
Case Number	22/04356/FUL (Formerly PP-11605998)
Application Type	Full Planning Application
Proposal	Erection of 19 residential dwellings, with access, landscaping and associated works
Location	Land Between Railway Tracks And Junction Road Woodhouse Sheffield S13 7RP
Date Received	05/12/2022
Team	City Centre and Major Projects
Applicant/Agent	Mrs Rachel Reaney - Astrum Planning Ltd
Recommendation	Grant Conditional Subject to Legal Agreement

Time limit for Commencement of Development

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

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

Approved/Refused Plan(s)

2. The development hereby permitted shall be carried out in complete accordance with the following plans, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence:

Site Location Plan - JCT-ENJ-XX-XX-DR-A-01-000-A (published 09/02/2023)

Proposed Site Plan - JTR-ENJ-XX-XX-DR-A-01-001 Rev. K (published 20/03/2023)

House Type A - GA Elevations & Plans - JTR-ENJ-XX-XX-DR-A-A-001-C (published 06/03/2023)

House Type B - GA Elevations and Plans - JTR-ENJ-XX-XX-DR-A-B-001-C (published 06/03/2023)

House Type C - GA Elevations & Plans - JTR-ENJ-XX-XX-DR-A-C-001-B (published 06/03/2023)

House Type D - GA Elevations & Plans - JTR-ENJ-XX-XX-DR-A-D-001-B
(published 06/03/2023)
Proposed Separated Double Garages - GA Drawings - JTR-ENJ-XX-XX-
DR-A-GD-01-A (published 06/03/2023)
Proposed Single Garage GA Drawings - JTR-ENJ-XX-XX-DR-A-GS-01-A
(published 06/03/2023)
Street Scene - ENJ-A-01-003-A (published 06/03/2023)

Reason: In order to define the permission

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

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

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

4. No development (other than site investigation works) shall commence until an ecological report setting out the findings of the further ecological survey work recommended within Section 4 of the PRELIMINARY ECOLOGICAL APPRAISAL - September 2022, and making any relevant recommendations for any actions, works or enhancements to ensure that all potential impacts of the development on ecological features are adequately avoided, mitigated or compensated for, has been submitted to and approved by the Local Planning Authority. Thereafter any actions, works or enhancements set out within the approved report shall be implemented in full and completed before any part of the development is brought into first use or occupation.

Reason: Although sufficient ecological information has been submitted to be confident that the development can be carried out in an ecologically acceptable way, it is essential that the further survey work is undertaken and any required further mitigations proposed prior to the development taking place in order to ensure all potential ecological impacts of the development are fully understood and mitigated.

5. No development (other than site investigation works) shall commence until a site investigation report has been submitted to and approved by the Local

Planning Authority assessing any risks posed to the development from land instability, ground contamination and ground gas as per the recommendations set out within Section 8 of the submitted STAGE 1 GEO-ENVIRONMENTAL DESK STUDY REPORT, dated 28/09/2022.

In the event that the need for remediation works is identified to address any unacceptable ground gas or contamination risks, a Contamination Remediation Strategy shall also be submitted to and approved by the Local Planning Authority before any development commences (other than site investigation works). Any Contamination Remediation Strategy shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

In the event that the need for remediation works is identified to address any unacceptable land stability risks, a Land Stability Remediation Strategy shall also be submitted to and approved by the Local Planning Authority before any development commences (other than site investigation works).

Reason: In order to ensure that any contamination or land stability risks are appropriately dealt with as part of the development scheme it is essential that this condition is complied with before the development commences.

6. No development (other than site investigation works) shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall set out provisions to ensure that all site activities are planned and managed so as to prevent nuisance and minimise dis-amenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. In addition, the CEMP shall include details of how all relevant ecological receptors will be protected during the remediation and construction phase. Thereafter the development shall only be carried out in strict accordance with the provisions of the approved CEMP.

Reason: In the interests of minimising the adverse environmental effects of the construction phase of development, it is essential that this condition is complied with before any works on site commence

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

Reason: In the interests of protecting the free and safe flow of traffic on the

public highway it is essential that this condition is complied with before any works on site commence.

8. No development (other than site investigation works) shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, such areas shall be provided to the satisfaction of the Local Planning Authority and retained for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

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

9. No remediation or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

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

10. No development (other than site investigation and remediation works) shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose

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

11. No part of the development shall be brought into first use of occupation

unless and until a report has been submitted to and approved by the Local Planning Authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

12. No part of the development shall be brought into first use or occupation unless and until a scheme of sound insulation works has been installed. Such scheme of works shall:

- a) Be based on the findings of approved noise survey (ref: 14669415 (version 3), dated: 09/08/2022, prepared by: Bureau Veritas).
- b) Be capable of achieving the following noise levels:
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the buildings

13. No part of the development shall be brought into first use or occupation until Validation Testing of the sound insulation works of two representative properties have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

- a) Be carried out in accordance with an approved method statement.
- b) Demonstrate that the specified noise levels have been achieved.

In the event that the specified noise levels have not been achieved for the two representative properties identified then, notwithstanding the sound insulation thus far approved, a further scheme of works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before any part of the development is brought into first use or occupation. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before any part of the development is brought into first use or occupation.

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

14. No part of the development shall be brought into first use or occupation until detailed lifetime management arrangements for the drainage system have been submitted to and approved by the Local Planning Authority. These arrangements shall demonstrate that there is in place a legally binding arrangement for the lifetime management of the drainage system including funding source/s. This shall include operation and maintenance manuals for regular and intermittent activities and as-built drawings. Thereafter the approved management arrangements shall be implemented for the lifetime of the development.

Reason: To ensure satisfactory drainage arrangements are provided to serve the site in accordance with the National Planning Policy Framework it is essential for this agreement to be in place before the use commences.

15. No above ground works shall commence until a comprehensive and detailed hard and soft landscaping scheme for the site has been submitted to and approved by the Local Planning Authority. The approved landscape works shall be completed prior to any part of the development being brought into first use or occupation or in accordance with any alternative implementation programme which has been approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of ensuring that the development enhances biodiversity and visual amenities within the locality and that adequate external amenity space is provided for residents

16. No above ground works shall commence until a Biodiversity Enhancement Scheme has been submitted to and approved by the Local Planning Authority. Unless otherwise approved, the scheme shall make provision for supplemental planting within the woodland areas to be retained within the site, hedgehog highways through garden fences, and the provision of bird and bat boxes/ bricks to be incorporated within the houses/ garages. Evidence shall be provided that the proposed on-site biodiversity enhancements and landscaping works, in combination with the separate

provisions for off-site ecological enhancements, are sufficient to ensure that the development should result in an overall biodiversity net gain. The works set out within the approved scheme shall thereafter be completed prior to any part of the development being brought into first use or occupation or in accordance with any alternative implementation programme which has been approved by the Local Planning Authority.

Reason: In the interests of biodiversity and ecological enhancement.

17. No part of the development shall be brought into first use or occupation until full details of boundary treatments have been submitted to and approved by the Local Planning Authority. Such details shall include all garden fencing and walls illustrated on Proposed Site Plan - JTR-ENJ-XX-XX-DR-A-01-001 Rev. K and also details of the fencing to be installed along the boundary with the adjacent railway line to ensure risk of trespass onto that line from the site is adequately mitigated. No part of the development shall be brought into first use or occupation until the approved boundary treatments have been provided in accordance with the approved details. The approved boundary treatments shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of the visual amenities of the locality and maintaining a secure boundary with the adjacent railway line.

18. Upon completion of any measures identified in the approved Land Stability Remediation Strategy, or any approved revised Land Stability Remediation Strategy, a Validation Report shall be submitted to the Local Planning Authority demonstrating that the approved remediation measures have been implemented and any relevant land stability risks have been reduced to an acceptable level. No plot or group of plots within the development shall be brought into first use or occupation until a Validation Report for land stability covering the relevant plots has been approved in writing by the Local Planning Authority. A final combined Validation Report should be issued on completion of the remedial works (covering all plots) for approval by the Local Planning Authority. This shall include a declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development and shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In order to ensure that any land stability risks associated with the legacy of historic mining activities are properly dealt with.

19. Following completion of any measures identified in the approved Contamination Remediation Strategy or any approved revised Contamination Remediation Strategy, land contamination and gas protection Verification Reports shall be submitted to the local planning authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for that part of the site in accordance with

the approved Contamination Remediation Strategy or any approved revised Contamination Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the local planning authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that any contamination of the land is properly dealt with.

20. Before any above ground works commence, details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

21. Before any above ground works commence, full details of the improvements to Junction Road along the site frontage, as illustrated on Proposed Site Plan - JTR-ENJ-XX-XX-DR-A-01-001 Rev. K, including new surfaces and kerbs, pedestrian facilities and turning facilities, shall be submitted to and approved by the Local Planning Authority. Thereafter the improvements shall be implemented before any part of the development is brought into first use or occupation.

Reason: In the interests of traffic and pedestrian safety.

22. No part of the development shall be brought into first use or occupation until full details have been submitted to and approved by the Local Planning Authority of the provision of Electric Vehicle Charging Point (EVCP) infrastructure for each of the dwellings hereby approved. The details shall include:

- i) Location of charge points;
- ii) Specification of charging equipment

The approved EVPC infrastructure shall be installed and commissioned before any part of the development is brought into first use of occupation.

Reason: To ensure that the development facilitates the use of low emissions vehicles, in the interests of sustainability, climate change and air quality mitigation.

23. No part of the development shall be brought into first use or occupation until full details of secure, covered, cycle storage facilities to be provided for each dwelling have been submitted to and approved by the Local Planning Authority. Thereafter the development shall only proceed in accordance with the approved details and the cycle storage facilities shall be fully constructed

and installed before any part of the development is brought into first use or occupation.

Reason: In the interests of promoting sustainable and healthy forms of transportation.

24. No part of the development shall be brought into first use or occupation until full details of the refuse and recycling storage and collection facilities to be provided to serve each dwelling have been submitted to and approved by the Local Planning Authority. No bins shall be stored to the front of dwellings unless a bin store of an appropriate quality will also be provided. The approved refuse and recycling storage and collection facilities shall be provided in full prior to each dwelling being brought into first use or occupation.

Reason: In order to ensure that adequate facilities are provided for the storage and collection of waste and recycling containers in the interests of waste management and visual amenity.

25. No part of the development shall be brought into first use or occupation until a detailed Travel Plan shall has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield and the Core Strategy.

Other Compliance Conditions

26. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy(s). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy(s), or unexpected contamination is encountered at

any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure that the site is made safe for residential occupation.

27. An open access strip shall be maintained to the retained woodland to the west of the houses hereby approved, as illustrated on Proposed Site Plan - JTR-ENJ-XX-XX-DR-A-01-001 Rev. K.

Reason: In the interests of amenity.

28. No external lighting shall be installed as part of the development hereby approved, unless it is being installed in full accordance with details of the type, luminosity, mounting height, and angle of glare of the external lighting units which have first been submitted to and approved by the Local Planning Authority.

Reason: To ensure no external lighting is installed which has the potential to interfere with the operation of the adjacent railway line.

Attention is Drawn to the Following Directives:

1. The applicant will need to secure a Great Crested Newt Mitigation Licence or District Level License from Natural England before development commences.
2. This site contains trees, which are protected by Tree Preservation Orders or Conservation Areas. These trees must be retained and protected and the Local Planning Authority may pursue legal action where vegetation is illegally damaged or removed. The Wildlife and Countryside Act may also be a legal consideration in the removal or works to trees, if the trees are providing a habitat to protected species or a nest site to wild birds.
3. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2021 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
4. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum;
 - Reference to permitted standard hours of working;

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

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

5. Applicants seeking to discharge planning conditions relating to the investigation, assessment and remediation/mitigation of potential or confirmed land contamination, including soils contamination and/or ground gases, should refer to the following resources;
 - Land Contamination Risk Management (LCRM; EA 2020) published at; <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>;
 - Sheffield City Council's, Environmental Protection Service; 'Supporting Guidance' issued for persons dealing with land affected by contamination, published at; <https://www.sheffield.gov.uk/content/sheffield/home/pollution-nuisance/contaminated-land-site-investigation.html>.
6. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.
7. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street

Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council
Town Hall
Penistone Street
Sheffield
S1 2HH

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

8. 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 and application forms on the Council website. 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.
9. South Yorkshire Police have provided the following advice on the development: 'If Planning consent is granted it is my professional recommendation that the development is design and build to Secured by Design standards. SBD New homes 2019. Registration for Secured by Design Developer's award can be found at www.securedbydesign.com

If Secured by Design standards are not adopted, attention and consideration should be given to the following areas: -

- Doors are to comply with PAS24: 2016, as a minimum.
- Windows (including any curtain walling) under 2.4m in height are to comply with the PAS24: 2016 specification (where the PAS specification is a draft British Standard).
- Prior to the commencement of development (including ground works), a scheme detailing any street lighting to all private (un-adopted) sections of secondary roads/drives/courtyards should be submitted to and approved in writing by the Local Planning Authority. The scheme should not include low-level or bollard lighting. No dwellings accessed from private (un-adopted) roads/drives/courtyards shall be brought into use until the street lighting so approved has been installed and brought into use, and the street lighting shall be retained as such thereafter.

https://www.securedbydesign.com/images/PCPI_LIGHTING_GUIDE_web.pdf

10. Network Rail have provided the following advice on the development:

Former Railway Land - It appears that the scheme may be situated at least partly on former railway land. It is incumbent upon the applicant to investigate all the covenants and understand any restrictions relating to the site which may take precedence over planning conditions. Please note that the comments contained in this response to the council do not constitute formal agreement of any existing covenants.

Railway Access - The proposed scheme must not obstruct or restrict access to adjacent railway facilities in any way either during construction or subsequent site use. Access is required on a 24/7 basis for inspection, maintenance and emergency purposes.

Works in Proximity to the Operational Railway Environment - Development Construction Phase and Asset Protection Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

Drainage - It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail.

Trespass Proof Fencing- Trespass onto the railway is a criminal offence. It can result in costly delays to rail traffic, damage to the railway infrastructure and in the worst instances, injury and loss of life. Due to the nature of the proposed development we consider that there will be an increased risk of trespass onto the railway.

Landscaping- It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to

the railway boundary;

Acceptable: Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorn (*Cretaeagus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (*Shrubby Salix*), Thuja Plicatata "Zebrina"

Not Acceptable: Acer (*Acer pseudoplatanus*), Aspen - Poplar (*Populus*), Small-leaved Lime (*Tilia Cordata*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), Ash (*Fraxinus excelsior*), Black poplar (*Populus nigra* var, *betulifolia*), Lombardy Poplar (*Populus nigra* var, *italica*), Large-leaved lime (*Tilia platyphyllos*), Common lime (*Tilia x europea*)

Lighting - Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

Railway Noise Mitigation - The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

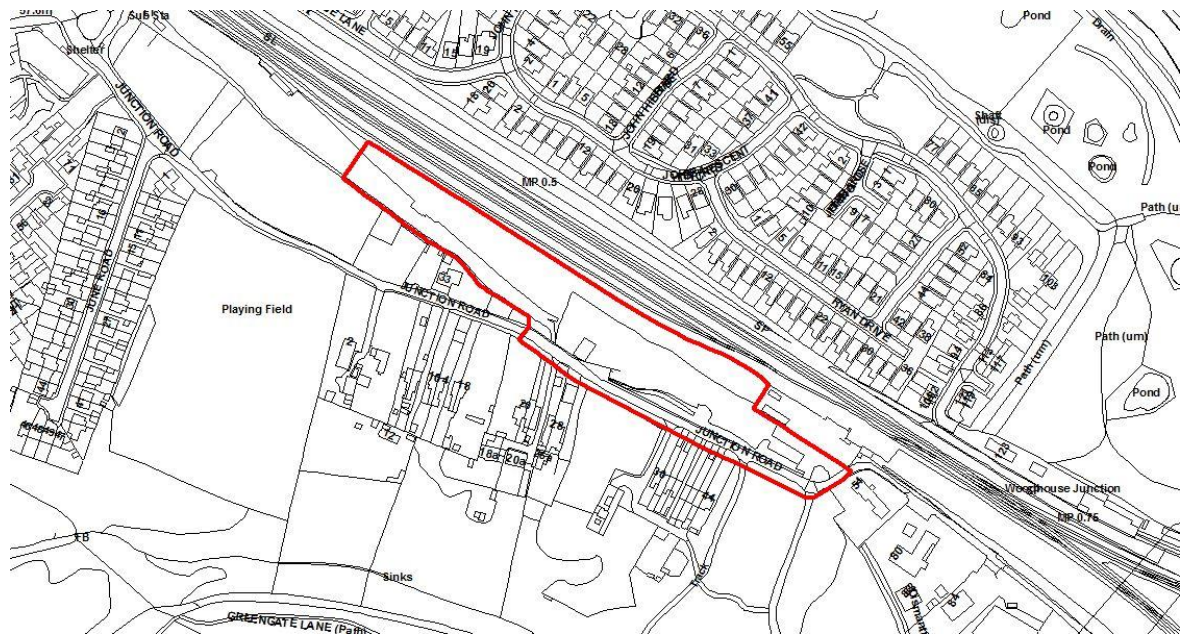
For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.

For enquiries relating to land ownership enquiries, please email landinformation@networkrail.co.uk.

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email propertyservicesneem@networkrail.co.uk.

11. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The application site is located in Woodhouse some 350m along Junction Road from the point where it meets Station Road. The total site area is approximately 1.5 hectares of which approximately 0.55 hectares are to be developed for housing. The remainder comprises an area of woodland to the north-west (to be retained), a woodland buffer strip adjoining the railway line (also to be retained), and part of Junction Road that is incorporated into the site so that it can be improved. The woodland buffer strip adjoining the railway is protected by Tree Protection Order no. 454, made on 12 May 2022.

The south-east part of the site was last used as a scrapyard site but has been unused for some years. An area of steeply sloping embankment covered in woodland to the north-west of the site is to be retained as existing. The housing is to be developed on the former scrap yard area. The part of the site to be developed for housing is long and narrow, approximately 200m long by 35m wide. It has a long frontage to Junction Road which is an unadopted highway with no footpaths, it has the character of a rural lane.

To the north is the Sheffield to Worksop railway line with a modern housing estate beyond. To the south and on the opposite side of Junction Road are terraced houses and semis which are faced in stone or brick and have long front gardens. To the east is a small network rail depot and to the west a single dwelling house and unused naturally regenerating land.

The site was originally used as railway sidings and is level with the railway to the north but falls below Junction Road as it rises to the west. There is a belt of naturally regenerating Birch Woodland adjacent to the northern boundary with the railway line. The site also incorporates an area of steeply sloping woodland to the north-west of the area to be developed for housing. Both the main woodland area to the north-west and a buffer of existing Birch woodland approximately 12m deep, between the housing and the railway line, are to be retained.

The application is seeking permission for 19 houses on the south-eastern part of the site. The houses are arranged in two cul-de-sacs of 5 houses on the western part of the site whilst the 9 houses on the eastern part face onto (and would be directly accessed from) Junction Road. Nine detached and ten semi-detached 3 and 4 bedroom properties are proposed. Two of the 3-bedroom semi detached dwellings are proposed to be provided as affordable housing.

A similar proposal, albeit for 2 fewer houses and no affordable housing, gained planning permission in 2016 and was varied in 2019 but has not been implemented and has now lapsed.

RELEVANT PLANNING HISTORY

Planning permission was granted for a continuation of the use of the land for the sorting of scrap on 05 May 2002 (ref. 02/00625/FUL). Subsequently planning permission was refused for a development of 52 houses and 35 flats on a larger site that incorporated the application site and land to the west up to the intersection

with Station Road, (ref. 05/04573/FUL). It was refused on the grounds that-

- The development would be out of keeping with the character of the area;
- The highway impact;
- Poor design of the houses;
- Loss of greenfield/open space land considered to be of visual and ecological value;
- Harmful impact on wildlife due to the erosion of the green corridor.

However, planning permission was then granted in 2016 for a smaller residential development scheme on the site (17 houses) limited to the former scrapyards area (ref. 15/02851/FUL). This planning permission was varied in 2019 (ref. 19/02864/FUL) but has now lapsed.

SUMMARY OF REPRESENTATIONS

Twenty representations in objection to the proposed development have been received. The main points raised in these objections are summarised below (full copies of all representations are available to view on the Public Access website):

- The development will increase traffic on a sub-standard road with no pedestrian facilities to the detriment of the safety of pedestrians (inc. young children/ pushchairs), cyclists and equine users (and also elderly residents of Brunswick Gardens Village who may be using wheelchairs or mobility scooters);
- If the developers were serious about making this an acceptable development they would want to widen the road right the way up to Junction Road and put in a pavement to make sure that pedestrians were safe which clearly they will not be with extra traffic on the road;
- Concern that the level of traffic associated with the development may have been underestimated, taking account of the size of the proposed dwellings and recent changes in lifestyles habits in terms of home deliveries, etc;
- The development will lead to increased on-street parking pressure due to inadequate off-street provision which will worsen conditions, obstructions and hazards on Junction Road;
- The development will increase the risk of the road becoming obstructed (by on-street parking/ delivery vehicles) which could prevent emergency services from accessing existing properties;
- Junction Road is used as a recreational pedestrian route linked to areas such as Beighton Marsh, Rother Valley Country Park and the Trans Pennine Trail and the increase in traffic from the development would make this route less attractive and safe;
- The proposed road improvement works on the site frontage would affect adjacent residents' accesses;
- The development will result in significant ecological harm including to protected trees, protected species and other flora and fauna;
- The proposed removal of trees would exacerbate climate change (with one tree storing 2.9 tonnes of carbon);
- The development would sever the existing coherent ecological corridor adjacent to the railway line;

- Health and safety concerns in terms of the risk associated with families with children living adjacent to a railway line;
- Concern that the site might be contaminated with toxic waste associated with the former scrap yard use;
- The land may be unstable due to the presence of an un-treated mineshaft;
- The site would be unacceptably impacted by noise from the new Network Rail workshop and track maintenance work at anti-social times (which have not been taken account of in the noise assessment);
- The development will increase surface water run-off during flood events and thereby exacerbate pre-existing flooding problems;
- The development design is poor with the houses just looking like they are from any other housing estate;
- The development will spoil the frontage of existing homes;
- The development will cause a loss of privacy for existing residents;
- The noise and disturbance caused by the development (including from increased traffic) will adversely affect existing residents and change the character of the locality from a quiet area to a more urban noisier place;
- The proposed turning head will increase traffic and associated noise disturbance for adjacent existing residents;
- The construction phase will cause severe disturbance to residents particularly given the sub-standard access;
- Unacceptable loss of open space in visual and ecological terms;
- Local education and health services are inadequate;
- Existing utilities are inadequate to serve the development;
- Lack of public consultation;
- Land ownership issues.

[Note: Following concerns being raised in relation to land ownership issues the applicant contacted relevant residents with a view to clarifying the land ownership position of the relevant land (an area of verge at the foot of existing resident's gardens on the opposite side of Junction Road which is now functionally used as part of the gardens) and transferring this land to the residents – this is a separate, private, land ownership issue but the efforts of the applicant to resolve the issue with residents/ objectors are acknowledged]

One of the objectors is Clive Betts MP, whose full comments are set out below:

'I would like to raise an objection to this planning application. I recognise in the past a planning application has been approved but I think there are a number of factors which now need more detailed consideration by the Planning Committee.

The first is about the access to this site. The road is unadopted. It is narrow. It does not have pedestrian pavements alongside it for the length from the development up to Junction Road where all vehicles from the site will have to travel.

Looking at the number of parking places on the site there are over 40 potential car parking spaces and therefore a significant increase in the number of vehicles that are being suggested as a result of this development.

The developer is only proposing to widen the road immediately alongside the development itself and put in a pavement on one side of the road. If the developers were serious about making this an acceptable development they would want to widen the road right the way up to Junction Road and put in a pavement to make sure that pedestrians were safe which clearly they will not be with extra traffic on the road. This effectively is development on the cheap with the developer trying to make as much money from the site as they can without actually spending the money to upgrade the road in the way that it should. In my view it will be completely inappropriate to approve a development which relies on unadopted roads without proper pedestrian pavements in order for all vehicles from the site to access the main road network.

The second issue is about the environmental aspects of the site which will be lost. There are protected trees on the site and others which are being considered for protection but what is not referred to at all in the application is the amount of flora and fauna which exists on the site which is detailed in other objections. These clearly need to be taken into account. Just because the site has had previous uses does not mean to say that it does not have environmental value to people who live around it and benefit from it on a daily basis. I think these matters must be taken into account when considering the impact of any development. The developer shows no sign of having done so.'

PLANNING ASSESSMENT

Decision Making Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998.

The Council is currently developing a new replacement Local Plan (entitled 'The Sheffield Plan') which will set out planning policies and land use allocations to shape development within Sheffield for a plan period running to 2039. Having progressed through an Issues and Options stage in 2020 a full draft plan has been prepared for submission to the Secretary of State for examination, which has been subject to public consultation in January and February 2023. However little weight can currently be attached to the proposals and policies set out within the draft Sheffield Plan prior to it being tested for soundness through examination in public.

The National Planning Policy Framework first published in 2012 and last revised in July 2021 (the NPPF) is a material consideration in all planning decisions. Paragraph 219 of the NPPF provides that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF and that due weight should be given to existing policies in a development plan, according to their degree of consistency with the

NPPF.

In all cases the assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that, when making decisions, a presumption in favour of sustainable development should be applied. Where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of NPPF policies that protect areas or assets of particular importance (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.

This is referred to as the “tilted balance”.

In addition to the potential for a Local Plan policy to be out of date by virtue of inconsistency with the NPPF, para 11 of the NPPF makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer) the policies which are most important for determining the application will automatically be considered to be out of date.

The Council’s most recently published position in relation to the deliverable 5 year housing land supply situation is set out in the ‘5 Year Housing Land Supply Monitoring Report’, December 2022. The monitoring report indicates that, at the base date of 01 April 2022, the supply was 3.63 years for the period 2022/23 to 2026/27. As such, a 5 year supply of housing cannot be demonstrated and so the tilted balance does apply in relation to the proposed development – which proposes the development of 19 new houses.

Principle of Development

The application site lies within a Housing Policy Area in the Unitary Development Plan (UDP). Within this area the preferred use is housing and therefore the development is acceptable in terms of land use principle.

The application site is part of a Green Corridor along the railway line. UDP Policy GE10 is concerned with the Green Network. It says that Green Corridors will be protected from development which would detract from their mainly green and open character or which would cause serious ecological damage. As covered in more detail elsewhere in this report, the development would retain the main area of woodland to the north-west and the corridor of woodland along the railway line and therefore provides for the retention of the substance of the green corridor.

Core Strategy (CS) policy CS24 seeks to maximise the use of previously

developed land for housing. The majority of the site area is previously developed land and therefore the proposal will meet the objective of this policy.

Policy CS26 promotes the efficient use of housing land. Subject to the character of the area densities will vary according to the accessibility of the location. The density range for this site would be 30-50 dwellings per hectare. The developable site area is approximately 0.55 of a hectare and the density is therefore approximately 35 dwellings per hectare. This meets the policy and it considered to be acceptable on this site as it feels like a semi-rural site where a lower density is to be expected.

UDP policy GE15 states that trees and woodland will be encouraged and protected, mature trees, copses and hedgerows will be retained where possible and lost trees replaced. The development scheme meets this requirement by primarily limiting development to the former scrap yard area and providing for the retention of the majority of the trees and woodland on the site including protected trees - albeit some tree loss would occur and is effectively unavoidable in developing the site for housing.

In the Publication Draft Sheffield Plan (to which minimal weight can currently be attributed) the part of the site that is proposed to be developed for housing is proposed as a housing site (Site Reference SES23 – capacity for 20 homes). The part of the site that is to be retained as woodland is identified as Urban Greenspace.

In summary the development plan and emerging policies support development of the site for housing. National planning policy gives high priority to increasing the supply of housing and the lack of a 5 year supply of housing in Sheffield adds further weight in favour of the scheme, as does the responsiveness of the housing mix proposed to housing needs within this part of the City (which is for family housing). The development is also considerate of the Green Corridor allocation of the railway corridor in terms of minimising tree loss and maintaining the connectivity and integrity of the woodland belt along the corridor. The development is therefore considered to be acceptable in principle as tested against the key development plan policies referenced above.

Affordable Housing and Housing Mix

Policy CS 40 says that in all parts of the city, developers of new housing will be required to contribute towards the provision of affordable housing where practical and financially viable.

The site lies within the South East Housing Market Area (HMA) where the affordable housing requirement is 10% subject to viability. Sheffield's current Strategic Housing Market Assessment (SHMA) estimates that the South East HMA has an annual shortfall of 6 affordable properties per year, which is a modest shortfall in relation to the whole city.

The applicant has accepted this requirement and proposes to provide 2 of the dwellings as affordable housing (two 3-bed semi-detached properties) which is

slightly over the 10% requirement. Details of the type and tenure of the affordable housing, together with delivery requirements, are proposed to be set out in a legal agreement made under Section 106 of the Act (S106 agreement) which would be drawn up in the event that Committee resolve to approve the application.

Therefore the development is compliant with policy CS40 and will assist in the delivery of housing for those unable to afford market rates.

Policy CS41 seeks to create mixed communities it promotes a broad range of housing for smaller households in the City Centre and requires a greater mix of housing in other locations including housing for large households especially families. A key feature of the South East housing market is that it provides an opportunity for households to purchase larger family homes that may not be affordable for them elsewhere in the city.

The proposed development will contain 19 houses, comprising of 10 three bedroom and 9 four-bedroom homes. All proposed houses exceed the Nationally Described Space Standards for either 3 bed 5-persons or four bed 7-person floor areas. It is considered that the proposed development is well aligned with the evidence of housing need set out in the Housing Market Assessment (SHMA) and that the proposed housing mix is acceptable in relation to the provisions of CS41.

Design/Character issues

Unitary Development Plan Policy H14 states that new buildings in housing areas should be in scale and character with neighbouring buildings. UDP Policy BE5 'Building and Design Siting' expects good quality design in keeping with the scale and character of the surrounding area and Core Strategy Policy CS74 states that high quality development is expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods.

These policies align well with Chapter 12 of the NPPF which requires well designed places, with paragraph 126 stating that good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities, which contribute positively towards making places better for people. Paragraph 134 states that planning permission should be refused for development that is not well designed and where it fails to reflect local design policies and government guidance on design. The local policies can therefore be afforded significant weight.

The part of the site to be retained as open space has a heavily wooded appearance. The part which is to be developed for housing has a run-down unkempt appearance. There is a belt of birch woodland adjacent to the railway line which is 8-10m deep and some scrub vegetation and relatively low quality trees along the Junction Road frontage. The rest of the site has a loose gravel/crushed brick finish remaining from the former industrial uses with an area of tarmac surfacing providing access to the yard associated with the signal box. There is some dilapidated fencing on the Junction Road frontage and some rusty skips block a former access into the site and prevent fly tipping. Although Junction Road at its eastern end has a rural character the site of the proposed housing has a

despoiled unattractive appearance.

Development around the site is of mixed character. There are some traditional terraced stone cottages opposite the site which have long front gardens some of which incorporate unsympathetic modern garages fronting Junction Road. There are Victorian semis further west along Junction Road faced in stone, brick and render also with long front gardens. Towards the western end of Junction Road there are some more compact 1950/60s semis. In addition, there are a few modern detached dwellings of one and two storeys to the east of the site on Junction Road and a large 1990s suburban housing estate on the opposite side of the railway line.

The quantum of development proposed for the site strikes a reasonable balance between delivering a viable scheme and responding to the more rural character of this part of Junction Road. The houses are set back a little from Junction Road, allowing the provision of small walled gardens (to be landscaped) designed to soften the transition between Junction Road and the new houses.

A footpath will be provided on the development side of the frontage whilst maintaining the soft green informal edge to the existing housing opposite. A reasonable balance has been struck between setting the housing back from Junction Road, retaining the green link tree planting buffer to the railway line and achieving enough housing to deliver a viable scheme and also deliver affordable housing.

By designing cul-de-sacs perpendicular to Junction Road for the western part of the site it has been possible to provide an area for 'green buffer/ landscaping' which can be planted with native trees and hedge plants which to help maintain the semi-rural feel to Junction Road. A 0.75m high brick wall with soldier coping will be provided as a sympathetic and non-defensive boundary treatment along the Junction Road frontage and houses will be oriented to present an active front to the road.

Garages and car parking are set back into the site so that parking appears less dominant in the street scene. The mixture of short cul-de-sacs and houses facing on to Junction Road will create variety and interest so that the scheme will appear as a sensitive small scale scheme which would not be the case with a homogeneous design.

The house designs are relatively simple and not particularly distinctive, but are not without character or design merit and will not appear incongruous or disharmonious in the street scene. Initial plans for the use of render to upper floors have been dropped, as this material was considered to be contextually out of place and all walls will now be in brick with a soldier bond string course between the GF and 1F and further soldier coursing to ornament the heads of door and window openings.

The scale and form of the houses will be typical of modern suburban housing and not contextually driven; however the development will not be incongruous in its context. Given the mixed character of the surroundings the house style proposed is

considered to be acceptable and is reasonably sensitive to the semi-rural setting.

Full soft landscaping details have not been provided at this stage; however the approach illustrated on the site plan - providing a landscaped buffer to Junction Road) and retaining the majority of the woodland to the north-west and birch woodland along the railway boundary - is considered to be broadly acceptable. The retention of the majority of the existing woodland on the site, in particular, is considered to be key to preserving local character and it is welcomed that the applicant proposes to retain access into the woodland for local residents. Full landscaping and tree protection details will be reserved by planning condition.

Overall it is considered that the design quality of the development is of an acceptable standard and is suitably responsive to the characteristics of the locality and that the development will not result in any significant harm to local visual amenity or diminution of the character of the locality, taking account of the low contribution the former scrap yard area currently makes to this character.

In conclusion, the proposed design of the scheme is in line with the requirements of the relevant UDP and Core Strategy policies as well as the aims of the NPPF, as described at the start of this section.

Access Issues

Unitary Development Plan Policy H14 says that new development should be well laid out with all new roads serving more than five dwellings being of an adoptable standard. Development should provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

This aligns closely with Paragraph 110 of the NPPF which states that safe and suitable access to sites should be achieved for all users and that the design of streets and parking areas should reflect current national design guidance. Paragraph 111 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Junction Road will be widened along the site frontage and brought up to an adoptable standard with a footpath provided along the front of the site. This will leave a section of approximately 250m of shared highway between the site and June Road. This section of highway should ideally be improved; however it would be unreasonable for this small site to be liable for the costs of upgrading the full length of Junction Road. This means that additional traffic will be generated on the substandard section of Junction Road which is shared by vehicles and pedestrians. Whilst this is not ideal, in your officer's view it does not create a severe highway safety problem and therefore it would be unreasonable to resist the application on this basis, particularly bearing in mind the test at paragraph 111 of the NPPF.

In the event that the western section of Junction Road is developed for housing in the future (as proposed within the Development Plan) this section of highway will also be brought up to modern highway standards.

Whilst the highway along the site frontage will be improved to adoptable standard the Council is not able to adopt it until the western section to June Road is also brought up to standard. This will mean that, at least in the short term, the existing and new residents will be responsible for the maintenance of the road along the site frontage.

The intersection of Junction Road with Station Road is considered to be adequate to serve the existing traffic that would be generated by the development.

A turning head is proposed at the eastern end of Junction Road to allow refuse and service vehicles to turn.

Sixteen of the houses have a garage and 2 additional parking spaces, one house has a garage and 1 parking space and two houses have 2 parking spaces and no garage. The proposed parking provision is considered to be acceptable.

It is approximately 350m walking distance from the site to the Junction Road bus terminus and a further 150m to train station. Therefore it is concluded that public transport is reasonably accessible from the site.

It is concluded that the access and parking arrangements are acceptable with some reservations regarding the standard of the western part of Junction Road. However given the circumstances referred to above these concerns are considered to be outweighed by the benefits of developing the site for housing and the proposals are therefore considered to be in accordance with the requirements of the local and national policies referenced at the start of this section in this respect.

Ecology and Tree Issues

UDP Policy GE11 'Nature Conservation and Development' states that the natural environment should be protected and enhanced and that the design, siting and landscaping of development needs to respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Core Strategy Policy CS74 (Design Principles) identifies that high-quality development will be expected, which respects, take advantage of and enhances the distinctive features of the city, its districts and neighbourhoods, including important habitats.

GE11 and CS74 align with the NPPF and can be given substantial weight. To clarify, NPPF paragraph 174 parts a) and d) identify that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity. Furthermore, paragraph 180 a) identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 180 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

This is an ecologically sensitive site, given that it clearly possesses high biodiversity value and has a strategically important location, sited on the Council's [draft] Nature Recovery Network (NRN) and sits within very close proximity to an established nature conservation project (jointly SCC, Network Rail, Froglife) aimed at improving habitat along the rail corridor for a range of protected and priority species.

The site possesses a mosaic of woodland, scrub and grassland habitats, suitable for a wide range of wildlife. The current application essentially maintains the previously approved approach of retaining the majority the woodland to the north-west and the birch woodland along the railway corridor (thereby retaining a coherent ecological corridor) but would result in the clearance of the former scapyard area including the loss of scrub, a belt of trees, grasses and shrubs.

The application has been revised during its assessment to reduce the depth of gardens in order to reduce tree loss and compartmentalisation of woodland. None of the trees on site which are subject to a Tree Preservation Order (No 808/454) are proposed to be removed. Overall it is considered that the level of tree loss associated with the current proposals is acceptable and strikes a reasonable compromise between the practicalities of developing the site for housing and the interests of maintaining the integrity and extent of the main woodland area and green corridor.

In terms of the ecological information provided, it is considered that an appropriate level of surveying has been carried out for the purposes of supporting the planning application and the reports are of a high standard. In relation to protected species it is noted that:

Bats: no evidence of roosting bats was found within the wall and conditions considered sub-optimal. However, the wider site is considered to provide 'moderate' suitability for commuting and foraging bats and therefore activity surveys are recommended. This will provide a more detailed assessment of how bats use the site and inform more specific mitigation measures, such as a sensitive lighting scheme.

Badgers: no setts found and not believed to be resident on site. A precautionary approach recommended and best practices measures would need to be set out in a CEMP.

Great crested newt (GCN): whilst there are no waterbodies within the application area, the site lies within a zone of GCN breeding ponds considered a stronghold for the species in Sheffield. The applicant's ecological consultants consider it reasonable to conclude that GCN are present on site (albeit in their terrestrial phase) and therefore propose that the site is registered under Natural England's District Level Licensing (DLL) scheme for the development to proceed. No further survey work is recommended and initial site clearance work would need to be carried out under specific and likely supervised best practice measures.

Reptiles: the site contains suitable habitat and basking spots for native reptile species and Ecus have recommended a suite of presence / absence surveys carried out during the optimal period. Similar to GCN, SE Sheffield has established populations of reptiles and therefore, as statutorily protected species, status needs to be established in order to determine if mitigation is required.

A Biodiversity Net Gain Assessment has also been provided which advises that the development will result in a loss of 3.4 habitat units (but an increase in hedgerow units) as assessed using the most recent DEFRA metric. The applicant proposes to address this, and provide for an overall Biodiversity Net Gain, by making a financial contribution to the Council of £85,000 to facilitate the delivery and maintenance of an equivalent amount/ quality of habitat off-site.

The Council's Ecology Unit have advised that the contribution could be used within some of Sheffield's large park sites, which contain many acres of poor quality amenity grass, where BNG delivery could be focussed. Biodiversity delivery sites are likely to be (initially) Concorde Park, Longley Park and Parson Cross Park, with other, smaller SCC sites to be considered. The precise site to which the funding from this development would be put has not yet been decided.

As well as a S106 agreement securing the BNG financial contribution, it is also considered necessary to impose a planning condition requiring the applicant to gain approval for a Biodiversity Enhancement Scheme, including provisions for supplemental planting within the woodland areas to be retained within the site, hedgehog highways through garden fences, and the provision of bird and bat boxes/ bricks to be incorporated within the houses/ garages. Evidence would also be required that the proposed on-site biodiversity enhancements and landscaping works, in combination with the separate provisions for off-site ecological enhancements, are sufficient to ensure that the development should result in an overall biodiversity net gain. Subject to this condition it is considered that the proposal is acceptable in terms of ecology and biodiversity matters in accordance with paragraphs 174 and 180 of the NPPF and local policies GE11 and CS74.

Amenity

Unitary Development Plan Policy H14 says that new housing should not suffer from unacceptable noise and where appropriate there should be an environmental buffer to shield sensitive land uses. It also states that the site should not be over-developed or deprive residents of light or privacy. Policy GE24 states that development will be permitted where it would not locate sensitive uses and sources of noise pollution close together.

The NPPF at paragraph 130 Part (f) requires a high standard of amenity for existing and future users. Paragraph 185 requires decisions to mitigate and reduce potential adverse impacts resulting from noise. The UDP policy is therefore considered to align with these requirements and should be given significant weight.

There is plenty of physical separation between the proposed houses and existing houses around the site so that the development will not have a significant adverse

impact on the privacy of existing householders.

All the new houses have sufficient private amenity space for family housing. The outlook distances between the new housing meets the Council's normal guidelines for protecting privacy except across the two cul-de-sacs at the western end of the site where the front to front distance between habitable room windows is 12m. However, it is considered that householders are more tolerant of reduced outlook distance between the fronts of properties and in this case the close proximity of houses across the streets helps to create a pleasing cottage aesthetic. Therefore, in this case, the reduced outlook distances are considered to be acceptable.

The site adjoins a railway line and there is some concern that there may be noise disturbance from passing trains. However, the applicant has carried out a noise assessment which demonstrates (subject to suitable sound insulation and window standards) internal noise levels would not be unacceptable in relation to relevant standards. The applicant also undertook a specific further assessment of potential disturbance from the adjacent Network Rail depot. Conditions are proposed requiring specified internal noise levels to be achieved.

Overall, it is assessed that the proposed development would not significantly impinge upon the amenities enjoyed by the occupants of any existing adjacent residential dwellings through overbearing, overshadowing or overlooking and that the standard of accommodation provided will be sufficient to provide residents with an acceptable level of amenity, in accordance with NPPF Section 12 and paragraphs 130(f) and 185 and Unitary Development Plan policies H14 and GE24.

Flood Risk and Drainage

Policy CS63 'Responses to Climate Change' of the Core Strategy states that action to adapt to expected climate change will include designing development to eliminate unacceptable flood risk and adopting sustainable drainage systems.

Policy CS67 'Flood Risk Management' states that the extent and impact of flooding should be reduced. It seeks to ensure that more vulnerable uses (including housing) are discouraged from areas with a high probability of flooding. It also seeks to reduce the extent and impact of flooding through a series of measures including limiting surface water runoff, through the use of Sustainable drainage systems (Suds), de-culverting watercourses wherever possible, within a general theme of guiding development to areas at the lowest flood risk.

These policies are considered to align with Section 14 of the NPPF. For example, paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided and development should be directed away from areas at the highest risk. Paragraph 167 states that when determining applications, it should be ensured that flood risk is not increased elsewhere with relevant applications being supported by a Flood Risk Assessment. Paragraph 169 expects major developments to incorporate sustainable drainage systems unless there is clear evidence to demonstrate otherwise.

The applicant has submitted a Flood Risk Assessment and Indicative Foul and

Surface Water Drainage Strategy. The residential development of the site is acceptable in flood risk terms (with the site being in flood zone 1). The preliminary drainage submission states that percolation tests have shown that the site is unsuitable for soakaways and there is no convenient watercourse near the site. The surface water is to be stored on site and discharge to combined sewer at a restricted rate. The amount of storage has been calculated to limit the run-off to the greenfield rate with an allowance for climate change.

The Lead Local Flood Authority and Yorkshire Water have no objections in principle to the surface water drainage arrangements subject to further development of the detailed design and restricting surface water discharge rates to 3.5 l/s. This could be controlled by condition. Subject to full details of the drainage system being reserved by planning condition, it is considered that the proposed development is acceptable in relation to flood risk and SUDS in accordance with paragraphs 159 and 167 of the NPPF and Core Strategy Policies CS63 and CS67.

Ground Conditions (Stability and Contamination Risks)

Paragraph 183 of the NPPF says that planning policies and 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, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation). In this instance the site is a former scrap yard which is also within an area subject to historic coal mining and therefore both contamination legacy and land stability issues must be considered.

In relation to stability issues, the submitted coal mining risk assessment identifies the potential for a shaft on or close to the site and the need to consider shallow coal workings. Following concerns raised by the Coal Authority the applicant undertook site investigations in order to locate the mineshaft on the site. The mineshaft was not located in the position identified on historical mapping or the further extent of the site which was stripped as part of the investigations. Based upon the information on where the mine shaft definitely isn't, the applicant is confident that the houses would not be in the mineshaft's zone of influence and that it would be possible to remediate any stability risks through capping/ grouting, etc.

The applicant has gone as far as is reasonable in managing risks associated with the mineshaft and that any remaining concerns can be resolved through further site investigations and remediation proposals reserved by planning condition. The Coal Authority has now advised (by letter dated 2 August 2023) that they withdraw their objection subject to the imposition of two conditions to secure additional intrusive investigations and a validation statement that the site has been made safe. The substance of these conditions is addressed by proposed conditions 5 and 18.

In relation to contamination issues, the site was previously used as railway sidings and a scrap yard and therefore is likely to be contaminated. The submitted

environmental risk assessment report identifies potential pollutant linkage risks associated with the residential development of the site due to these potentially contaminating historic uses and recommends site investigations to quantify the risk and identify any required remedial measures, such as the use of a capping system. Conditions are proposed which will require the contamination to be assessed and remediated.

It is considered that the submission adequately assesses the potential for the development to be affected by land stability and contamination issues and demonstrates that the site can be developed safely, subject to the required further investigations and remediation proposals being controlled by suitable planning conditions. Consequently, the proposal is considered to accord with paragraph 183 of the NPPF, which states 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.

Sustainability

The key way which the planning system can help to contribute towards sustainable development is by ensuring that development is delivered in the right locations in order to minimise the need to travel and create walkable neighbourhoods. In this instance the proposal site is within an existing housing area, in relatively close proximity to a railway station and bus routes and within walking distance of a range of facilities (including schools, playing fields and a limited number of shops). The development of the site with housing is therefore not considered to be inconsistent with the principles of sustainable development in spatial terms.

In addition to this the planning system seeks to contribute to sustainable development by promoting development schemes which minimise embodied carbon, maximise energy efficient building design and generate renewable or low carbon energy. This area is partly covered by the requirements of building regulations (Approved Document L) but the planning system can play a role through pushing for the retention and conversion of existing buildings and trees and minimising level changes to reduce embodied carbon, ensuring that buildings are orientated and fenestrated in a manner which promotes passive solar heating (being mindful of overheating issues) and by imposing building fabric and renewable energy requirements over and above the building regulations baseline.

In terms of specific policy requirements Core Strategy Policy CS65 requires all significant developments to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy (or an alternative fabric first approach). NPPF paragraph 157(b) requires that developments take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

In terms of compliance with these policies, the submitted Design and Access Statement advises that:

‘Although final U-value calculations are not yet confirmed, the proposal will strive to exceed relevant building regulation requirements at the time of

construction. The process will be monitored using SAP calculations and a regular photographic record to ensure good quality is maintained. Energy and water saving measures are proposed to support the in-use sustainability of the homes when completed. Embodied carbon has been considered from the outset of the design process through the careful retention of woodland, particularly given that there is limited scope for the re-use of existing building materials on the site. It is also proposed that the Contractor will, where possible, utilise local supply chains to minimise vehicle and delivery use. Dependent on-site conditions, it is proposed to utilise either air-source heat pumps or a combined gas & PV systems when the houses are occupied. Low energy lighting utilising LED's have been considered in conjunction with positive specification choices to ensure a more sustainable in-use strategy. The document has outlined a strong passive solar gain strategy, with natural purge and cross-ventilation identified as suitable further to the completed Air Quality and Noise Assessments.'

Subject to a planning condition requiring a minimum of 10% of the predicted energy needs of the completed development to be obtained from decentralised and renewable or low carbon energy (or an alternative fabric first approach to offset an equivalent amount of energy) and also requirements for cycle parking, EV charging, a detailed Travel Plan, a SUDS scheme, landscaping scheme and biodiversity enhancement scheme, the proposal is considered to be consistent with relevant sustainability requirements in accordance with Section 14 of the NPPF and Core Strategy policy CS65.

Community Infrastructure Levy (CIL)

The proposed development would be Community Infrastructure Levy (CIL) liable and is located within Charging Zone 3 with a current charge of £41.93 per m² for housing. It is considered that the CIL regime covers the majority of infrastructure requirements relevant to the development i.e. education and recreation provision. The exception to this is Affordable Housing and Biodiversity Net Gain, which will be addressed through a S106 agreement.

SUMMARY AND RECOMMENDATION

The development plan supports the provision of housing on the site and the lack of a 5 year supply of housing adds further weight in favour of the scheme as does the fact that the development would provide for 2 affordable houses and is responsive to the specific need for additional family housing within this part of Sheffield. The site is mainly previously developed, vacant industrial land and redevelopment of the site will regenerate this despoiled site.

The proposed housing scheme is considered to be reasonably well designed and of an acceptable density for this semi-rural location and the character of the scheme is an appropriate design response to the mix of building styles present within the locality. The site is reasonably sustainably located with public transport services within reasonable walking distance.

Ideally the access road should be improved between the site and the adopted

highway at June Road. However, this would be too great a burden for a relatively small development site such as this to bear. The improvement of the access road along the site frontage is considered to be a reasonable compromise. It is concluded that the additional traffic generated by the development would not create a severe highway safety problem.

The improvements to the access road and the construction of the new housing will undoubtedly change the rural character of Junction Road to a more urban character. However, this is inevitable if new housing is developed off this road. Given the benefits of regenerating the site and providing new housing it is concluded that these significantly outweigh the erosion of the existing rural character of the locality.

The birch woodland and green corridor adjoining the railway line will be retained and, subject to an ecologically enhanced landscaping scheme, the development would not result in an unacceptable level of loss of woodland or other habitats and risks to protected species can be managed through planning conditions. In this instance, and given the lengths to which the applicant has gone to minimise on-site habitat loss, it is considered acceptable to compensate for the predicted on-site loss of biodiversity by making a financial contribution for the Council to create an equivalent value of habitats off-site.

It is recommended that planning permission be granted subject to the listed conditions and also a Section 106 agreement embodying the following Heads of Terms:

Heads of Terms

- 1) Financial contribution of £85,000 in order to fund the Council to deliver and maintain new or enhanced habitats (on a like for like or better basis) elsewhere within the City which equate to a habitat unit value of at least 3.4 habitat units.
- 2) Provision of at least 2 dwellings as affordable housing.

Planning obligations must be:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In this case the BNG financial contribution is needed to avoid a biodiversity net loss, is directly related to the development (as the development would create the loss) and the level of financial contribution (£85,000) is considered to be fairly and reasonably related to the scale of development proposed.

The provision of 2 dwellings as affordable housing is necessary in order to comply with policy CS40 and deliver the development plan objective of meeting the needs of residents unable to access housing at full market rates. The on-site provision of affordable housing is directly related to the development and the provision of 10% of the development as affordable housing is considered to be fairly and reasonably related to the scale and kind of development, as per the thresholds set out within

the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (December 2015).

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