locations and specifications of a minimum of 10 integrated bird and 10 integrated bat boxes to be provided on the new dwellings.
- A wildlife crossing point comprising the implementation of dropped kerbs at the junction of Carr Road.
- A schedule identifying when the measures agreed above will be implemented.

As such the issue of prohibiting access to Fox Glen (as well as other matters relating to the Green Network) will be dealt with through the discharge of Condition 8.

Ecology have commented that the revised landscape plan does makes some improvements on the previous layout, with the removed turning head (near to No. 40), and changes to the layout around properties 7 – 19. Options for the narrow buffer between the development and Fox Glen have been discussed with the applicant's ecologists. On balance the current proposed layout with a private driveway with low-level bollard lighting would be preferable to having back gardens facing the woodland edge. The layout of the driveway does respect root protection areas of trees and overall the scheme will bring about significant ecological benefits in terms of bio-diversity net gain.

Density

The development has received widespread and unanimous community opposition. In reaching his conclusion on the development and allowing the appeal against the refusal of the outline application, the Planning Inspector was guided by the applicant's claimed benefits which were supposed to result from the provision of 85 dwellings.

The current reserved matters application for only 69 dwellings will therefore fail to deliver those claimed benefits.

The proposed housing density is still significantly below the minimum which would be required by Sheffield LPA guidelines for such a rural site. In proposing to deliver significantly below the permitted 85 dwellings the applicant is failing to deliver the expected claimed benefits. As a result the substantial harm is not being fully mitigated.

To address the significant shortfall in 5-year housing land supply Sheffield LPA needs to ensure applicants deliver as many houses as possible on each approved site.

Under delivering also means that further sites will have to be released for housing (as has already been demonstrated through the granting of planning permission recently on additional fields at Hollin Busk).

The Officer report (p91) accepts that the density of the development (which equates to around 26 dwellings per hectare) is below the desired range set

out in the Core Strategy; however it is considered that the density would reflect that of the local area and so the lower density is on balance acceptable in this instance. An increase in density may result in less green space within and surrounding the development which may erode the character of the area which is one of a rural fringe, and impinge upon the green network. The plots within the development are not overly large, in fact some are on the small side and the scale of development is commensurate with that of the surrounding area.

Affordable Housing

By under-delivery on this site the number of affordable homes provided will be reduced.

The applicant is meeting the requirements of the s106 agreement. 10% of the gross internal floor area (GIA) is proposed for affordable housing (the development is required to provide 857sqm and is actually providing 890sqm). This equates to 12 dwellings.

Other Planning Obligations

The same applicant is attempting to develop the whole of Hollin Busk in a succession of smaller-parcel individual applications, and so is avoiding their greater obligation to provide much-needed new infrastructure on a large scale (such as new school places, health centre, community centre, sport facilities etc).

As has been set out in the committee report (p.97) the development would not be required to make S106 contributions towards local facilities such as health and education because it is not of a large enough scale. Even when taken cumulatively this development (for 69 dwellings) and that which has recently received outline consent on land to the north west off Broomfield Lane under application reference 22/02302/OUT (for up to 75 dwellings) would fall well short of the thresholds set out in the Council's adopted Supplementary Planning Document entitled Community Infrastructure Levy and Planning Obligations which are as follows: Education contributions for sites of 500+ dwellings. - Health contributions for sites of 1000+ dwellings.

The site is within the school catchment area of Royd Infant and Deepcar St.John Junior schools (primary) and Stocksbridge High School (secondary).

In terms of primary schools forecasts for Royd Infant and Deepcar St.John Junior schools suggest that the additional pupil yield from this development could be accommodated in the likely catchment primary school.

Primary schools in this area are currently seeing surplus places in all year groups, as a result of falling birth rates. This is in line with the regional and national picture. Birth rates may pick up again over the next few years which could lead to a shortage of places if all developments are completed and produce the estimated pupil yield.

With regard to secondary schools currently forecasts for Stocksbridge High School suggest that the additional pupil yield from this development could be accommodated in the likely catchment secondary school. However, the cumulative pupil yield from all developments in the area, may not be accommodated at the school.

The scheme will be required to make a contribution as part of the Community Infrastructure Levy (CIL) and this could be used to improve services in the locality if the local authority determined this as a priority.

Open Space

In order to be designated as “open space” the whole area must be publicly accessible for recreational purposes. Will the SuDS drainage feature be accessible and used for recreation purposes (such as deep water swimming or as a paddling pool)?

The boundary treatment document does not address the requirement for safety fencing around the deep water sump.

The SuDs area is intended to serve several purposes, its primary function is for drainage purposes; however it will also bring about ecological benefits as well as an area that can be accessed by the local community, to view the basin and appreciate the wildlife it may attract. There is no intention for it to be used as a swimming pool or for other similar recreational purposes. Full details of the basin alongside protective fencing / safety features will be considered through the discharge of the planning conditions that were imposed on the outline application (condition 12 deals with the details of surface water drainage facility and condition 28 deals with details of hard and soft landscaping).

Not all of the areas of open space within the scheme are to be publicly accessible, indeed it is important that the large grassed area within the redline boundary to the west of the site is maintained with no public access. This is to provide habitat for ground nesting birds such as lapwing and curlew.

AMENDMENT TO CONDITION

It is suggested that the wording of Condition 2 be altered to read as follows to reflect the date when the House Type Planning Drawings were published on the website.

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

Drawing PA-DC-LP 01 Location Plan (showing redline boundary) published 29/11/22

Drawing 21-5534-01 Rev J Site Layout published 3/2/23

Drawing 21-5534-05 Rev C Proposed Street Scenes published 3/2/23

Drawing P21-3112.001 Rev F Landscape Master Plan published 3/2/23

House Type Planning Drawings PA-DC-HT-01A published 6/2/23

Boundary Treatment Drawings PA-DC-BT-01 published 29/11/22

Reason: In order to define the permission.